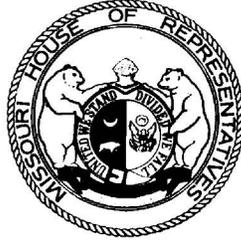


CAPITOL OFFICE
State Capitol
201 West Capitol Avenue
Room 101K
Jefferson City, MO 65101-6806
Tele: 573-751-2112
Fax: 573-526-6856



J.C. Kuessner
State Representative
District 152

DISTRICT ADDRESS
HCR 2 Box 58
Eminence, MO 65466
Tele: 573-226-3655

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APR 7 2003

MISSOURI LAND
RECLAMATION COMMISSION

April 2, 2003

Land Reclamation Commission
1738 E. Elm
Jefferson City, MO 65109

To: Members of the Land Reclamation Commission
Larry Coen

Re: Proposed Sand and Gravel Regulations

We, the undersigned members of the Missouri General Assembly, are vitally interested in the process of developing proposed rules on sand and gravel extraction.

We represent areas uniquely affected by the regulation of the extraction and use of sand and gravel as it applies to our landowners, county commissions, contractors and concrete plants. We face special economic and land protection needs in our areas that are dependent on sand and gravel extraction and use.

We urge the Commission to seriously consider the impact such rules will have on the above-mentioned interests while at the same time balancing the protection of the natural resources.

It is our understanding that a priority set of draft operating standards have been developed by a work group and presented to the Commission. In conversations with industry groups, landowners and county commissioners, it appears the priority set of proposed standards strike a balance between the operators, counties and landowners and the protection of the State's resources.

It is also our understanding that the proposed alternatives to the priority set of standards submitted by certain groups are so burdensome that they would, in effect, prohibit sand and gravel mining in a significant number of areas.

COMMITTEES

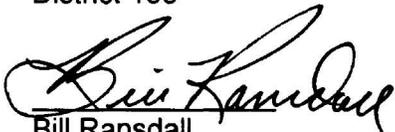
Appropriations-Agriculture and Natural Resources
Crime Prevention and Public Safety * Tourism and Cultural Affairs * Transportation and Motor Vehicles

We stand ready to work with the Commission as you move forward on developing proposed rules to assure that they protect the interests of those in our districts.

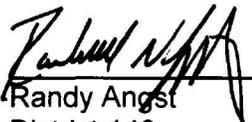
Thank you,

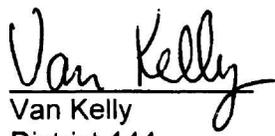

J.C. Kuessner
District 152


Mike Dethrow
District 153

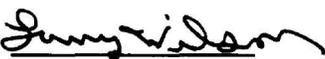

Bill Ransdall
District 148


Frank Barnitz
District 150


Randy Angst
District 146


Van Kelly
District 144

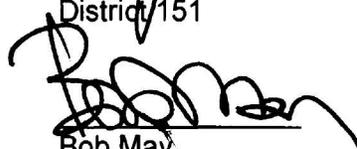

Jerry Bough
District 142


Larry Wilson
District 119


Dennis Wood
District 62


Rod Jetton
District 156

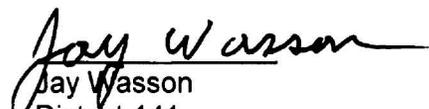

Chuck Furgason
District 151

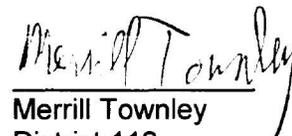

Bob May
District 149

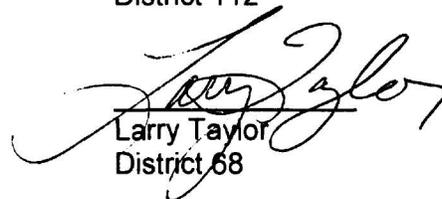

Mark Hampton
District 147


Mike Cunningham
District 145


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District 143


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District 141


Merrill Townley
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Larry Taylor
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Kevin Engler
Kevin Engler
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Dan Ward
Dan Ward
District 107

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Harold Selby
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Kevin Wilson
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Jack A. L. Goodman
District 132

Charles Schlottach
Charles Schlottach
District 111

Belinda Harris
Belinda Harris
District 110

Wes Wagner 104
Wes Wagner
District 104

Marilyn Ruestman
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District 131

Tom SECF
Tom SECF
DIST. 116

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MISSOURI LAND
RECLAMATION COMMISSION

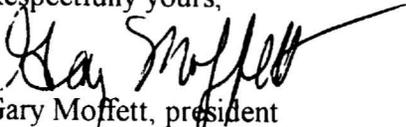
Ozark Trail Board of Realtors
Rt. 1 Box 4815
Dora, Mo. 65637
March 28, 2003

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

Dear Members,

The members of the Ozark Trail Board of Realtors in their regular meeting March 27, 2003 at Willow Springs, Mo. considered the issue of the proposed regulations regarding gravel mining in and along the natural streams of Southern Missouri. The Ozark Trail Board of Realtors is comprised of Realtors from counties including Texas, Howell, Douglas, Ozark, Oregon, Shannon and Wright. Our interest in this question stems from our interest in preserving an environment attractive to people looking for a quiet, healthy, scenic, and economical place in which to live, own property and call home as well as our interest in protecting the private property rights of the citizens of the State of Missouri as provided for by our constitution. The unanimous decision of this board of Realtors representing all the Realtors in our region was to express our favor of preserving the rights of citizens as well as local governments to remove sand and gravel from the streams as they deem necessary to preserve the integrity of the stream from the infiltration of aggregates as we have seen occur in recent years. Our Ozark streams are clogged with sand and gravel which is degrading the streams potential to provide fishery habitat and recreational opportunities. Restricting the taking of aggregates from the streams will make a bad situation worse as far as the stream itself is concerned and will increase the cost of maintaining roads and new construction costs will be increased significantly for new roads, houses, businesses or anything that requires sand and gravel as a component. Our recommendation is for guidelines to remain guidelines, not regulations, and for the people of local and state government to work together to solve any areas of concern for the citizens of Missouri. In our opinion, the build-up of sand and gravel in Ozark streams must be controlled by removal in a manner that will return the water levels to adequate depths for fish and recreational activities while preserving the property rights of individual landowners. Please receive this letter as an expression of our position in favor of private property rights and maintaining our natural streams as a resource very important to all the citizens of our region and the State of Missouri.

Respectfully yours,


Gary Moffett, president
Ozark Trail Board of Realtors



Dennis Stinson

04/07/2003 07:58 AM

To: Larry Coen/LRP/DEQ/MODNR@MODNR, Mike
Larsen/LRP/DEQ/MODNR@MODNR
cc: Tom Cabanas/LRP/DEQ/MODNR@MODNR
Subject: Creek Gravel

FYI

----- Forwarded by Dennis Stinson/LRP/DEQ/MODNR on 04/07/2003 07:57 AM -----



RMcbwww@aol.com

04/04/2003 07:01 PM

To: mining@mail.dnr.state.mo.us
cc: (bcc: Dennis Stinson/LRP/DEQ/MODNR)
Subject: Creek Gravel

You probably will ignore my comment because it is contrary to your obvious intentions but I think you should give regard to the adverse effect of the dust that crushed white limestone has on the environment when used as an alternative to creek gravel. God's creeks replenish, mans ideas about road beds don't seem to be as viable.

Rick McBride
Jadwin, MO



"Mailli Poag"
<mailipoag@yahoo.co
m>

To: nrlarsm@mail.dnr.state.mo.us
cc:
Subject: sand and gravel mining

04/02/2003 05:50 PM

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. 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

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APR 2 2003

MISSOURI LAND
RECLAMATION COMMISSION

March 28, 2003

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

Dear Members,

Thank you for the public meeting this week which I was privileged to attend for the first time. The natural streams and the aggregate mining issue is very important to the citizens of Missouri especially those in the Ozark region. Every citizen in our region wants to preserve the rivers in the best condition possible to provide habitat for fish and wildlife. It seems to me that this priority is entirely attainable when the decision makers are aware of all the factors affecting the stream. Our natural streams which were free-flowing prior to the advent of civilization will never be able to return to that condition because of this impact. The best we can do is maintain them and counter adverse effects caused by man with wise actions and maintenance. Fortunately this appears to be possible with the cooperation of all the interests involved. The fact is that our Ozark streams are presently choked with excess sand and gravel which if allowed to remain and continue to accumulate will kill the stream habitat eliminating fish and wildlife as well as harming the economics of the State of Missouri. This is true for class A and B streams as well as class C streams. The remedy to this situation can be to everyone's best interest including the fishermen, floaters, gravel miners, construction interests, and private property owners if approached wisely with valid information. Over regulation has never been a benefit to society. The people closest to the problem are the ones best able to cope with problems and correct them. Texas County and Southern Missouri Ozark region citizens have their lives and fortunes invested in the quality of our streams and it is in their best interest to be allowed to maintain and repair that environment without undue interference from government into an area that is best left to the people and which violates their private property rights. The narrow-minded approach of

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page 2

some special interests groups does not allow the overall picture to come into focus. My suggestion is to allow the counties involved to govern themselves and to support them with guidelines and helps to accomplish the goal of repairing and maintaining our streams for the benefit of all Missouri citizens. Our county commissioners and the Texas County Land Use Planning Commission members are the people of ability, integrity and experience best able to deal with area problems. The responsibility of government at the state level is to provide support in areas of need when requested by these local leaders. Missouri is a state of government by the people and for the people and may not be ruled from the top down. The private property rights of Missouri citizens must not be violated. We must learn to work together for the benefit of the whole. Concerns approached with an adversarial attitude will not accomplish the desired goals of repairing and maintaining our natural resources. Let's work together to fix what is wrong and maintain what is right. If it is not broke do not fix it. Do not throw the baby out with the bath water. Let us continue to work together toward the goal of maintaining the best possible environment to benefit future generations without adverse regulations that work against people doing what is best. It is my sincere desire to work with anyone willing to focus toward this common goal.

Yours truly,

A handwritten signature in cursive script that reads "Robert L. Green".

Robert L. "Bob" Green



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MAR 31 2003

MISSOURI LAND
RECLAMATION COMMISSION

March 28, 2003

Land Reclamation Commission
% MO. Dept. of Natural Resources
P O Box 176
Jefferson City, MO 65102

Commission:

Thank you for the opportunity to voice some of my concerns in yesterday's hearings. As I have addressed the commission and various groups several times regarding our unique gravel situation in southwest Missouri, I may not have totally covered or reiterated all the issues surrounding this complex situation. I would redirect you to our previous comment letters as well as yesterday's letter.

I do hope you have had the time to read our letter submitted March 26th. Should there be further questions or concerns, please feel free to contact us.

Respectfully,

PETERSON GRAVEL & READY MIX, INC

Cindy Peterson,
Vice President

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MISSOURI LAND
RECLAMATION COMMISSION

March 28, 2003

815 Maupin RD
Columbia, MO 65203

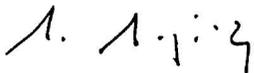
Larry Coen
Director, Land Reclamation Program
Department of Natural Resources
P.O. Box 176
Jefferson City, MO 65102

Dear Mr. Coen:

We understand the Land Reclamation Commission met recently to discuss weakening the standards for stream gravel mining. We do NOT support weakening those standards. It seems that every time we turn around industry and business are trying to weaken environmental standards put into place for good reasons. Our streams are cherished in this state and if anything we should be strengthening regulations to make sure they stay that way.

Don't bend to the pressure to change. We think supporting the standards being proposed by the American Fisheries Society would be a good thing.

Sincerely,



Gary Grigsby



Mary Grigsby

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