

EXHIBIT 2-H.1

NOTICE OF INTENT TO REQUEST THE RELEASE OF FUNDS (NOI/RROF) Based on HUD Region VIII ERR GUIDE #7 – Version: HUD 03/10

NOTICE OF INTENT TO REQUEST THE RELEASE OF FUNDS

(Date of Notice)

Name of Responsible Entity: Montana Department of Commerce – Housing Division

Complete Address of Responsible Entity: 301 S. Park Ave. Room 240

PO Box 200545

Helena, Montana 59620-0545

Telephone Number:

406-841-2820

This notice shall satisfy procedural requirements for activities to be undertaken by the (Name of Local Government or CHDO or PHA Grantee).

REQUEST FOR THE RELEASE OF FUNDS

On or about (at least one day after the end of the comment period) the Montana Department of Commerce (MDOC) will submit a request to the U.S. Department of Housing and Urban Development (HUD) on behalf of (Name of Local Government or CHDO or PHA Grantee) for the release of HOME Investment Partnerships (HOME) funds) under Title II of the Cranston-Gonzalez National Affordable Housing Act of 1990, as amended, to undertake a project known as (project name/title), for the purpose of (Nature and scope of the project, estimated funding, and project location).

The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act requirements. Additional project information is contained in the Environmental Review Record (ERR) on file at Montana Department of Commerce, 301 S. Park Ave. Room 240, Helena, Montana 59620-0545 and (name and address of Local Government or CHDO or PHA Grantee). The ERR may be examined or copied weekdays from 8:00 A.M. to 5:00 PM at the Montana Department of Commerce Housing Division office, or from () A.M. to () P.M. at the (Name of Local Government or CHDO or PHA Grantee) offices.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the Montana Department of Commerce – Housing Division. All comments received by 5:00 P.M. (If the notice is published; the date of the notice plus seven days; if the notice is posted: the date of posting plus ten days) will be considered by the Montana Department of Commerce prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

RELEASE OF FUNDS

MDOC is certifying to HUD that Bruce Brensdal in his capacity as Housing Division Administrator consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. The U.S. Department of Housing and Urban Development approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the (Name of Local Government or CHDO or PHA Grantee) to use HOME Program funds.

OBJECTIONS TO THE RELEASE OF FUNDS

HUD will accept objections to its release of funds and the Montana Department of Commerce's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the Montana Department of Commerce; (b) the Montana Department of Commerce has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (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 HUD; 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 quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and shall be addressed to HUD at 1670 Broadway Street, 25th Floor 8ADE, Denver, CO 80202-4801. Potential objectors should contact HUD to verify the actual last day of the objection period.

Bruce Brensdal, Administrator
Housing Division, Montana Department of Commerce

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- NOTE:** Requires two original Affidavits of Publication to:
- 1) Montana Department of Commerce
 - 2) (Local government or CHDO of PHA)