

**Sailor, Matthew NWK**

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**From:** WPSC.Water Quality Certification [wpsc401cert@dnr.mo.gov]  
**Sent:** Friday, April 03, 2015 8:19 AM  
**To:** Sailor, Matthew NWK  
**Cc:** Simmons, Bryan; USEPA Region 7; Thorne, David; Sternburg, Janet MVS External Stakeholder; 'laura.ruman@mdc.mo.gov'; Campbell-Allison, Jennifer; Miller, Stuart; 'audrey.beres@mdc.mo.gov'; Harvey, Kathy; Feeler, Steve; Brooks, Buck; Unruh, Gayle; Hoke, John; Miller, Christopher; Bax, Stacia; Wieberg, Chris; Baker, Amanda  
**Subject:** [EXTERNAL] Holliday Sand and Gravel Company, 2011-00363/CEK006762  
**Categories:** Red Category

The Missouri Department of Natural Resources' Water Protection Program (DNR) has reviewed the Public Notice for Number 2011-00363 in which Holliday Sand and Gravel Company is proposing to renew their permit that expires December 31, 2015, for commercial sand and gravel dredging within five predefined segments of the Lower Missouri River. If re-issued, the permits would authorize dredging for a period of five years.

In 2011 the U.S. Army Corps of Engineers (USACE) completed a Final Environmental Impact Statement and issued a Record of Decision for commercial dredging activities on the Missouri River; these documents disclosed environmental impacts associated with the 2011 permit decision and ongoing reissuance of dredging permits. The selected alternative in the Final Environmental Impact Statement and Record of Decision contained certain tonnage and locale restrictions on dredging in addition to a monitoring program and adaptive management framework to limit dredging-related impacts; these restrictions were presented as special conditions of the permits. The Environmental Impact Statement and Record of Decision can be downloaded at:  
<http://www.nwk.usace.army.mil/Missions/RegulatoryBranch/MissouriRiverCommercialDredging.aspx>.

**MISSOURI RIVER DREDGING TONNAGE AND SEGMENTS**

Application

Number

Applicant Name And Address

River Reach Requested

2011 Authorized

Annual Tons

Requested

NWK

2011-00363

Holliday Sand and Gravel

Company (Holliday Sand)

9660 Legler Road

Lenexa, KS 66219

(Waverly Segment)

(Kansas City Segment)

(St. Joseph Segment)

770,000

2011 - 1,200,000

2012 - 900,000

2013 - 850,000

2014 - 800,000

2015 - 540,000

860,000

2016 - 770,000  
2017 - 847,000  
2018 - 924,000  
2019 - 1,001,000  
2020 - 1,078,000

540,000

860,000

No jurisdictional wetlands would be directly impacted by the proposed work. Indirect and cumulative impacts of the proposed and alternative actions on wetlands were discussed in Sections 3.9 and 4.7 and Chapter 5 of the Final Environmental Impact Statement and Section 5.3 of the Record of Decision. Potential actions to mitigate impacts on wetlands were discussed in Chapter 6 of the Final Environmental Impact Statement and Record of Decision.

We offer the following comments:

1. Unwanted dredged material and river water extracted from only the river may be placed back into the river. The applicant should not dispose of waste materials, water, or garbage below the ordinary high water mark of any other water body, in a wetland area, or at any location where the materials could be introduced into the water body or an adjacent wetland as a result of runoff, flooding, wind, or other natural forces.
2. All dredging must avoid impacting aquatic habitat, particularly breeding and rearing areas of endangered, rare, or threatened species and mussel beds.
3. Operations in the river should be conducted such that there will be no unreasonable interference with navigation by the existence or use of the activity.

4. Project activities should not accelerate bed or bank erosion.
  
5. The quality of downstream water supplies should not be adversely affected by this project. Any such supplies in the immediate downstream river miles should be advised at the time the project is initiated. For the presence of such supplies, you may call DNR's Water Protection Program's Public Drinking Water Branch at (573) 751-0124.
  
6. Sand, gravel, or other dredged materials should not be stockpiled within the channel, placed against the banks, or otherwise disposed of in a manner that will redirect erosive forces within the channel, or threaten the stability of the channel or the bank lines.
  
7. All comments received and the applicants' response to comments should be sent to DNR at the address below. Consideration for Clean Water Act Section 401 Water Quality Certification (WQC) cannot be made until all comments and responses have been received.
  
8. The request for WQC that is part of the public notice is denied without prejudice due to lack of complete application. Once the USACE is ready to issue the 404 Permit and the applicant, their consultant, or the USACE has provided to DNR a complete application per 10 CSR 20-6.060 and 20-7.031, a formal request for WQC should be made to DNR.

Thank you for the opportunity to comment on the proposed project. If you have any questions, please contact Christopher Miller by phone at (573) 526-3337, by e-mail at [christopher.miller@dnr.mo.gov](mailto:christopher.miller@dnr.mo.gov), or by mail at the Missouri Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, MO 65102-0176. Thank you for working with DNR to protect our environment.

CM/pc

Thanks.

Pat Conger  
Missouri Department of Natural Resources  
Water Protection Program  
P.O. Box 176  
Jefferson City, MO 65102-0176

Phone (573) 751-1300 Fax (573) 522-9920  
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web site: [www.dnr.mo.gov/env/wpp/401](http://www.dnr.mo.gov/env/wpp/401) <<http://www.dnr.mo.gov/env/wpp/401>>

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<<http://www.dnr.mo.gov/>> .

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**Missouri Department of Transportation**

*David B. Nichols, Director*

573.751.2551

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1.888.ASK MODOT (275.6636)

March 30, 2015

Mr. Matthew Sailor  
Regulatory Project Manager  
U.S. Army Corps of Engineers, Kansas City Regulatory Office  
601 East 12th Street, Room 402  
Kansas City, Missouri 64106-2896

CC:

Missouri Department of Natural Resources  
Water Pollution Control Program  
P.O. Box 176  
Jefferson City, Missouri 65102

Kansas Department of Health and Environment  
Bureau of Water - - Watershed Management Section  
1000 SW Jackson Street, Suite 420  
Topeka, Kansas 66612-1367

Dear Mr. Sailor

This letter is in response to the request for comment on the public notice regarding Missouri River Commercial Dredgers issued March 13, 2015.

Scouring of bed material from around bridge foundations is the leading cause of bridge failures in the United States and scour mitigation to protect bridge foundations is a major expense to state departments of transportation including MoDOT.

To promote the health of Missouri's infrastructure and safety to the travelling public, MoDOT requests that dredging not be allowed within 1000 feet of any bridge pier or abutment as opposed to the 500 foot limit stated in paragraph "j" of Appendix 1: Past Permit Special Conditions.

Sincerely,



Dennis Heckman, P.E.  
State Bridge Engineer

