

December 12, 2016

Mr. Brian Donahue
Regulatory Project Manager
U.S. Army Corps of Engineers
Kansas City Regulatory Office
601 East 12th Street, Room 402
Kansas City, Missouri 64106-2896
816-389-3703
brian.t.donahue@usace.army.mil

Re: Public Comment for Draft Environmental Impact Statement for Kansas River Commercial Dredging

Permits for:

Kaw Valley Companies, Inc.
Holliday Sand & Gravel Company
Master's Dredging
Builder's Choice Aggregates, Inc.
LLB, LLC

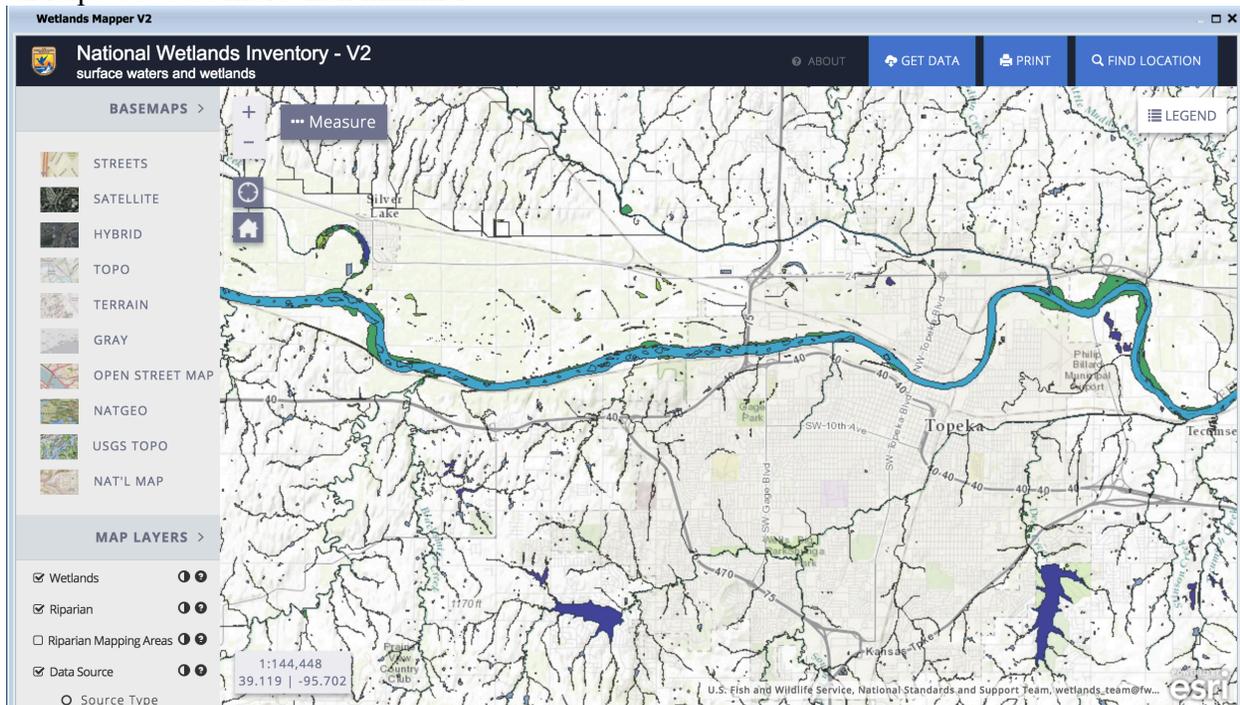
Dear Mr. Donahue and U.S. Army Corps of Engineers (USACE):

Please accept the following comments regarding the Draft Environmental Impact Statement (EIS) for Kansas River Commercial Dredging. I am writing as a board member for Friends of the Kaw, a nonprofit environmental and conservation group whose mission is to protect and preserve the Kansas River (known locally as the Kaw) for future generations. I am also a scientist specializing in Aquatic Ecosystem Ecology. I write as a concerned citizen interested in preserving the ecological integrity of the Kansas River. I attended the public forum on 17 November 2016 and have read the draft Environmental Impact Statement (EIS), specifically focusing on sections pertaining to my scientific expertise.

I concur with my colleagues' letters that detail the physical degradation of the river as a result of dredging, including: 1) bed degradation, head-cutting, and channel widening, 2) associated bank erosion and loss of private land, and 3) decreased water quality and associated impacts on aquatic life. As a watersport fan, I also want to express concern over the decreased recreational desirability of using the river when dredged sections require navigating increased hazards (i.e., dredging equipment and lines) and noise. To add to those, I raise three points in this letter that I contend are inadequately addressed in the draft EIS: 1) the potential damage to riparian wetlands, 2) the hydrologic effects of climate change and how that may interact with the physical effects of dredging, and 3) the loss of ecosystem services provisioned by the river that are not taken into account with damage caused by dredging.

First, I would like to see more details, especially data, regarding the proximity of riparian wetlands to dredge sites (new and existing). The EIS states, "*Dredging operation have very little potential to impact wetlands within the river channel since dredging activities primarily occur in*

areas where flow velocities are relatively high and water depths are sufficient to preclude the growth of wetland vegetation.” (section 3.8.2.1) While this is true for in-river wetlands, it is not necessarily the case for riparian, or river adjacent, wetlands. Furthermore, riparian wetlands may be substantially damaged by bank erosion or cutting due to dredging operations. A map of from the National Wetlands Inventory (below) suggests there are riparian wetlands within the zone of the proposed dredging operations near Topeka, which would include the newly permitted site by LBB, LCC. To improve our understanding of the potential environmental impacts of dredging on riparian wetlands, I request the EIS conduct a more thorough evaluation of the effects of dredging on riparian wetlands, including mapping wetlands in proximity to dredge sites. I do not think there is sufficient basis for the conclusion that, “Direct impacts to wetlands are not anticipated to be more than minimal.”



While it is commendable that the draft report covers climate change (section 3.15), much of the text focuses on non-hydrologic aspects (e.g., regulatory mandates). Climate change in the Midwest is predicted to result in drier, more drought prone summers followed by more frequent and extreme spring precipitation (Hatfield et al. 2013). Changing precipitation will likely result in a different hydrograph for the river, with more water moving through the system in the spring. Higher spring water velocities may interact with or exacerbate the physical effects of dredging. To better understand the interaction between climate change and dredging, the predicted effects of climate change for riverine hydrology should be included in the EIS, as well as a discussion of how changing hydrology may interact with the physical effects of dredging (e.g., bank cutting, erosion). This should be addressed in the Climate Change section, as well as in the Cumulative Impacts section, given that climate change will interact with the entire riverine ecosystem.

Finally, the royalty paid to the State of Kansas for dredging rights (\$0.15/ton) is absurdly low given the damage and ecosystem service losses that likely result from dredging activities

(Strange et al. 1999, Loomis et al. 2000). Increasing the royalty fees would reflect the lost riverine ecosystem services (Brauman et al. 2007) that can take decades to replace even with active restoration (Palmer et al. 2005). Increased royalty fees would also likely shift the economic forces towards making pit mining a more viable alternative. More importantly, it would be a more accurate monetary representation of the degradation of our common state property. I request that the draft EIS take into account ecosystem service losses and associated costs connected to dredging activity so that citizens of Kansas can more accurately assess whether dredging is economically in their best interest.

In summary, I request the draft EIS include more detailed discussion of: 1) the potential loss of riparian wetlands due to bank erosion near dredging locations, 2) the interactions of altered hydrology due to climate change and dredging activities, and 3) the ecosystem services lost due to dredging, as well as how that lost value compares specifically to the royalty fees. I thank you for the work you undertook in compiling such a detailed and comprehensive report. I also appreciate your time in considering these comments and look forward to your response.

Sincerely,



Amy Burgin, Ph.D.
Friends of the Kaw

References:

- Brauman, K. A., G. C. Daily, T. K. Duarte, and H. A. Mooney. 2007. The Nature and Value of Ecosystem Services: An Overview Highlighting Hydrologic Services. *Annual Review of Environment & Resources* 32:67–98.
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- Loomis, J., P. Kent, L. Strange, K. Fausch, and A. Covich. 2000. Measuring the total economic value of restoring ecosystem services in an impaired river basin: Results from a contingent valuation survey. *Ecological Economics* 33:103–117.
- Palmer, M. a., E. S. Bernhardt, J. D. Allan, P. S. Lake, G. Alexander, S. Brooks, J. Carr, S. Clayton, C. N. Dahm, J. Follstad Shah, D. L. Galat, S. G. Loss, P. Goodwin, D. D. Hart, B. Hassett, R. Jenkinson, G. M. Kondolf, R. Lave, J. L. Meyer, T. K. O'Donnell, L. Pagano, and E. Sudduth. 2005. Standards for ecologically successful river restoration. *Journal of Applied Ecology* 42:208–217.
- Strange, E. M., K. D. Fausch, and A. P. Covich. 1999. Sustaining ecosystem services in human-dominated watersheds: Biohydrology and ecosystem processes in the South Platte River Basin. *Environmental Management* 24:39–54.

Donahue, Brian T CIV USARMY CENWK (US)

From: Bill Cutler <topekabill.cutler@gmail.com>
Sent: Monday, December 12, 2016 2:38 PM
To: Donahue, Brian T CIV USARMY CENWK (US)
Cc: Riverkeeper Dawn Buehler
Subject: [EXTERNAL] Proposed dredging expansion and re licensing of current dredgers

Thank you for the opportunity to comment on the proposed dredging expansion on the Kansas River.

I am active with Friends of the Kay, the Kansas Sierra Club, and the Topeka Riverfront Authority. In these roles, I have frequent opportunities to both be on the river, and learn more from scientists and naturalists of the effects of dredging extraction.

There are already problems with the current level of river extraction, in stirring up industrial and agricultural pollutants that make it harder for municipal treatment plants to provide us with clean safe water. More than three-quarters of a million Kansas get their drinking water from the Kaw.

Dredging also causes erosion to private property and taxpayer-funded infrastructure like roads, bridges and flood control measures, when the river seeks to fill the holes from dredging by carving away at the riverbanks. This has been proven by University researchers. Dredging above Topeka could impact the Topeka weir, essential for our water supply. There is also a joint city/county effort to encourage recreation with a redesigned weir, and this could be impacted adversely as well.

The proposed two new sites above Topeka will also cause danger, because of the rigs and cables, to recreational river users above Topeka. A goal of the Topeka Riverfront Authority is to take advantage of the Kansas River's designation as a National Scenic Riverway to get more people to float from upstream to the City of Topeka. These dredges will be dangerous for boaters, especially novices.

Of particular concern is the proposed expansion from the current (2015) extraction of 509,000 tons, to a proposed limit of 1,900,000. This is close to a fourfold increase. This seems especially unwise when the option of sand mining in fields along the river is an option much less destructive to the river, wildlife, and less detrimental to growing recreational interest.

I hope you will deny the addition of the two new permits, and not allow any increase in the 2005 level. Thank you for the opportunity to provide this input.

Bill Cutler
P. O. Box 2383
Topeka, KS 66601

Donahue, Brian T CIV USARMY CENWK (US)

From: Holly Moore <holly.dee.moore@gmail.com>
Sent: Monday, December 12, 2016 5:03 PM
To: Donahue, Brian T CIV USARMY CENWK (US)
Subject: [EXTERNAL] No Commercial Dredging in the Kansas River

Brian,

Please see my statement below concerning the draft Environmental Impact Statement (EIS) for Dredging on the Kansas River:

"Under no circumstances do I support commercial dredging in the Kansas City River. The Kansas City river provides my family with fresh drinking water summertime recreational activities. Ongoing commercial dredging will not only endanger our water quality by increasing contamination levels, but sacrifice the pristine natural habitats we value in our community." - Holly Moore, Environmental Scientist II

Sent from my iPhone

Donahue, Brian T CIV USARMY CENWK (US)

From: David Sain <davidsain@sunflower.com>
Sent: Monday, December 12, 2016 11:49 AM
To: Donahue, Brian T CIV USARMY CENWK (US)
Subject: [EXTERNAL] KAW DREDGING

Mr. Donahue,

I do not support further dredging of the Kaw.

I am confident there are competitive alternatives to taking any chance with our vital waterways.

I assume the amount of dredging being proposed is connected to the demand for virgin gravel. I noticed at the public meeting a few weeks ago that recycling concrete was not listed as alternatives to dredging for gravel. It seems to me reducing demand is an alternative.

Existing concrete can be crushed, the steel removed if it is reinforced (and then recycled) and then the material used for aggregate in new concrete. Typically this is only done if the conditions lead to it being cheaper than using virgin gravel. Like many sustainable practices we need incentives to do the right thing in the construction industry. If the supply of virgin gravel were reduced (along with dredging or other extraction techniques) this would lead to higher prices for the virgin material the sustainable options would be more aggressively pursued. Not only would the dredging be reduced or eliminated but vast amounts of old concrete scattered about the landscape that might find a use. I do not know as much about using existing concrete to replace sand but I have found that we can be very creative if there is a profit.

Thank you for your time,

David

David Sain

Rockhill and Associates

785-393-0746

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davidsain@ku.edu <mailto:davidsain@ku.edu>

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Donahue, Brian T CIV USARMY CENWK (US)

From: Elisabeth <e.cutlersuter@gmail.com>
Sent: Monday, December 12, 2016 10:01 AM
To: Donahue, Brian T CIV USARMY CENWK (US)
Cc: riverkeeper@kansasriver.org
Subject: [EXTERNAL] Dredging the Kansas river

I am very concerned about new proposals to allow dredging in our most beautiful and only big Kansas river. The damage occurring through such action is avoidable by moving sand operations off the river. I live in Topeka where we depend mainly on Kansas river water. Dredging endangers this source by stirring up pollutants which then are hard and costly (taxes!) to remove. It also destroys the riverbed and causes erosion as the river fills in the holes. Topeka is in the process of developing our river as a recreational attraction and dredging will impede this effort. The public good is better served by protecting a unique and valuable resource. Please take any measures necessary to stop dredging and find better solutions to access sand deposits off river. Thank you for considering my comments.

Sincerely

Elisabeth Suter, Topeka Kansas



Helen Alexander
 2905 Pebble Ln
 Lawrence, KS 66047-3030

KANSAS CITY 640

12 DEC 2016 PM 3 L



12/11/16

Dear Mr. Donahue,

I have lived in Douglas Co for 30 years. The Kansas River is an important source of drinking water for our community and has increasingly been used for recreation. I

understand there are yet more in-river dredging operations. I urge you to deny the permits for such activities - There are other options. We only have 1 river and we need to protect it

785 843
 3960

Sincerely,
 Helen Alexander
 2905 Pebble Ln
 Lawrence KS 66047

Donahue, Brian T CIV USARMY CENWK (US)

From: Chris Tilden <christilden@hotmail.com>
Sent: Sunday, December 11, 2016 7:01 PM
To: Donahue, Brian T CIV USARMY CENWK (US)
Subject: [EXTERNAL] Public Comment on Kansas River Commercial Dredging public notice (issued October 21, 2016)

Dear Mr. Donahue,

Please accept this as my official public comment on the Public Comment on Kansas River Commercial Dredging public notice issued on October 21, 2016.

I strongly urge the USACE to deny all nine permits submitted for dredging operations. Dredging on the river has significantly damaged the riverbed, banks and the habitat in and along the river. Water quality has certainly been degraded on account of dredging operations. Companies are already pursuing reasonable, economically feasible alternatives to sand pit mining. Denying these permits will not have any adverse economic impact on jobs or the economy. These permits should be denied, and all in-river sand and gravel dredging in the Kansas River should be discontinued as soon as possible.

I request a public hearing on this public notice, and again request you to deny all requested permits.

Thank you for the opportunity to share my public comment.

Sincerely,

Chris Tilden

1121 Williamsburg Ct

Lawrence KS 66049

(785) 691-9749

Donahue, Brian T CIV USARMY CENWK (US)

From: pwestern@kc.rr.com
Sent: Friday, December 09, 2016 5:01 PM
To: Donahue, Brian T CIV USARMY CENWK (US)
Cc: riverkeeper@kansasriver.org
Subject: [EXTERNAL] About Dredging

Dear Brian, I have floated all but 30 miles of the Kaw. It is a wonderful natural asset and like so many natural gifts--we need to start taking care of them!! Dredging causes erosion and changes the nature of the river. My wife and I love the Army Corp. works and especially their campgrounds!! However, we ask you to do what is so very important----LISTEN TO THE COMMON FOLKS!! Thank you very much!! Dave and Pam Western, Thru-hikers of the Appalachian Trail--2002

Donahue, Brian T CIV USARMY CENWK (US)

From: Elaine Shea <eshea1969@gmail.com>
Sent: Friday, December 09, 2016 2:31 PM
To: Donahue, Brian T CIV USARMY CENWK (US)
Cc: riverkeeper@kansasriver.org
Subject: [EXTERNAL] Kansas River dredging expansion

Here is my comment on dredging. Don't. The results of doing so are not something we should allow if we are going to take care of our earth home.

--

Elaine Shea
(785) 845-6640

Donahue, Brian T CIV USARMY CENWK (US)

From: RandyandTeresa <rrtr66061@comcast.net>
Sent: Friday, December 09, 2016 8:34 AM
To: Donahue, Brian T CIV USARMY CENWK (US)
Subject: [EXTERNAL] Dredging Expansion

Mr. Donahue-

I am writing to urge you to please deny the proposed dredging Expansion for our State treasure, the Kansas river. It was designated a National Water Trail in 2012 and it is vital that we protect this resource which is so important to so many people.

I'm sure you are aware of the many hazards related to dredging, such as erosion, altering ecosystems and risks to recreational users. Most importantly it damages our drinking water and raises the treatment costs which effects citizens utility costs.

In my opinion increasing the extraction by nearly 4 times the current rate would be a move in the wrong direction and not sustainable. Other alternatives such as sand pit mining have proven to be cost effective and not have negative impacts on jobs or the economy.

River tourism is increasing with many communities along the river adding access points and parks. I believe this is a positive change and support conserving our state river. I encourage you to consider my opinions as well as many others who feel the same with an open mind. Please do the right thing for our future generations and deny this expansion rather than causing more damage to the river for sand companies short term economic gain.

Respectfully,

Randy Ray
Olathe, KS.

Sent from my Samsung Galaxy Tab®4

Donahue, Brian T CIV USARMY CENWK (US)

From: David Norris <dvdnor@hotmail.com>
Sent: Friday, December 09, 2016 9:09 AM
To: Donahue, Brian T CIV USARMY CENWK (US)
Cc: riverkeeper@kansasriver.org
Subject: [EXTERNAL] Dredging Expansion

Good morning Mr. Donahue,

As a recreational user of the Kansas River, I wish to express my opposition to any expansion of dredging on the river, particularly with such a large increase proposed. The Kansas is a beautiful river, and with an increasing number of access points, recreational use is also increasing. To add add or expand dredging might impair the effort to show Kansans what a treasure they have in their own back yard.

Thanks for your time!

Dave Norris
Lee's Summit, MO

Sent from my iPad

12-8-2016

**ATTN: Mr. Brian Donahue
US ARMY CORPS OF ENGINEERS
KANSAS CITY DISTRICT**

RE: KANSAS RIVER SAND AND GRAVEL DREDGING

Dear Mr. Donahue

I am a long -time advocate of the Kansas River. Its use as a recreational resource is far and away the most intelligent alternative. This 173 mile long public river is emerging as a bright place for healthy outdoor activity. This activity can add millions of dollars of to our economy as a water trail without any measurable damage or cost to the river environs.

The National Park Service has designated the Kansas River as a "National Water Trail" in 2012. The Kansas Department of Wildlife, Parks and tourism supports this designation and launched a broad range program to encourage public use. Thousands of boaters and tourists have responded. What was a forgotten and squandered resource has now emerged as a clear favorite boating and fishing destination. Private groups have organized construction of sixteen new professional boat ramps that provide access and a clear invitation to an ever increasing number.

Dredging sand and gravel from the river upsets the geological balance of the river beds and banks. Land owners suffer loss of their land due to head-cutting. The river does not become deeper as we are led to believe. The true fact is that the river banks widen and ultimately the river becomes more shallow. A ribboning effect occurs and makes it more difficult for boaters to find a navigable channel.

Dredging cables stretch across the river and pose a hazard to recreational boating. The coast guard and the US Army Corps of Engineers support SAFE BOATING. We have come to expect them to **ACT IN THE PUBLICS BEST INTEREST**. Large paddle groups and lone boaters are at increasing risk. The Cedar Creek location is one example . Large groups regularly paddle this stretch where dredging cables pose serious outcomes. Dredging above Topeka could impact the Topeka Weir which is now developing a contract to make the weir safe for public use by boaters (3 have been killed there in the last 4 years).

There are many viable alternative resources for sand in this Kaw River Valley. There is no defensible reason to continue degrading this beautiful Kansas River. It is considered by many as a park and not appropriate for dredge mining operation.

There are so many reasons to deny these permits that there is not room here to list them all. If the Corps wants to be seen as a responsible advocate for public safety and the environment, and not merely as a rubber stamp for interests that may harm public safety and the environment, it should advocate more strongly for its own previous recommendations and move to minimize dredging on the Kansas River.

Sincerely



Mike Calwell
Friends of the Kaw

Donahue, Brian T CIV USARMY CENWK (US)

From: Rich Ambler <amblerfilms@gmail.com>
Sent: Wednesday, December 07, 2016 9:47 PM
To: Donahue, Brian T CIV USARMY CENWK (US); Laura Calwell
Subject: [EXTERNAL] Stop Dredging on the Kansas River!

Brian,
Please stop dredging on the Kansas River. The river will not survive as a viable water source, recreation and fishing resource. It is the most important river in the entire state.

Being a member of Friends of the Kaw, our studies over many years have shown that dredging does harm the river and will ultimately ruin it. I myself have seen damage due to dredging.

Sand pit mining in the area is both profit -making for companies and does Not raise the cost of sand and gravel. This kind of sand-mining will save the river. Dredging in the river will kill the river, plants and most fish eventually.

You already can see that farmlands, wildlife habitats and riverbanks are caving in and being lost into the river. I have photographs of this happening.

Drinking water from the Kansas River can really be stressed and more costly due to dredging.

I have used the river for recreation for the past 15 years and have seen some of these changes. And again, this is the only river in Kansas we can legally use for recreation. It is a designated National Water Trail - a national treasure - the only one in the entire state. Preserve it. Please do not let dredging destroy it so your family and children can always enjoy and learn from it.

Please protect it and stop dredging. Put dredging in the sand pit mines where they do no damage.

sincerely,
Rich Ambler
Friends of the Kaw

Donahue, Brian T CIV USARMY CENWK (US)

From: Sue Kidd <skidd.kschared@gmail.com>
Sent: Wednesday, December 07, 2016 1:30 PM
To: Donahue, Brian T CIV USARMY CENWK (US)
Cc: Laura and Mike Calwell; Randy Kidd ICE
Subject: [EXTERNAL] Dredging the KS River

As a LONG time user of the Kansas River, PLEASE keep OUR water flowing and open for all to enjoy.

We relocated to KS in 1976 for several reasons but high on our list was the opportunity to be more closely connected to open spaces and waterways. We've canoed the river from Junction City to Topeka...and many of the tributaries. Our daughters learned to appreciate the beauty and the quiet of the waterways throughout Kansas. I've taken many school kids to explore along the banks, and celebrated the end of the many school years with the grandsons on a sandbar not far from their home near Wamego. My husband, Randy Kidd, then the writer of an outdoor column for the Manhattan Mercury, hosted it's publisher and his kids on an overnight trip only to have the tornado sirens by St George blast them awake in the middle of the night. They poked their heads out...and went back to sleep...all survived.

These and sooooo many other stories highlight the highest and best use of our waterways. As we grow old, hang up our paddles and pass the search for life lessons on to your generation, we believe the lessons learned are too important to sacrifice for the perceived need of someone to dig sand.

--

Sue Kidd
Kansas Character Development Initiative

Leadership Coach & Consultant, ICF Certified
Cell: 785-865-9942
skidd.kschared@gmail.com <mailto:skidd.kschared@gmail.com>

"If you wish to succeed in life, make perseverance your bosom friend, experience your wise counselor, caution your elder brother, and hope your guardian genius." Joseph Addison

PUBLIC COMMENT

Regarding Permits to Dredge the Kansas River

December 7, 2016

FROM:

Laura Calwell
5610 W. 61st Terrace
Mission, KS 66202

TO:

Brian Donahue, Regulatory Manager
U.S. Army Corps of Engineers
Kansas City Regulatory Office
601 East 12th St.
Kansas City MO, 64106-2896
816-389-3656
brian.t.donahue@usace.army.mil

REGARDING DRAFT EIS & PERMITS FOR:

Kaw Valley Companies, Inc.
Holliday Sand & Gravel Company
Master's Dredging
Builder's Choice Aggregates
LBB, LLC

Dear Mr. Donahue and U.S. Army Corps of Engineers (USACE):

Please accept this as my personal comments regarding the permits referenced in the October 12, 2016 Public Notice on Kansas River Commercial Dredging and the 2016 Draft Environmental Impact Statement. I served on the Friends of the Kaw (FOK) Board of Directors from 1996 to 2003 and worked for FOK as the Kansas Riverkeeper from 2003 to 2015. I am currently the Education Director for FOK. FOK is a nonprofit environmental and conservation group whose mission is to protect and preserve the Kansas River (known locally as the Kaw) for future generations. I have been concerned about the detrimental effects of dredging to the Kansas River since 1994.

The dredging permits under review seek to dredge from the Kaw 1,900,00 tons of sand and gravel from eight sites. I strongly encourage the USACE to select the No-Action Alternative suggested in the draft EIS published in October 2016.

- I request a public hearing on the dredging issue to take place.
- If the USACE issues dredging permits they must require NPDES and 404 permits for these dredging activities.
- If the USACE issues dredging permits they should only allow companies to dredge during business hours on weekdays. Dredges that run all night are a noise nuisance to immediate residential neighbors. With the National Water Trail designation for recreation on the Kansas River, dredging on weekends should not be permitted as this is when a good deal of recreational activity happens.
- I strongly recommend that the Master's in-river permit above Cedar Creek (river mile 26.10 – 27.60) be denied. This proposed permit lies in the five-mile stretch from the De Soto boat ramp to the Cedar Creek boat ramp and this stretch is one of the most popular recreational areas on the Kansas River. A five-mile float trip is very appropriate for novice boaters and families with

children because it only takes about 3 hours to complete. There are very few five-mile float stretches on the Kansas River and this one is very convenient and located in one of the most populated areas in Kansas. As Kansas Riverkeeper I took an average of 6 educational group float trips per year in this area and the current Kansas Riverkeeper frequently uses this section also. I have witnessed that this section is also used by many private boaters. I estimate that over 300 paddlers use this area every year and an active dredge with cables attached to the banks is an unnecessary and life threatening hazard. Another reason for denying this permit is the active bald eagle nest a quarter of a mile up river from the old ramp Master's will use to put their dredge on the river. The habitat protection afforded by the Endangered Species Act for nesting sites and important feeding and roost sites should be considered before permitting this dredge.

- I have witnessed Edward "Woody" Moses, managing director of the Kansas Aggregate Producers Association, state that there is a nesting pair of bald eagles at every dredge site at multiple public meetings. I question that this comment is factually true.
- I question why permits would be reissued for areas that have had dredge permits denied because of unacceptable bed degradation particularly the Master's permit (river mile 26.1 – 27.60) and the LBB, LCC permit (river mile 89.70 – 91.00.) These areas will most likely quickly degrade again and cause continued bank failure around the dredge site. I suggest that the USACE re-examine and change the current dredging regulations.
- I would also like to make some observations concerning the area east of Lawrence where Penny's Concrete was asked to leave the river because of unacceptable degradation and recently permanently forfeited his dredge permits. The banks on the south side of the river both a half-mile above and below his operation at river mile 46 are filled with concrete tailings presumably dumped to stabilize the bank. When I began kayaking in the early 1990s the main river channel went north of the island across from Penny's Concrete land operation at river-mile 46. The channel running to the south of the island was very narrow and impassible in low water. I notice that Mr. Penny started dredging this south channel about 5 years ago and now this channel is very wide and has become the main channel. The large sandbar on the south bank is gone. The banks on the island have a very steep cut because vegetation has slumped into the river. For the year before Penny's Concrete had to leave this section because of unacceptable degradation I was told by neighbors that the company was running the dredge 24/7 and noise was keeping them wake at night. Currently the north channel is dry during periods of low water. Dredging greatly influenced the cutting of the banks and change in the river channel in that section of the river.
- In my opinion the 2016 Draft EIS mostly relies on material that is very dated – some over 30 years old. Very few new studies or information is referenced which makes the report a rehash of material considered for years. The conclusions of the draft EIS rely heavily on dated facts concerning the economics of dredging but ignore the current and future economics of recreation and the influence of the National Water Trail.
- I have paddled over 300 miles per year for over fifteen years on the Kansas River and paddled the entire 170 miles numerous times. I have witnessed a significant difference in the condition of the banks between the dredged and non-dredged areas. Dredged areas have significantly more bank stabilization structures using rock and concrete rubble and cut banks. The current draft EIS has little reference or consideration to the damage dredging does to the banks of the river particularly 5 miles above dredge sites. Visually the river and banks through the City of Topeka, from Bowersock Dam to Mud Creek and from Cedar Creek to the confluence of the Missouri River (areas that have been heavily dredged for many years) appear very different from the river than in areas that have not been heavily dredged. Through the City of Topeka (from the Topeka dam at river mile 87 to the Sardou Bridge) and from the K-7 Bridge to the confluence of the Missouri River there are no sandbars further demonstrating the damage done by many years of dredging. For the *Hydrologic and Geomorphic Changes on the Kansas River* (2010) compiled by the USACE, the researchers conducted a three-day river survey, but during a high river flow level when all in-river structures (including Bowersock Dam) were submerged. In my opinion, this was an important opportunity missed. A great deal of useful data on the channel could be obtained relatively easily if the river and banks are surveyed at low water, and the USACE cannot reasonably claim to have surveyed the river with only three days of field work carried out at flood levels. As the report stated on page 31: "The many sand

bars and other bed features of a braided channel were completely submerged on the days of the survey.” However, I would like to point out that these very features are of concern when examining the impact of dredging and the USACE needs to start examining the river from the river instead of relying on limited site visits, aerial views and cross sections.

- I strongly urges the USACE to deny all permits, and end sand and gravel dredging on the Kansas River however I would be amenable to only allowing the current permits a five-year window to allow for the transition to appropriately sited pit mines in the Kansas River Valley.

The proposed dredging activities are not in the public interest and they fall far short of the necessary criteria to receive a permit from the USACE. The private and public needs for the proposed river dredging are minimal. There are several appropriate locations along the Kansas River where sand and gravel companies can practically pursue the alternative of obtaining high quality and affordable sand and gravel from pit mines. Sand from pit mines can easily fulfill the public’s need for raw materials in building and construction. Several companies have already sited these mines in the Kansas River Valley. In the current draft EIS it states “it is estimated that 25 to 34 acres of land would need to be converted to pit dredging operations each year (Blechinger, 1997; Booker Associates, 1986).” First this is a very dated report and more acres are developed for commercial and residential properties with paved streets and parking lots happen in the Kansas River Valley every year. Why single out additional acres for pit mines when other commercial and residential developments annually take much more valuable farmland out of commission than pit mining would.

Above all, the detrimental effects of dredging on public and private interests significantly outweigh the benefits. The long-term environmental effects of private dredging operations will permanently damage several public uses of the river, such as providing affordable (cost-effective to treat and distribute) drinking water, as well as water for irrigation. Dredging also causes erosion to valuable farmland and creates risk for public infrastructure such as bridge footings. The impact of dredging also alters the physical river channel to the extent that it has an impact on local fish communities - potentially even on endangered species that live adjacent to the Kaw, in tributaries further up the watershed.

Again, there are definitely less environmentally damaging, practicable alternatives available rather than in-river sand and gravel dredging. I urge the USACE to deny the permits.

Thank you very much for the opportunity to submit this public comment.

Sincerely,



Laura Calwell
5610 W. 61st Terrace
Mission, KS 66202
913-963 3460

2016 DEC 13 AM 9:17
RECEIVED
REGULATORY BRANCH

Donahue, Brian T CIV USARMY CENWK (US)

From: Michael Campbell <shamsoup@yahoo.com>
Sent: Tuesday, December 06, 2016 9:08 PM
To: Donahue, Brian T CIV USARMY CENWK (US)
Subject: [EXTERNAL] Kansas River Commercial Dredging comment

Mr. Donahue:

I am writing to express my concern about proposed plans to nearly quadruple the amount of sand removed from the Kansas River near Topeka and at Cedar Creek. I believe that this proposed increase poses a significant risk both to the ecological health of the river, and to people boating on the water. Studies indicate that removing sand from the river can increase stream bed erosion both upstream and downstream from the dredging, and can also increase erosion of the river bank. The dredging operation at Cedar Creek also poses a direct threat to the many canoeists, kayakers and fishermen who utilize that area. Taking all these risks would be foolish in any circumstance, and looks even worse when you consider the success of people making use of sand pit mining. I urge you to please protect the Kansas River and deny the nine permits requested for in-river sand and gravel dredging. Thank you for your attention.

Sincerely,
Michael Campbell
66 Savage
Eudora, KS 66025

Mr. Brian Donahue
Regulatory Project Manager
U.S. Army Corps of Engineers
601 East 12th Street, Room 402
Kansas City, MO 64106

2016 DEC -1 PM 2:01

Re: Comments on Draft Environmental Impact Statement (EIS) for Commercial Dredging on the Kansas River

Thank you for the opportunity to provide comment on the draft EIS for Kansas River dredging.

I found the EIS lacking in science and providing little new information to the decision making process. It does provide a reasonable economic analysis of dredging. It correctly identifies many factors affecting geomorphology of the river but avoids meaningful analysis of geomorphology as affected by specific past or current dredge sites and does not consider channel widening in a dredge site specific context.

Cumulative Impacts:

The dredging industry simply does not take responsibility for the elimination of sand bar habitat, bank and riparian quality or stability. The dredging industry and COE need to consider that the natural character of the river developed prior to 1990 when tracking of bed elevations began. Sand bar habitat persisted in portions of the lower Kaw through the 1960s. To date an estimated 28 percent of the Kaw's stream miles have been severely degraded by dredging (<http://www.kansasriverinventory.org>). The Kaw is virtually lacking in sand bar habitat at any flow downstream of Bonner Springs due to dredging. Abandoned and current dredging sites do not represent no cumulative impact, they represent very large change to the landscape. I am not aware of any significant mitigation of habitat degradation at abandoned dredge sites.

Sand bar habitat supports a wide array of aquatic and terrestrial species and serves as the interface between wildlife and the river. Birds, turtles and other reptiles use sand and gravel bars extensively for reproduction and terrestrial mammalian nest predators exploit the opportunity. Back water areas associated with sand bars provide reproductive habitat for declining amphibian populations as well as waterfowl and shorebirds. Sand bar habitat that no longer exists supports only fish.

Loss of sand bar habitat, replacement of stable riparian vegetation with rip-rap or unstable sloughing banks is commonly associated with in-stream dredging sites, whether historical or active. Although this loss has accumulated over many decades it continues under the current regulatory plan for commercial dredging activities on the Kansas River which has been in place for more than 20 years. It can not be disputed that each dredge site adds a few more miles of loss to the natural riparian cover as well as loss of sand bar habitat. Reclamation of dredging sites has simply not been practiced.

Authors of numerous scientific papers published in the last two decades indicate habitat loss and modification as the principal driving factor in continuing species loss (Fisher et al., 2012; Angelo et al., 2009; Paukert et al., 2008; Haslouer et al., 2005; Brady et al., 1998; U.S.F.W.S., 1995; Sanders et al., 1993). In-stream sand and gravel removal or dredging is often specifically listed among the major anthropogenic causative factors in habitat loss. This is a widely held view among Kansas aquatic scientists from state and federal natural resource and environmental agencies as well as academic institutions.

Benthic invertebrates are frequently dismissed from consideration in sandy rivers, due to low abundance in shifting sand substrate. Biologists familiar with the river understand that the bulk of the secondary production occurs near shore on more stable substrate, on woody debris and in patchy rock and gravel substrate. Macroinvertebrate diversity in the Kansas River is considerable and in line with other dissimilar rivers and streams, unless you focus on shifting sand and dredge holes. There are no citations of Kansas Department of Health and Environment's (KDHE) Stream Biological Monitoring Program data in the EIS. KDHE has monitored benthic macroinvertebrate communities in the river for many decades.

Reduced demand for sand has no doubt been influenced by reduced government infrastructure spending but may also be influenced by attempts in construction to reduce impervious surface area, recycling concrete products and shifting asphalt composition to replace sand with crushed limestone aggregate. Future increases in demand should be met with sand from pit mines or other sources (not smaller streams). The cost of sand has always been subject to how far it is transported and the dredgers stress the need to locate as near to the demand centers as possible. Pit mine sand is roughly the same cost as river sand for the consumer and transportation has always been the majority of the cost of sand products to the consumer. The costs of pit mined sand is affordable for consumers and the loss of agricultural land for pit mines is greatly exceeded by loss from commercial and industrial expansion, along with road development in proximity to urban areas.

I would note that over the last decade or two that several permits were suspended for bed degradation when the self reported take was considerably lower than the permitted take (due to poor demand).

There should be No increase in current take (recent demand has been considerably less than permitted take and any future increase in demand should be met with other sources including pit mines). There should be No new in river dredging sites. There should be No return to river dredging at the site immediately upstream of Kaw State Park (LBB,LLC) or near Cedar Creek (Masters).

Safety Concerns:

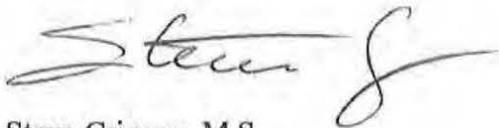
FOK has many group floats with novice paddlers on the 5 mile segment from Desoto to the Cedar Creek boat ramp, reopening the Masters site is a very great safety concern. Construction of a new boat ramp at the Maple Hill bridge and possibly at the Willard bridge will open the new Kaw State Park boat ramp to additional use as a take out for the middle reach of the river. Return of the LBB,LLC dredge at that site is also a concern.

I personally have had several problems with the Builders Choice Aggregates dredge. I have encountered this dredge on several occasions stretching fully across the river removing a sandbar or facing mostly downstream. Under both kinds of circumstances the dredge operator had no awareness of my approach and took no action to aid in my passage. This does not happen every time but has happened more than tree times in the last three years. I have needed to duck down in my canoe to pass under cables, have passed under them when I did not have to duck. I have been forced to pass over the rubber dredge pipe because there was no portion of the wetted width of the river not occupied by dredge or pipe to the bank. A similar occurrence happened with the LBB,LLC dredge upstream of Topeka on one occasion.

At the Builders Choice Aggregates site on one occasion when there was no response from the dredge operator I exited my canoe to walk it along the sandbar edge to pass by and realised that the dredge had been working on the sandbar and there was no shallow passage opposite the dredge. Realizing I might

be walking into the edge of the dredge hole I got back in my boat and went under the cable.

In my experience dredge operators are not always displaying due diligence with regard to boaters and if they are not facing upstream believe they are much less likely to observe boaters. The replacement of dredge to bank pontooned pipelines (above water) with rubber pipeline makes boating more dangerous. The rubber pipelines, when in reaches with current and particularly when they do not have much slack, bob up and down in the current, disappearing from site and in an instant popping up partially above the water. They are very dangerous to paddle over and when dredges are across the river inexperienced paddlers see an open passage to proceed downstream until they get close enough to see the pipeline bobbing up and down.

A handwritten signature in black ink, appearing to read "Steve Cringan". The signature is fluid and cursive, with a long horizontal stroke at the end.

M Steve Cringan, M.S.
Friends of the Kaw, Director
Environmental Scientist

Literature cited:

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- Sanders, R. M., D. G. Huggins, and F. B. Cross. 1993. The Kansas River system and its biota. Pages 295-326 *In*: Hesse, L.W., C.B. Stalnacker, N.G. Benson, and J.R. Zuboy (eds.). *Proceeding of the symposium on restoration planning for the rivers of the Mississippi and Missouri river ecosystem*. U.S. National Biological Survey, Biological Report 19, Washington, D.C.
- U.S. Department of Interior, Fish and Wildlife Service, Kansas Field Office. 1995. *Impacts of In-Stream Sand and Gravel Dredging on Fish, Wildlife, and Recreational Resources*.

Donahue, Brian T CIV USARMY CENWK (US)

From: jashberger@kc.rr.com
Sent: Monday, November 21, 2016 3:27 PM
To: Donahue, Brian T CIV USARMY CENWK (US)
Subject: [EXTERNAL] Support Kansas River Dredging

I have canoed on the Kansas river for many years. I have never had a problem going around a sand dredge. It has been completely safe passing them. Each year I canoe from Junction City to Kansas City. There is more sand now than ever. The arguments against sand dredging are greatly exaggerated. I support approving the permits, and keeping all the dredges in the river.

Jerry Ashberger

Dear Mr. Donahue,

I am writing this letter to comment on the Kaw (Kansas) River Commercial Dredging public notice issued October 21, 2016.

As a fairly new resident of Kansas, many things on the west side of State Line Road are new to me. My wife and I are avid canoeists and have a deep connection with nature's waterways. Though we usually float Ozark streams, last year we did our annual New Years float trip on the Kaw and it really made me feel like calling Kansas home. The prairie land we floated through was unmatched scenery and truly is a beauty that should not be taken advantage of.

I ask that USACE deny the permits submitted to expand in-river sand and gravel dredging on the Kansas River. This river is still largely natural, based on past efforts to minimize channeling, dredging and further damage. As demonstrated by the Missouri River dredging will destroy the natural flow of water and affect the surrounding ecosystems.

Please deny these nine permits + I request a public hearing on the matter. The natural beauty of Kansas, especially its beautiful rivers sandbars, should be protected so it may be appreciated many years after we have passed.

Sincerely,

Thomas Minter,

a Kansas resident + river enthusiast.