



**By Cary Hegreberg, Montana Contractors' Association**

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Communities throughout Montana are grappling with the emotional issue of where to site gravel pits and the associated facilities that process asphalt and concrete. Until recently gravel was simply a ubiquitous commodity that most people didn't give much thought to. But many Montana communities have experienced significant, rapid growth, resulting in consumption of massive quantities of sand and gravel. And because they are finite resources, there is a pressing need for additional sources of these boring but critical building materials.

Gravel is, literally, the foundation of all development. We can't build anything without gravel as the base material, and as the main component of asphalt and concrete. So where will it come from?

Given the choice, most people would like it to come from somewhere other than near where they live. Understandably, they prefer to avoid the dust, the noise, the traffic and the visual aspects associated with a gravel pit. In various communities around the state, folks have effectively mobilized opposition to proposed new gravel operations, and they have taken their case to county planning boards and elected commissioners, and to the Montana Department of Environmental Quality. Their message is consistent: "We're not against gravel pits, we just don't want one here."

If public officials deny gravel operations anywhere they are unwanted by neighbors, it stands to reason there won't be any gravel sources anywhere near where the gravel, concrete and asphalt is actually needed. Therein is the crux of the issue. How are property rights balanced between the person who owns the gravel endowed land and the people who live nearby? What is in the broad public interest?

There are several facts that are often overlooked, but should be central to the debate:

- People expect and demand better roads, streets and highways. They want new freeway interchanges, and ample parking. They want bike paths, swimming pools and skateboard parks. They want attractive subdivisions and affordable homes. All require huge volumes of gravel.
- Gravel must be extracted where the gravel is—not simply where people can agree it should come from. Gravel is not everywhere;

- The cost of gravel, asphalt and concrete goes up substantially with every additional mile it must be hauled. Affordable housing becomes more elusive, and tax-funded infrastructure is dramatically more expensive the further gravel sources are from where the construction occurs.
- The further those hauling distances are, the more diesel fuel is consumed by heavy trucks, creating more air pollution. With all the hoopla over climate change, haul distance should be considered when weighing the politics of gravel pit locations.
- In addition, these greater hauling distances create more traffic hazards and inconveniences for more people than if the gravel pits are located closer to construction sites. Not to mention wear and tear on taxpayer funded public roads.

A case in point is a current situation near Missoula. The company constructing a highway improvement project near Lolo attempted to secure a gravel permit on property that was literally adjacent to the jobsite. An outcry by local residents led to paralysis at the State Department of Environmental Quality, which arbitrarily suspended its permitting process. This lack of action is now causing the company to haul dozens of loads of material per day from another gravel source near I-90, all the way down Reserve Street and Highway 93 south.

The state agency charged with protecting air quality and conserving natural resources is forcing a company to unnecessarily burn an extra 12,000 gallons of diesel fuel so as to not inconvenience a few not-in-my-backyard activists who sent letters and attended hearings. Missoula motorists who are stuck in traffic, choking on diesel smoke should know who to thank.

Balanced solutions are needed, and the Montana Contractors' Association, which represents most of the larger gravel producers in the state, has developed a good neighbor policy that addresses the concerns most often expressed by local residents. It deals with dust, noise, visual impacts, traffic safety, hours of operation, and other issues. We're proud that our member companies have been partners in building better communities throughout the state, and we intend to raise the bar of performance by agreeing to reasonable operating conditions as part of gravel permits in populated areas.

A wave of recent lawsuits related to gravel permits will undoubtedly lead to efforts in the 2009 Legislature to revise applicable laws. Some revisions are clearly warranted, and the gravel industry stands ready to offer constructive approaches to assure protection of public safety, the environment, and property values. We are committed to working with local and state officials and local residents to ensure we can continue providing necessary building materials in a safe and efficient manner.