



Conservation Federation of Missouri

728 West Main Street ♦ Jefferson City MO 65101-1559

573-634-2322 ♦ 800-575-2322 ♦ 573-634-8205 (fax)

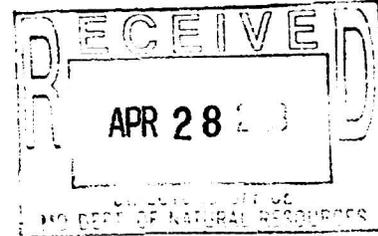
Gary Van De Velde
President

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APR 29 2003

MISSOURI LAND
RECLAMATION COMMISSION

Dennis Ballard
Executive Director



April 25, 2003

Director, Missouri Department of Natural Resources
P. O. Box 176
Jefferson City, MO 65102-0176

Dear Director,

The attached Resolution was passed by our membership at our annual conference held March 29-30, 2003, in Jefferson City.

The policy statement was authored by a group of high school and college students in our Conservation Leadership Corps.

They would very much like to see your response to their statement on this important conservation issue.

Sincerely yours,

Dennis R. Ballard

"Guarding Our Natural Heritage"

confedmo@socket.net ♦ www.confedmo.com

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#11

Committee: Rivers & Streams
Author: Conservation Leadership Corps

MISSOURI LAND
RECLAMATION COMMISSION

In Stream Sand and Gravel Mining

1 WHEREAS, the need for regulations and education applied to in stream sand and gravel mining
2 is essential;

3 AND WHEREAS, the negative effects caused by incorrect mining of gravel and sand in streams
4 is a current problem; some of these are: habitat and breeding ground losses, erosion and sedimentation,
5 raised turbidity, and severe damage to the base of an aquatic food chain;

6 NOW, THEREFORE, BE IT RESOLVED that the Conservation Federation of Missouri assembled at
7 the Capitol Plaza Hotel, Jefferson City, MO, this 30th day of March, 2003, recommends the DNR Land
8 Reclamation Commission establish a rule for sand and gravel mining excavation standards for all
9 commercial operators.

Monday, May 05, 2003
813 West Davis
Fayette, Missouri 65248

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MAY 7 2003

**MISSOURI LAND
RECLAMATION COMMISSION**

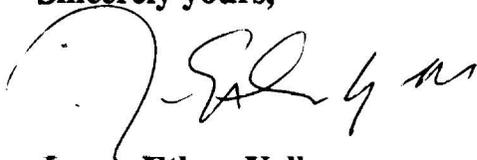
Staff Director
Land Reclamation Commission
P.O. Box 176
Jefferson City, Missouri 65102

Dear Commissioners:

In times past when the population was small 'Stream Gravel Mining' may have had little impact upon clean water, environment in general and the quality of and health of state water ways. However it has been more than 100 years since the population size allowed flagrant disregard to conservation and resource use. All responsible agencies need to be very cautious to the use of land and water resources.

**Please do not allow short-term profits to dictate land and water use.
Enclosed is a copy of letter sent to Governor Holden.**

Sincerely yours,



James Ethan Yell
E-mail: ethanyell@hotmail.com

Monday, May 05, 2003
813 West Davis
Fayette, Missouri 65248

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MAY 7 2003

**MISSOURI LAND
RECLAMATION COMMISSION**

Governor Bob Holden
Missouri Capital Building
Room 216
P.O. Box 720
Jefferson City, Missouri 65102-0720

Re: SB-36

Dear Governor Holden:

I grew up in oil country in the 1940's to 1950's. I know that without active caution and restraint from the government business will make a mess of the environment. In my youth I watched clouds of carbon black and streams that ran black with petroleum products. This was not good for the environment, wildlife and people. It is also not good for clean water, control of erosion and etc. to allow stream gravel mining.

Please vote no to SB-36, or any other proposed law that would lead to damage of the environment and disaster to the future.

Sincerely yours,

James Ethan Yell
E-mail: ethanyell@hotmail.com

CC: Land Reclamation Commission



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MAY 2 2003

MISSOURI LAND
RECLAMATION COMMISSION

To the Land Reclamation Commission:

Re: proposed rules for the mining of gravel deposits from stream channels in Missouri

We (Sara and Ralph Pitt) live downstream of a gravel mining operation - see below for details of this case. We would like to suggest that the proposed rules are inadequate since they do not take into account the larger environment but treat the operation as an isolated site. Our consultations with the DNR have left us thinking that 'no-one really knows' what the consequences of such operations will be. The science of hydrology may appear technically impressive but, as ever, nature is far more complex and unpredictable. We believe that at present *there is no case for mining of gravel, unless much more extensive restoration programs are put in place.*

We suggest that:

1. rulings for mining operations take into account more than the immediate details of a given operation and *include the history and environs of the site also* whether or not the site is an 'outstanding resource water'.
2. already-compromised areas (no riparian zone, shallow and silted creeks) are not subjected to further stress. In some cases landowners have removed vegetation prior to the operator's permit request and this seems to be treated as the 'natural state' of the creek.
3. since reclamation (re-establishing vegetation) takes some time, the state of the existing riparian zone (including either side of the site) be assessed fully as part of the feasibility of such reclamation.
4. gravel mining operators be required to contribute to a general fund for riparian zone repair along Missouri's rivers and creeks.
5. property owners be provided with information about the potential impact and long-term consequences of such operations by an independent body (not the operator) prior to any agreement with an operator.
6. property owners who are resorting to gravel mining because of poverty are offered subsidy and/or alternative income sources.
7. neighbors along an affected creek be consulted and informed about all such operations and be given the opportunity to comment
8. neighbors and locals may raise 'Concerns' and ask 'Questions' that are not registered as 'Complaints' on official forms (the DNR form only has the last option)

Background:

We live downstream from a gravel mining operation and have some concerns.

The operation was inspected by the DNR on 28 June 2000, 10 July 2001 and, most recently (at our request), 2 October 2002.

It is located on the Noel Tooley Farm in Douglas County and borders Spring Creek.

The property owner is Mr Tooley, the operator Mr Morrison, the relevant permit no. is 0865.

There are now 3 sites: from July 2002 until early 2003 the site nearest us was operational; during April some activity took place at a second (initial) site upstream.

We bought our property in July 2002 having seen it in June 2002, at which time the nearest pit was not in operation (although we understand now it had been identified in 2000).

From July 2002 until earlier this year, operations resulted in the creation of a large lake in the bend of Spring Creek between the rocky bluff on the eastern side of the valley and the flood-plain on the other side.

We wonder if this lake has been created for future catchment of gravel, in order to extend the value of the

operation for the operator. We also feel that this lake could affect the course of the creek in future.

We understand from locals that this valley was wooded until Mr Tooley inherited his property after which time he logged it extensively to create pasture for cattle.

Almost all of the Riparian zone along the bottom has been removed. What woodland remains in this valley is largely on the rocky, steep bluffs that are not suitable for cattle/building.

We understand, again from locals, that the creek was once much deeper and narrower and has in recently years become shallow and wide.

Both the above would be considered negative changes in the health of a stream.

The log home we bought was built very close to the creek on the rocky side and we are told that flooding is most likely to occur beyond the opposite bank, i.e. away from us.

(The builder of our house (Brian Olmstead) sold the unsuitable land opposite for a home site also - so we do have questions about his consideration of flood damage issues.)

We contacted the DNR because we wondered if the creation, following gravel removal, of the lake mentioned, would alter the course of Spring Creek - with future floodings - and/or increase the volume of water passing our house with potential to cause damage.

Our contact was registered as a 'Complaint' despite our insistence that this was not our intention and resulted in a major rift with our neighbor Mr Tooley which has been very distressing.

The DNR inspection found the permitted sites to be 'in compliance'.

The inspector (A. J. Reed) told us that he could not say if these operations would affect any future flood patterns and negatively impact our property.

We understood that our only recourse would be 'after the event'.

A later visit by A. J. Pratt (Fisheries) gave us a little more confidence, owing to the rocky terrain on our side of the creek. However, we remain concerned about the broader consequences for the health of the stream and this valley.

Given that:

the riparian zone for this stretch of Spring Creek has been historically severely compromised (pre 2000)

a dwelling has been built (perhaps inappropriately but now established) (2000) on the creek

Spring 2002 and other years have seen severe flooding in this valley

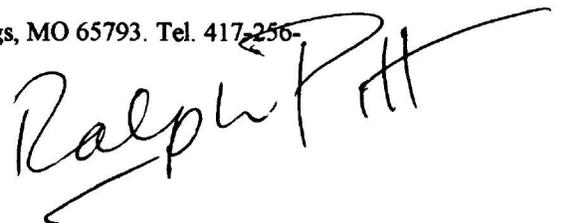
- we would like to suggest that the gravel mining operation on Spring Creek, although within permit guidelines, was ill-advised and may well in future adversely affect the health of this body of water and the properties of those living along Spring Creek.

We do not have enough expertise to say what can be done now but would like to suggest that restoration of the riparian zone (where this will not hold flood waters up around existing buildings) would be the ideal.

May we add that Spring Creek and the section of the valley from our property downstream is beautiful and well worth preserving. We have established a Retreat Center devoted to a 'Celebration of Water' and would like to do all we can to help in this preservation.

Sara and Ralph Pitt (Stream Team 2102), RR 1, Box 152B, Willow Springs, MO 65793. Tel. 417-256-2588. Websites: www.aquaest.com, www.waterjourneys.net

30 April 2003



1344 Wilton Lane
Kirkwood, Missouri 63122
April 29,2003

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

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MAY 1 2003

MISSOURI LAND
RECLAMATION COMMISSION

Gentlemen and/or women:

I am writing to ask that your commission implement strong gravel mining rules to protect land and stream resources in the state of Missouri.

I am very much in support of individual property owner rights. However in this case one property owner exercising his rights can produce disastrous results for his downstream neighbors as well as creating problems for all the things that live within the stream.

Your support of strong gravel mining rules would be greatly appreciated.

Thank you very much.

Sincerely



Les Gaffner

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APR 16 2003

MISSOURI LAND
RECLAMATION COMMISSION

April 14, 2003

Missouri Land Reclamation Commission
PO Box 176
Jefferson City, MO 65102

Dear Sir,

As a fisherman and outdoor enthusiast, I am very concerned about the health of Missouri's rivers and streams. I understand that gravel mining is a legitimate and necessary industry, but I believe that it must be done in a way that protects our water resources for present and future Missourians. Strong regulation is necessary, and Bill 360 does not provide these safeguards.

Sincerely,


Christopher G. Seep
1004 Westrun Dr
Ballwin, MO 63021

511 Westnew Dr.
University City, MO 63130
April 17, 2003

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

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APR 21 2003

MISSOURI LAND
RECLAMATION COMMISSION

Dear Sir or Madam,

I would urge the Commission to support the sand and gravel mining regulations proposed by environmental and fisheries groups in the Land Reclamation Workgroups.

We must protect Missouri's natural streams from being degraded by excessive sand and gravel mining.

Sincerely,
Mrs. Joan Botwinick