



"Ginger Harris"  
<svharri@marisnet.co  
m>

03/21/2003 01:09 AM

To: nrlarsm@mail.dnr.state.mo.us  
cc:  
Subject: Sand & gravel mining need to be more comprehensively regulated

March 20, 2003

Dear members of the Land Reclamation Commission:

I am writing to ask your support of the regulations for sand and gravel mining as proposed by the American Fisheries Society, Missouri Chapter.

Sand and gravel mining can be extremely damaging to our streams in Missouri. The destruction in Linn Creek and other Missouri streams is evidence of this.

Without the use of best management practices, sand and gravel mining can increase erosion of banks both upstream and downstream of mining sites, causing loss of valuable farmland and damage to public infrastructure such as roads and bridges.

When best practices are not followed, sediment from mining operations increases and can fill in areas of the substrate used by macroinvertebrates, smother fish fry and interfere with the feeding and mating activities of fish. Mining activities can increase water temperatures by affecting the width of streams, causing native aquatic species to die out in affected areas.

Despite the many examples of this industry damaging our streams, sand and gravel mining activities continue to be unregulated in Missouri. I urge you to remedy this situation now by enacting strong, effective regulations to protect other landowners on our streams as well as the general public who use these streams recreationally and who must pay for the damage to the infrastructure done by gravel miners.

As indicated above, I am writing to support the regulations proposed by the American Fisheries Society, Missouri Chapter. Regulations proposed by the industry are not precise enough to facilitate effective enforcement of violations. The latter also allow mining at times and in areas that would expose the environment and the aquatic wildlife to unnecessary risks.

Sincerely,  
Virginia Harris  
556 Oakhaven Lane  
Creve Coeur, Mo. 63141-7613

Rex Epperly, Presiding Commissioner  
Hartville, Missouri  
417 741-6693

Frank Bolt, Eastern District Commissioner  
Mountain Grove, Missouri  
417 926-5532

John Williams, Western District Commissioner  
Mansfield, Missouri  
417-924-4949



The regular terms of the Commission  
are the first Monday in  
February, May, August and November.

The County Commission  
is in session every Monday

**WRIGHT COUNTY COMMISSION**  
P.O. Box 98 -- Hartville, Missouri 65667  
(417) 741-6113

March 20, 2003

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MAR 20 2003

MISSOURI LAND  
RECLAMATION COMMISSION

Land Reclamation Commission  
c/o Larry Coen  
PO Box 176  
Jefferson City, MO 65102

Dear Mr. Coen:

As Commissioners for Wright County, we are concerned about any regulations that are set for in-stream mining of sand and gravel. Wright County currently uses gravel mined from our local streams to maintain our county roads. We also purchase cement from local providers for box culvert, bridge, and slab construction and repair.

It is our opinion that additional regulations will only increase cost to our county for road and bridge construction and maintenance. These increased costs will also impact other construction and maintenance projects throughout our county at a time when we are already suffering from a sluggish economy and reduced revenues.

If it is time to set regulations for in-stream mining of sand and gravel, we feel that the only acceptable option is to implement the guidelines approved by the majority of the workgroups involved to allow mining while protecting our streams.

Sincerely,

Rex Epperly  
Presiding Commissioner

Frank Bolt  
Eastern District Commissioner

John Williams  
Western District Commissioner

cc: file



SCOUTHAYS@aol.co  
m

03/20/2003 08:32 AM

To: nrlarsm@mail.dnr.state.mo.us

cc:

Subject: sand and gravel mining regulations

To the Land Reclamation Commission:

Please accept my comments in support of the regulations for sand and gravel mining that the American Fisheries Society has proposed. We know the damage that sand and gravel mining does to our streams by looking at the destruction in Linn Creek.

We also know that when best management practices aren't enforced the erosion of stream banks can cause loss of farmland and potential damage to public roads and bridges.

We also know that sediment, caused from disregard of best management practices can adversely affect the health and life of fish in our streams. If it wasn't so, the American Fishers Society would not be so concerned.

Unfortunately self-regulation does not always work, as seen by the damage done to our streams by the sand and gravel mining industry already. Please remedy this situation and enact strong, effective regulations to see that enforcement of violations will be enacted.

I urge you to support our legislators in asking for increased in DNR's appropriations so that they may actually be able to play an effective role in the regulatory process. By allowing the land and mining industry to write their own regulations seems undemocratic. To support the regulations proposed by the American Fisheries Society, Missouri Chapter, would support the best interests, not only of the industry, but of all citizens in Missouri who have a stake in the health of our streams.

Thank you.

Sincerely,

Debby Hays  
1600 NE Ducan Road  
Blue Springs, MO 64014

# MONITEAU COUNTY COMMISSION

**Kenneth Kunze**  
Presiding Commissioner

**Tony Barry**  
1st Associate Commissioner

**Kim F. Roll**  
2nd Associate Commissioner

Phone: 573-796-2213

200 East Main Street  
California, Missouri 65018

Fax: 573-796-3082

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MAR 20 2003

MISSOURI LAND  
RECLAMATION COMMISSION

March 19, 2003

Land Reclamation Commission  
C/O Mr. Larry Coen  
PO Box 176  
Jefferson City, MO 65102

To Whom It May Concern:

The Moniteau County Commission would like to express our support for SCS/SB360 in opposition to regulating the unpermitted removal of in-stream sand and gravel.

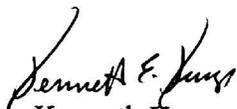
Previously we have written voicing our concern of changing the guidelines to regulations, but we feel the bill sponsored by Senator Steelman is in the best interest of County Government.

We understand that counties would be included under the small operator's portion of this bill. Our county does not excavate more than 5000 tons from any one landowner annually.

What counties don't need is more regulations making it more difficult to excavate sand and gravel from our Missouri streams. Therefore the Moniteau County Commission supports Senator Steelman's SCS/SB360.

Again, Moniteau County Commission favors guidelines making it easier to remove gravel and vegetation from streams and to be able to use these materials to repair our roads and to repair stream bank erosion.

Sincerely,



Kenneth Kunze  
Presiding Commissioner



Tony Barry  
1<sup>st</sup> District Commissioner



Kim F. Roll  
2<sup>nd</sup> District Commissioner

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MAR 19 2003

MISSOURI LAND  
RECLAMATION COMMISSION

**Southern Missouri Chapter of the  
National Association of Home Builders  
P. O. Box 290  
West Plains, Missouri 65775  
(417) 256-2422 FAX (417) 257-1594**

March 12, 2003

Department of Natural Resources  
Land Reclamation Program  
P. O. Box 176  
Jefferson City, Missouri 65102

Attention: Larry Coen

Dear Mr. Coen,

The Southern Missouri Chapter of the National Association of Home Builders, represents 80 builders and associates in nine counties of south central Missouri, who support the DNR Task Force proposed regulations of sand and gravel removal requirements set forth in 10 CSR 40-10.050.

We feel this is a well thought out and reasonable proposal which balances the need for conservation and stream protection with the need to mine sand and gravel to protect the economy of the Ozarks.

As builders, we constantly deal with rules and regulations that result in the ever increasing cost of housing. Affordable housing is rapidly becoming unaffordable.

Quality, cost effective concrete in this area is made up of sand and gravel from our local streams. If we loose that resource, the cost of concrete would rise dramatically and result in the needless addition of \$1,500 to \$2,000 to each average home construction cost.

The Southern Missouri Chapter of the NAHB urges the passage of this sound compromise regulation. We feel this proposed regulation minimizes another large economic impact to our area while minimizing the environmental impact on our beautiful Ozark streams and demonstrates responsible stewardship in the use and protection of our natural resources.

Sincerely,

  
Bill Oakley,  
President

MAR-04-2003 09:48

PRIVATE LAND SERVICES DIV

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MAR 19 2003

## 10 CSR 40-10.050 Performance Requirements

MISSOURI LAND  
RECLAMATION COMMISSION

*Purpose: This change works to ensure: (1) adverse stream impacts associated with in-stream mining operations are minimized, and (2) flexibility is provided to allow variances.*

## (14) In-Stream Gravel Removal Requirements.

(A) Operations that conduct sand and/or gravel removal within the stream banks shall comply with the following requirements, except as authorized by 10 CSR 40-10.040(2).

1. Excavation of sand or gravel deposits shall be limited to deposits in unconsolidated areas containing primarily smaller material (at least 85 per cent of the material is less than three inches in diameter) that is loosely packed and contains no woody perennial vegetation greater than one and one-half inches in diameter, measured at breast height (4.5 feet).
2. A buffer zone of adequate width, to prevent turbidity and ensure the biological, physical and chemical integrity of the water during times of operation shall be left between the excavation area and the waters edge of the flowing stream at the time of excavation. A buffer zone of adequate width to protect bank integrity shall be left between the excavation area and the high bank.
3. A buffer of 25 feet wide should be maintained in an undisturbed condition landward of the high bank for the length of the gravel removal site. Disturbed areas in this riparian zone shall be limited to maintained access road(s) for ingress and egress only. No clearing within this riparian area is authorized in association with work authorized by this permit.
4. Sand or gravel shall not be excavated below water elevation at the time of removal, except:
  - a. If the stream is dry at the time of excavation, excavation shall not occur deeper than the lowest undisturbed elevation of the stream bottom in the given reach of stream. Upon request of the applicant, excavation depth restrictions may be modified if it is determined by the program staff director that a variance would not significantly impact the stream resource.
  - b. For wet stream reaches, excavation depth restrictions may be modified if it is determined by the program staff director that a variance would not significantly impact the stream resource based on the presence of bedrock to prevent head cutting, excessive bedload, gravel rich areas or any other appropriate reason.
5. The stream channel shall not be relocated, straightened, cut-off, shortened, widened, or otherwise modified.
6. Within 30 days of the removal of excavation equipment from the site, stream bank areas disturbed by the removal operation or support features shall be revegetated or otherwise protected from erosion. For long-term operation (longer than 30 days) or for sites that will be periodically revisited as gravel is deposited, access points shall be appropriately constructed and maintained to minimize erosion on stream banks and access points.
7. Any aggregate, fines, or oversized material removed from the stream shall be placed beyond the high bank in a non-wetland

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PRIVATE LAND SERVICES DIV

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site that has been approved by the landowner. No material, including oversized material, that results from excavation activity may be stockpiled or otherwise placed into flowing water or placed against stream banks as bank stabilization unless specifically authorized by a state or federal permit.

8. All sand or gravel washing, gravel crushing, and gravel sorting shall be conducted beyond the high bank, in a non-wetland area and away from areas that flood, such that gravel, silt, and wash water that is warm, stagnant, or contains silty material cannot enter the stream or any wetland.
  9. Vehicles and other equipment shall be limited to removal sites and existing crossings. Water shall be crossed as perpendicular to the direction of the stream flow as possible.
  10. Fuel, oil, and other wastes and equipment containing such wastes shall not be stored or released at any location between the high banks or in any manner that would enter the stream channel. Such materials shall be disposed of at authorized locations.
- (15.) In-stream sand and gravel operations making application for waters listed as "Outstanding State Resource Waters" or "Outstanding National Resource Waters" (10 CSR 20-7.031) will be reviewed individually for specific conditions that must be met to preserve these stream reaches during the mining activity. When necessary, these individual reviews would assist the applicant in focusing on issues of specific concern.

Staff Director  
Land Reclamation Commission  
P.O. Box 176  
Jefferson City, MO 65102

Dear Land Reclamation Commission:

I'm writing to you today to urge you to adopt the version of the instream gravel mining rules proposed by the American Fisheries Society during the recent Gravel Mining Working Group deliberations. I'm a floater living in Missouri and I want my future children and grandchildren to be able to enjoy Missouri's nationally recognized rivers and streams as I know them now.

I recognize that gravel and sand mined from Missouri's streams are economically important commodities. However, fishing, floating and other stream-based recreation also are economically important activities in Missouri; stream fishing alone accounted for \$170 million in 1996. This figure is still without including the additional economic activity generated by swimmers, canoeists, hunters, and other stream goers.

There have been no documented negative economic impacts to the Ozark region or the mining industry under the existing regulations. The proposed rules for in-stream gravel mining were previously in place and followed by gravel miners for two years (April 1995 to April 1997), so claims by miners that the new rules will increase their costs are without basis.

The negative effects of in-stream gravel mining are well documented in the scientific research literature. These effects have been documented not only nationally but also in the Ozarks of Missouri and Arkansas. Effects include erosion of streamside private property (and its real estate value), erosion of public property, damage to private and public infrastructure (roads, bridges, pipelines, and utility lines), losses in productivity of our valuable fisheries, and losses to our rich biological diversity. Claims by rules opponents that gravel must be "cleaned out" of our streams to prevent erosion or should be bulldozed against eroding stream banks to protect them are quickly revealed as untrue once these claims are compared to the indisputable facts uncovered by scientists over the last 20 years.

I've personally seen the damage that uncontrolled gravel mining can produce. This mining is not only a danger to the economy of Missouri, but it is also a danger to an important part of Missouri's heritage: young children enjoying their first kayaking trip.

Sincerely,

Tori Mathis

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MAR 18 2003

MISSOURI LAND  
RECLAMATION COMMISSION

Robert L. "Bob" Green  
Broker



Office 573-674-2115  
Home 573-674-2131  
1-800-648-2115

M. Leann Green  
Sales

P.O. Box 597  
**LICKING**  
MISSOURI 65542



March 12, 2003

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MAR 18 2003

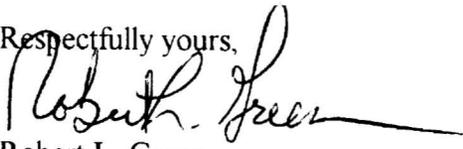
MISSOURI LAND  
RECLAMATION COMMISSION

Land Reclamation Committee  
Dept. of Natural Resources  
P.O. Box 178  
Jefferson City, Mo. 65102

Dear Sirs,

I am writing this letter as a citizen of Texas County, Mo. and as chairman of the Texas County Land Use Planning Commission. My goal is to protect the private property rights of Texas County citizens including myself. The Land Use Planning Commission was established under the guidelines of the laws of the State of Missouri and the Environmental Protection Act of the United States of America. Its goal is to protect the customs, culture, private property rights and environment of the citizens and to facilitate a free market economy and prosperity to Texas County citizens.

The economy of Texas County is impacted by the natural streams in our area through their recreational use by fishermen, floaters, vacationers, farmers, cattlemen, as well as the benefits derived to the health of the streams from the mining of gravel from the stream beds. To maintain a healthy water level in the stream, which provides habitat for fish & wildlife and floatable water levels for fishermen & recreators, the gravel must be removed which has and is continuing to fill up the stream beds. If allowed to continue the stream will provide less habitat and will also be encouraged to erode their banks creating more and more pollution and sediment problems downstream. Allowing mining of gravel from the streambeds strengthens the local as well as the state economy by reducing the cost of raw materials for road construction and maintenance as well as providing lower cost building materials for new construction. This is a win-win situation where it all works together for the benefit of the whole. Everybody wins. The fish, wildlife, fishermen, floaters, business, property owners, environment, tax-payers, economy, everybody wins. No one is better versed to maintain the health of our local environment than the people that live here and are stewards of the blessings God designed into Texas County, Missouri.

Respectfully yours,  
  
Robert L. Green

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MAR 17 2003

MISSOURI LAND  
RECLAMATION COMMISSION

March 14, 2003

Dear Land Reclamation Commission:

As a fisherman interested in the health of our streams I'm writing to implore you to adopt the version of the instream gravel mining rules proposed by the American Fisheries Society at the last Gravel Mining Working Group.

While gravel and sand mined from our streams is important (worth 41 million in 1995), so is fishing and other stream based activities. Fishing alone accounted for 170 million in 1996!

The proposed rules for instream gravel mining were previously in place (4/95-4/97) and followed, so claims by miners that the new rules will increase their costs have no merit.

The negative effects of instream gravel mining are well documented in scientific literature—erosion of stream banks, damage to infrastructure, not to mention losses to our rich biological diversity. Claims by rules opponents are based on old wives tales and have **no basis** on scientific fact.

Please pass meaningful, enforceable **rules** for instream gravel mining.



Dr. Russell S. Hill Jr.  
46 Witmer Dr.  
Chesterfield, Mo. 63017

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MAR 17 2003

Rose and Mike Schulte  
28842 Chadwick Dr.  
Bel Nor, MO 63121-4709  
March 14, 2003

MISSOURI LAND  
RECLAMATION COMMISSION

Land Reclamation Commission  
Missouri DNR  
P.O. Box 176  
Jefferson City, MO 65102

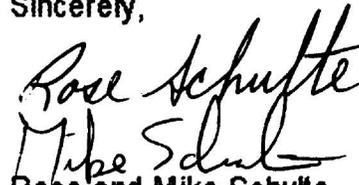
Dear Commissioners:

I am writing to urge you not to weaken the existing law governing gravel mining in Missouri's streams. The proposed weakening of the regulation for gravel mining would eliminate the regulation of most gravel miners in the state.

For years, gravel miners have been regulated by reasonable guidelines established by the Department of Natural Resources. These guidelines prevented miners from digging huge holes in streams, required that a small buffer be left at the water's edge and excluded toxic materials from the floodplain. Even with these protections in place, many streams were destroyed because some miners ignored the guidelines, or were exempted by loopholes in state law.

Missouri has a tremendous natural heritage. This includes numerous Ozark streams that millions of people have visited for floating, fishing and other outdoor recreation. Our continued prosperity depends on maintaining these resources for future generations to enjoy.

Sincerely,

  
Rose and Mike Schulte



## **Watershed Committee of the Ozarks, Inc.**

320 North Main Avenue  
Springfield, MO  
65806-1208  
417-866-1127  
(Fax) 417-866-1918

[www.watershedcommittee.org](http://www.watershedcommittee.org)

### ***Members:***

Jan Wooten  
*Chair*  
Dave Sturdevant  
*Vice-Chair*  
Gene Croy  
Mark McNay  
Randy Ebrite  
Stuart Wetzel

### ***Staff:***

Loring Bullard  
*Executive Director*  
  
Adam Coulter  
*Development Coordinator*

Jan Schipper  
*Office Manager*

March 14, 2003

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MAR 17 2003

MISSOURI LAND  
RECLAMATION COMMISSION

Staff Director, Land Reclamation Program  
P. O. Box 176  
Jefferson City, MO 65102

Dear Staff Director and Land Reclamation Commissioners,

The Watershed Committee of the Ozarks, a citizen-based, public drinking water source protection advisory group in southwest Missouri, would like to offer comments on the proposed rules regarding sand and gravel mining in Missouri streams. In Greene County, these activities are controlled through local permitting. However, in adjacent counties, including watershed areas contributing drinking water to the Springfield/Greene County community, commercial operators are governed solely by state rules. For this reason, we consider these rules, in particular those governing gravel mining in stream zones, to be very important for our region.

Generally, we have serious concerns about the issue of gravel mining in Ozark streams, and appreciate the opportunity to comment on the rules being considered by the Commission. As an organization working to protect and improve water quality, we would stress that a significant number of gravel mining operations in our part of the state, both commercial and non-commercial, have already exerted detrimental impacts on aquatic resources and stream health. However, we also believe that if properly controlled, mining of unconsolidated deposits of gravel from stream zones can be accomplished in a way that has minimal impact on water quality or the ecological functions of the stream. We further believe that many of the recommendations received from your Sand and Gravel Workgroup represent reasonable, effective and non cost-prohibitive approaches to managing and controlling these mining activities. In particular, we would like to offer the following specific comments related to those recommendations.

1. The first option stated in part one (option B) makes sense to us. The operator should be allowed to request a variance if he feels circumstances warrant. Some allowance should be made for flexibility and taking into consideration varying site characteristics, provided the stream is adequately protected.
2. In part two, providing a prescribed buffer width will be easier to understand and to incorporate into site plans and enforce. We suggest leaving this buffer at twenty feet, at least. The width of buffer to be left intact should not be left to the discretion of the operator. However, the operator could request a hardship variance based on unique circumstances, reflecting the configuration of the site, size of stream channel, etc.

### ***Sponsors:***

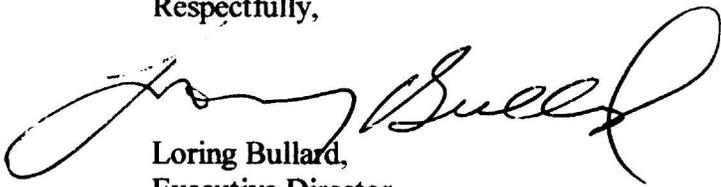
City Utilities of Springfield • City of Springfield • Greene County

3. With respect to depth of excavation, we agree that gravel should not be excavated below the water level in flowing streams, and that for dry streams the excavation should be allowed to reach no deeper than the lowest undisturbed elevation of the adjacent stream bottom. We think this concept is simple to understand and makes for a rule that is easier to enforce. We can think of no compelling reason why excavations should be allowed to go deeper, since the shallow groundwater in the saturated stream zone is an important component for maintaining overall water quality and stream health.
4. With respect to activities such as gravel washing and sorting, the key issue is that these activities are conducted “above” or “beyond” the active stream zone. This terminology needs further clarification, but we feel there is a problem in allowing such activities in areas that are described as not “frequently” flooding—what is frequent flooding? Rather, we feel that these activities should be conducted out of areas that have flooded historically, or at least outside and above the 100-year flooding elevation.
5. The spawning season restrictions (item 9) should be followed. This is when the aquatic fauna is most vulnerable to disturbance activities. Especially on smaller streams, gravel mining could have long term effects on stream biota.
6. With respect to vehicle crossings, we see no reason the language shouldn’t be left as is, i.e., that crossings are made perpendicular to streams. If this creates great difficulty at a particular site, the operator could ask for a variance.
7. We feel that gravel operations should be prohibited in designated “outstanding” waters, at least for the time being. The impacts of gravel mining, though they can be controlled to some extent, are still not completely understood. Waters designated as “outstanding” should be protected from these activities until such time as the manner of mining and effectiveness of controls have been more thoroughly evaluated.
8. In Section 14, regarding the discussion of conditions with contractors, we feel that this is an essential piece of the education process. Contractors simply must be given specific instruction on how the operation is to proceed, what precautions need to be taken, etc. Further, the permittee should remain responsible for meeting the conditions of the permit.
9. We like the idea of the Land Reclamation Commission and the Conservation Department coordinating with each other on the presence of any sensitive species so that these conditions can be considered early in the permitting process. Further, the Land Reclamation Commission should have at least general prior awareness of where sensitive aquatic and river bottom species are likely to be found in the state.

If you have any questions regarding these comments, please feel free to contact the office of the Watershed Committee.

Thank you for providing us the opportunity to comment on this very important issue.

Respectfully,

A handwritten signature in black ink, appearing to read "Loring Bullard", written in a cursive style.

Loring Bullard,  
Executive Director

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MAR 17 2003

MISSOURI LAND  
RECLAMATION COMMISSION

Land Reclamation Commission  
c/o Larry Coen  
Missouri DNR  
P.O. Box 176  
Jefferson City, MO 65102

**Re: Stream Protections**

Dear Commissioners:

I am writing to urge you to move forward with the adoption of enforceable regulations that set reasonable limitations on in-stream gravel mining in Missouri. Past experience has shown that DNR's current "guidelines" are too weak to provide meaningful protection to Missouri's streams. These guidelines can be easily flaunted by the handful of operators that do not care about the state's resources.

Regulations can be instituted that allow for mining to continue but protect our precious streams. Reasonable requirements for buffer areas, depth of mining, placement of hazardous materials and protection of sensitive streams will not interfere with the operations of responsible miners that have followed these practices for years. However, they will prevent the handful of bad actors from causing damage.

Again, I urge you to adopt enforceable regulations for in-stream gravel mining. Without such regulations, our beautiful Ozark streams will be subject to irresponsible gravel mining that destroys fish and wildlife habitat, recreational resources, public infrastructure and private property. Thank you for considering my comments.

Sincerely,

Diane J. Albright  
Signature

DIANE J. Albright  
Print Name

1438 Timberbrook Dr.  
Print Address

Kirkwood, MO 63122  
Print City, State, Zip

Friday, March 14, 2003

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MAR 17 2003

MISSOURI LAND  
RECLAMATION COMMISSION

To the Land Reclamation Commission:

I am writing in support of the regulations for sand and gravel mining as proposed by the American Fisheries Society, Missouri Chapter. Sand and gravel mining can be extremely damaging to our streams in Missouri as evidenced by the destruction in Linn Creek and other streams in the State.

When best management practices are not used, sand and gravel mining can cause increased erosion of banks both upstream and downstream of mining sites causing the loss of valuable farmland and damaging public infrastructure, such as roads and bridges.

Further, increased sediment in the water from mining operations not following best practices can fill in areas of the substrate used by macroinvertebrates, smother fish fry and interfere with the feeding and mating activities of fish. Mining activities can also affect the width of streams causing increases in water temperature that cause the local extirpation of native aquatic species.

Despite the many examples of the damage done to our streams in Missouri by this industry, their activities continue unregulated in our state. I urge you at this time to remedy this situation and to enact strong, effective regulations to protect other landowners on our streams as well as the general public who use these streams recreationally and who must pay for the damage to the infrastructure done by gravel miners.

Specifically, I am writing to support the regulations proposed by the American Fisheries Society, Missouri Chapter. By contrast to these, regulations proposed by the industry lack the precision necessary to facilitate effective enforcement of violations and also allow mining at times and in areas that would expose the environment and the aquatic wildlife to unnecessary risks.

Sincerely,

Linda Schilte  
1408 Capp Hill Ranch Rd  
Ozark, Mo. 65721

Please help to keep Missouri streams beautiful. We love this state for it's natural beauty and want our grandchildren to see it this way. Thanks.

To the Land Reclamation Commission:

3/13/03

I am writing in support of the regulations for sand and gravel mining as proposed by the American Fisheries Society, Missouri Chapter. Sand and gravel mining can be extremely damaging to our streams in Missouri as evidenced by the destruction in Linn Creek and other streams in the State.

When best management practices are not used, sand and gravel mining can cause increased erosion of banks both upstream and downstream of mining sites causing the loss of valuable farmland and damaging public infrastructure, such as roads and bridges. Further, increased sediment in the water from mining operations not following best practices can fill in areas of the substrate used by macroinvertebrates, smother fish fry and interfere with the feeding and mating activities of fish. Mining activities can also affect the width of streams causing increases in water temperature that cause the local extirpation of native aquatic species.

Despite the many examples of the damage done to our streams in Missouri by this industry, their activities continue unregulated in our state. I urge you at this time to remedy this situation and to enact strong, effective regulations to protect other landowners on our streams as well as the general public who use these streams recreationally and who must pay for the damage to the infrastructure done by gravel miners.

As already indicated, I am writing to support the regulations proposed by the American Fisheries Society, Missouri Chapter. Regulations proposed by the industry lack the precision necessary to facilitate effective enforcement of violations and also allow mining at times and in areas that would expose the environment and the aquatic wildlife to unnecessary risks.

Sincerely,



Linda H. Chipperfield

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MISSOURI LAND  
RECLAMATION COMMISSION

March 9, 2003

Mr. Larry Coen  
Missouri Land Reclamation Commission  
PO Box 176  
Jefferson City, MO 65102

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MAR 17 2003

MISSOURI LAND  
RECLAMATION COMMISSION

**Re: In-Stream Sand & Gravel Mining in Missouri**

The negative effects of in-stream gravel mining are well-documented in the scientific literature. In-stream gravel mining has damaged fish, mussel, and wildlife habitat, recreational resources, public infrastructure and private property in the State of Missouri. The Department of Natural Resources and the Department of Conservation have documented numerous examples of this damage in many regions of the state.

I request that the Land Reclamation Commission adopt a new regulation in 2003 that incorporates the current gravel mining guidelines. To the extent the regulation deviates from the current guidelines, it should follow the recommendations of a scientific organization such as the American Fisheries Society.

The new regulation should include, at a minimum, standards for buffer zones, depth of excavation, protection of vegetation, storage of fuel, oil, or waste materials, gravel washing or crushing, release of fines, mining in outstanding state and national resource waters, and effect on endangered species. To the extent that different proposals have been put forth on these issues, I believe that the American Fisheries Society's position should be adopted because of that organization's scientific expertise on this subject.

The Land Reclamation Commission owes a duty to the citizens of Missouri to protect the state's natural resources from overuse and abuse. This duty requires that the Commission strike a balance between commercial use on the one hand and the protection of public property and private property on the other hand.

Thank you for your consideration,

*George and Betty Gibson  
1 Springer Drive  
Columbia, MO 65201-5424*

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MAR 17 2003

Land Reclamation Program  
PO Box 176  
Jefferson City, MO 65102

MISSOURI LAND  
RECLAMATION COMMISSION

To the Land Reclamation Commission:

I am writing in support of the regulations for sand and gravel mining as proposed by the American Fisheries Society, Missouri Chapter. Sand and gravel mining can be extremely damaging to our streams in Missouri as evidenced by the destruction in Linn Creek and other streams in the State.

On a personal note, I allowed a local gravel hauler to remove gravel from a seasonal stream on my property near Pleasant Hope. He pulled out in the middle of removing a gravel bar and left such a mess that the banks were severely eroded. He did not return to repair the damage even after several requests. As a farmer I understand the need for inexpensive gravel sources, however, I don't think the industry should be allowed to regulate itself.

When best management practices are not used, sand and gravel mining can cause increased erosion of banks both upstream and downstream of mining sites causing the loss of valuable farmland and damaging public infrastructure, such as roads and bridges.

Further, increased sediment in the water from mining operations not following best practices can fill in areas of the substrate used by macroinvertebrates, smother fish fry and interfere with the feeding and mating activities of fish. Mining activities can also affect the width of streams causing increases in water temperature that cause the local extirpation of native aquatic species.

Despite the many examples of the damage done to our streams in Missouri by this industry, their activities continue unregulated in our state. I urge you at this time to remedy this situation and to enact strong, effective regulations to protect other landowners on our streams as well as the general public who use these streams recreationally and who must pay for the damage to the infrastructure done by gravel miners.

As already indicated, I am writing to support the regulations proposed by the American Fisheries Society, Missouri Chapter. Regulations proposed by the industry lack the precision necessary to facilitate effective enforcement of violations and also allow mining at times and in areas that would expose the environment and the aquatic wildlife to unnecessary risks.

Sincerely,



Wil Hardiman  
9853 N State Hwy H  
Pleasant Hope, MO 65725

March 14, 2003

Melissa Hope Blakley  
6731 N. Oregon Ave  
Kansas City, MO 64151

Land Reclamation Program  
PO Box 176  
Jefferson City, MO 65102

RECEIVED

MAR 17 2003

MISSOURI LAND  
RECLAMATION COMMISSION

**To the Land Reclamation Commission:**

I am writing in support of the regulations for sand and gravel mining as proposed by the American Fisheries Society, Missouri Chapter. Sand and gravel mining can be extremely damaging to our streams in Missouri as evidenced by the destruction in Linn Creek and other streams in the State.

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Sincerely,



Melissa Hope Blakley

5424 Northern Avenue  
Kansas City, MO 64133-2867  
(816) 356-9071

.....  
**Michael L. Wilson**

RECEIVED

March 14, 2003

MAR 17 2003

Land Reclamation Program  
PO Box 176  
Jefferson City, MO 65102

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Sincerely,



Michael L. Wilson

.....  
*Everyday life is the way.*