

# 2017 IDWR South Fork Clearwater River Special Supplement Instructions

Power sluicing and dredge mining on the South Fork Clearwater River (“SFCR”) from the confluence of the Clearwater River to the confluence with the Red and American Rivers requires completion of the *IDWR South Fork Clearwater River Special Supplement Application* (“Special Supplement”) attached hereto. The Special Supplement allows operators to apply for consideration to obtain a permit to operate a power sluice and/or a small suction dredge (nozzle five inches in diameter or less and equipment rated at a maximum of 15 horsepower) on the SFCR.

In 2004, the Idaho Water Resource Board designated the SFCR as a State Recreational River, pursuant to Idaho Code §42-1734A. This designation limits and/or prohibits certain activities, including dredge mining, in order to preserve water quality and/or wildlife habitat. The SFCR does not currently meet state water quality standards for sediment and is subject to a pollutant budget, known as a total maximum daily load (TMDL). To meet statutory requirements and state water quality standards for the SFCR, IDWR limits mining operations on the mainstem SFCR to a total of 15 power sluices or dredges (nozzle five inches in diameter or less and equipment rated at a maximum of 15 horsepower) from July 15 to August 15 each year. Additionally, the SFCR designation requires dredge sites to be inspected by IDWR with a fisheries biologist.

The first 15 applicants to fulfill the following IDWR requirements will be authorized to operate mining equipment in the SFCR from the confluence of the Clearwater River to the confluence with the Red and American Rivers:

- submit a **complete** Special Supplement (attached hereto), including all required information, signatures, diagrams, fees and maps (incomplete Special Supplements may be delayed or not processed);
- meet with IDWR, during or after initial site visit with fisheries biologist (Special Condition #3), to inspect the proposed dredge site(s); and
- receive written approval and a SFCR suction dredge ID card as determined by IDWR.

Permittees failing to adhere to the requirements as outlined in the Special Supplement, including Special Conditions, may incur legal consequences, such as a misdemeanor charge and/or fines, as outlined in Idaho Code §42-3809 and §42-1701B.

## **Important Dates in 2017 for Special Supplement:**

- June 26, 2017: Last day for applicants to submit Special Supplement to IDWR
- July 13 & 14, 2017: Initial opportunity for applicants to meet with IDWR and other agencies for mining site identification and inspection
- July 21, 2017: Final opportunity for applicants to meet with IDWR and other agencies for mining site identification and inspection

The US Environmental Protection Agency (“EPA”) requires an NPDES general permit for small scale suction dredging in Idaho. Anyone operating a small suction dredge on *any* stream or river in Idaho should **contact the EPA to obtain an NPDES general permit.**

EPA Idaho Operations Office  
950 W Bannock, Suite 900  
Boise, ID 83702  
208-378-5746

Additional information regarding NPDES permitting may be obtained via the EPA’s Idaho website:  
<http://yosemite.epa.gov/r10/water.nsf/npdes+permits/idsuction-gp>.

The US Forest Service or Bureau of Land Management require operators to submit a Plan of Operations in accordance with the draft *Decision Notice and Finding of No Significant Impact for Small-Scale Suction Dredging in Orogrande and French Creeks and South Fork Clearwater River*.

Nez Perce-Clearwater National Forest  
104 Airport Road  
Grangeville, ID 83530  
208-983-1950

BLM Cottonwood Field Office  
1 Butte Drive  
Cottonwood, ID 83522  
208-962-3245

## IDWR South Fork Clearwater River Special Supplement Application

FOR IDWR OFFICE USE ONLY				
Idaho Resident \$10/Non-Idaho Resident \$30				
Fee \$	Received by	Date	Receipt No.	Permit No.

**INCOMPLETE APPLICATIONS MAY NOT BE PROCESSED**

**I. APPLICANT INFORMATION (\* = required)**

1. Name (Last, First MI)*			2. Idaho Resident?*		
			<input type="checkbox"/> Y <input type="checkbox"/> N		
3. Mailing Address* (Street or PO Box)		4. City*	5. State*	6. Zip*	
7. Phone No.* (include area code)	8. Email Address				

**II. LOCATION AND ACTIVITY INFORMATION (\* = required)**

9. Estimated Start Date* (no earlier than 7/15)	10. Estimated End Date* (no later than 8/15)			11. Is the project located on or near a historical site?* <input type="checkbox"/> Y <input type="checkbox"/> N	
12. Claim Name (if applicable)		12a. Township*	12b. Range*	12c. Section*	12d. Latitude/Longitude*

13. Site Access/Directions.\* Attach a vicinity map—such as a USGS quadrangle or National Forest map—showing the mining location(s) (and claim boundaries, if applicable).

14. Plan View and Cross-section View Diagrams.\* Attach a plan view and cross-section view of each location(s) proposed to be mined. Identify any tributary streams, creeks or springs in the area proposed to be mined. Diagrams need to display the size of area(s) proposed to be disturbed and the location of that area relating to the Ordinary High Water Mark.

15. Detailed Description of Activity.\* Include all aspects of the mining operation including exploration methods, materials, equipment, workforce, operation schedule, tailing disposal, proposed number of dredge holes and depth, and how gravel/tailings will be replaced.

<p>16. Fish and Wildlife.* Describe measures to maintain and protect fish and wildlife and their habitat affected by the operations.</p>
<p><b>III. APPLICANT SIGNATURE (* = required)</b></p> <p>17. I have read and understand the 2017 IDWR South Fork Clearwater River Special Supplement Instructions and will conduct my operations in compliance with those Instructions, all rules, special conditions set forth below, and other requirements. In addition, I will not conduct any in-stream mining activity until receiving written approval from IDWR and attaching the IDWR identification card to the dredge.</p> <p>Signature* _____ Date* _____</p>

**SPECIAL CONDITIONS for IDWR SFCR Special Supplement**

1. This permit does not serve in lieu of other permits that are required by federal or other state government agencies or in any way constitute an exemption of other permit requirements.
2. Suction dredging shall occur only within the wetted perimeter below the Ordinary High Water Mark between July 15 and August 15. Activities which would expand the wetted perimeter (such as stream bank alteration) are not authorized.
3. Prior to dredging, IDWR and a state and/or federal fisheries biologist will inspect the proposed dredge sites to identify acceptable dredge locations to avoid reducing the quality of migratory, spawning and holding habitat for salmonids. No dredging, movement or modification of stream substrate shall occur in areas of suitable salmonid spawning or early rearing habitat, including low velocity backwaters, alcoves and side channels. (Generally, such areas are specific locations rather than extensive stream reaches.)
4. Suction dredges shall have a nozzle diameter of 5 inches or less and a horsepower rating of 15 horsepower or less. Pump intakes (but not dredge nozzles) must be covered with 3/32-inch mesh screen or other appropriate size.
5. IDWR SFCR suction dredge ID card shall be attached to the dredge in a visible location at all times the dredge is located on the SFCR.
6. In-stream mining activities shall only take place during daylight hours.
7. Dredge sites shall consist of a maximum of two (2) separate locations of 150-linear feet each.
8. Any stream substrate moved from its initial location in the channel (in order to reach bedrock) shall be repositioned into its approximate original configuration prior to the end of the dredging season. Permittee shall not move cobble or small boulders to the extent that substantial

alterations of the deepest and fastest portion of the stream channel (i.e., the thalweg) persist beyond the end of the dredging season. Dredged or excavated holes shall be back filled before any new holes are excavated.

9. Permittee shall not constrict or dam the stream channel or cause a structural barrier to upstream or downstream fish movement.
10. Dredging shall be excluded in areas within 100 feet upstream and 300 feet downstream of perennial tributaries and shall not hinder fish access to fish-bearing tributary mouths through disturbance, turbidity or modifications of channel depth or substrate arrangement. If an operator proposes to dredge within 100 feet upstream and 300 feet downstream of a perennial tributary it must be determined acceptable by the IDWR and fisheries biologist during site inspection.
11. Dredges shall not operate on gravel bars at the tails of pools. Dredges or other types of mining shall not occur in a manner that fine sediment (sand or silt) covers portions of gravel bars to a depth of more than 0.5 inch.
12. Dredging or other mining activities shall not occur within two (2) feet of stream banks. Permittee shall prevent the undercutting and destabilization of stream banks. Woody debris or boulders that extend from the bank into the channel shall not be disturbed.
13. Discharge from dredges and sluices shall not be directed into the bank in a way that causes disturbance to the bank and associated habitat, deposits sediment against the bank, causes erosion or destruction of the natural form of the channel, undercuts the bank or widens the channel.
14. Permittee shall not remove, relocate, break apart or lessen the stability of substantial in-channel woody debris or in-stream boulders (greater than 12 inches median diameter) unless it was determined acceptable by the IDWR and fisheries biologist during site inspection.
15. Permittee shall visually monitor the stream for 150 feet downstream of the dredging or sluicing operation. If noticeable turbidity is observed downstream, the operation must cease immediately or decrease in intensity until no increase in turbidity is observed 150 feet downstream.
16. No mechanized equipment shall be operated below the mean high water mark except for the suction dredge, sluice or pump itself and any life support system necessary to operate a suction dredge.
17. Operators must maintain a minimum spacing of at least 800 linear feet of stream channel between active mining operations.
18. All fuel, oil and other hazardous materials shall be stored outside of the stream channel. Permittee shall not operate any equipment that leaks fuel, hydraulic fluid or other pollutants. Permittee shall use a funnel when pouring fuel and place absorbent material, sufficient to absorb a spill, under and around the fuel tank. A petroleum absorbent spill kit shall be onsite in case of accidental spills and no petroleum products shall enter the stream when servicing the equipment.
19. Permittee shall not entrain, mobilize or disperse any mercury discovered during mining operations. Permittee shall not use mercury, cyanide or any other hazardous or refined substance to recover or concentrate gold.

20. To prevent the threat of aquatic invasive species, suction dredges, tools used while dredging and associated equipment shall be thoroughly cleaned and dried at least 5 days prior to use in the SFCR.
21. Dredge shall not be operated within 500 feet of a developed campground.
22. Dredge shall be secured without stringing ropes, wires, chain, etc. across the stream channel that could be a hazard to boaters or recreationalists.
23. This permit does not constitute
  - a. An easement or right-of-way to trespass or work upon property or mining claims belonging to others.
  - b. Responsibility of the IDWR for damage to any properties due to operations of permittee.
24. This permit may be canceled at any time to minimize adverse impact on the stream channel.
25. This permit shall expire August 15, 2017.