

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS (NOI/PROE)

RECEIVED

October 14, 2005

Name of Grantee: Yellowstone County
Mailing Address: P.O. Box 35000
City, Montana Zip: Billings, MT 59101

OCT 17 2005

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

Telephone Number: 406-256-6871

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

On or about October 21, 2005, the above-named Yellowstone County will request the Montana Department of Commerce to release funds under Title I of the Housing and Community Development Act of 1974, as amended, (PL93-383) for the following project:

PROJECT, TITLE OR NAME: *Link Communications Economic Development Project.*

PURPOSE OR NATURE OF PROJECT: *1) provide for working capital 2) train new and existing employees.*

LOCATION (CITY, COUNTY, STATE): Billings, Yellowstone County, State of Montana.

ESTIMATED COST OF PROJECT: \$376,500

An Environmental Review Record documenting review of all project activities in respect to impacts on the environment has been made by the above-named Yellowstone County. This Environmental Review Record is on file at the above address and is available for public examination or copying, upon request.

Yellowstone County will undertake the project described above with Community Development Block Grant funds provided by the Montana Department of Commerce, under Title I of the Housing and Community Development Act of 1974, as amended. Yellowstone County is certifying to the Department of Commerce that Yellowstone County and (*JT Smith, Economic Development Coordinator*), in his or her official capacity as Environmental Certifying Official, 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, Yellowstone County may use the CDBG funds, and the Department of Commerce will have satisfied its responsibilities under the National Environmental Policy Act of 1969 as delegated to the State of Montana through the 1981 Amendments to the Housing and Community Development Act.

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 the CDBG Program, Department of Commerce, Community Development Division, P.O. Box 200523, 301 S. Park Avenue, Helena, Montana 59620.

Objections to the release of funds on bases other than those stated above will not be considered by the Department of Commerce. No objection received after November 14, 2005 will be considered by the Department of Commerce.

JT Smith

Beartooth RC&D

P.O. Box 180

Joliet, Montana 59041