



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

SENT BY ELECTRONIC MAIL ONLY

July 10, 2017

RE: Changes to South Fork Clearwater River Special Supplement Permit Conditions

Dear Interested Party,

You are receiving this letter because you have either requested change to the 25 conditions placed on the South Fork Clearwater River (SFCR) Special Supplement Permit (Special Supplement) in 2016 or you have expressed interest in any changes that might occur to the conditions. To briefly review, in 2016 the Idaho Department of Water Resources (Department), in coordination with the Idaho Water Resource Board (Board), re-implemented the Special Supplement process for issuing stream channel alteration permits to dredge mine the SFCR. Included as part of the 2016 Special Supplement were 25 conditions limiting or clarifying dredge mining activity. Following the 2016 SFCR dredge season, the Board and the Department received numerous oral comments and written correspondence from dredge miners and at least one mining organization expressing dissatisfaction with the 25 conditions. In addition to the oral comments and written correspondence, the issue of the SFCR Special Supplement and the 25 conditions were discussed during public comment sessions at several Board Meetings, prompting several meetings and one Listening Session between Board members, Department staff, and other interested parties. At the request of the Tenmile Mining District (TMD) in a letter to the Board and the Department dated April 24, 2017, the Board and the Department resolved to consider the TMD's proposed changes to the 25 conditions. A Listening Session was held on June 21, 2017, in Grangeville to engage and hear from all stakeholders, not just the dredge mining community, on the matter of revised permit conditions. At the Listening Session and in correspondence received by the Board and the Department following the Listening Session, many people and organizations expressed both support and opposition to changes to the 25 conditions for the 2017 dredge season.

After careful consideration of the requested condition changes by the TMD and the comments received by parties during and following the Listening Session, the Board and the Department have revised the Special Supplement conditions for the 2017 dredge season. Please refer to two attachments to this letter addressing this matter. The first attachment is a copy of the revised conditions as they will appear on the Special Supplement for the 2017 dredge season. The second attachment is a summary table that details which conditions were changed and Department comments for each condition.

Many of the changes requested by the TMD have not been considered by the Board and the Department at this time. In addition, the Board and the Department have not increased the total number of Special Supplements that can be issued on the SFCR as requested by some. As in 2016, no more than 15 Special Supplements may be issued for the 2017 dredge season. Furthermore, the Board and the Department have not increased the duration of the dredge season. Consistent with the *Comprehensive State Water Plan - South Fork Clearwater River Basin*, the 2017 dredge season will remain from July 15 to August 15 and all proposed mining sites will be inspected by IDWR staff and a fisheries biologist prior to issuance of Special Supplements. Following the dredge season, the Board and the

Department will reengage in discussions with all interested parties to this matter to consider the following: (1) review changes to the Special Supplement conditions from this year; (2) consider additional changes to the Special Supplement conditions for the 2018 dredge season; and (3) review the technical and scientific basis for the 15 permit limit. If you have questions regarding this matter please contact Aaron Golart, State Coordinator for the Stream Channel Protection Program, or myself at (208) 287-4800.

Respectfully,



Mathew Weaver, PE
Deputy Director

CC: Don Smith; Ron Miller, Tenmile Mining District Board of Director's Chairman; Dave Hembree; Andrew Ottoson; Ty Martin; Tony Snodderly, Regional Director for Mike Crapo United States Senator; Pat Finnegan; Gay Richardson; Brian Koon; Jeff Shinn; Ron Nielson Jr.; Marty Stanford; Ronal Stanford Sr.; Jason Streeter; Ron Hartig; Derek Farr; Gary Macfarlane, Friends of the Clearwater; Jonathan Oppenheimer, Idaho Conservation League; Ken Troyer, NOAA; Michael Gibson, Trout Unlimited; Ken Clark, Nez Perce Tribe; Dave Johnson, Nez Perce Tribe; Brian Brooks, Idaho Wildlife Preservation; Marc Gibbs, State Rep. Idaho District 32 Chairman of the House Resources and Conservation; Priscilla Giddings, State Rep. Idaho District 7; Paul Shepherd, State Rep. Idaho District 7; Skip Brandt, Idaho County Commissioners Chairman; and Roger Chase, Idaho Water Resource Board Chairman