

EXHIBIT 2-U

COMBINED FONSI/NOI/ RROF FOR USDA RD/CDBG JOINTLY-FUNDED PROJECTS

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

PUBLICATION DATE: _____

(...*Sunset County Water and Sewer District...*)
(...*P.O. Box 25...*)
(...*Sunset City MT 59191 Telephone: (406) 777-1178...*)

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

The USDA Rural Development office and the Montana Community Development Block Grant Program are considering an application for financial assistance to the (...*Sunset County Water and Sewer District, Sunset City, Montana...*) The specific elements of this proposed action are (...*constructing a wastewater collection system and treatment facility to serve the community of Sunset County. The treatment of the effluent will occur at a site north of Sunset County, with land application of the effluent for agronomic intake....*)

On or before (date¹), the above-named (...*Sunset County Water and Sewer District, Sunset City, Montana, ...*) will also 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: (...*Sunset County Water and Sewer District Wastewater System Improvements, CDBG Contract #MT-CDBG-03PF-09...*)

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 (...*Sunset County Water and Sewer District...*) 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:

- § A consolidated environmental assessment, which is on file at the (...*Sunset County Courthouse and at the Sunset County Water and Sewer District in Sunset City...*), itemizes the physical environment and human population of the project area.
- § The potential environmental impacts have been assessed by USDA Rural Development determining that the proposed action will not significantly affect the quality of the human environment.

¹ A minimum of 15 days after publication, or 18 days after posting of this notice.

§ The proposed action is not located within a minimum required distance of any delineated 100-year flood plain.

An Environmental Review Record documenting review of all project activities in respect to impacts on the environment has been made by the above-named (...*Sunset County Water and Sewer District*...) This Environmental Review Record is on file at the (...*Sunset County Water and Sewer District, P.O. Box 25, Sunset City, Montana 59191* ...), and is available for public examination and copying upon request between the hours (... *of 9:00 a.m. and 3:00 p.m.* ...) Requests to review the RD environmental assessment upon which this determination is based should be directed to Rural Development/Rural Utilities Service, (...*900 Technology Blvd., Suite B, P.O. Box 850, Bozeman, Montana 59715-0850*...).

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 (... *Sunset County Water and Sewer District*...) to the office of the undersigned, or to Rural Development/Rural Utilities Service, (... *900 Technology Blvd., Suite B, P.O. Box 850, Bozeman, Montana 59715-0850*...) on or before (...*May 30, 2003*...) All such comments so received will be considered and the (... *Sunset County Water and Sewer District*...) will not request release of funds or take any administrative action on the project prior to the date specified in the preceding sentence.

State Release of Funds

(...*The Sunset County Water and Sewer District*...) 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 (...*Sunset County Water and Sewer District*...) is certifying to DOC that (... *Ellen S. Steel* ...), in (... *her / his* ...) official capacity as (... *Sunset County Commissioner*...), 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 approval, the (... *Sunset County Water and Sewer District* ...) 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

DOC will accept an objection to its approval only if it is on one of the following bases:

- (a) that the certification was not in fact executed by the certifying officer or other officer of the applicant approved by DOC;
- (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 Ave., P.O. Box 200523, Helena, Montana 59620-0523.

Objections to the release of funds on bases other than those stated above will not be considered by DOC. No objection received after (date²) will be considered by DOC.

(... Ellen S. Steel ...)

Name of Chief Elected Official

(... April 24, 2003 ...)

Date

(... Sunset County Courthouse ...)

Address

(... Sunset City, Montana 59191 ...)

City, County, State, Zip Code

² Estimate this date as a minimum of 15 days after the date that the Grantee anticipates **DOC will receive the request**. See 24 CFR Part 58. It is advisable to allow 18 or 19 days to allow several days for mailing time. **Proof of publication is required.**