

EXHIBIT 2-K

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

Date of Publication of Notice

Name of Grantee: City, Town or County of _____

Mailing Address

City, Montana Zip

Telephone Number of Grantee

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

On or before (date¹), the above-named (City, Town or 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: *(For Example: Second Avenue Housing Rehabilitation Program.)*

PURPOSE OR NATURE OF PROJECT: *(For Example: Rehabilitation of 25 owner-occupied, single-family homes.)*

LOCATION (CITY, COUNTY, STATE): *(For Example: Second Avenue between Broadway Street and Main Street, City, County, Montana.)*

ESTIMATED COST OF PROJECT:

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, Town, or County). This Environmental Review Record is on file at the above address and is available for public examination or copying, upon request.

The (City, Town, or County of _____) 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. The (City, Town, or County of _____) is certifying to the Department of Commerce that the (City, Town or County of _____) and (Mayor _____ or Commissioner _____), in his or her official capacity as (Mayor or Chairperson of the County Commission), 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, Town, or 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:

¹ This date must be a minimum of 7 days **following** the Date of Publication or 10 days following the posting of this notice .

- (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 (Date²) will be considered by the Department of Commerce.

Name of Mayor or Commissioner

City or Town Hall or County Courthouse

_____, Montana Zip Code

Name and Address of Chief Elected Official or Environmental Certifying Officer

² This date must be a minimum of 15 days **following** the anticipated date that the grantee will request release of funds from the Department of Commerce as provided for in Paragraph One of this Notice. It is advisable to allow 18 or 19 days to allow several days for mailing time. Proof of publication is required.