

Dear Idaho Water Resource Board,

Thank you for providing the opportunity to comment on the proposal to amend suction dredge mining conditions and number of dredge mining permits issued for the South Fork Clearwater River (SFCR). Please accept this written comment in addition to the verbal comments I provided at the Public Listening Session in Boise, ID on December 5, 2017. I appreciate ongoing efforts by the Idaho Department of Water Resources (IDWR) and other State and Federal agencies to carefully regulate suction dredge mining on the SFCR. I especially appreciate the limit on permit numbers and the Special Conditions attached to the SFCR Special Supplement to ensure that suction dredge mining operations are conducted in a way that minimizes harm to water quality and aquatic resources.

These Special Conditions form the basis for the 2016 Environmental Analysis (EA) and Finding of No Significant Impact (FONSI) by the USDA Forest Service (FS) and USDI Bureau of Land Management (BLM) to approve Plans of Operation submitted by suction dredge miners. The limitation on permit numbers, timing and duration of the suction dredge season and the Special Conditions as written in the Special Supplement were specifically included and reviewed by the National Marine Fisheries Service (NMFS) and the USDI Fish and Wildlife Service (FWS) for compliance with the Endangered Species Act. These specific limitations and conditions enabled the FONSI and subsequent issuance of National Pollutant Discharge Elimination System (NPDES) permits by the Environmental Protection Agency (EPA) to suction dredge miners.

I am concerned that the time table required by the IDWR for implementation of proposed changes will not allow sufficient time for the FS and BLM to reinitiate consultation with the FWS and NMFS to approve and permit suction dredge mining activity in compliance with Federal law. If IDWR changes rules, but the conditions of Forest Service, BLM and EPA permits don't change, miners will be required to follow two different sets of rules. This scenario will lead to confusion and non-compliance.

I understand that proposed changes may not increase sedimentation beyond the Total Maximum Daily Load (TMDL) allowed for the SFCR, but a higher number of permits spread throughout the project area will add impacts.

- 1) An increase in permit numbers will increase the administrative workload for regulatory agencies and compliance personnel. Although there have been complaints from a handful of miners, low numbers of applicants during 2016 and 2017 do not indicate that increasing the number of allowed suction dredge mining permits is necessary.
- 2) I am aware that SFCR suction dredge miners sometimes find mercury (Hg) in their sluice apparatus. Research indicates that Hg dislodged from fine sand and clay deposits is more easily methylated and bioaccumulated in the aquatic food chain. These deposits are frequently not captured or collected by suction dredge apparatus. This Hg instead is suspended in the stream flow and may subsequently bioaccumulate to affect salmon, steelhead, bull trout and westslope cutthroat trout survival. Hg testing to determine effects on SFCR fish should be undertaken prior to any allowed increase in suction dredge activity on the SFCR.
- 3) Increasing the number of permits will increase access points along the SFCR used by miners. This will accelerate the spread and establishment of noxious weeds in the SFCR riparian area. Noxious weed infestations diminish native plant growth in riparian areas and increase stream water yield and sedimentation.
- 4) Western pearlshell mussels (*Margaritifera falcata*), once considered the most abundant mollusk in Pacific Northwest streams are now considered rare throughout their range. They are abundant in the SFCR but adversely affected by sedimentation and are vulnerable throughout the drainage. Any increase in numbers of suction dredge permits, and their related impacts should specifically address effects on *M. falcata* populations.

If changes are to be made, State and Federal regulatory agencies should increase protections for water quality and aquatic species, and ensure that the suction dredge program is self-sufficient. The current \$10 fee paid by dredge miners doesn't cover administrative costs, which instead fall on Idaho taxpayers. Since dredge miners are removing valuable minerals from public lands and public waters, this is inappropriate.

As a citizen who lives and recreates in the SFCR drainage and values Idaho's clean water and iconic wildlife, I do not support changes to the IDWR SFCR plan at this

December 18, 2017

time. The special conditions and limitations on number of dredges should not be changed.

Sincerely,

/s/Pat Finnegan  
107 Rocky Point Lane  
Grangeville, ID 83530  
2084514332  
[pmfinnegan@hotmail.com](mailto:pmfinnegan@hotmail.com)