

review the WIFIA program handbook and discuss how the project addresses each of the selection criteria in the LOI submission.

IX. Federal Requirements

All projects receiving WIFIA assistance must comply with the applicable Federal requirements including (but not limited to) those listed below. Compliance with Federal requirements is not required for submitting a letter of interest, being invited to apply for a WIFIA loan, or submitting an application. The WIFIA program will review selected projects for compliance with Federal requirements once they have submitted an application. Additional information about Federal compliance requirements, including WIFIA's BABAA waiver and the *WIFIA Borrower Guide to Federal Requirements*, is available at <https://www.epa.gov/wifia/wifia-federal-compliance-requirements>.

(i) Build America, Buy America Act, Public Law 117–58, § 70911–70917;

(ii) American Iron and Steel Requirement, 33 U.S.C. 3914, <https://www.epa.gov/cwsrf/state-revolving-fund-american-iron-and-steel-ais-requirement>;

(iii) Labor Standards, 33 U.S.C. 1372, <https://www.dol.gov/whd/govcontracts/dbra.htm>;

(iv) National Environmental Policy Act of 1969, 42 U.S.C. 4321 *et seq.*, <https://www.epa.gov/nepa>;

(v) Floodplain Management, Executive Order 11988, 42 FR 26951, May 24, 1977, <https://www.archives.gov/federal-register/codification/executive-order/11988.html>;

(vi) Archeological and Historic Preservation Act, 16 U.S.C. 469–469c, <https://www.nps.gov/archeology/tools/laws/ahpa.htm>;

(vii) Clean Air Act, 42 U.S.C. 7401 *et seq.*, <https://www.epa.gov/clean-air-act-overview>;

(viii) Clean Water Act, 33 U.S.C. 1251 *et seq.*, <https://www.epa.gov/aboutepa/about-office-water>;

(ix) Coastal Barrier Resources Act, 16 U.S.C. 3501 *et seq.*, <https://www.fws.gov/program/coastal-barrier-resources-act>;

(x) Coastal Zone Management Act, 16 U.S.C. 1451 *et seq.*, <https://coast.noaa.gov/czm/about/>;

(xi) Endangered Species Act, 16 U.S.C. 1531 *et seq.*, <https://www.fws.gov/endangered/>;

(xii) Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, Executive Order 12898, 59 FR 7629, February 16, 1994, <https://www.archives.gov/files/federal-register/executive-orders/pdf/12898.pdf>;

www.archives.gov/files/federal-register/executive-orders/pdf/12898.pdf;

(xiii) Protection of Wetlands, Executive Order 11990, 42 FR 26961, May 25, 1977, as amended by Executive Order 12608, 52 FR 34617, September 14, 1987, <https://www.epa.gov/cwa-404>;

(xiv) Farmland Protection Policy Act, 7 U.S.C. 4201 *et seq.*, https://www.nrcs.usda.gov/wps/portal/nrcs/detail/?cid=nrcs143_008275;

(xv) Fish and Wildlife Coordination Act, 16 U.S.C. 661–666c, as amended, <https://www.fws.gov/>;

(xvi) Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1801 *et seq.*, <https://www.fisheries.noaa.gov/resource/document/magnuson-stevens-fishery-conservation-and-management-act>;

(xvii) National Historic Preservation Act, 16 U.S.C. 470 *et seq.*, <https://www.nps.gov/archeology/tools/laws/NHPA.htm>;

(xviii) Safe Drinking Water Act, 42 U.S.C. 300f *et seq.*, <https://www.epa.gov/ground-water-and-drinking-water>;

(xix) Wild and Scenic Rivers Act, 16 U.S.C. 1271 *et seq.*, <https://rivers.gov/>;

(xx) Debarment and Suspension, Executive Order 12549, 51 FR 6370, February 18, 1986, <https://www.archives.gov/federal-register/codification/executive-order/12549.html>;

(xxi) Demonstration Cities and Metropolitan Development Act, 42 U.S.C. 3301 *et seq.*, as amended, and Executive Order 12372, 47 FR 30959, July 14, 1982, http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning;

(xxii) New Restrictions on Lobbying, 31 U.S.C. 1352, <https://www.epa.gov/grants/lobbying-and-litigation-information-federal-grants-cooperative-agreements-contracts-and-loans>;

(xxiii) Prohibitions relating to violations of the Clean Water Act or Clean Air Act with respect to Federal contracts, grants, or loans under 42 U.S.C. 7606 and 33 U.S.C. 1368, and Executive Order 11738, 38 FR 25161, September 12, 1973, <https://www.archives.gov/federal-register/codification/executive-order/11738.html>;

(xxiv) The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601 *et seq.*, <https://www.gpo.gov/fdsys/pkg/FR-2005-01-04/pdf/05-6.pdf>;

(xxv) Age Discrimination Act, 42 U.S.C. 6101 *et seq.*, <https://www.eeoc.gov/laws/statutes/adea.cfm>;

(xxvi) Equal Employment Opportunity, Executive Order 11246, 30

FR 12319, September 28, 1965, https://www.dol.gov/ofccp/regs/compliance/ca_11246.htm;

(xxvii) Section 13 of the Clean Water Act, Public Law 92–500, codified in 42 U.S.C. 1251, <https://www.epa.gov/ocr/external-civil-rights-compliance-office-title-vi>;

(xxviii) Section 504 of the Rehabilitation Act, 29 U.S.C. 794, supplemented by Executive Orders 11914, 41 FR 17871, April 29, 1976 and 11250, 30 FR 13003, October 13, 1965, <https://www.epa.gov/ocr/section-504-rehabilitation-act-1973#:-:text=No%20otherwise%20qualified%20individual%20with,activity%20receiving%20Federal%20financial%20assistance>;

(xxix) Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d *et seq.*, <https://www.epa.gov/environmentaljustice/title-vi-and-environmental-justice>; and

(xxx) Participation by Disadvantaged Business Enterprises in Procurement under the Environmental Protection Agency Financial Assistance Agreements, 73 FR 15904, March 26, 2008, <https://www.epa.gov/resources-small-businesses>.

Detailed information about some of these requirements is outlined in the WIFIA program handbook and *WIFIA Borrower Guide to Federal Requirements*. Further information can be found at the links above.

Authority: 33 U.S.C. 3901–3914; 40 CFR part 35.

Michael S. Regan,
Administrator.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL OP–OFA–020]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information 202–564–5632 or <https://www.epa.gov/nepa>. Weekly receipt of Environmental Impact Statements (EIS) Filed June 6, 2022 10 a.m. EST Through June 13, 2022 10 a.m. EST Pursuant to 40 CFR 1506.9.

Notice: Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: <https://cdxnodengn.epa.gov/cdx-enepa-public/action/eis/search>.

EIS No. 20220078, Final, FRA, CA, Coachella Valley-San Gorgonio Pass

Rail Corridor Service Program Combined Final Tier 1 Program EIS/ EIR and Record of Decision, Review Period, Contact: Amanda Ciampolillo 617-866-9398.

Under 23 U.S.C. 139(n)(2), FRA has issued a single document that consists of a final environmental impact statement and record of decision. Therefore, the 30-day wait/review period under NEPA does not apply to this action.

EIS No. 20220079, Draft, EPA, IBWC, CA, United States-Mexico-Canada Agreement Mitigation of Contaminated Transboundary Flows Project, Comment Period Ends: 08/01/2022, Contact: Elizabeth A. Borowiec 415-972-3419.

EIS No. 20220080, Draft, FERC, IL, Three Rivers Interconnection Project, Comment Period Ends: 08/01/2022, Contact: Office of External Affairs 866-208-3372.

EIS No. 20220081, Final, FHWA, MD, I-495 & I-270 Managed Lanes Study Final Environmental Impact Statement and Final Section 4(f) Evaluation, Review Period Ends: 07/18/2022, Contact: Jeanette Mar 410-779-7152.

EIS No. 20220082, Draft, USDA, OR, Powder River Mining, Comment Period Ends: 08/01/2022, Contact: Kendall Cikanek 541-523-1301.

EIS No. 20220083, Third Revised Draft, USACE, FL, Lake Okeechobee Watershed Restoration Project Third Revised Draft Integrated Project Implementation Report and Supplemental Environmental Impact Statement, Comment Period Ends: 08/01/2022, Contact: Melissa Nasuti 904-232-1368.

Dated: June 14, 2022.

Cindy S. Barger,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 2022-13100 Filed 6-16-22; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL 9901-01-OW]

Notice of Funding Availability for Credit Assistance Under SWIFIA Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of funding availability.

SUMMARY: In the Further Consolidated Appropriations Act, 2022, signed by the President on March 15, 2022, Congress provided \$5 million in budget authority

solely for the cost of direct loans or guaranteed loans to state infrastructure financing authority borrowers for projects described in Section 5026(9) of the Water Infrastructure Finance and Innovation Act of 2014 (WIFIA). The state infrastructure financing authority WIFIA (SWIFIA) program will use this amount to cover the subsidy required to provide a much larger amount of credit assistance. The U.S. Environmental Protection Agency (EPA) estimates that this budget authority may provide approximately \$1 billion in credit assistance and may finance approximately \$2 billion in water infrastructure investment. The purpose of this notice of funding availability (NOFA) is to solicit letters of interest (LOIs) from prospective state infrastructure financing authority borrowers seeking credit assistance from EPA under the SWIFIA program.

ADDRESSES: Prospective borrowers should submit all LOIs electronically via EPA's SharePoint site. To be granted access to the SharePoint site, prospective borrowers should contact wifia@epa.gov and request a link to the SharePoint site, where they can securely upload their LOIs and then email wifia@epa.gov once the complete LOI package has been uploaded to the SharePoint site.

EPA will notify prospective borrowers that their LOI has been received via a confirmation email.

Prospective borrowers can access additional information, including the WIFIA program handbook and application materials, on the WIFIA website: <https://www.epa.gov/wifia>.

SUPPLEMENTARY INFORMATION:

A. Submission and Review of Letters of Interest on a Rolling Basis

EPA is changing the way it accepts LOIs to respond to both market conditions, including cost inflation and supply chain shortages and unparalleled Federal investment through the Infrastructure Investment and Jobs Act and the American Rescue Plan Act. The WIFIA program will be responsive to these conditions by moving to a rolling selection process, whereby LOIs may be submitted by prospective borrowers and received by EPA at any time throughout the year. A rolling selection process allows EPA to provide year-round access to WIFIA funding and quicker selection decisions to prospective borrowers.

B. Funding Availability Period

LOIs may be submitted by prospective borrowers and will be received by EPA on a rolling basis. The LOI submittal

period will begin on September 6, 2022 and end on the earlier of (i) the date on which all budget authority made available under this NOFA is committed (notice of such to be provided on the WIFIA website: <https://www.epa.gov/wifia>), and (ii) publication of a subsequent notice ending this LOI submittal period or replacing this NOFA with an updated NOFA.

In addition, EPA reserves the right to make additional awards using FY2022 appropriated funding or funding authority carried over from previous fiscal years, consistent with agency policy and guidance, if additional funding is available after the original selections are made. Any funding authority not obligated in the fiscal year for which it is authorized remains available for obligation in subsequent years.

C. Summary of NOFA and Submission Instructions

EPA will evaluate and select proposed projects described in the LOIs using the selection criteria established in the statute and regulation, and further described in this NOFA as well as the WIFIA program handbook. This NOFA explains budgetary scoring factors to determine budgetary scoring compliance and outlines the process that prospective borrowers should follow to be considered for SWIFIA credit assistance.

For a project to be considered during the availability period, EPA must receive an LOI, via SharePoint, before the end of the availability period. EPA anticipates any future NOFA will include sufficient notice of the end of the period for borrowers to complete LOIs in progress.

When writing an LOI, prospective borrowers should complete the SWIFIA LOI form and follow the guidelines contained on the WIFIA program website: <https://www.epa.gov/wifia/wifia-application-materials>. Prospective borrowers should provide the LOI and any attachments as Microsoft Word documents or searchable PDF files, whenever possible, to facilitate EPA's review. Additionally, state infrastructure financing authority prospective borrowers should ensure that financial information, including the pro forma financial statement, is in a formula-based Microsoft Excel document. Section VI of this NOFA provides additional details on the LOI's content.

EPA will invite each prospective borrower whose project proposal is selected for continuation in the process to submit a final application. Final applications should be received by EPA