NORMAN B. LEPPO
3011 COLEMAN AVENUE
ST. LOUIS, MISSOURI 63143-3607

RECEIVED
FEB 2 8 2003
MISSOURI LAND
RECLAMATION COMMISSION

February 24, 2003

The Honorable Sarah Steelman
Missouri Senate
State Capitol Building, Room 422
Jefferson City MO 65101

My Dear Senator Steelman:

Thank you for returning my telephone call. I appreciated the opportunity to talk with you about the issue of gravel mining in Missouri rivers and streams. Unfortunately, time and circumstances are the enemies of thoroughness; and most of us are the victims of this situation. What is written below is the result of the focus I have been able to give.

It does appear there is a good bit of misinformation being bandied about. Even if it is thought to be correct and is well intentioned, the net consequence can be very harmful. I urge you to be certain of the accuracy of the information supplied you by directly contacting the appropriate staff members of the Department of Natural Resources and the Department of Conservation. Alleged input is all too frequently tainted input. These two departments contain vast amounts of statistics and scientific evidence certifying the detrimental effects of irresponsible gravel mining. Not all streams have excess gravel. When a stream channel is deepened by removing gravel, water flows faster over the area setting the stage for erosion. All stream creatures rely heavily upon the stream bottom for food, habitat and shelter. It is, therefore, easy to see why any artificial disruption will be highly detrimental.

It is always the few who ruin things for the many. People who are opposed to regulation are, by their very opposition, implying they intend to act contrary to any such regulation. That is why we must have enforceable regulations governing potentially harmful human behavior. When we hunt, fish, drive a vehicle, build a road or a building, operate a restaurant or a host of other activities, there are enforceable regulations with unpleasant penalties for failure to comply. Can you imagine the outcome if none existed for the above activities? There is nothing ethereal about gravel mining which should make it exempt.

Irrefutable data are readily available clearly showing stream fishing and its related businesses are many times more economically advantageous to our state than gravel mining.

Senator Steelman, I have absolutely no objection to responsible gravel mining; but I am vehemently opposed to any gravel mining without meaningful, enforceable regulations.

Sincerely yours,

P.S. Copies of this letter are being sent to those deemed appropriate recipients.

Arlene & Mike Corson
26 Maryhill Lane
Ladue, Mo 63124
(314) 993-2029

RECEIVED
FEB 2 8 2003
MISSOURI LAND
RECLAMATION COMMISSION

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

February 25, 2003

Dear Sirs:

In 1992 I had the pleasure of founding the Missouri Smallmouth Alliance. The Alliance was founded with the expressed purpose of fostering world class smallmouth bass fisheries in Missouri's beautiful streams. Since that time I am proud to say that the Alliance has grown to over 240 members state wide. After recent conversations with many members of the Alliance, I can assure you that they certainly feel as strongly as I do about Senator Sandra Steelman's introduction of Senate Bill 360, which eases restrictions on some 74% of all gravel mining operations in the state. We are all seriously concerned!

I've been following the work of the gravel mining work group at the Department of Natural Resources, and I've read several scientific studies on gravel mining. Every scientific study indicates that in-stream sand and gravel mining has a detrimental effect on streamside wildlife and fisheries resources. Additionally, gravel mining can cause serious land erosion, cause damage to roads and bridges expose underground utilities. My experience streamside tells me that much, and so does the science.

Missouri has one of the best conservation departments in the nation but it is at the mercy of others that control the land and streams. Recent improvements in fishing regulations have already started to attract anglers across the nation because of the improved smallmouth bass fishing in Missouri streams. Don't let such a successful program be undermined by an unregulated industry. Mining and stream use can coexist if there are rules in place that are enforced.

The negative effects of gravel mining do not have to continue. Realistic rules and enforcement will provide for economic stability of the gravel mining industry and protection of water quality and stream resources for future generations. That is why I urge you to support strong sand and gravel mining regulations. The future of Missouri's streams depends on it.

Sincerely,

Michael Corson

Cc: Senator Joan Bray
Representative Catherine Hanaway

Dennis Stinson

02/27/2003 03:58 PM

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

I believe he should be sending this email to elected Senators and Reps. Larry, do you or Mike want to respond back to him?
----- Forwarded by Dennis Stinson/LRP/DEQ/MODNR on 02/27/2003 03:54 PM -----

"Gerry Boehm" <gboehm@naturallystcharles.com>

02/27/2003 07:49 AM

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

February 27, 2003

To:
Members of the Missouri Land Recalamation Commission,

As a member of the Missouri Watershed Coalition, I'm writing to urge you to withdraw the Gravel Mining Exemption Bill (SB0360) from consideration. The Missouri Watershed Coalition is a statewide organization representing the interests of Stream Teams. There are currently over 2140 Stream Teams and an estimated 40,000 individual Stream Team Members.

I am also the Director of the St. Charles County Riversand Streams Association with over 100 members with representatives in every high schools and eleven middle schools in St. Charles County.

I understand the economic, social, and scientific issues involving our state's valuable aquatic resources. Gravel and sand mined from Missouri's streams are economically important commodities which were valued at $41 million in 1995. However, fishing and other stream-based recreation also are economically important activities in Missouri.

In 1996, stream fishing alone accounted for $170 million in direct expenditures. Add to that figure the economic activity generated by swimmers, canoeists, hunters, and other recreationists, and you have an economic powerhouse that far exceeds the economic impact of instream gravel mining in Missouri. There have been no documented negative economic impacts to the Ozark region or the mining industry under the existing regulations.

Therefore, I ask, do you want to endanger Missouri's already fragile economy by exempting gravel mining from modest rules that would minimize damage to Missouri's nationally recognized rivers and streams?

The negative effects of instream gravel mining have been well documented. 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 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 believe that profitable instream gravel mining can be done under modest rules designed to also protect our valuable stream resources.

This bill would exempt 74% of commercial gravel miners from any rules and

allow each of those miners to take 5,000 tons of gravel, which is the equivalent of 500 dual axle truckloads. Private landowners taking gravel for their own personal uses are already exempt under existing law. SB0360 is not only a danger to Missouri's economy, it's also a danger to an important part of Missouri's heritage: a family enjoying an early morning float on clear Ozark stream.

I ask that you do the right thing for Missouri and kill this bill.

Sincerely,

Gerry Boehm
6 Brook Lane
St. Charles, MO 63304- 8119

RECEIVED
FEB 2 7 2003
MISSOURI LAND
RECLAMATION COMMISSION

Dennis A. Schuetz
1315 Sandy Drive
Florissant, Missouri 63031

24 February 2003

Mr. Ted A. Smith, Chairman
Missouri Land Reclamation Commission
P.O. Box 176
Jefferson City, Missouri 65102

Dear Mr. Smith,

I am a resident, a property owner, and a registered voter in the State of Missouri.

By this letter, please be advised, I am **ADAMANTLY OPPOSED** to in-stream gravel mining.

Please take all possible steps to implement stringent regulations pursuant to the regulation of the removal of materials such as sand and gravel from streambeds and adjacent locations.

Sincerely,

Dennis A. Schuetz

RECEIVED
FEB 27 2003
MISSOURI LAND
RECLAMATION COMMISSION

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

Dear Land Reclamation Commission for adopting gravel mining rules,

I am writing you today to express my support for your adoption of the instream gravel mining rules proposed by the American Fisheries Society during the recent Gravel Mining Working Group deliberations. I am a landowner who enjoys the water resources on my land as well as throughout the state. I spend my leisure time and money in activities that surround the rivers and streams of Missouri. My family and I are all avid canoeists, fishermen, and hunters.

Gravel mining done improperly can have disastrous effects. These effects have been documented not only nationally but also in the Ozarks of Missouri and Arkansas. Effects include erosion of streamside private property, erosion of public property, damage to private and public infrastructure, 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 implore you to adopt the gravel mining rules and help protect the land of private citizens who share a part of Missouri's heritage, the streams. The destruction of our states waterways will make Missouri an undesirable place to live, vacation, or be proud of. The adoption of these rules is a simple compromise to allow miners to make a living, and let land owners keep their beautiful streams; a win-win situation for everyone involved including the state's revenue.

Thank you for your attention to this matter.

Sincerely,

Angela M. Corson and Michael D. Corson
545 SE 601
Warrensburg, MO 64093

RECEIVED

FEB 27 2003

MISSOURI LAND
RECLAMATION COMMISSION

John Meyer
1616 Gary Grove
Quincy, IL 62305

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

Dear Sirs:

I live in Illinois but I own land in Marion County MO.

Concerning gravel mining MO streams, the MO Land Reclamation Commission needs to establish strong enforceable regulations to protect streams resources.

Thank you.

Sincerely,

John Meyer

02/25/03

Jim & Cathy Huckins
601 West Parklane
Columbia, MO 65201

RECEIVED
FEB 2 7 2003
MISSOURI LAND
RECLAMATION COMMISSIO

Staff Director
Land Reclamation Commission (LRC)
MO Department of Natural Resources (DNR)
P.O. Box 176
Jefferson City, MO 65102

Dear Members of the LRC,

I am a research scientist who has studied aquatic ecosystems for 32 years. I was not a member of the "Gravel Mining Rules Workgroup", because I am not authorized to speak for my agency on this issue. Never the less, I did attend nearly all the workgroup meetings and had some input as a private citizen during discussions about the language of the rules. This letter summarizes most of the concerns that my family and I have related to the outcomes of the workgroup (documented in the DNR briefing paper) and your future decision on the specifics of sand and gravel mining rules.

We strongly support enforceable rules (not guidelines) for sand and gravel mining in Missouri. In regard to the recommendations of the workgroup on specific changes in the 1995 Corps of Engineers Guidelines, we support the positions (i.e., votes) of the American Fisheries Society. We are not against gravel mining when done in a manner that is protective of Ozark Streams. Many times during the workgroup meetings I heard the argument that adoption of rules will put gravel-mining companies out of business. However, that did not happen when the Corps rules were in place between 1995 and 1997, so what's different now? Because of competing interests for the use of natural resources, rules are a necessity of modern societies. Few people doubt the need for fishing regulations to sustain acceptable population levels, yet un-regulated gravel mining will adversely impact vital habitat of stream fishes.

History has shown what happens to natural resources without regulations. Unfortunately, during the workgroup meetings, I often heard comments that scientists (e.g., fisheries biologist and hydrologist) don't have any "common sense" when it comes to their opinions on gravel mining impacts. It is alarming that these folks feel that the results of several decades of research on in-stream gravel mining is irrelevant, and that only common sense is needed to protect streams and their resources from the effects of gravel mining. As a scientist, I know that riverine systems or streams have complex dynamics, which often affect streams in ways that are counter-intuitive. The weight of evidence in the scientific literature shows that Ozark Stream Fisheries will likely suffer unacceptable damage from unregulated in-stream gravel mining. The paper "Sand and Gravel Mining in Missouri Stream Systems: Aquatic Resource Effects and Management Alternatives" by Mike Roell is only one of many publications on the subject. Also, there is convincing evidence in the literature of the adverse impacts that unregulated gravel mining has

on stream bank stability and man made structures in streams. Although some of the research on the effects of gravel mining was conducted in other states, the same laws of science obviously apply in the Ozarks.
Those who oppose enforceable gravel mining rules have not presented one scientific study or shred of evidence supporting their contention that "common sense" (i.e., no or minimal regulations) gravel mining will not negatively impact Ozark Streams. In terms of economics arguments, the amount of money spent on stream-based recreation in the Missouri Ozarks (US Department of the Interior data) far exceeds the revenues of gravel mining industry.

In summary, we urge the LRC to adopt in-stream gravel mining regulations that are protective of Ozark Streams and their associated resources. We are on record as supporters of the rules making recommendations (i.e., workgroup votes) of the American Fisheries Society. Thank you for your consideration of this important environmental issue.

Sincerely,

Jim & Cathy Huckins

Jim & Cathy Huckins

ST. CLAIR COUNTY COMMISSION

Dale Atchison
North Commissioner

Jay Knight
Presiding Commissioner

Leola Bland
South Commissioner

P.O. Box 525
655 Second Street
Osceola, MO 64776

Telephone 417-646-8003
Fax 417-646-8080

RECEIVED
FEB 26 2003
MISSOURI LAND
RECLAMATION COMMISSION

February 24, 2003

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

This letter is to inform you that we strongly oppose the new In Stream Sand and Gravel mining regulations on the state rule making register.

At the present time there are In Stream Sand and Gravel Mining guidelines for operators and counties. Permits must be obtained from the Army Corps of Engineers. We must work with the D.N.R. Clear Water Act, Endangered Species Act, U.S. Fish and Wildlife, and M.D.C.

We feel this is already too much regulation. Please consider that the cost of aggregate for county roads and Missouri highways will go up enormously if this is enacted.

Sincerely,

Jay Knight

Jay Knight, Presiding Commissioner

Dale Atchison

Dale Atchison, Northiside Commissioner

Leola Bland

Leola Bland, Southside Commissioner