



"Healthy environment, healthy people"

**Montana Department of
ENVIRONMENTAL QUALITY**

Steve Bullock, Governor
Tracy Stone-Manning, Director

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NOTICE OF PUBLICATION OF CATEGORICAL EXCLUSION
CITY OF LIBBY, MONTANA

2013 WATER SYSTEM IMPROVEMENTS PROJECT

JANUARY 17, 2013

The Montana Department of Environmental Quality has reviewed the above-named project. The project consists of the replacement of miscellaneous water distribution mains, installation of five pressure reducing stations to separate the water distribution system into two pressure zones, replacement of 6,000 lineal feet of raw water transmission main in the Lower Flower Creek Dam access road, and repairs to the Lower Flower Creek Dam in Libby, Montana.

The proposed water system improvements will take place at the following locations:

1. East 4th Street from Montana Avenue to Louisiana Avenue
2. Block 7 Alley between Mineral Avenue and Montana Avenue
3. Colorado Avenue from West 2nd Street to West 1st Street
4. Block 3 and Block 4 Alleys from East Lincoln Boulevard to East 5th Street
5. Block 10 Alley from East Lincoln Boulevard to East 6th Street
6. Education Way from Parmenter Drive to Mahoney Road
7. East 9th Street from U.S. Highway 2 to Michigan Avenue
8. West 10th Street from Idaho Avenue to Louisiana Avenue
9. The intersection of Forest Avenue and Plummer Road
10. The Lower Flower Creek Dam access road

Pursuant to ARM 17.40.318, the department has concluded that the proposed project meets the categorical exclusion criteria of the National Environmental Policy Act (NEPA) and the Montana Environmental Policy Act (MEPA).

The documentation for this categorical exclusion is available for public review at the following locations:

Department of Environmental Quality
State Revolving Fund Loan Program
1520 East Sixth Avenue
Helena, MT 59601

Libby City Office
952 East Spruce Street
Libby, MT 59923

Sincerely,

Todd Teegarden, Bureau Chief
Technical & Financial Assistance Bureau
Planning Prevention and Assistance Division
Montana Department of Environmental Quality

DOCUMENTATION OF CATEGORICAL EXCLUSION DETERMINATION CHECKLIST

Project Name / Brief Description: Libby 2013 Water System Improvements Project. Replacement of miscellaneous water distribution mains, installation of five pressure reducing stations to separate the water distribution system into two pressure zones, replacement of the raw water transmission main, and improvements at the Lower Flower Creek Dam.

Date: January 16, 2013

Reviewer: Gary J. Wiens, P.E.

The Department action under Title 75, chapter 5, part 11 and or chapter 6, part 1 or 2, MCA, is excluded from the requirement to prepare an environmental assessment (EA) or environmental impact statement (EIS) if the application for department review is for any of the following projects:

(a) Projects relating to existing infrastructure systems such as sewer systems, drinking water supply systems, and stormwater systems, including combined sewer overflow systems that involve:

[Answer yes or no. If all answers "no", an EA or EIS must be completed. If any answer is yes, skip to (b).]

- No 1. minor upgrading;
- No 2. minor expansion of system capacity;
- Yes 3. rehabilitation (including functional replacement) of the existing system and system components;
- Yes 4. construction of new minor ancillary facilities adjacent to or on the same property as existing facilities; or
- No 5. projects in unsewered communities involving the replacement of existing on-site systems, provided that the new on-site systems do not result in substantial increases in the volume of discharges or in loadings of pollutants from existing sources, and do not relocate existing discharges.

(b) A categorical exclusion may NOT be granted for a department action if:

[Answer yes or no. If all answers "no", skip to (c). If any answer is yes, an EA or EIS must be completed.]

- No 6. the action would authorize facilities that will provide a new discharge or relocate an existing discharge to ground or surface waters;
- No 7. the action would result in an increase above permit levels established for the facility under the Montana pollutant discharge elimination system or Montana ground water pollution control system for either volume of discharge or loading rate of pollutants to receiving waters;
- No 8. the action would authorize facilities that will provide capacity to serve a population at least 30% greater than the existing population;
- No 9. the action is not supported by the state, or other regional growth plan or strategy;
- No 10. the action directly or indirectly involves or relates to upgrading or extending

infrastructure systems primarily for the purposes of future development;

No 11. the department has received information indicating that public controversy exists over the project's potential effects on the quality of the human environment;

No 12. the department determines that the proposed project that is the subject of the state action shows some potential for causing a significant effect on the quality of the human environment, based on ARM 17.4.608, or might possibly affect:

- (i) sensitive environmental or cultural resource areas; or
- (ii) endangered or threatened species and their critical habitats.

(c) If the proposed project meets the conditions above in determining use of a CATEX, the reviewer will then complete items 13 - 17 as follows:

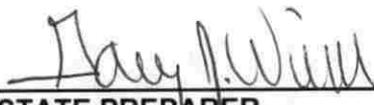
[Once all steps 1- 17 are complete, reviewer shall sign and date at bottom. If revocation becomes necessary, reviewer shall initiate an EA or EIS as appropriate.]

- _____ 13. Project meets the above Categorical Exclusion criteria.
- _____ 14. DEQ determination of Categorical Exclusion.
- _____ 15. DEQ distributes the Notice of Determination.
- _____ 16. Notice of Publication and cover letter (containing revocation language below) is delivered to recipient.
- _____ 17. Notice of Publication published in local newspaper by recipient and evidence of publication provided to reviewer.

(d) The department may revoke a categorical exclusion if:

[Only complete the steps below 18 - 21 if revocation of a previously implemented CATEX becomes necessary.]

- _____ 18. the project is not initiated within the time period specified in the facility plan, or a new or modified application is submitted;
- _____ 19. the proposed action no longer meets the requirements for a categorical exclusion because of changes in the proposed action;
- _____ 20. new evidence demonstrates that serious local or environmental issues exist; or
- _____ 21. state, local, tribal, or federal laws may be violated.



STATE PREPARER



STATE REVIEWER

COMPLETION DATE

R SYSTEM IMPROVEMENTS OF LIBBY, MONTANA

OCTOBER 2012

WATER MAIN REPLACEMENT
PROJECT LOCATIONS

PRV & PRV LOOPING
PROJECT LOCATIONS

PREPARED BY:



**MORRISON
MAIERLE, INC.**
An Employee-Owned Company

*Engineers
Surveyors
Scientists
Planners*

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RAW WATER TRANSMISSION MAIN
REPLACEMENT PROJECT LOCATION

FLOWER CREEK DAM
LOWER DIVERSION STRUCTURE
IMPROVEMENTS PROJECT LOCATION



**MORRISON
MAIERLE, INC.**

QUALITY ASSURANCE

Project Manager

Office Manager or Q.A. Coordinator

Peer Reviewer

Q.A. Approval Date

Q.A. Project No.

VICINITY MAP

1" = 1/4 Mile



APPROVED BY: _____
CITY OF LIBBY

APPROVED BY: _____
USDA - RURAL
DEVELOPMENT

MDEQ SUBM

SET NO. _____

MMI PROJECT NO. 063