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DEQ BILLINGS

CONDITIONAL USE PERMIT APPLICATION

for the

HUTTINGA GRAVEL PIT

Prepared by:

**Rocky Mountain Engineers, P.L.L.C.
1700 W. Koch St., Suite 7
Bozeman, MT 59715
(406) 586-4859**

November, 2008

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Rocky Mountain Engineers, P.L.L.C.

Civil Engineering & Land Surveying

1700 W. Koch St., Suite 7, Bozeman, Montana 59715

(406) 586-4859

November 4, 2008

Mr. Tom Rogers
Gallatin County Planning Department
311 W. Main, Room 108
Bozeman, MT 59715

Re: Huttinga Gravel Pit - Conditional Use Permit

Dear Tom,

Attached is the Conditional Use Permit Application, and supporting information, for the Huttinga Gravel Pit.

The Huttinga Gravel Pit has been in operation since 1994. The reason for this application is to allow the pit to mine additional gravel within the Huttinga property. The owner does not intend to increase the rate at which gravel is mined, or crushed, over that which has occurred in the past. A vicinity map follows this letter, which shows the location of the Huttinga gravel mining operation in relation to other lands up to 2½ miles away. A site plan is also included showing the area immediately around the gravel pit.

The land is owned by Dick and Kathy Huttinga. The Huttingas own the mineral rights to the property, therefore, there are no mineral leases required for the operation.

A copy of the previously approved Opencut Mining Permit and Amendments, from the Montana Department of Environmental Quality (D.E.Q.) are included in Appendix A. A copy of the current amendment application to the Open Cut Mining Program, DEQ, is presented in Appendix B.

I spoke with Jo Stephen, Open Cut Mining, Billings, Montana, on October 14, 2008, regarding the Huttinga Gravel Pit operation. She stated that the Huttinga Pit had never had any violation of the MDEQ Opencut Mining Program terms and conditions.

The names and addresses of property owners adjacent to the site and within 1000 feet of the existing operation and proposed expansion, and postage for certified mail to each address are attached. A list of the names is also included in Appendix C.

The names and addresses of property owners outside 1000 feet, but within one mile of the existing operation and proposed expansion, and postage for first-class mail to each address are attached. A list of the names is also included in Appendix C.

The location, name and address of property owners of all water wells within a one-half mile radius of the existing operation and proposed expansion are attached. A list of the names is also included in Appendix D.

A detailed site inventory map and site development plan meeting the requirements of 17.24.217 through 17.24.219 and 17.24.222(3), A.R.M. is provided in Appendix E. The site map was prepared by Kenai Engineering, Inc. as part of the D.E.Q. Amendment Application. A copy of the Amendment Application is provided in Appendix B.

As noted above, the Huttinga gravel pit has been in operation since 1994. Little Bear Road has not seen significant deterioration during this time. Mr. Huttinga has indicated that recent asphalt patches have been made in the east bound lane of Little Bear Road, which is the lane that empty trucks use to access the pit. Loaded trucks leave the site in the west bound lane, which has experienced less required maintenance. A Traffic Study, prepared by Marvin & Associates, will be forwarded to the County Planning Department in the near future.

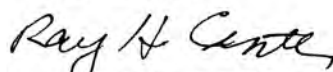
A Noxious Weed Control & Revegetation Plan, approved by the Gallatin County Weed Control District is provided in Appendix F. It should be noted that the operation was given an excellent rating by Dennis Hengle, District Coordinator for the Weed District, and he recommended that the operation seek certification for weed free status. See the notes to this effect included in the weed management plan.

An analysis of impacts of extension of the mined area on monetary values of adjacent and neighboring properties was prepared by Joel Peterson, Certified Residential Appraiser. It is his conclusion that the Huttinga gravel pit has not adversely affected the surrounding real property values. The full report is presented in Appendix G.

A description of the impacts of extension of the existing gravel pit on identified environmental and community resources is included in Appendix H.

The Huttinga gravel pit has been operated safely and in accordance with applicable regulations since its opening in 1994. According to the Department of Environmental Quality, there have not been any violations of the open cut mining program in the 14 years of operation. The operation has met the standards for airborne particulates, noise, etc. The site has been controlled for noxious weeds. There are no known reasons that this conditional use permit to extend the limits of mining should not be granted. Please review this application at your earliest convenience. Feel free to call if you should have any questions regarding the application.

Best Regards,



Ray H. Center, P.E., L.S.



GALLATIN COUNTY

FILE NO. _____

DATE _____

APPLICATION FORM

The Undersigned hereby makes application for a CUP pursuant to the requirements as outlined in the Interim Zoning Regulation.

1. NAME OF APPLICANT: Richard Huttinga
2. ADDRESS OF APPLICANT: 1990 Little Bear Road
Gallatin Gateway, MT 59730
3. PHONE NUMBER OF APPLICANT: 763-5240
4. LEGAL DESCRIPTION OF SUBJECT PROPERTY: Portions of the S1/2 NE1/4
and the N1/2 SE1/4, Section 25, T. 3 S., R. 4 E., P.M.M., Gallatin Co., MT
5. DOR#: 06 0697 25 1 01 01 0000
(2) (4) (2) (1) (2) (2) (4)
6. GENERAL LOCATION: 1750 Little Bear Road
7. ZONING DISTRICT: None CURRENT ZONING: N/A
8. CONDITIONAL USE TO CONSIST OF THE FOLLOWING: The gravel pit is
almost mined out. The amendment is a replacement area for the
existing operation.
9. ARE ANY VARIANCES BEING REQUESTED? IF YES, PLEASE EXPLAIN:
No
10. ARE THERE ANY COVENANTS OR DEED RESTRICTIONS
ON THE PROPERTY? IF YES, PLEASE INCLUDE COPY. YES NO

I understand that the filing fee accompanying this application is not refundable. I hereby certify that the above-listed information is true and correct.

Richard Huttinga
APPLICANT'S SIGNATURE

DATE: 10-29-08

FOR OFFICE USE ONLY

DATE FILED: _____ FILING FEE: _____

ZONING COMMISSION HEARING DATE: _____

ACTION TAKEN: _____

F:\PLNG\Gravel Pit Operations\Interim Zoning March 08\FINAL GPit Interim May 08\Gravel Pit CUP Form 5 4 08.doc

Scale: 1"=2000'



VICINITY MAP

HUTTINGA GRAVEL PIT

Located in the S½ NE¼, Sec. 25, T.3S, R.4E., P.M.M.
Gallatin County, Montana

Prepared By:

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Drawing File Name: 1311-Huttinga.dwg 10/14/2008



Scale: 1" = 600'



2005 Aerial Photo

SITE PLAN

HUTTINGA GRAVEL PIT

Located in the S½ NE¼, Sec. 25, T.3S, R.4E., P.M.M.

Gallatin County, Montana

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