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LEGISLATIVE ENVIRONMENTAL POLICY OFFICE

LETTER OF TRANSMITTAL

TO: MT Environmental Quality Council
PO Box 201704
Helena, MT 59620

DATE: July 13, 2016
JOB: 13-266

We are sending you ☐ Attached ☐ Under separate cover via _____ the following items:

☐ Shop Drawings ☐ Disks ☐ Plans ☐ Samples
☐ Copy of Letter ☐ Change Order ☐ Specifications ☐ Files

COPIES	DATE	DESCRIPTION
1		FONSI/NOI/RROF Document

These are transmitted as checked below:

☐ For approval ☐ No exception taken ☐ Resubmit _____copies for approval
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REMARKS: The attached document will be published in the Great Falls Tribune on July 18, 2016.

Cc: _____

TD&H ENGINEERING

Signed: Mellissa Frisbee

Mellissa Frisbee, Administrative Assistant

1800 River Drive North • Great Falls, MT 59401 • (406) 761-3010 • Fax: (406) 727-2872

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: July 18, 2016

Town of Neihart
P.O. Box 36
200 S. Main Street
Neihart, Montana 59465
(406) 236-5301

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

On or after August 11, 2016 the Town of Neihart will request the Montana Department of Commerce (Commerce) 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 project: Neihart water system improvements, specifically the construction of a new water intake structure at Shorty Creek near Neihart, Cascade County, 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 Town of Neihart 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 is not an action that will significantly affect the quality of the human environment, and no EIS is required. A Finding of No Significant Impact (FONSI) can be made.

An Environmental Review Record documenting review of all project activities in respect to impacts on the environment has been made by the Town of Neihart. This Environmental Review Record is on file at TD&H Engineering, 1800 River Drive North, in Great Falls and is available for public examination and copying upon request between the hours of 8:00 am and 5:00 pm, Monday through Friday of every week. The Environmental Review Record is also on file at Neihart Store, 208 N Main Street, Neihart and is available for public examination and copying upon request between the hours of 7:00 am and 5:00 pm, Wednesday through Sunday of every week.

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 Finding

All interested agencies, groups, and persons are invited to submit written comments regarding this finding for consideration by the Town of Neihart to the Town of Neihart on or before August 2, 2016. All such comments so received will be considered and the Town of Neihart 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

The Town of Neihart will undertake the project described above with CDBG funds provided by Commerce under Title I of the Housing and Community Development Act of 1974, as amended. The Town of Neihart is certifying to Commerce that Steve Taylor, in his official capacity as Environmental Certifying Officer, 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, the Town of Neihart may use the CDBG funds and Commerce 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 Commerce; 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 Commerce. No objection received after August 27, 2016 will be considered by Commerce.

Steve Taylor, Mayor
Environmental Certifying Officer and Chief Elected Official

Town of Neihart
P.O. Box 61
Neihart, Cascade County, Montana 59465