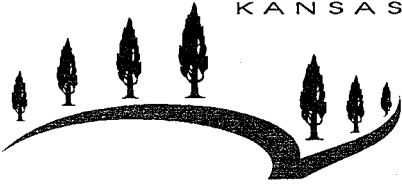


GARDNER KANSAS



CITY ADMINISTRATION

120 E. Main, Gardner, Kansas 66030 (913) 856-0939

August 18, 2009

Mr. Joshua Marx
Regulatory Project Manager
U.S. Army Corps of Engineers
Kansas City Regulatory Office
402 Federal Building
601 East 12th Street
Kansas City, Missouri 64106-2896
joshua.a.marx@usace.army.mil

Subject: City of Gardner Comments to Public Notice re Permit 2006-1014

Dear Mr. Marx:

This request is on behalf of the City of Gardner's governing body. The proposed intermodal/logistic park is located adjacent to the City of Gardner. The City of Gardner is very concerned that this proposed intermodal/logistic park will lead to increased air pollution and negative health effects, especially among children and the elderly. The proposed intermodal facility and associated logistics park will be approximately 1 mile from both a Gardner, Kansas, subdivision and public schools.

To ensure a comprehensive impact analysis is done, the governing body requests that an Environmental Impact Statement, including a Health Risk Assessment, be conducted on this proposed facility. This study would allow our citizens to understand the traffic congestion, health, and economic impacts this proposed facility would cause, how the impacts could be mitigated, and give the citizens the information needed to make informed decisions.

Sincerely,

Stewart Fairburn
City Administrator
City of Gardner