

BUTTE-SILVER BOW
COMMUNITY DEVELOPMENT DEPARTMENT
155 WEST GRANITE STREET, COURTHOUSE
BUTTE, MONTANA 59701
(406) 497-6465

RECEIVED

JUL 30 2007

July 27, 2007



**LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE**

TO: Montana Department of Commerce – Community Development Division
Montana Department of Fish, Wildlife and Parks – Resource Assessment Unit
Montana Department of Environmental Quality
Montana Department of Natural Resources and Conservation
Montana Environmental Quality Council
Montana State Historic Preservation Office - Preservation Officer
U.S. Environmental Protection Agency
U.S. Fish & Wildlife Service
Mile High Conservation District
Butte-Silver Bow Planning Department
Butte Historical Society

**SUBJECT: NOTICE OF FINDING OF NO SIGNIFICANT IMPACT ON THE
ENVIRONMENT & NOTICE OF INTENT TO REQUEST A RELEASE OF
FUNDS**

TO ALL INTERESTED AGENCIES AND GROUPS:

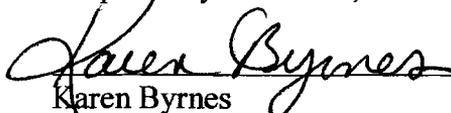
Please be advised that the City and County of Butte-Silver Bow has cause to advertise the enclosed *Notice Of Finding Of No Significant Impact On The Environment & Notice Of Intent To Request a Release of Funds* for the Gilder House project, a recipient of Community Development Block Grant (CDBG) funds provided under Title I of the Housing and Community Development Act of 1974.

The Gilder House is a 5000SF community-based residential psychiatric crisis home to be constructed in the first block of East Copper Street, on property legally described as Lots 6-9, Block 12, Original Butte Townsite, Butte-Silver Bow, Montana.

The local comment period shall commence on July 30, 2007 and end on August 14, 2007, while the period for submittal of comments from state agencies shall commence on August 17, 2007 and end on August 31, 2007.

Thank you for your attention to this matter.

Respectfully submitted,



Karen Byrnes
Environmental Certifying Officer

enclosure

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

July 29, 2007

City and County of Butte-Silver Bow, Montana
Office of Community Development
155 W. Granite Street, Room 115
Butte, MT 59701
406-497-6467

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

On or about August 14, 2007 the above named City-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 project:

Gilder House, a 5000SF community-based residential psychiatric crisis home to be constructed in the first block of East Copper Street, on property legally described as Lots 6-9, Block 12, Original Butte Townsite, Butte-Silver Bow, 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-County 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: 1) the project is not an action significantly affecting the quality of the human environment, and no EIS is required.

An Environmental Review Record documenting review of all project activities in respect to impacts on the environment has been made by the above-named City-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 a.m. and 5:00 p.m.

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 the City and County of Butte-Silver Bow, Montana, to the Office of Community Development on or before August 13, 2007. All such comments so received will be considered and the above named City-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

The City-County of Butte-Silver Bow, Montana 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. The City and County of Butte-Silver Bow, Montana is certifying to DOC that the City and County of Butte-Silver Bow, Montana and Karen Byrnes, in her official capacity as the City-County's 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 City and County of Butte-Silver Bow, Montana 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 (DOC), 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 August 31, 2007 will be considered by DOC.

Karen Byrnes, Environmental Certifying Officer
July 29, 2007
Office of Community Development
155 W. Granite Street, Room 115
Butte, MT 59701

RUN DATE: Sunday, July 29, 2007