

**Notice of Finding of No Significant Impact (FONSI) and
Notice of Intent to Request the Release of Funds (NOIRROF)**

May 10, 2012

The Town of Provincetown
Town Hall
260 Commercial Street
Provincetown, MA 02657
(508) 487-7000

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

On or about *May 26, 2012*, the Town of Provincetown will request the Commonwealth of Massachusetts to release CDBG funds under Title I of the Housing and Community Development Act 1974 (PL 93-383) as amended for the following projects located in Barnstable County, Massachusetts:

NORTH UNION WELL FIELD WATER TRANSMISSION MAIN: As part of the Town's greater efforts to maintain and upgrade its water system, and further towards the development of a new well field, the proposed project includes the installation of the water transmission main and electrical service from North Union Field to the distribution system at Dew Line Road as part of the overall installation of the wellfield at North Union Field, Truro.

RESIDENT SERVICES: The proposed project includes the provision of a variety of services for the tenants living in deed-restricted Provincetown properties. All residents of these properties qualify as low/moderate income. This service will include advocacy and referral assistance for: alcohol and substance abuse, financial issues, budgeting, depression, domestic abuse, preservation of tenancy, medical, and other life issues.

It has been determined that such a request for release of funds will not constitute an action significantly affecting the quality of the human environment and, accordingly, the above-named Town of Provincetown has decided not to prepare an Environmental Impact Statement under the National Environmental Policy Act of 1969 (PL 91-190).

An Environmental Review Record respecting the within project has been made by the Town of Provincetown which documents the environment review of the project and more fully sets forth the reasons why such Statement is not required. This Environmental Review Record is on file at the Grant Administrator's Office, 26 Alden Street, Provincetown, and is available for public examination and copying, upon request, at the Grant Administrator's Office (508/487-7087, mjarusiewicz@provincetown-ma.gov)

No further environmental review of such project is proposed to be conducted prior to the request for release of CDBG funds.

All interested agencies, groups and persons disagreeing with the decision are invited to submit written comments for consideration by the Town of Provincetown to the office of the Grant Administrator, Town Hall. Such written comments should be received at 260 Commercial Street, Provincetown, MA 02657 on or before *May 25, 2012*. All such comments so received will be considered and the Town of Provincetown will not request the release of CDBG funds or take any administrative action on the within project prior to the date specified in the preceding sentence.

The Town of Provincetown will undertake the projects described above with Block Grant Funds from the Commonwealth of Massachusetts under Title 1 of the Housing and Community Development Act of 1974. The Town of Provincetown is certifying to the State that the Town of Provincetown, Town Manager Sharon Lynn, and David Guertin, in his official capacity as Public Works Director and Certifying Officer, 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 of the certification is that upon its approval, the Town of Provincetown may use the Block Grant funds, and the State will have satisfied its responsibilities under the National Environmental Policy Act of 1969 and other provisions of law.

The State will consider objections claiming a recipient's non-compliance with the Part based on any of the grounds listed below:

- (a) The certification was not in fact executed by the recipient's Certifying Officer.
- (b) The recipient has failed to make one of the two findings pursuant to section 58.41 (finding or no finding of significant effect) or to make the written determination decision required by subsection 58.47 (re-evaluation of finding of no significant effect), 58.53 (re-use of prior Environmental Impact Statement), or 58.64 (supplement to Draft Environmental Impact Statement or Environmental Impact Statement) for the project, as applicable.
- (c) The recipient has omitted one or more of the steps set forth at Subparts F and G for the preparation and completion of an Environmental Assessment.
- (d) The recipient has omitted one or more of the steps set forth at Subparts H and I for the conduct, preparation and completion of an EIS.
- (e) No opportunity was given to the Advisory Council on Historic Preservation or its Executive Director to review the effect of the project on a property listed in the National Register of Historic Places, or found to be eligible for such listing by the Secretary of the Interior, in accordance with 36 Code of Federal Regulations Part 800.
- (f) With respect to a project for which a recipient has decided that subsection 58.47, 58.53, or 58.64 apply, the recipient has failed to include in the ERR the written decision required, or its decision is not supported by facts specified by the objecting party.

- (g) Another Federal Agency acting pursuant to 40 Code of Federal Regulation Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. The only bases upon which the State will disapprove the RROF and certification are set forth above.

Objections must be prepared and submitted in accordance with the required procedure (24 Code of Federal Regulations Part 58), and may be addressed to Massachusetts Community Development Block Grant, Department of Housing and Community Development, 100 Cambridge Street, Suite 300, Boston, MA 02114. Objections to the release of funds on bases other than those stated above will not be considered by the State. No objections received after fifteen days from receipt of the community's Request for Release of Funds and Certification will be considered by the State.

Sharon Lynn, Town Manager
Town Hall
260 Commercial Street
Provincetown, MA 02657

The Banner: May 10, 2012

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