

## DEQ issues permits for three contested gravel pits

By DAVE RICHARDSON Chronicle Staff Writer

The state Department of Environmental Quality issued permits Tuesday to three gravel pits proposed for the Cameron Bridge Road area near Belgrade n smashing the hopes of hundreds of neighbors and potentially undoing months of work by Gallatin County commissioners who are scheduled to vote today on interim zoning to regulate gravel operations in that area.

The DEQ had fought and lost a court battle to delay the permits until environmental reviews of the proposed pits were completed.

Gallatin County Commission Chairman Bill Murdock said Tuesday that it's still unclear what effect the judge's ruling will have on the county's ability to regulate the pits.

"The timing of this is suspect," he said.

Lewis and Clark County District Court Judge Dorothy McCarter, in Helena, denied the DEQ's request Monday. The DEQ wanted her to stay her earlier ruling ordering the department to issue the permits even though the environmental review had not been completed.

McCarter's decision left the DEQ no choice, said Director Richard Opper.

"It was a court order and we have to respect that," Opper said. "We tried to get it overturned, and we will continue to try. We've filed for a motion of reconsideration and that still stands."

Several Belgrade-area residents vented their anger and frustration at the process during Tuesday's regular Gallatin County Commission meeting.

Kathy Brekke, one of the most vocal opponents of the three Belgrade-area pits, and new and expanding gravel pits in Four Corners and Gallatin Gateway, said she's lost faith in the commission's ability to deliver on its promises.

She and dozens of other residents have been lobbying the commission for eight months, and petitioned commissioners in November to adopt emergency zoning to stop the pits, she said.

Commissioners voted against the idea, instead saying that the county would work with pit operators to come up with voluntary standards and regulations, with an eventual comprehensive zoning plan to enforce them.

"We were told by you this would be implemented as soon as possible," Brekke said. "Yet here we are today and there's no zoning, and there are gravel pits lining up to make a mockery of our efforts."

Jodi Gryder, a Belgrade resident who owns a recording studio near the proposed Cameron Bridge Road pits, urged the commission Tuesday to vote on the zoning plan right then and there. Her voice shaking with emotion, Gryder said the commissioners failed in their duty to protect the people they serve.

“You have a chance to make the wrong right,” Gryder said. “You have a chance to do the right thing. ... Save my business. Save our retirements, save our children. Commissioners, please protect us now. Do the right thing.”

Unfortunately, commissioners said, their hands were tied. A hearing and vote on the plan was publicly noticed for today, and could not legally be voted on Tuesday, they said.

Murdock said the county moved as fast as possible on the zoning plan, and he was surprised and angry when the pit owners filed suit to have their permits issued just weeks before the scheduled vote.

He also said the proposed zoning rules would not designate the area as solely residential n the only way the county could legally keep gravel pits from opening there.

The county never wanted to ban pits, just impose common-sense regulations to make them good neighbors, he said.

“The industry just doesn’t trust us,” Murdock said.

Meanwhile, the county’s trust in its so-called good-neighbor policy toward pit owners seems to have been misplaced, he said.

“We in good faith asked the industry to sit down and come up with regulations they could live with and that they’d have a hand in creating,” Murdock said. “Why should we waste our time with that anymore?”

Murdock said he’s now seriously considering throwing his support behind Commissioner Joe Skinner’s idea of expanding the proposed interim zoning to the entire county.

“This has changed the equation,” Murdock said.

#### County Commission nixes Burke Park funding

The Gallatin County Commission voted 2-1 Tuesday against providing \$125,000 in open space bond money to help the city of Bozeman and the Gallatin Valley Land Trust preserve 1.8 acres of land in Burke Park near the top of Peet’s Hill.

The land, still held by the Burke Family, is appraised at \$720,000. The Bozeman City Council approved the purchase of the land in March using a combination of city money, land value donated by the family and private fundraising by the trust.

County Commissioners Bill Murdock and Steve White voted against the request. Both said the project was worthy, but the county needs clearer guidelines on how much of its open space bond money should be spent on parks and recreation rather than preserving agricultural land.

#### HOW THEY VOTED

Tuesday’s regular commission meeting at the Gallatin County Courthouse included two board appointments and three other regular agenda items. A fourth item regarding budget transfers was continued to a later date.

Approved: A resolution to raise the daily private-pay room rate at the Gallatin Rest Home from \$155 a day to \$165 a day for a semi-private room, and from \$160 a day to \$170 a day for a private room:

The decision: Unanimous.

Approved: A resolution to abandon a 60-foot-wide public easement on a stretch of private land.

The decision: 2 n 1, with Murdock opposed.

Approved: Allow a one-year extension of preliminary plat approval for the Greathorn Ranch minor subdivision.

The decision: Unanimous.

Approved: Appoint Donald Wilson to the Search and Rescue Advisory Board, and George Carter and Cecilia Reiner to the Salary Compensation Committee.

The decision: Unanimous.