

**The Gallatin River "Outstanding Resource Water" (ORW)  
TIMELINE**

SENATE NATURAL RESOURCES  
ENQUIRY NO. 1  
DATE 2/14/2005  
BILL NO. SB 376

**Summer 2000**

American Wildlands (AWL) begins the ORW proposal drafting process on behalf of Montana citizens. AWL facilitates a public outreach process to inform citizens of the ORW proposal and to collect signatures of area citizen and business supporters.

**Summer 2001**

The Bozeman City Commission votes in support of the Outstanding Resource Water designation for the Gallatin River. The Gallatin County Commission votes in favor of the public process that enables citizens to participate in the environmental review process for the ORW designation.

**December 2001**

AWL submits its proposal to designate the Gallatin River as the state's first Outstanding Resource Water, to the Montana Board of Environmental Review. (BER) The signatures of over 2,000 citizens and 80 area business owners, in addition to approval by the Bozeman City Commission and the Gallatin County Commission, support the proposal.

**January 2002**

The Board of Environmental Review decides the ORW petition is sufficient under law to warrant initiation of a comprehensive public review process (Environmental Impact Statement) under the Montana Environmental Protection Act.

**March 2002**

On March 29<sup>th</sup>, the BER directs the Montana Department of Environmental Quality (DEQ) to implement the environmental impact statement (EIS) for the Gallatin ORW. The estimated cost of the EIS is \$200,000.

**2003 Montana Legislative Session**

House Bill 467 is signed into law. HB 467 requires petitioners for Outstanding Resource Water status to pay up front the costs of an environmental impact statement, rather than using state monies to fund public interest projects. In addition, the bill requires citizens that "necessity must be shown" before requesting that a waterbody be designated as an ORW. Petitioners must prove that a waterbody is in imminent danger of being polluted before an ORW designation can be requested, rather than protecting pristine waterbodies from future pollution.

Due to public outcry, the Gallatin River ORW petition process is excluded from these requirements.

**February 2003**

The Swiss company, Holcim, Inc., submits an application to the MT Department of Environmental Quality for a permit to burn over 1 million tires per year at the company's cement kiln near Three Forks, MT.

**March 2003**

The MT DEQ releases its draft permit and Environmental Assessment for the Holcim proposal for public comment.

**August 2003**

The MT DEQ issues publicly its final Environmental Assessment for the Holcim proposal. Due to hundreds of letters and public testimonies questioning the proposal, the DEQ decides a full Environmental Impact Statement is necessary and begins the EIS process.

The DEQ has not allocated any funding to implement the EIS for the Gallatin River Outstanding Resource Water proposal.

**December 2003**

The Bozeman City Commission sends a letter to the MT DEQ, requesting the agency fulfill its requirement under law to fund the public environmental review process (EIS) for the Gallatin River ORW proposal.

**January 2004**

The Gallatin County Commission sends a similar letter to the DEQ, requesting the agency enable public participation in the Gallatin ORW proposal.

**June 2004**

The DEQ settles its lawsuit with Big Sky, Montana's Yellowstone Club, totaling \$230,000. The settlement results from the company's alleged violations of state water law during construction of a golf course, roads and ski runs. \$155,000 of the settlement is directed to the purchase of a portable glass crusher for recycling projects in Montana. No funding from the settlement is directed to the Gallatin River EIS.