Appendix 4

STATE OF MISSOURI
Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director
DEPARTMENT OF NATURAL RESOURCES
www.dnr.mo.gov

DEC 1 0 2015

Capital Sand Company, Inc.
P.O. Box 104990
Jefferson City, MO 65110-4990

RE: 2011-00361/CEK006761/CES002561 in Various Counties in Missouri

Dear Sir or Madam:

The Missouri Department of Natural Resources (DNR), Water Protection Program, has reviewed your request for renewal of Clean Water Act Section 401 Water Quality Certification (WQC) to accompany the U.S. Army Corps of Engineers' (USACE) Permit 2011-00361. The current USACE Section 404 permit expires on December 31, 2015. This WQC renews the authorization of commercial sand and gravel dredging of material in the amounts listed below.

River Reach Requested	Annual Tons Authorized
(St. Charles Segment)	140,000
(Jefferson City Segment)	1,350,000
(Waverly Segment)	2016 – 370,000 2017 – 452,500 2018 – 535,000 2019 – 617,500 2020 – 700,000

This WQC is being issued under Section 401 of Public Law 95-217, The Clean Water Act of 1977 and subsequent revisions. This office certifies the proposed project will not cause the general or numeric criteria to be exceeded nor impair beneficial uses established in the Water Quality Standards, 10 CSR 20-7.031, provided the following conditions are met:

1. Best Management Practices shall be used during all phases of the project to limit the amount of discharge of water contaminants to waters of the state.

2. Operations in the river shall be conducted such that there will be no unreasonable interference with navigation by the existence or use of the activity.

3. Unwanted dredged material and river water extracted from only the river may be placed back into the river. You shall 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.

4. 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. All dredging must avoid impacting aquatic habitat, particularly breeding and rearing areas of endangered, rare, or threatened species and mussel beds.

5. Dredging shall not occur within 1,000 feet of any known drinking water intake structure. DNR's Public Drinking Water Branch may be contacted at (573) 526-6925 for the presence of such supplies.

6. Any National Pollutant Discharge Elimination System Permits, including General Permit 698 for Dredging Lakes/River Harbors on Missouri and Mississippi Rivers (http://dnr.mo.gov/env/wpp/permits/issued/G698000.pdf), or other requirements should be complied with. Applicants with questions are encouraged to call the appropriate DNR regional office.

7. Fuel, oil and other petroleum products, equipment, construction materials and any solid waste shall not be stored below the ordinary high water mark at any time or in the adjacent floodway beyond normal working hours. All precautions shall be taken to avoid the release of wastes or fuel to streams and other adjacent waters as a result of this operation.

8. Petroleum products spilled into any water or on the banks where the material may enter waters of the state shall be immediately cleaned up and disposed of properly. Any such spills of petroleum shall be reported as soon as possible, but no later than 24 hours after discovery to DNR's Environmental Emergency Response number at (573) 634-2436.

9. The USACE's permit decision and all conditions are to be followed as authorized by the USACE under Section 404 of the Clean Water Act (33 USC 1344), and hereby incorporated into this WQC. The implementing regulation for Section 404 is found at 33 CFR 320-330.

10. Representatives from DNR shall be allowed on the project property to inspect the authorized activity at any time deemed necessary by DNR to ensure compliance with the above conditions.

11. The WQC is based on the plans as submitted. Should any plan modifications occur, please contact DNR to determine whether the WQC remains valid or may be amended or revoked.

Pursuant to Chapter 644, RSMo, commonly referred to as the Missouri Clean Water Law, and fee regulations under 10 CSR 20-6.011(2)(I), this WQC shall be valid only upon payment of a fee of $150.00. The enclosed invoice contains the necessary information on how to submit your fee. Payment must be received within ten business days of receipt of this WQC. Upon receipt of the fee, the applicable office of the USACE will be informed the WQC is now in effect and final.

You may appeal to have the matter heard by the Administrative Hearing Commission (AHC). To appeal, you must file a petition with the AHC within 30 days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the AHC.

This WQC is part of the USACE's permit. Water Quality Standards must be met during any operations authorized. If you have any questions, please contact Mr. Christopher Miller by phone at (573) 526-3337, by e-mail at 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.

Sincerely,

WATER PROTECTION PROGRAM

Chris Wieberg, Chief
Operating Permits Section

CW:cmp

Enclosure

c: Ms. Sherry Bell, Fees Unit
Mr. Joe Bowdish, Northeast Regional Office
Mr. Jesse Cochran, Kansas City Regional Office
Mr. Charles Frerker, U.S. Army Corps of Engineers, St. Louis District
Mr. Eric Gilstrap, St. Louis Regional Office
Mr. John Hoke, Watershed Protection Section
Ms. Anna Nowack, Watershed Protection Section
Ms. Corinne Rosania, Kansas City Regional Office
Mr. Matthew Sailor, U.S. Army Corps of Engineers, Kansas City District
Ms. Sandy Schoen, St. Louis Regional Office
Mr. David Shorr, Lathrop and Gage, LLP
Ms. Terrie Williams, Kansas City Regional Office
Ms. Sarah Wright-Aholt St. Louis Regional Office

STATE OF MISSOURI
Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director
DEPARTMENT OF NATURAL RESOURCES
www.dnr.mo.gov

DEC 10 2015

Hermann Sand & Gravel, Inc.
P.O. Box 261
Hermann, MO 65041

RE: 2011-00362/CEK006763 in Various Counties in Missouri

Dear Sir or Madam:

The Missouri Department of Natural Resources (DNR), Water Protection Program, has reviewed your request for renewal of Clean Water Act Section 401 Water Quality Certification (WQC) to accompany the U.S. Army Corps of Engineers' (USACE) Permit 2011-00362. The current USACE Section 404 permit expires on December 31, 2015. This WQC renews the authorization of commercial sand and gravel dredging of 120,000 tons of material per year for the next five years from the Jefferson City Segment, and 120,000 tons of material per year for the next five years from the St. Charles Segment.

This WQC is being issued under Section 401 of Public Law 95-217, The Clean Water Act of 1977 and subsequent revisions. This office certifies the proposed project will not cause the general or numeric criteria to be exceeded nor impair beneficial uses established in the Water Quality Standards, 10 CSR 20-7.031, provided the following conditions are met:

1. Best Management Practices shall be used during all phases of the project to limit the amount of discharge of water contaminants to waters of the state.

2. Operations in the river shall be conducted such that there will be no unreasonable interference with navigation by the existence or use of the activity.

3. Unwanted dredged material and river water extracted from only the river may be placed back into the river. You shall 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.

4. 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. All dredging must avoid impacting aquatic habitat, particularly breeding and rearing areas of endangered, rare, or threatened species and mussel beds.

Recycled Paper

5. Dredging shall not occur within 1,000 feet of any known drinking water intake structure. DNR's Public Drinking Water Branch may be contacted at (573) 526-6925 for the presence of such supplies.

6. Any National Pollutant Discharge Elimination System Permits, including General Permit 698 for Dredging Lakes/River Harbors on Missouri and Mississippi Rivers (http://dnr.mo.gov/env/wpp/permits/issued/G698000.pdf), or other requirements should be complied with. Applicants with questions are encouraged to call the appropriate DNR regional office.

7. Fuel, oil and other petroleum products, equipment, construction materials and any solid waste shall not be stored below the ordinary high water mark at any time or in the adjacent floodway beyond normal working hours. All precautions shall be taken to avoid the release of wastes or fuel to streams and other adjacent waters as a result of this operation.

8. Petroleum products spilled into any water or on the banks where the material may enter waters of the state shall be immediately cleaned up and disposed of properly. Any such spills of petroleum shall be reported as soon as possible, but no later than 24 hours after discovery to DNR's Environmental Emergency Response number at (573) 634-2436.

9. The USACE's permit decision and all conditions are to be followed as authorized by the USACE under Section 404 of the Clean Water Act (33 USC 1344), and hereby incorporated into this WQC. The implementing regulation for Section 404 is found at 33 CFR 320-330.

10. Representatives from DNR shall be allowed on the project property to inspect the authorized activity at any time deemed necessary by DNR to ensure compliance with the above conditions.

11. The WQC is based on the plans as submitted. Should any plan modifications occur, please contact DNR to determine whether the WQC remains valid or may be amended or revoked.

Pursuant to Chapter 644, RSMo, commonly referred to as the Missouri Clean Water Law, and fee regulations under 10 CSR 20-6.011(2)(I), this WQC shall be valid only upon payment of a fee of $150.00. The enclosed invoice contains the necessary information on how to submit your fee. Payment must be received within ten business days of receipt of this WQC. Upon receipt of the fee, the applicable office of the USACE will be informed the WQC is now in effect and final.

You may appeal to have the matter heard by the Administrative Hearing Commission (AHC). To appeal, you must file a petition with the AHC within 30 days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the AHC.

This WQC is part of the USACE's permit. Water Quality Standards must be met during any operations authorized. If you have any questions, please contact Mr. Christopher Miller by phone at (573) 526-3337, by e-mail at 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.

Sincerely,

WATER PROTECTION PROGRAM

Chris Wieberg, Chief
Operating Permits Section

CW:cmp

Enclosure

c: Ms. Sherry Bell, Fees Unit
Mr. Charles Frerker, U.S. Army Corps of Engineers, St. Louis District
Mr. Eric Gilstrap, St. Louis Regional Office
Mr. John Hoke, Watershed Protection Section
Ms. Anna Nowack, Watershed Protection Section
Mr. Matthew Sailor, U.S. Army Corps of Engineers, Kansas City District
Ms. Sandy Schoen, St. Louis Regional Office
Mr. David Shorr, Lathrop and Gage, LLP
Ms. Sarah Wright-Aholt, St. Louis Regional Office

STATE OF MISSOURI
Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director
DEPARTMENT OF NATURAL RESOURCES
www.dnr.mo.gov

DEC - 9 2015

Holliday Sand & Gravel Company
9660 Legler Road
Lenexa, KS 66219

RE: 2011-00363/CEK006762 in Various Counties in Missouri

Dear Sir or Madam:

The Missouri Department of Natural Resources (DNR), Water Protection Program, has reviewed your request for renewal of Clean Water Act Section 401 Water Quality Certification (WQC) to accompany the U.S. Army Corps of Engineers' (USACE) Permit 2011-00363. The current USACE Section 404 permit expires on December 31, 2015. This WQC renews the authorization of commercial sand and gravel dredging of material in the amounts listed below.

River Reach Authorized	Annual Tons Authorized
(Waverly Segment)	2016 – 770,000 2017 – 847,000 2018 – 924,000 2019 – 1,001,000 2020 – 1,078,000
(Kansas City Segment)	540,000
(St. Joseph Segment)	330,000

This WQC is being issued under Section 401 of Public Law 95-217, The Clean Water Act of 1977 and subsequent revisions. This office certifies the proposed project will not cause the general or numeric criteria to be exceeded nor impair beneficial uses established in the Water Quality Standards, 10 CSR 20-7.031, provided the following conditions are met:

1. Best Management Practices shall be used during all phases of the project to limit the amount of discharge of water contaminants to waters of the state.

2. Operations in the river shall be conducted such that there will be no unreasonable interference with navigation by the existence or use of the activity.

3. Unwanted dredged material and river water extracted from only the river may be placed back into the river. You shall 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.

4. 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. All dredging must avoid impacting aquatic habitat, particularly breeding and rearing areas of endangered, rare, or threatened species and mussel beds.

5. Dredging shall not occur within 1,000 feet of any known drinking water intake structure. DNR's Public Drinking Water Branch may be contacted at (573) 526-6925 for the presence of such supplies.

6. Any National Pollutant Discharge Elimination System Permits, including General Permit 698 for Dredging Lakes/River Harbors on Missouri and Mississippi Rivers (http://dnr.mo.gov/env/wpp/permits/issued/G698000.pdf), or other requirements should be complied with. Applicants with questions are encouraged to call the appropriate DNR regional office.

7. Fuel, oil and other petroleum products, equipment, construction materials and any solid waste shall not be stored below the ordinary high water mark at any time or in the adjacent floodway beyond normal working hours. All precautions shall be taken to avoid the release of wastes or fuel to streams and other adjacent waters as a result of this operation.

8. Petroleum products spilled into any water or on the banks where the material may enter waters of the state shall be immediately cleaned up and disposed of properly. Any such spills of petroleum shall be reported as soon as possible, but no later than 24 hours after discovery to DNR's Environmental Emergency Response number at (573) 634-2436.

9. The USACE's permit decision and all conditions are to be followed as authorized by the USACE under Section 404 of the Clean Water Act (33 USC 1344), and hereby incorporated into this WQC. The implementing regulation for this Section 404 is found at 33 CFR 320-330.

10. Representatives from DNR shall be allowed on the project property to inspect the authorized activity at any time deemed necessary by DNR to ensure compliance with the above conditions.

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This WQC is part of the USACE's permit. Water Quality Standards must be met during any operations authorized. If you have any questions, please contact Mr. Christopher Miller by phone at (573) 526-3337, by e-mail at 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.

Sincerely,

WATER PROTECTION PROGRAM

for Timothy W Rall
Chris Wieberg, Chief
Operating Permits Section

CW:cmp

Enclosure

c: Ms. Sherry Bell, Fees Unit
Mr. Joe Bowdish, Northeast Regional Office
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Ms. Corinne Rosania, Kansas City Regional Office
Mr. Matthew Sailor, U.S. Army Corps of Engineers, Kansas City District
Mr. David Shorr, Lathrop and Gage, LLP
Ms. Terrie Williams, Kansas City Regional Office

Bureau of Water
Watershed Management Section
1000 SW Jackson, Suite 420
Topeka, KS 66612-1367

Kansas

Phone: 785-296-4195
Fax: 785-296-5509
nps@kdheks.gov
www.kdheks.gov/nps

Susan Mosier, MD, Secretary | Department of Health & Environment | Sam Brownback, Governor

November 16, 2015

Mr. Matthew Sailor
Project Manager
U.S. Army Corps of Engineers Regulatory Branch
601 East 12th St.
Kansas City, MO 64106.

Section 401 Water Quality Certification

Regarding: USACE request for Missouri River Dredging Section 401 Water Quality Certification for Holliday Sand and Gravel Company, 2011-363.

Dear Mr. Sailor:

Project Description from the revised U.S. Army Corps of Engineers, Kansas City District Kansas Missouri Joint Public Notice Date March 13, 2015: The permit limitations and conditions were spelled out in the request for 401 certification sent to KDHE on 10/29/2015. On Waverly Segment (River Mile 250 to 357) annual sand extraction will be limited to 770,000 tons in 2016; 847,000 tons in 2017; 924,000 tons in 2018, and 1,001,100 tons in 2019 and 1,078,000 tons in 2020. The Kansas City Segment (River Mile 357 to 391) is limited to 540,000 and the St. Joseph Segment (River Mile 391 to 498) is limited to 330,000 tons annually.

The Kansas Department of Health and Environment has received your request for Section 401 water quality certification for permit. The Kansas Department of Health and Environment issued a Section 401 Water Quality Certification for a similar activity on March 28, 2011. We have reviewed the information provided and have determined the proposed permitted activity continues to have the following water pollutant discharge sources:

1. Dredging, depositing, filling, etc
2. Mechanical fluid spills/leaks.

Discharges from these sources if not minimized or otherwise controlled may cause violations of the provisions of Kansas Water Quality Standards found at KAR 28-16-28 et seq. This segment of the Missouri River is described in the Kansas Surface Water Register [KAR 28-16-28(g)] as being classified as a general purpose water with designated uses including domestic water supply, food procurement, groundwater recharge, irrigation, livestock watering, primary contact recreation (segment is open to and accessible by the public under Kansas law), and special aquatic life use (SALU). Waters designated as SALU contain designated critical habitat for threatened or endangered species, known populations of threatened or endangered species or uncommon combinations of plants and animals as documented in KAR 28-16-28d(b)(2)(A).

Pursuant to Clean Water Act Section 401and KAR 28-16-28f (c), the Kansas Department of Health and Environment has reviewed the project related materials, in response to your above referenced request and find there is a potential for significant water quality impacts. Therefore, KDHE issues this Section 401 Water Quality Certification subject to the conditions enumerated throughout this letter.

KDHE CONDITIONS

1. A copy of this water quality certification shall be posted on site during construction.

2. The Holliday Sand and Gravel Company shall implement good housekeeping practices to assure conditions do not cause:

   a. Surface waters of the state within and below the project area to collect offal, grass clippings, discarded building or construction materials, car bodies, tires, wire and other unwanted or discarded materials[KAR 28-16-28e(b)(3)].

3. The Holliday Sand and Gravel Company shall avoid or control the discharge of suspended solids from dredging activities so that they may not cause:

   a. Surface waters of the state within and below the project to have floating debris, scum, foam, froth and other floating materials directly or indirectly attributable to the project [KAR 28-16-28e(b)(4)].

   b. Surface waters of the state within or below the project to have deposits of sludge or fine solids [KAR 28-16-28e(b)(6)].

   c. Alteration of the natural appearance of surface waters of the state within or below the project by the addition of color-producing or turbidity-producing substances of artificial origin [KAR 28-16-28e(b)(8)].

   d. The concentration of dissolved oxygen in the Missouri River to be lower than 5.0 mg/L.

   e. Addition of suspended solids to the Missouri River in amounts and concentrations that will interfere with the behavior, reproduction, physical habitat, or other factors related to the survival and propagation of aquatic or semi aquatic life or terrestrial wildlife [KAR 28-16-28e(c)(2)(B)].

4. Dredge return water may be discharged, without an NPDES permit, directly back to the river/stream from which it originated so long as it was used only for dredging and classification activities, it was used for no other purpose, no additional waste streams were allowed to commingle with it prior to being discharged, and the discharge does not result in a violation of the Kansas Water Quality Standards or create nuisance conditions. Pursuant to K.S.A. 65-164 et seq., Holliday Sand and Gravel Company shall apply for an NPDES permit for any discharge of sewage/wastewater from settling basins or other treatment/washing operations to the Missouri River. For information on applying for the NPDES permit the Holliday Sand and Gravel Company should refer to the KDHE website, www.kdheks.gov/Indust or contact Mr. Don Carlson, P.E. at 785-296-5547.

5. The Holliday Sand and Gravel Company shall avoid or control the discharge of nutrients from dredging activities so that the project does not cause:

   a. Any surface waters of the state within and below the project to have floating debris, scum, foam, froth and other floating materials directly or indirectly attributable to the project [KAR 28-16-28e(b)(4)].

   b. Any surface waters of the state within and below the project to contain taste and odor producing substances at concentrations which interfere with the production of potable water by conventional water treatment processes, impart an unpalatable flavor to edible aquatic or semi-aquatic life or terrestrial wildlife or that result in noticeable odors in the vicinity [KAR 28-16-28e(b)(7)].

   c. Alteration of the natural appearance of surface waters of the state within or below the project by the addition of color-producing or turbidity-producing substances of artificial origin [KAR 28-16-28e(b)(8].

   d. The concentration of dissolved oxygen in the Missouri River to be lower than 5.0 mg/L.

   e. The pH in Missouri River to be below 6.5 or above 8.5 including effects by concentrations of toxic substances. Refer to Surface Water Quality Standards [KAR 28-16-28e(d)] in table1g, a separate document found at: http://www.kdhe.state.ks.us/water/download/swqs_numeric_criteria.pdf

   f. Accelerated succession or replacement of aquatic biota or the production of undesirable quantities or kinds of aquatic life in the Missouri River [KAR 28-16-28e(c)(2)(A)].

6. The Holliday Sand and Gravel Company shall avoid or control the discharge of toxic substances, oil and grease and other fluids from construction activities, so that the project does not cause:

   a. Any surface waters of the state within and below the project area to have a public health hazard, nuisance condition or impairments of designed uses [KAR 28-16-28e(b)].

   b. Any surface waters of the state within and below the project area to have toxic substances, radioactive isotopes, and infectious microorganisms in concentrations or in combinations that jeopardize the public health or the survival or well-being of livestock, domestic animals, terrestrial wildlife or aquatic or semi-aquatic life [KAR 28-16-28e(b)].

   c. Any surface waters of the state within and below the project area to have a visible oil and grease film or sheen on the water surface or on submerged substrate or adjoining shore lines, nor have a sludge or emulsion deposit below the water surface of adjoining shorelines [KAR 28-16-28e(b).

   d. The concentration of dissolved oxygen in the Missouri River to be lower than 5.0 mg/L.

e. The pH in Missouri River to be below 6.5 or above 8.5 including effects by concentrations of toxic substances. Refer to Surface Water Quality Standards [KAR 28-16-28e(d)] in table1g, a separate document found at: http://www.kdhe.state.ks.us/water/download/swqs_numeric_criteria.pdf

f. In the Missouri River listed harmful concentrations of any substance alone or in combination with other substances causing toxic, carcinogenic, teratogenic, or mutagenic effects in humans [KAR 28-16-28e(c)(3)(C)].

g. Concentrations of substances that bio-accumulate in the tissues of edible organisms to exceed a cancer risk level of (10^{-6}) in persons consuming organisms taken from the Missouri River [KAR 28-16-28e(c)(4)(B)].

7. **Update the water quality protection plan (WQPP):** The 401 certification form modification for permit number 199601649 dated March 11, 2011, referenced the need to update the WQPP received by KDHE in 1991 by Holliday Sand and Gravel Company. We do not find record of any information completing this task. We are requiring the following items in the WQPP be updated:

a) A more comprehensive list of spill equipment prepared and where its stored (skimmer pump etc.)

b) **Spills:** Should a spill of fuel or discharge of pollutants occur, the local emergency staff should be contacted first by dialing 911. The Kansas Department of Health and Environment shall then be notified immediately: (785) 296-1679 (24 hours a day.) These incidences should also be reported to the National Spill Response Center (1-800*424-8802). Hazardous materials spills and air releases that meet federal reportable quantities must also be reported to Kansas Division of Emergency Management (800-275-0297)."* These reporting numbers shall be posted in several locations around the site. A Spill Prevention and Response Plan should be prepared. This should include reportable quantity limits (see www.kansas.gov/kdem).

c) The plan should discuss consideration of using the "biodegradable type" of hydraulic oil.

d) In the Description of Activity Section (Part 2) minimal reference to any type of operations to protect water quality was not included.

e) All inspections shall be documented.

f) There does not appear to be any evidence in this plan that a discharge goes back to the river, however, the plan should address the issues below:

i. It is not clear what washing process is utilized. If they draw water in with the material, what happens to it? Is it stored on floating plant? Is there sometime where it is no longer useful? Does the recycled water go to the land sand plant or the floating plant, or both.

ii. Could there be a re-suspension of material where suction has occurred but not collected through the pipe? Could this re-suspension settle somewhere else? Would a secondary "turbid water clean up tube" attached to the suction pipe help?

iii. Do they turn the motor off after they have taken the suction pipe away from the substrate or is there fall back when the suction is cutoff.

iv. There was no mention of the settling pond discharging water back into the river.

v. There was no mention of adding any foreign water for cleaning purposes.

vi. There was no mention of litter control, floatable containment, trash receptacle maintenance and collection etc.

To aid KDHE in a quick response to any water quality complaints, the updated plan shall be submitted by to:

Kansas Department of Health and Environment
Bureau of Water, Watershed Management Section
1000 S.W. Jackson St., Suite 420
Topeka, KS 66612-1367

8. KDHE permitted facilities:

a. **Waste Water Treatment Systems**: The permittees shall contact the NPDES permit holder prior to initiating their activity to avoid impacts in the mixing zones of wastewater treatment discharges. A National Pollutant Discharge Elimination System (N.P.D.E.S.) Permit has been issued to in the area of the proposed dredging sites:

1) Leavenworth County, KS- City of Leavenworth
2) Wyandotte County, KS- City of Kansas City and Board of Public Utilities, KCK

Inquiries should be directed to KDHE Bureau of Water 785/296-5527.

b. **Drinking Water**: The person responsible for the permitted activity shall avoid adverse impacts on public water supplies. When ever permitted activities occur within one mile upstream of a public drinking water supply - surface water intake, the permittee shall contact the official in charge of the public drinking water supply to apprize the drinking water supply official of the permitted activity. The person responsible for the permitted activity shall consider the suggestions and recommendations of the public water supply official when updating the PWQPP.

Public Water Supply Intakes
1) JO County Water District#1-
2) Kansas City Board of Public Utilities –

Public Water Supply Ground/Surface Water Collector Wells:

1) Kansas City Board of Public Utilities (near intake)
2) Water District One of Johnson County-

9. Placement of dredged material upland which disturbs one acre or more maybe subject to the National Pollutant Discharge Elimination System (N.P.D.E.S.) storm water permit requirements of 40 C.F.R. 122.26. This certification does not relieve The Holliday Sand and Gravel Company of its obligation to secure such permit. Information on construction site NPDES permits is available from Bureau of Water - Industrial Programs website: www.kdheks.gov/stormwater or Mr. Larry Hook, P.E. at 785/296-5549.

10. All precautions shall be taken to avoid causing bed, toe or bank erosion resulting from these activities.

11. The proposed project is in the "Missouri River - Watershed Restoration and Protection Strategy" (WRAPS) service area. Holliday Sand and Gravel Company is encouraged to communicate with the KDHE project officer, Mr. Graham Freeman- Gfreeman@kdheks.gov about any questions pertaining to Missouri River WRAPS project. The website: www.kswraps.org contains information on the Kansas WRAPS program.

12. This certification does not relieve the Holliday Sand and Gravel Company of the responsibility for any discharge into waters of the state. The Kansas Department of Health and Environment retains the option of revoking or revising this certification any time an inappropriate discharge may occur. As provided by K.S.A. 65-171(f), failure to comply with the conditions of this certification may subject the responsible party to fines up to $10,000 per violation with each day the violation occurs constituting a separate violation.

13. If the Holliday Sand and Gravel Company believes the conditions of this certification will result in impairment of important social and economic development, the Holliday Sand and Gravel Company is advised of the variance provisions of KAR 28-16-28b(jjj) and KAR 28-16-28f(e).

Questions concerning this certification may be directed to Mr. Scott Satterthwaite, 785-296-5573 or by email at: ssatterthwaite@kdheks.gov.

Sincerely,

Scott L. Satterthwaite

Scott L. Satterthwaite, M.S.
Non-point Source Pollution Control Specialist
Bureau of Water-Watershed Management Section

EC: KDHE-Carlson, Coleman, Geisler, Tucker-Vogel, Hook, Freeman, Stiles
KDA-DWR, Janelle Phillps
Mr. Christopher Miller, Missouri Department of Natural Resources

STATE OF MISSOURI
Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director
DEPARTMENT OF NATURAL RESOURCES
www.dnr.mo.gov

DEC – 9 2015

Con-Agg of Missouri, LLC
2604 North Stadium Blvd.
Columbia, MO 65202

RE: 2011-00364/CEK006764 in Various Counties in Missouri

Dear Sir or Madam:

The Missouri Department of Natural Resources (DNR), Water Protection Program, has reviewed your request for renewal of Clean Water Act Section 401 Water Quality Certification (WQC) to accompany the U.S. Army Corps of Engineers' (USACE) Permit 2011-00364. The current USACE Section 404 permit expires on December 31, 2015. This WQC renews the authorization of commercial sand and gravel dredging of 160,000 tons of material per year for the next five years from the Jefferson City Segment.

This WQC is being issued under Section 401 of Public Law 95-217, The Clean Water Act of 1977 and subsequent revisions. This office certifies the proposed project will not cause the general or numeric criteria to be exceeded nor impair beneficial uses established in the Water Quality Standards, 10 CSR 20-7.031, provided the following conditions are met:

1. Best Management Practices shall be used during all phases of the project to limit the amount of discharge of water contaminants to waters of the state.

2. Operations in the river shall be conducted such that there will be no unreasonable interference with navigation by the existence or use of the activity.

3. Unwanted dredged material and river water extracted from only the river may be placed back into the river. You shall 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.

4. 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. All dredging must avoid impacting aquatic habitat, particularly breeding and rearing areas of endangered, rare, or threatened species and mussel beds.

5. Dredging shall not occur within 1,000 feet of any known drinking water intake structure. DNR's Public Drinking Water Branch may be contacted at (573) 526-6925 for the presence of such supplies.

6. Any National Pollutant Discharge Elimination System Permits, including General Permit 698 for Dredging Lakes/River Harbors on Missouri and Mississippi Rivers (http://dnr.mo.gov/env/wpp/permits/issued/G698000.pdf), or other requirements should be complied with. Applicants with questions are encouraged to call the appropriate DNR regional office.

7. Fuel, oil and other petroleum products, equipment, construction materials and any solid waste shall not be stored below the ordinary high water mark at any time or in the adjacent floodway beyond normal working hours. All precautions shall be taken to avoid the release of wastes or fuel to streams and other adjacent waters as a result of this operation.

8. Petroleum products spilled into any water or on the banks where the material may enter waters of the state shall be immediately cleaned up and disposed of properly. Any such spills of petroleum shall be reported as soon as possible, but no later than 24 hours after discovery to DNR's Environmental Emergency Response number at (573) 634-2436.

9. The USACE's permit decision and all conditions are to be followed as authorized by the USACE under Section 404 of the Clean Water Act (33 USC 1344), and hereby incorporated into this WQC. The implementing regulation for Section 404 is found at 33 CFR 320-330.

10. Representatives from DNR shall be allowed on the project property to inspect the authorized activity at any time deemed necessary by DNR to ensure compliance with the above conditions.

11. The WQC is based on the plans as submitted. Should any plan modifications occur, please contact DNR to determine whether the WQC remains valid or may be amended or revoked.

Pursuant to Chapter 644, RSMo, commonly referred to as the Missouri Clean Water Law, and fee regulations under 10 CSR 20-6.011(2)(I), this WQC shall be valid only upon payment of a fee of $150.00. The enclosed invoice contains the necessary information on how to submit your fee. Payment must be received within ten business days of receipt of this WQC. Upon receipt of the fee, the applicable office of the USACE will be informed the WQC is now in effect and final.

You may appeal to have the matter heard by the Administrative Hearing Commission (AHC). To appeal, you must file a petition with the AHC within 30 days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the AHC.

This WQC is part of the USACE's permit. Water Quality Standards must be met during any operations authorized. If you have any questions, please contact Mr. Christopher Miller by phone at (573) 526-3337, by e-mail at 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.

Sincerely,

WATER PROTECTION PROGRAM

for Chris Wieberg, Chief
Operating Permits Section

CW:cmp

Enclosure

c: Ms. Sherry Bell, Fees Unit
Mr. Joe Bowdish, Northeast Regional Office
Mr. John Hoke, Watershed Protection Section
Ms. Anna Nowack, Watershed Protection Section
Mr. Matthew Sailor, U.S. Army Corps of Engineers, Kansas City District
Mr. David Shorr, Lathrop and Gage, LLP

STATE OF MISSOURI
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DEPARTMENT OF NATURAL RESOURCES
www.dnr.mo.gov

DEC 10 2015

Limited Leasing Company
1777 Highway 79 South
Old Monroe, MO 63369

RE: 2011-00177/CES002563 in Various Counties in Missouri

Dear Sir or Madam:

The Missouri Department of Natural Resources (DNR), Water Protection Program, has reviewed your request for renewal of Clean Water Act Section 401 Water Quality Certification (WQC) to accompany the U.S. Army Corps of Engineers' (USACE) Permit 2011-00177. The current USACE Section 404 permit expires on December 31, 2015. This WQC renews the authorization of commercial sand and gravel dredging of 990,000 tons of material per year for the next five years from the St. Charles Segment.

This WQC is being issued under Section 401 of Public Law 95-217, The Clean Water Act of 1977 and subsequent revisions. This office certifies the proposed project will not cause the general or numeric criteria to be exceeded nor impair beneficial uses established in the Water Quality Standards, 10 CSR 20-7.031, provided the following conditions are met:

1. Best Management Practices shall be used during all phases of the project to limit the amount of discharge of water contaminants to waters of the state.

2. Operations in the river shall be conducted such that there will be no unreasonable interference with navigation by the existence or use of the activity.

3. Unwanted dredged material and river water extracted from only the river may be placed back into the river. You shall 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.

4. 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. All dredging must avoid impacting aquatic habitat, particularly breeding and rearing areas of endangered, rare, or threatened species and mussel beds.

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5. Dredging shall not occur within 1,000 feet of any known drinking water intake structure. DNR's Public Drinking Water Branch may be contacted at (573) 526-6925 for the presence of such supplies.

6. Any National Pollutant Discharge Elimination System Permits, including General Permit 698 for Dredging Lakes/River Harbors on Missouri and Mississippi Rivers (http://dnr.mo.gov/env/wpp/permits/issued/G698000.pdf), or other requirements should be complied with. Applicants with questions are encouraged to call the appropriate DNR regional office.

7. Fuel, oil and other petroleum products, equipment, construction materials and any solid waste shall not be stored below the ordinary high water mark at any time or in the adjacent floodway beyond normal working hours. All precautions shall be taken to avoid the release of wastes or fuel to streams and other adjacent waters as a result of this operation.

8. Petroleum products spilled into any water or on the banks where the material may enter waters of the state shall be immediately cleaned up and disposed of properly. Any such spills of petroleum shall be reported as soon as possible, but no later than 24 hours after discovery to DNR's Environmental Emergency Response number at (573) 634-2436.

9. The USACE's permit decision and all conditions are to be followed as authorized by the USACE under Section 404 of the Clean Water Act (33 USC 1344), and hereby incorporated into this WQC. The implementing regulation for Section 404 is found at 33 CFR 320-330.

10. Representatives from DNR shall be allowed on the project property to inspect the authorized activity at any time deemed necessary by DNR to ensure compliance with the above conditions.

11. The WQC is based on the plans as submitted. Should any plan modifications occur, please contact DNR to determine whether the WQC remains valid or may be amended or revoked.

Pursuant to Chapter 644, RSMo, commonly referred to as the Missouri Clean Water Law, and fee regulations under 10 CSR 20-6.011(2)(I), this WQC shall be valid only upon payment of a fee of $150.00. The enclosed invoice contains the necessary information on how to submit your fee. Payment must be received within ten business days of receipt of this WQC. Upon receipt of the fee, the applicable office of the USACE will be informed the WQC is now in effect and final.

You may appeal to have the matter heard by the Administrative Hearing Commission (AHC). To appeal, you must file a petition with the AHC within 30 days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the AHC.

This WQC is part of the USACE's permit. Water Quality Standards must be met during any operations authorized. If you have any questions, please contact Mr. Christopher Miller by phone at (573) 526-3337, by e-mail at 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.

Sincerely,

WATER PROTECTION PROGRAM

Chris Wieberg, Chief
Operating Permits Section

CW:cmp

Enclosure

c: Ms. Sherry Bell, Fees Unit
Mr. Charles Frerker, U.S. Army Corps of Engineers, St. Louis District
Mr. Eric Gilstrap, St. Louis Regional Office
Mr. John Hoke, Watershed Protection Section
Ms. Anna Nowack, Watershed Protection Section
Mr. Matthew Sailor, U.S. Army Corps of Engineers, Kansas City District
Ms. Sandy Schoen, St. Louis Regional Office
Mr. David Shorr, Lathrop and Gage, LLP
Ms. Sarah Wright-Aholt, St. Louis Regional Office

STATE OF MISSOURI
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DEPARTMENT OF NATURAL RESOURCES
www.dnr.mo.gov

DEC – 9 2015

J.T.R., Inc.
2320 Creve Coeur Mill Road
Maryland Heights, MO 63043

RE: 2011-00178/CES002566 in Various Counties in Missouri

Dear Sir or Madam:

The Missouri Department of Natural Resources (DNR), Water Protection Program, has reviewed your request for renewal of the Clean Water Act Section 401 Water Quality Certification (WQC) to accompany the U.S. Army Corps of Engineers' (USACE) Permit 2011-00178. The current USACE Section 404 permit expires on December 31, 2015. This WQC renews the authorization of commercial sand and gravel dredging of 460,000 tons of material per year for the next five years from the St. Charles Segment.

This WQC is being issued under Section 401 of Public Law 95-217, The Clean Water Act of 1977 and subsequent revisions. This office certifies the proposed project will not cause the general or numeric criteria to be exceeded nor impair beneficial uses established in the Water Quality Standards, 10 CSR 20-7.031, provided the following conditions are met:

1. Best Management Practices shall be used during all phases of the project to limit the amount of discharge of water contaminants to waters of the state.

2. Operations in the river shall be conducted such that there will be no unreasonable interference with navigation by the existence or use of the activity.

3. Unwanted dredged material and river water extracted from only the river may be placed back into the river. You shall 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.

4. 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. All dredging must avoid impacting aquatic habitat, particularly breeding and rearing areas of endangered, rare, or threatened species and mussel beds.

5. Dredging shall not occur within 1,000 feet of any known drinking water intake structure. DNR's Public Drinking Water Branch may be contacted at (573) 526-6925 for the presence of such supplies.

6. Any National Pollutant Discharge Elimination System Permits, including General Permit 698 for Dredging Lakes/River Harbors on Missouri and Mississippi Rivers (http://dnr.mo.gov/env/wpp/permits/issued/G698000.pdf), or other requirements should be complied with. Applicants with questions are encouraged to call the appropriate DNR regional office.

7. Fuel, oil and other petroleum products, equipment, construction materials and any solid waste shall not be stored below the ordinary high water mark at any time or in the adjacent floodway beyond normal working hours. All precautions shall be taken to avoid the release of wastes or fuel to streams and other adjacent waters as a result of this operation.

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Sincerely,

WATER PROTECTION PROGRAM

For Timothy W Bull
Chris Wieberg, Chief
Operating Permits Section

CW:cmp

Enclosure

c: Ms. Sherry Bell, Fees Unit
Mr. Charles Frerker, U.S. Army Corps of Engineers, St. Louis District
Mr. Eric Gilstrap, St. Louis Regional Office
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Ms. Sandy Schoen, St. Louis Regional Office
Mr. David Shorr, Lathrop and Gage, LLP
Ms. Sarah Wright-Aholt, St. Louis Regional Office