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MISSOURI LAND
RECLAMATION COMMISSION

March 20, 2002

Land Reclamation Commission

Dear Commissioners: I am writing in support of SB360 sponsored by Senator Sara Steelman. This bill will give landowners more opportunities to get gravel removed from their streams in a cost efficient manner and also help stop stream bank erosion while improving fish habitat.

I am in favor of leaving the gravel removal guidelines as guidelines instead of making them regulations.

Sincerely,

Nicks Family Enterprises
John Nicks Gen. Partner
Rodney Nicks Gen. Partner

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MISSOURI LAND
RECLAMATION COMMISSION

March 20, 2003

Mr. Larry Coen
Land Reclamation Commission
P.O. Box 176
Jefferson City, MO 65102

Dear Mr. Coen:

At the March 18th meeting of the Gasconade County Farm Bureau Board, we discussed the proposed regulation changes concerning removal of gravel from streams. Following discussion, the board unanimously decided to support SBCS/SB 360, sponsored by Senator Sarah Steelman.

We hope that in your March 26th meeting you will consider the land owners. We feel that landowners should have the opportunity to move or remove gravel in order to maintain the streams on their property. Many times this is necessary to help prevent erosion of the streambank.

On behalf of the Gasconade County Farm Bureau Board of Directors, I appreciate your time and consideration of this matter.

Sincerely,



Dorathea Koepke
President

cc: Sarah Steelman

" C O P Y "

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MISSOURI LAND
RECLAMATION COMMISSION

March 21, 2003

John Hoskins, Director
Missouri Department of Conservation
PO Box 180
Jefferson City, MO 65102-0180

Dear Mr. Hoskins:

RE: DEPT. OF CONSERVATION AND GRAVEL

It is our understanding that MDC has coordinated with the mining industry to develop a draft regulation for gravel mining in Missouri's streams. It is also our understanding that the language favored by MDC is identical to language written by the mining industry in December of 2002.

The MDC/industry draft is a significant weakening of the current standards used by the Department of Natural Resources, which were already the result of a compromise reached with the gravel mining industry in the mid-1990's. The MDC administration is even contradicting the agency's own scientists, who earlier recommended more protective standards for Missouri's streams.

It seems to us that an agency such as MDC, which is responsible for conserving Missouri's natural resources, should be calling for more stringent laws to protect our precious natural resources and the environment.

We are very much opposed to any draft regulation that would weaken protective environmental laws and give the mining industry even more freedom to despoil the state's forests, streams and wildlife.

Sincerely,



Hanne Hartmann-Phipps, Environmental Advocate
4428 Ance Creek Road
Reeds Spring, MO 65737

Copies to: Land Reclamation Commission, DNR
and, ALL CONCERNED



James A. Phipps, Environmental Advocate

3-21-03

Staff Director
Land Reclamation Commission

Enclosed is a copy of an article from
"River Hills Traveler", March 2003.

Please read it carefully, noting the hi-
lighted sections.

Our feelings concerning gravel mining
agree with these ideas and suggestions.
Not only do they seem logical, but of extreme
importance to our land and water resources.
We are land owners, which makes this
matter extremely personal. However, it
would be our belief under any circumstances.

We have written Sen. Steelman, express-
ing our disappointment in her Bill SB0360 &
asking her to express her reasoning & to
reconsider.

We will be anxious to hear what
develops on this matter. We urge you
to do all you can to adapt regulations
that will protect our land and water.

Please reply with your thoughts and
ideas on this subject.

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MISSOURI LAND
RECLAMATION COMMISSION

Thank you,

John H & Billie J. Lapp
HC 33 Box 184
Lecoma MO 65540
(573) 729-3259

MAR 24 2003

- ISSUES, CONTROVERSIES -

Some important actions on gravel mining just ahead

MISSOURI LAND RECLAMATION COMMISSION

A couple important things could happen with regard to gravel mining in streams this month.

The Missouri Land Reclamation Commission is expected to decide on rules for gravel mining - to set regulations. Meanwhile, a bill in the Missouri Senate would make rules largely ineffective by exempting all but the largest 26 per cent of

commercial gravel miners.

The Land Reclamation rules will follow citizens committee meetings at which everything from no rules at all to no mining at all were advocated. Odds are, the Commission is going to adopt rules - presently there are only recommendations - but they'll be relatively mild.

The American Fisheries Society and others are recommending that federal rules previously in affect be adopted by the state.

Some of those involved say many of the commercial operators also favor reasonable regulation. County highway departments seem to be the primary source of opposition to all regulation.

If you want to write, contact "Staff Director, Land Reclamation Commission, P.O. Box 176, Jefferson City, MO 65102.

The Senate bill that would exempt most miners from any regulation at all is SB0360 and was introduced by Sen. Sarah Steelman, chairman of the Commerce and Environment Committee. You can contact her and/or your own senator regarding this measure.

Traveler's own view is that gravel is a valuable resource that ought to be extracted. However, it should be removed with as little risk to the environment as possible.

We go a bit further, actually. Gravel mining and the channel cutting it sets off great distances from the actual mining operation is a powerful force. There are places that would benefit from this action over the long haul, and we'd like to see those places identified. We'd like to see gravel mining encouraged in those locations.

But as a practical matter, there are not enough people available to check out all gravel mining activ-

ity as it is, much less seek out new places to mine.

While we think the wisdom of our position will eventually be seen, the immediate need is to put some reasonable regulations in place and to make them apply to all significant gravel miners.

(Despite hysterical claims to the contrary, no one has proposed that a farmer could not take some gravel from a stream going through his property - commercial use is the subject of discussion.)

So, we urge the Land Reclamation Commission to adopt meaningful regulations, and we urge Sen. Steelman to withdraw her proposal to exempt most miners from regulation.

About the cover

After a long, long, winter, there will be some decent temperatures this month.

It is a special month for trout fishermen because the trout stocked parks open.

Other spring fed trout areas are legally open all year, but really "open" this month as air temperatures finally get warm enough for fishermen to get out for more than short periods.

Seeing trout fishermen is like seeing early spring wildflowers for the rest of us.

Photo is of Al Agnew, fishing Upper Current River.

River Hills Traveler



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RIVER HILLS TRAVELER MARCH 2003 ISSUE

Mr. Larry Coen
Land Reclamation Program
Missouri DNR
P.O. Box 176
Jefferson City, Mo.
65102

Date: 13 Mar. 03

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MISSOURI LAND
RECLAMATION COMMISSION

Innovative Building Systems
Richard and Diane Stroner
1340 State Route CC
West Plains, Mo. 65775

Mr. Coen:

We are distributors of insulated concrete forms and are writing this letter to express our support of the performance requirements 10 CSR 40-10.050 covering in-stream sand and gravel mining. The collaborative effort to produce a set of regulations that can be accepted by all parties we would hope can be endorsed by your commission. Since concrete is used with all the products we sell, any increase in its cost could have a serious impact on our new business. The regulations as written, will still enable concrete producers in the Ozarks to provide us with a cost effective product, but yet ensure the protection of our streams and watershed. For your consideration on this matter we thank you.


Richard Stroner


Diane Stroner



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

Dennis Ballard
Executive Director

March 24, 2003

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

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MAR 25 2003
MISSOURI LAND
RECLAMATION COMMISSION

Dear Sir,

The Conservation Federation of Missouri takes this opportunity to remind the Commission of the CFM's position on in-stream sand and gravel mining and on our position on maintaining the quality of Missouri's water resources.

Our two most recent Resolutions, approved in conference at our delegate's convention of 1999, are attached for your review.

Sincerely yours,

Dennis R. Ballard

IN-STREAM SAND AND GRAVEL MINING REGULATION

WHEREAS, sand and gravel are important economic commodities of Missouri streams which can be mined in an environmentally friendly manner when properly regulated; and

WHEREAS, sand and gravel mining can be very harmful to streams and their watersheds when conducted improperly; and

WHEREAS, rivers and streams are vital economic and recreational resources for Missourians; and

WHEREAS, the U.S. Army Corps of Engineers (COE) recently lost authority to regulate most in-stream sand and gravel mining operations in Missouri; and

WHEREAS, the Missouri Water Quality Standards and the authority and ability of the Missouri Department of Natural Resources must be greatly enhanced in order to adequately regulate in-stream sand and gravel mining;

NOW, THEREFORE, BE IT RESOLVED that the Conservation Federation of Missouri in Annual Convention assembled at Country Club Hotel on this 28th day of March, 1999 supports inclusion of in-stream sand and gravel mining in the Missouri Quality Standards;

AND BE IT FURTHER RESOLVED that the Water Quality Division of the Department of Natural Resources be funded to hire the staff needed to adequately regulate in-stream sand and gravel mining.

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MISSOURI LAND
RECLAMATION COMMISSION

FUNDING FOR WATER QUALITY PROTECTION

WHEREAS, the Missouri Clean Water Law describes the state's policy regarding protection of our water resources, "... it is hereby declared to be the public policy of this state to conserve the waters of the state ..." and further states our policy "... to protect, maintain and improve the quality thereof for public water supplies and for domestic, agricultural, industrial, recreational and other legitimate beneficial uses and for the propagation of wildlife, fish and aquatic life ..."; and

WHEREAS, the Conservation Federation of Missouri and its partners recognize the importance of good water quality to the State of Missouri; and

WHEREAS, the Conservation Federation of Missouri encourages partnerships between agencies, programs and the public to protect our state's water resources, including soil and water conservation, public drinking water protection and protection from contamination; and

WHEREAS, the Conservation Federation of Missouri encourages these partners to encompass a holistic approach to watershed protection and water quality efforts; and

WHEREAS, the Conservation Federation of Missouri believes impaired waters should receive evaluation and remediation; and

WHEREAS, the Conservation Federation of Missouri believes that state and local efforts best determine the solutions to impaired waters.

NOW, THEREFORE, BE IT RESOLVED that the Conservation Federation of Missouri in Annual Convention assembled at Country Club Hotel on this 28th day of March, 1999 supports adequate general revenue funding to support increased efforts by the Missouri Department of Natural Resources to protect and preserve Missouri's water quality resources and to satisfy the Federal Clean Water Act and further encourages the Missouri Department of Natural Resources to continue its efforts in reviewing services and funding of water pollution control permit activities;

AND BE IT FURTHER RESOLVED that the Conservation Federation of Missouri encourages water quality protection efforts in the State of Missouri be supported in the General Assembly.

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RECLAMATION COMMISSION

March 23, 2003

Land Reclamation Commission

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MISSOURI LAND
RECLAMATION COMMISSION

Dear Commissioners,

I am writing in support of SB360 sponsored by Senator Sarah Steelman. This bill will help landowners to manage their streams in a healthy manner cost effectively.

I am in favor of leaving the gravel removal guidelines as guidelines instead of making them regulations.

Respectfully,
Edgar Beebe
Beebe Farms
2276 Brown Shanty Road
Hermann, MO 65041

March 23, 2003

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RECLAMATION COMMISSION

Land Reclamation Commission

Dear Commissioners,

I am writing in support of SB360 sponsored by Senator Sarah Steelman. This bill will enable landowners to manage their streams in an environmentally sound manner cost effectively.

I am in favor of leaving the gravel removal guidelines as guidelines instead of making them regulations.

Sincerely,

Wale Brehe

Brehe Farms
2276 Brown Shanty Road
Hermann, MO 65041

JOHN M. CREGER, ARBITRATOR

P.O. BOX 26301
KANSAS CITY, MISSOURI 64196
TELEPHONE (816) 304-8397
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jmcreger@aol.com

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MISSOURI LAND
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March 23, 2003

John Hoskins, Director
Missouri Department of Conservation
P. O. Box 180
Jefferson City, Missouri 65102-0180

Dear Sir:

I am disturbed to learn that the Department of Conservation has joined the gravel mining industry in crafting weak regulations that will do little to prevent or even reduce the damage to our streams done by that industry each year.

As a landowner on an Ozark stream, my land is vulnerable to increased erosion caused by sand and gravel mining. If meaningful regulation of this irresponsible industry is not established, I will have no recourse for protecting my land when gravel miners upstream or downstream cause damage to it.

I realize that the Department funds are being threatened by the actions of legislators who depend on industry for campaign funding. Nevertheless, if the Department is no longer willing to function within scientific guidelines to protect the wildlife in Missouri, what is the use of its existence? Perhaps it will finally take the complete elimination of the Department to awaken the complacent Missouri public to what is happening.

The regulations you seem willing to adopt are little but a sop to industry and do very little indeed to protect wildlife which, I thought, was your statutory mandate.

Sincerely,


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

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Sincerely, *Carl E. Sassmann*