

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

December 30, 2011
Date

Lewis and Clark County
County

316 North Park Avenue
Mailing Address

Helena, MT 59623
City, State, Zip Code

(406) 447-8383
Telephone

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

On or before *January 17, 2012*, the above-named *Lewis and Clark County* will request the Montana Department of Commerce (DOC) to release Community Development Block Grant (CDBG) funds provided under Title I of the Housing and Community Development Act of 1974, as amended (PL 93-383), for the following construction project:

The River Rock Residences, consisting of thirty-three (33) units of senior-designated affordable housing located in Helena, Montana, in Lewis and Clark County.

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 *Lewis and Clark County* has decided not to prepare an Environmental Impact Statement under the National Environmental Policy Act of 1969 (PL 91-190).

The reason for the decision not to prepare such Statement is as follows:

There will be no significant impact on the environment as determined by a thorough environmental assessment.

An Environmental Review Record documenting review of all project activities in respect to impacts on the environment has been made by the above-named *Lewis and Clark County*. This Environmental Review Record is on file at the above address and is available for public examination and copying upon request between the hours of 8:00 AM and 5:00 PM.

No further environmental review of such project is proposed to be conducted prior to the request for release of CDBG project funds.

Public Comments on Findings

All interested agencies, groups, and persons disagreeing with this decision are invited to submit written comments for consideration by *Lewis and Clark County* to the *Montana Department of Commerce* on or before *January 17, 2012*. All such comments so received will be considered and *Lewis and Clark County* 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

Lewis and Clark County will undertake the project described above with CDBG funds provided by DOC under Title I of the Housing and Community Development Act of 1974, as amended. *Lewis and Clark County* is certifying to DOC that *Lewis and Clark County's certifying officer, Laura Erikson*, in her official capacity as Grants Coordinator, consents 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, *Lewis and Clark County* may use the CDBG funds and DOC will have satisfied its responsibilities under the National Environmental Policy Act of 1969.

Objections to State Release of Funds

The Department of Commerce will accept an objection to its approval of the release of funds and acceptance of the certification only if it is on one of the following bases:

- (a) that the certification was not in fact executed by the chief executive officer or other officer approved by the Department of Commerce;
- (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;
- (c) the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by DOC; or
- (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental design.

Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and may be addressed to: Department of Commerce, Community Development Division, 301 S. Park Avenue, P.O. Box 200523, Helena, Montana 59620.

Objections to the release of funds on bases other than those stated above will not be considered by DOC. No objection received after February 6, 2012 will be considered by DOC.

EXHIBIT 2-Q

MONTANA DEPARTMENT OF COMMERCE
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

REQUEST FOR RELEASE OF FUNDS (RROF)

(Pursuant to Section 104(h) of Title I of the Housing and
Community Development Act of 1974 as Amended)

ENVIRONMENTAL -- FOR ENVIRONMENTAL ASSESSMENT*

1. NAME OF GRANTEE	2. GRANT/CONTRACT NUMBER
Lewis and Clark County	MT CDBG 11HR-01
3. ADDRESS (Include Street, City, State, ZIP Code.)	4. REQUEST DATE
316 N. Park Ave. Helena MT 59623	01/17/2012

5. **REQUEST FOR RELEASE OF FUNDS.** Release of approved grant funds for the following project is requested.

PROJECT

River Rock Residences

GRANTEE

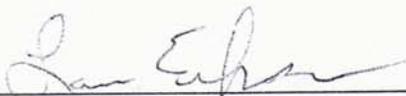
Lewis and Clark County

6. **CERTIFICATION.** With reference to the above project, I the undersigned officer of the applicant, certify:

- That the applicant has at least fifteen (15) days prior to submitting this request for release of funds and certification, published and disseminated, in the manner prescribed by 24 CFR 58.43 a notice to the public (a copy of which is attached) in accordance with 24 CFR 58.70);
- That the applicant has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project named above; that the applicant has complied with the National Environmental Policy Act of 1969; that the applicant has complied with environmental procedures, permit requirements and the statutory obligations of the laws cited in 25 CFR 58.5; and that the applicant has taken into account the environmental criteria, standards, permit requirements and other obligations applicable to the project under the other related laws and authorities cited in 24 CFR 58.5;
- That the level of environmental clearance carried out by the applicant in conjunction with this project [] did [X] did not require the preparation and dissemination of an environmental impact statement;
- That the dates upon which all statutory and regulatory time periods for review, comment, or other response or action in regard to this clearance began and ended as indicated below; applicant is in compliance with the requirements of 24 CFR Part 58;

	COMMENCE MO/DAY/YR	EXPIRE MO/DAY/YR
15-day Notice of No Significant Impact: Publication	12/31/2011	1/17/2012
15-day DOC Decision Period	1/18/2012	2/1/2012
Other (Specify)		

- That I am authorized to, and do, consent to assume the status of responsible federal officer under the National Environmental Policy Act of 1969 and each provision of the law specified in 24 CFR 58.5 insofar as the provisions of these laws apply to state and federal responsibilities for environmental review, decisionmaking and action assumed and carried out by the applicant; that by so consenting, I assume the responsibilities, where applicable, for the conduct of environmental review, decisionmaking, and action as to environmental issues, preparation and circulation of draft, final and supplemental environmental impact statements, and assumption of lead agency or cooperating agency responsibilities for preparation of such statements on behalf of State and Federal agencies, when these agencies consent to such assumption.
- That I am authorized to consent to, and do, accept on behalf of the applicant and personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my official capacity as certifying officer of the applicant.



Laura Erikson

Grants Coordinator, 316 N. Park, Helena, Montana 59623

Signature, Title and Address of Certifying Officer or Chief Elected Official

January 17, 2012
Date

WARNING -- Section 1001 of Title 18 of the United States Code and Criminal Procedures shall apply to this certification. Title 18 provides, among other things, that whoever knowingly and willfully makes or uses a document or writing containing any false, fictitious, or fraudulent statement or entry, in any matter with the jurisdiction of any department or agency of the United States, shall be fined not more than \$10,000 or imprisoned not more than five years or both.