

EXHIBIT 2-T

(Sample) COMBINED FONSI/NOI/RROF for SRF/CDBG funded projects

Date: _____

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

TO ALL INTERESTED GOVERNMENTAL AGENCIES AND PUBLIC GROUPS

On or before _____, (...*Tamarack 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:

Project	(... <i>Pinedale Wastewater Improvements Project</i> ...)
Location	(... <i>Pinedale, Montana</i> ...)
SRF Project Number	(... <i>C301181-AA</i> ...)
Total Cost	(... <i>\$870,000</i> ...)

As required by state and federal rules for determining whether an Environmental Impact Statement is necessary, an environmental review has been performed on the aforementioned project.

Project Summary

The community of (...*Pinedale* ...), through its Preliminary Engineering Report (PER) for the (...*Pinedale County Water & Sewer District* ...), has identified the need to (...*upgrade portions of its wastewater collection and treatment system*...). The purpose of this project is to (...*provide a long-term solution to MPDES discharge violations and meet a Department of Environmental Quality (DEQ) Administrative Order calling for improvements*...)

(...*The community of Pinedale is currently served by a gravity collection system and an extended aeration wastewater treatment package plant. The sewer mains for the collection system range in size (4" to 10") and are in poor to fair shape. Evidence of extensive deterioration in the collection system has been noted. The treatment plant is also deteriorating rapidly and is estimated to be able to remain in operation for only a few years. The Pinedale County Water and Sewer District is operating under a MPDES discharge permit (MT-0099999) to the Water River, which flows into the Missouri River near Pinedale, Montana. The existing system is operating below standards and is currently under a DEQ Administrative Order due to several violations with regards to the fecal coliform, BOD₅, and Total Suspended Solids (TSS) limits. A disinfection system has recently been added to control fecal coliform concentrations. The collection and treatment system in Pinedale is old, failing, and discharging inadequately treated wastewater to the Water River. Therefore, it is recommended that a treatment facility that meets current standards be constructed*...).

The recommended alternative from the PER includes the following improvements:

- (...Replace all 6” sewer mains with 8” and 10” sewer mains ...)
- (...Replace sewer mains that have broken vitrified clay pipe ...)
- (...Replace sewer mains that are allowing infiltration of water and foreign material ...)
- (... Construct a new wastewater treatment package plant utilizing ultraviolet technology for disinfection ...)

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 (...*Tamarack County, the Pinedale County Water and Sewer District* ...), and the DEQ have 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:

(...The project will provide improvements to the environment by eliminating MPDES permit violating discharges to the Water River and the land use for the general area will not change. The new system will ultimately reduce safety, health, and environmental hazards...)

Environmentally sensitive characteristics such as wetlands, floodplains and threatened or endangered species are not expected to be adversely impacted as a result of the proposed project. No significant negative long-term environmental impacts were identified.

An Environmental Review Record prepared by the aforementioned (...*Tamarack County, and Pinedale County Water and Sewer District* ...) and an Environmental Assessment prepared by the DEQ documenting review of all project activities in respect to impacts on the environment are attached to this Finding of No Significant Impact and Request for Release of Funds. These documents are available for public scrutiny on the DEQ web site (<http://www.deq.mt.gov/ea.mcpx>) and also available for public examination and copying upon request between the hours of 9:00 AM and 4:00 PM at the following locations:

Dept. of Environmental Quality 1520 East Sixth Avenue P.O. Box 200901 Helena, Montana 59620-0901	(... <i>Pinedale Water & Sewer District</i> <i>P.O. Box 55</i> <i>Pinedale, Montana 59001...</i>)	(... <i>Tamarack County Court House</i> <i>800 River Road</i> <i>Slick, Montana 59000...</i>)
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No further environmental review of such project is proposed to be conducted prior to the request for release of CDBG project funds.

Release of Funds

Anticipated funding for the project is through a combination of the following: a Community Development Block Grant (CDBG), (...*a Treasure State Endowment Program (TSEP) Grant, a Renewable Resource Grant Program (RRGP) from the Department of Natural Resources and Conservation (DNRC)* ...) and a State Revolving Fund (SRF) Loan.

(...*Tamarack County and The Pinedale 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 (...*County* ...) is certifying to DOC that (...*Tamarack County*...) and chief executive officer/other certifying official (... .., *Tamarack Commission Chair* ...) as approved by DOC, in her/his official capacity as commissioner and 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 (...*County*...) may use the CDBG funds and DOC will have satisfied its responsibilities under the National Environmental Policy Act of 1969.

Public Comments and/ or Objections on Findings

For purposes of CDBG funding, all interested agencies, groups and persons disagreeing with the Finding of No Significant Impact are invited to submit written comments for consideration by the (...*County* ...) to the (...*Tamarack County Court House* ...) on or before (date¹). All such comments so received will be considered and the (...*County* ...) will not request release of funds or take any administrative action on the project prior to the date specified in the preceding sentence.

Comments supporting or disagreeing with this decision may also be submitted to DEQ and DOC for consideration. DOC will accept an objection to its approval for State Release of Funds only if it is on one of the following bases:

1. that the certification was not in fact executed by the certifying officer or other officer of the applicant approved by DOC;
2. 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;
3. 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
4. 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 to be considered by DEQ and/or DOC must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and may be addressed to one of the following agencies:

1. Department of Commerce, Community Development Division, 301 S. Park Avenue, P.O. Box 200523, Helena, Montana 59620-0523.
2. Department of Environmental Quality, Planning, Prevention & Assistance Division, 1520 East Sixth Avenue, P.O. Box 200901, Helena, Montana 59620-0901.

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

DOC will not consider objections to the release of funds on bases other than those stated above. After evaluating the objections and comments received, the agencies will make a final decision. However, no administrative action will be taken on the project for at least 30 calendar days after publication of the Finding of No Significant Impact. For CDBG funding purposes, no objection received after (date²) will be considered by DOC.

The following documents have been utilized by the DEQ and (...*Tamarack County Water and Sewer District* ...) in the preparation of this Environmental Assessment and Environmental Review Record:

1. (... *Wastewater Facility Plan for Pinedale Special Sewer District #1, Hinsdale, Montana, September 1999 report prepared by Extra Engineering, Inc., Slick, MT...*...)
2. (...*Preliminary Engineering Report, Pinedale County Water & Sewer District, Pinedale, Montana, Preliminary Engineering Report prepared by Extra Engineering, Inc., Slick, MT...*...)

Sincerely,

Todd Teegarden P.E., TFA Chief
Planning, Prevention & Assistance Division
Department of Environmental Quality

(...*David Renner, County Commissioner,
Environmental Certifying Officer
Tamarack County, Montana...*...)

² Estimate this date as a minimum of 15 days after the date DOC receives request for release of funds and proof of publication.