



**Town of Barnstable**  
**Planning & Development Department**  
[www.townofbarnstable.us/planninganddevelopment](http://www.townofbarnstable.us/planninganddevelopment)



Elizabeth Jenkins, AICP  
Director

**FOR IMMEDIATE RELEASE**  
July 7, 2023

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**TOWN OF BARNSTABLE**  
**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM**  
**NOTICE OF INTENT (NOI) TO REQUEST RELEASE OF FUNDS (RROF)**

**Town of Barnstable - Responsible Entity (RE)**  
**367 Main Street**  
**Hyannis MA 02601**  
**(P): 508-862-4678**  
**(F): 508-862-4782**

On **Monday, July 17, 2023**, the Town of Barnstable will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of CDBG funds for the following project: *OpenCape Corporation Hyannis Downtown Broadband Initiative* for the purpose of extending GPON internet infrastructure into the project area to deliver broadband access to residential customers and businesses. The key hardware components in the Hyannis co-location facility are already servicing residential and business customers. OpenCape would utilize the grant funds to expand the wiring from the existing facility in Hyannis, through the project area by attaching the GPON fiber infrastructure wiring to already existing telephone poles down the remainder of Main Street to the Melody Tent Area, up South Street, and then back down North Street. Local businesses and residential customers within the project area will then be eligible to utilize the OpenCape network to obtain reliable and affordable internet access. The Town of Barnstable is requesting the release of \$297,000 through May 29, 2026.

The proposed activities to be funded under this program are categorically excluded from the National Environmental Policy Act requirements, but subject to compliance with some of the environmental laws and authorities listed at §58.5 of 24 CFR Part 58. Other applicable environmental laws and authorities will be compiled when individual projects are ripe for review. Specifically, the target area has been studied and reviewed for compliance with all of the required laws and authorities under 24 CFR Part 58. Should individual aggregate projects exceed the threshold for categorical exclusion detailed at §58.35(a), further review will be completed, and a separate Request for Release of Funds published. Compliance documentation is available at the address below.

An Environmental Review Record (ERR) that documents the environmental determinations for this project, and more fully describes the process cited above is on file at the Planning and Development Department, 367 Main Street Hyannis, MA 02601. The ERR may be examined or copied weekdays (Monday through Friday) from 8:30 a.m. to 4:30 p.m. Translations are available upon request, please email [elizabeth.jenkins@town.barnstable.ma.us](mailto:elizabeth.jenkins@town.barnstable.ma.us). Las traducciones están disponibles a pedido, envíe un correo electrónico a [elizabeth.jenkins@town.barnstable.ma.us](mailto:elizabeth.jenkins@town.barnstable.ma.us). As traduções estão disponíveis mediante solicitação, envie um e-mail para [elizabeth.jenkins@town.barnstable.ma.us](mailto:elizabeth.jenkins@town.barnstable.ma.us).

**PUBLIC COMMENTS**

Any individual, group, or agency may submit written comments on the ERR to the Planning and Development Department. The Town of Barnstable will accept written comments on the findings of its ERR and of its intention to request release of funds from HUD. All comments received by **Friday, July 14, 2023**, will be considered by the Town of Barnstable and HUD prior to authorizing submission of a Request for Release of

Funds and Environmental Certification to HUD. HUD will receive objections for at least fifteen days following receipt of the request for release of funds **(August 1, 2023)**.

### **RELEASE OF FUNDS**

The Town of Barnstable certifies to HUD that Elizabeth Jenkins in her official capacity as the Director of the Planning and Development Department 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. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the Town of Barnstable to utilize federal funds and implement the Program.

### **OBJECTIONS TO RELEASE OF FUNDS**

HUD will consider objections to its release of funds and the Town of Barnstable certification for a period of fifteen days following either the anticipated submission date (cited above) or HUD's actual receipt of the request (whichever is later) only if the objections are on one of the following bases: (a) that the Certification was not executed by the Certifying Officer of the Town of Barnstable; (b) the Town of Barnstable has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the Town of Barnstable has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; (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 may be addressed to HUD as follows: Robert D. Shumeyko, Thomas P. O'Neill Federal Building, 10 Causeway Street Room 535 Boston, MA 02222. Potential objectors may contact HUD directly to verify the actual last day of the objection/comment period.

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