

Complaint # \_\_\_\_\_  
Date rec'd \_\_\_\_\_  
Application # \_\_\_\_\_STATE OF MONTANA  
NATURAL STREAMBED AND LAND PRESERVATION ACT  
OFFICIAL COMPLAINT

1. Alleged Violator Nathan Cernick  
 Address 14103 Swede Mountain Rd E  
 State MT Zip 59923 City Libby Phone \_\_\_\_\_
2. Location of activity: Name of perennial stream Libby Creek  
 \_\_\_\_\_ Section 25 T 30 N R 31 W
3. Nature of complaint. Please give specific written description of the activity and draw a sketch of the site. Please note any landmarks. Provide photos if available. After the flooding that took place on 12/11/25, which washed away Cernick's access Rd NF-533. He proceeded to enter the creek in his excavator on 12/16/25 and move material/debris in (what I am guessing) an attempt to move "new" Creek Channel to regain an access. This area was previously diverted by Army Corps of Engineers to elevate flooding downstream. Libby Creek is now running in "old" channel. We have had additional bank erosion on our property due to N. Cernick moving material in the creek
4. Verification of alleged violation. Please state whether you have personally viewed the site of the alleged violation, and the date of the viewing. If you have not viewed the site, please state the basis that forms your belief that a alleged violation is occurring. I did not witness action. My mother Carol Chonzera witnessed the action. I did view site on same day. A large amount of material (streambed material) was moved and created additional bank erosion when the water came back up
- Access to Libby Creek through 656+652 property address is granted to any agency that needs to if necessary
5. Complainant's Signature Julie Trabont  
 Please print name Julie Trabont  
 Address 652 Dawson St Zip 59923 City Libby Phone 425-530-1309  
 State MT

Please note: ANY COMPLAINTS FILED WITH OUR OFFICE  
MAY BE REQUIRED BY LAW TO BE OPEN TO THE PUBLIC.

TO BE COMPLETED BY TEAM MEMBER

**INSPECTION REPORT**

1. The following is the determination of the team member who conducted the on-site inspection of the alleged violation site.

2. Determination
- activity has been initiated on a perennial flowing stream without a valid permit.
- activity violates emergency procedures.
- activity is outside the scope of permit.
- activity is not a violation as defined by district rules.

3. Recommended course of action

Team

Member

Date

Complaint # \_\_\_\_\_  
Date rec'd \_\_\_\_\_  
Application # \_\_\_\_\_

**STATE OF MONTANA  
NATURAL STREAMBED AND LAND PRESERVATION ACT  
OFFICIAL COMPLAINT**

1. Alleged Violator Nathan Chernick  
Address 1463 Swede Mountain Road  
State MT City LIBBY  
Zip 59923 Phone

2. Location of activity: Name of perennial stream Libby Creek  
48.33949,-115.50195     Section NF-533 T  R

3. Nature of complaint. Please give specific written description of the activity and draw a sketch of the site. Please note any landmarks. Provide photos if available.

Directly across from 652 and 656 Dawson St. Libby MT

Tuesday 12/16/2025 @ 1:26 pm. Hearing equipment working near the creek. I observed an excavator in the middle of Libby Creek. I recorded a video of the excavator scooping buckets of material from creek and attempting to make a berm to direct the creek. Prior to the berm action a log jam was removed, which also directed the creek. This action has compromised my property and cause erosion and tree loss now and possibly with the next high water event. Additionally, properties down stream could be at risk as well.

A large portion of NF-533 was washed out, and I believe he was attempting to divert water away from that area.

4. Verification of alleged violation. Please state whether you have personally viewed the site of the alleged violation, and the date of the viewing. If you have not viewed the site, please state the basis that forms your belief that a alleged violation is occurring.

I have attached a video of small channels developing before he physically was in the creek. After more flooding, on 12/17/25, part of his berm was washed out. Because he had moved the log jam the channel he created remains.

5. Complainant's Signature Carol Chonzena

Please print name Carol Chonzena

Address  
State **MT**

Zip 59923

City LIBBY

Phone 425-530-5351

**PLEASE NOTE: ANY COMPLAINTS FILED WITH OUR OFFICE  
MAY BE REQUIRED BY LAW TO BE OPEN TO THE PUBLIC**

TO BE COMPLETED BY TEAM MEMBER

**INSPECTION REPORT**

1. The following is the determination of the team member who conducted the on-site inspection of the alleged violation site.

2. Determination
- activity has been initiated on a perennial flowing stream without a valid permit.
- activity violates emergency procedures.
- activity is outside the scope of permit.
- activity is not a violation as defined by district rules.

3. Recommended course of action

Team

Member

\_\_\_\_\_ Date

STATE OF MONTANA  
NATURAL STREAMBED AND LAND PRESERVATION ACT  
OFFICIAL COMPLAINT

1. Alleged Violator Mark Alan Chernick Chernick  
 Address 1412 3/4 Cascade Mountain Road MT 59923 City Libby Phone  
 State MT

2. Location of activity: Name of perennial stream Libby Creek  
43.33949, -115.50195 Season T R

3. Nature of complaint. Please give specific written description of the activity and draw a sketch of the site. Please note any landmarks. Provide photos if available.

Tuesday 12/16/25 approx 1:26 I observed an excavator in the middle of flooded area middle of Libby Creek. I had recorded a view of recent flood damage then the excavator digging a channel. By Mr. Chernick moving debris (log jam) and scooping material this action has compromised my property, banks + trees, as well as possible future stream properties.

A large section of NF-533 was washed out. I believe he was attempting to divert water away from washout.

I believe when he saw me taking photos he quickly walked machine down to where he could get up on road (NF 533) and was out of sight.

4. Verification of alleged violation. Please state whether you have personally viewed the site of the alleged violation, and the date of the viewing. If you have not viewed the site, please state the basis that forms your belief that a alleged violation is occurring.

I have several pictures + video one of Before and also him physically digging/ Scooping material.

Friday 11:30 AM I took video of small channels formed. The excavator removed a pile of trees + debris creating a main channel and piled a large berm. After more flooding on Wed 12/17 part of his berm was out.

The excavator was in the creek more than an hour. Other neighbor heard it working but did not observe.

Complainant's Signature Carol A. Chonzena  
 Please print name Carol Chonzena City Libby  
 Address 151 Dawson St Zip 59923 Phone 425-530-5352  
 State MT

Please note: ANY COMPLAINTS FILED WITH OUR OFFICE  
 MAY BE REQUIRED BY LAW TO BE OPEN TO THE PUBLIC.

Mapbox  
Gulch

GRAY  
JAMIE L

RESCUED  
TRABONT  
KURT  
SAMUEL  
& JULIE  
MARIE

FAULK  
BRADLEY  
G &  
ANGELA  
M.

Libby Creek



2D

3D Sat

mapbox

GEAR

