

## NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

**Date of Publication: February 8, 2023**

**Responsible Entity: Prairie Band Potawatomi Nation**

**Address: 16281 Q Road, Mayetta, Kansas 66509**

**Phone: (785) 966-3942**

*On or after February 15, 2023 the Prairie Band Potawatomi Nation will submit a request to the U.S. Department of Housing and Urban Development Southern Plains Office of Native American Programs for the release of Indian Community Development Block Grant (ICDBG) Program Grant funds authorized under Title I of the Housing and Community Development Act of 1974, as amended [42 U.S.C. 5301 et seq.]; sec. 7(d) of the Department of Housing and Urban Development Act [42 U.S.C. 3535 (d)]; and the program regulations in 24 CFR 1003, and 24 CFR Part 58 to undertake the following project: **Prairie Band Potawatomi Nation Recreation Trail Rehabilitation Project***

**Project Purpose:** Address public health and safety concerns associated with the trail due to surface damage and deterioration lack of necessary pedestrian safety features such as lighting, signage, and controlled crossings

**Project Location:** Section 23, Township 8 South, Range 14 East and Sections 25, 26, and 27, Township 9 South, Range 14 East in Jackson County, Kansas.

**Project Description:** The Prairie Band Potawatomi Nation (PBPN) is proposing a public facility improvement project consisting of light pole and crosswalk installation and repairs/rehabilitation to sections of the existing paved PBPN Recreation Trail. The approximate 193,000 linear foot recreation trail extends along M Road, 158th Road and K Roads on the Prairie Band Potawatomi Nation Reservation, near Mayetta, Kansas

**Project Issues:** The project will include some ground disturbance on Tribal lands with the installation of lighting and signage.

**Mitigation Measures/Conditions/Permits (if any):** The following mitigation measures or condition will be incorporated if needed:

- In the event that human remains, or archaeological materials are exposed as a result of project activities then work must halt and the Tribe must be included in any further discussion regarding treatment and disposition of the findings prior to their removal
- Incorporate principles of low impact development (LID), such as permeable asphalt pavement, porous concrete, swales, bioretention, or raingardens. More info. on LID: <https://www.epa.gov/nps/urban-runoff-low-impact-development>
- Implement and maintain standard erosion-control Best-Management-Practices during all aspects of construction by installing sediment barriers (wattles, filter logs, rock ditch checks, mulching, or any combination of these) across the entire construction area to prevent sediment and spoil from entering aquatic systems. Barriers should be maintained at high functioning capacity until construction is completed and vegetation is established. For more information, go to: <http://www.kdheks.gov/stormwater/#construct>
- Reseed disturbed areas with native warm-season grasses, forbs, and trees

**Estimated Project Cost:** \$997,970.00

**The activities proposed project are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements. An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at the PBPB Tribal Grant Manager's office (16281 Q Road, Mayetta, KS) and the PBPB Planning and Environmental Protection Department (15498 K Road, Mayetta, KS) and may be examined or copied weekdays, 8:00 A.M to 4:30 P.M.**

## PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the PBPB Planning and Environmental Protection Department, Environmental Manager. All comments received by February 15, 2023 will be considered by the Prairie Band Potawatomi Nation prior to authorizing submission of a request for release of funds.

## OBJECTIONS TO RELEASE OF FUNDS

HUD will consider objections to its release of funds and the Prairie Band Potawatomi Nation'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 or other officer of the Prairie Band Potawatomi Nation approved by HUD; (b) the Prairie Band Potawatomi Nation 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 or other participants in the project have 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 (25 CFR part 58) and shall be addressed to Southern Plains Office of Native American Programs at 301 N.W. 6th Street, Suite 200, Oklahoma City, OK 73102. Potential Objectors should contact HUD to verify the actual last day of the objection period.