

**Combined Notice of
Finding of No Significant Impact and
Notice of Intent to Request Release of Funds**

**State of Minnesota
Community Development Block Grant Coronavirus (CDBG-CV) Program**

Date of posting: July 11, 2022

Responsibility Entity:
City of Appleton
323 West Schlieman Avenue
Appleton, MN 56208
Phone: 320-289-1363

Preparer:
Upper Minnesota Valley Regional Development Commission
323 West Schlieman Avenue
Appleton, MN 56208
Phone: 320-289-1981

TO ALL INTERESTED PARTIES, GROUPS AND PERSONS:

The purpose of this notice is to identify two separate but related actions to be taken by the **City of Appleton** (hereinafter referred to as the Grantee).

One, the Grantee has made a Finding of No Significant Impact on project activities described below and two, the Grantee intends to request the Business and Community Development Division, Small Cities Development Program, Minnesota Department of Employment and Economic Development (DEED BCD) to release Community Development Block Grant Coronavirus (CDBG-CV) funds authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (PL166-136) for the following projects.

Pursuant to HUD CPD Notice 20-07 "Guidance on conducting environmental reviews pursuant to 24 CFR Part 58 for activities undertaken in response to the public health emergency as a result of COVID-19" this notice combines the public comment and objection periods into one 18-day comment period. CARES Act funding is needed on an emergency basis as projects funded with CARES Act funds are designed to prevent, prepare for, and respond to the Presidentially declared coronavirus health emergency.

Appleton Fiber to the Premise Broadband Project

This notice is for a reevaluation of an Environmental Assessment that was originally completed in November of 2021 for the following project and new information on the project resulted in a reevaluation of the previous review. The City of Appleton is looking to increase broadband capacity to its 1,400 residents by creating a fiber to the premise network that will provide symmetrical service within the city.

The project will install broadband infrastructure main fiber lines to residential and non-residential properties including nursing homes. The project will be restricted to within the city limits of Appleton. This will involve excavation to install broadband fiber lines in previously disturbed and potentially undisturbed ground. The project may include restoration of excavated areas/repair of roadways, hook-ups etc. The areas that will be impacted by the project include easements, roadways, yards etc.

The project is covered under an expedited review because there continues to be an emergency need for citizens to get broadband coverage. Current internet service providers from cable, satellite and wireless are to not able to meet the demand from the residents, business community or key institutions like the school and healthcare facility.

Finding of No Significant Impact

The Grantee has determined that the Appleton Fiber to Premise Broadband project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement (EIS) under the National Environmental Policy Act of 1969 (PL 91-190) is not required. Additional project information is contained in the Environmental Review Record on file at 323 West Schlieman Ave, Appleton MN 56208 and may be examined or copied between the hours of 8 am and 4:30 pm.

An Environmental Impact Statement was found to not be required due to determining Airport Hazards, Coastal Barrier Resources, Flood Insurance, Clean Air, Coastal Zone Management, Explosives and Flammable Hazards, Farmlands Protection, Noise Abatement and Control, Sole Source Aquifers, Wild and Scenic Rivers, Environmental Justice, Contamination and Toxic Substances, Endangered Species, Floodplain Management, Historic Preservation, and Wetlands Protection would not have adverse impacts on the human environment.

Request for Release of Funds

Pursuant HUD CPD Notice 20-07 "Guidance on conducting environmental reviews pursuant to 24 CFR Part 58 for activities undertaken in response to the public health emergency as a result of COVID-19" this notice combines the public comment and objection periods into one 18-day comment period. As a result, on or about the day this notice is released the Grantee will submit a request to DEED BCD for the release of CDBG-CV funds authorized by the CARES Act (PL 166-136) for the projects described above.

Public Comments

Any individual, group, or agency may submit written comments on the Environmental Review Record for consideration by the Grantee to the City of Appleton, 323 West Schlieman Ave, Appleton MN 56208 or via email to cityappleton@appletonmn.gov. Comments must also be submitted to DEED BCD at Irene.Dassier@state.mn.us. Written comments received at the Grantee's physical address will be scanned and emailed to DEED BCD. All comments received by July 29, 2022, will be considered by the Grantee and DEED BCD prior to authorizing the request for release of funds. Comments should specify which notice they are addressing.

Environmental Certification

The Grantee is certifying to DEED BCD that Dan Tosel, in **his** official capacity as **Mayor**, 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. DEED BCD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the Grantee to use Program funds.

Objections to State Release of Funds

DEED BCD will accept objections to the release of funds and acceptance of the certification for a period of **18 days** following the date this notice was released 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 in fact executed by the Chief Executive Officer of the Grantee; (b) that the Grantee omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grantee recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by DEED BCD; 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 procedure (24 CFR, Part 58.76) and emailed to Irene.Dassier@state.mn.us. Potential objectors should contact this email address as well to verify the actual last day of the objection period.

Dan Tosel, Mayor
Certifying Officer for the City of Appleton
c/o The City of Appleton
323 West Schlieman Ave
Appleton, MN 56208