

**EXHIBIT 2-N  
COMBINED NOTICE FINDING OF NO SIGNIFICANT IMPACT and  
NOTICE TO PUBLIC OF REQUEST FOR RELEASE OF FUNDS  
(FONSI/NOI/RROF)**

**Date of Publication of Notice:** May 20, 2005

City of Kalispell

Tri-City Planning Office  
17 Second Street East, Suite 211  
Kalispell, MT 59901 406-751-1850  
**Mailing Address**

**RECEIVED**

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LEGISLATIVE ENVIRONMENTAL  
POLICY OFFICE

**TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:**

On or about June 7, 2005 the above-named City of Kalispell, on behalf of Community Frameworks will request the Department of Housing and Urban Development to release HUD funds under the Self-Help Homeownership Opportunity Program (SHOP) provided under Title I of the Housing and Community Development Act of 1974, as amended (PL 93-383) for the following project:

Self Help Housing at Kalispell - Empire Estates  
**SHOP Project Title**

**Purpose or Nature of the SHOP Project:** The project involves the acquisition of thirty-two (32) single-family lots within a soon to be platted single-family and townhouse residential subdivision. The grant funds will be used to secure thirty-two (32) building lots that ultimately will be used to assist thirty-two (32) low-income qualifying families to construct affordable townhouse homes. Upon funding, construction may begin in 2005.

**Location:** The project site is Lots 1 through 12 and 15 through 26 Block 4 and Lots 12A/B through 15A/B in Block 2 in Empire Estates in Section 1, Township 28 North, Range 22 West, PMM Flathead County within the City of Kalispell, Montana.

Finding of No Significant Impact

It has been determined that such request for release of funds will not constitute an action significantly affecting the quality of the human environment and accordingly the above named City of Kalispell has decided not to prepare an Environmental Impact Statement under the National Environmental Policy Act of 1969 (PL 91-190).

The reasons for the decision not to prepare such Statement are as follows: the project does not exceed the threshold criteria established for the preparation of a statement, the project will not have a significant impact on the human environment under NEPA, the project will substantially benefit the welfare of thirty-two (32) low-income families through the provision of affordable housing, the project is designed to be compatible with the surrounding neighborhood and the project occurs within a location in the city that has full access to all the goods, services and conveniences required of the future residences.

An Environmental Review Record documenting review of all project activities in respect to impacts on the environment has been made by Malasiga Ranch Consulting, L.L.C., on behalf of the City of Kalispell, Montana. This Environmental Review Record is on file at the offices of the Tri-City Planning Office between the hours of 8 AM and 5 PM Monday through Friday excluding holidays, at the above address and at the offices of Northwest Montana Human

Resources, Inc. (NMHR), 214 South Main Street, Kalispell, Montana, by appointment, and is available for public examination and copying upon request.

No further environmental review of such project is proposed to be conducted prior to the request for release of SHOP or USDA-RD Mutual Self Help Housing project funds.

#### Public Comments on Findings

All interested agencies, groups and persons disagreeing with this decision are invited to submit written comments for consideration to the Tri-City Planning Office, at the above address on or before June 6, 2005. All such comments so received will be considered and the City of Kalispell will not request release of funds or take any administrative action on the project prior to the date specified in the preceding sentence.

#### Release of Funds

NMHR will undertake the project on behalf of the **City of Kalispell** as described above using HUD funds under the SHOP program provided under Title 1 of the Housing and Community Development Act of 1974, as amended (PL 93-383). The City of Kalispell is certifying to HUD that they and Tom Jentz, Planning Director in his capacity as Environmental Certifying Officer, consent to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision-making, and action; and that these responsibilities have been satisfied. The legal effect on the certification is that upon its approval, the City of Kalispell and in particular, NMHR may use the SHOP funds and that the City of Kalispell and NMHR will have satisfied its responsibilities under the National Environmental Policy Act of 1969.

#### Objections to State Release of Funds

HUD will accept an objection to its approval only if it is on one of the following bases:

- (a) that the certification was not in fact executed by the certifying officer or other officer of the applicant; or
- (b) that the applicant's environmental review record for the project indicates omission of a required decision, finding, or step applicable to the project in the environmental review process; or
- (c) Other specific grounds in HUD regulations at 24 CFR Part 58.75

Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and may be addressed to: Environmental Officer, U.S. Department of Housing and Urban Development, 633 - 17<sup>th</sup> Street, Denver, Colorado 80202.

Objections to the release of funds on bases other than those stated above will not be considered by HUD. No objection received after June 21, 2005 will be considered by HUD.

Name of Environmental Certifying Official: Thomas R. Jentz

Tri-City Planning Office, 17 Second Street East, Suite 211  
Kalispell, MT 59901