

2023 IDWR South Fork Clearwater River Special Supplement Instructions

Introduction

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 main stem SFCR to power sluices or dredges (nozzle five inches in diameter or less and equipment rated at a maximum of 15 horsepower) from July 15 through August 15 each year. Additionally, the SFCR designation requires dredge mining sites to be inspected by IDWR with a fisheries biologist.

Application Requirements

Applicants that fulfill the following IDWR requirements may 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:

1. 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);
2. meet with IDWR, during or after initial site visit with a fisheries biologist (Special Condition #2), to inspect the proposed dredge site(s); and
3. receive written approval and a SFCR suction dredge identification card as determined by IDWR.

Note: IDWR relies on federal or state fisheries biologists to complete the required site inspections. IDWR may not authorize all dredge mining request on the SFCR due to availability of federal or state fisheries biologists to conduct site visits.

Applicants who receive written approval from IDWR to dredge mine on the SFCR may incur legal consequences as outlined in Idaho Code § 42-3809 and § 42-1701B for any violation of the conditions of approval of a permit issued as a result of this application.

Important Dates in 2023 for Special Supplement

- June 1, 2023: Last day for applicants to submit complete and original Special Supplement to IDWR. Incomplete or copies of applications received on or after June 1, 2023, will not be accepted.
- June 20 & 21, 2023: Initial opportunity for applicants to meet with IDWR and other agencies for mining site identification and inspection
- July 4 & 5, 2023: Final opportunity for applicants to meet with IDWR and other agencies for mining site identification and inspection

Other Permits

The Idaho Department of Environmental Quality (DEQ) administers the Idaho Pollutant Discharge Elimination System (IPDES) permit program. **Anyone operating a small suction dredge on any stream or river in Idaho must contact the DEQ to obtain IPDES suction dredge general permit coverage.** Additional information regarding IPDES permitting may be obtained via DEQ's website: <https://www.deq.idaho.gov/permits/water-quality-permits-certifications/general-permitting/> or by contacting the DEQ IPDES Helpdesk: 1-833-473-3724.

The US Forest Service or Bureau of Land Management ("BLM") 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*.

Contacts

Idaho Department of Water Resources

322 E Front St
PO Box 83720
Boise, ID 83720-0098
208-287-4800
www.idwr.idaho.gov

Idaho Department of Environmental Quality

State Office
1410 N Hilton
Boise, ID 83706
208-373-0136

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

Idaho Department of Environmental Quality

NPDES Permit contact after July 1, 2020
1410 N. Hilton
Boise, ID 83706
208-373-0136
www.deq.idaho.gov

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 (bold = required)				
1. Name (Last, First MI)			2. Idaho Resident? <input type="checkbox"/> Yes <input type="checkbox"/> No	
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 (bold = required)				
9. Estimated number of proposed dredging days	10. Estimated number of proposed dredging hours per day		11. Estimated volume of material dredged per day (in cubic yards)	
12. Claim Name (if applicable)	12a. Twnshp	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 both a plan view and cross-section view of each location(s) proposed to be mined (maximum of two sites with a combined length not to exceed 300 feet). 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.				

15a. Dredge Details. Size of dredge nozzle _____ in Horsepower rating _____ HP	15b. Total Area and Volume of Material(s) to be dredged and discharged below the ordinary high water mark. : _____ square feet _____ cubic yards
16. Fish and Wildlife. Describe measures to maintain and protect fish and wildlife and their habitat affected by the operations.	
III. APPLICANT SIGNATURE (bold = required)	
17. I have read and understand the 2023 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 permitted dredge. Furthermore, I agree to be liable for any violation of the conditions of approval of a permit issued as a result of this application by others operating the permitted dredge.	
Signature _____ Date _____	

Mail the completed and signed application, supporting documentation, maps, and the application fee, to:

Idaho Department of Water Resources
 Attn: Stream Channel Protection Section
 PO Box 83720
 Boise, ID 83720-0098

SPECIAL CONDITIONS for IDWR SFCR Special Supplement

1. Dredge mining shall only occur from July 15, 2023, through August 15, 2023.
2. Dredge mining shall not occur until IDWR and a state or federal fisheries biologist have inspected any proposed dredge mining site to identify acceptable dredge sites to avoid reducing the quality of fish habitat.
3. Dredge mining sites may be changed upon request and after the alternate sites are inspected by IDWR staff and a state or federal fisheries biologist. No more than two dredge mining sites will be approved at one time with a combined length not to exceed 300 feet.
4. Suction dredges shall have a nozzle diameter of five 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.
5. The Permit Holder shall obtain an IPDES permit from DEQ before carrying out any mining activities authorized by this permit.

6. An IDWR SFCR suction dredge identification card shall be attached to the dredge in a visible location and a copy of their IPDES permit including Miner Number located onsite at all times the dredge is located on the SFCR.
7. Stream channels altered by dredge mining shall be restored to their original general configuration on or before August 15, 2023 (i.e. the last day of the 2023 SFCR dredge mining season).
8. The stream channel shall not be altered in a manner that creates a physical barrier preventing upstream or downstream fish movement.
9. Dredge mining shall not occur within 100 feet upstream and 300 feet downstream of a perennial tributary stream without prior approval by IDWR and a state or federal fisheries biologist after site inspection.
10. Dredge mining shall not occur on gravel bars at the tails of pools. Dredge mining shall not occur in a manner that deposits fine sediment (sand or silt) on gravel bars to a depth of more than ½ inch.
11. Dredge mining shall not:
 - a. undercut streambanks;
 - b. expand the wetted perimeter of the channel below the mean high water mark;
 - c. deposit sediment against the streambank; or
 - d. disturb woody debris or boulders that are embedded in the streambank.
12. Dredge mining shall not result in the removal, relocation, breaking apart, or lessening of the stability of in-channel woody debris.
13. Dredge mining shall not result in the removal or relocation of in-stream boulders (greater than 24 inches median diameter) unless approved by IDWR staff and a state or federal fisheries biologist during site inspection.
14. Dredge operations must be at least 100 feet apart.
15. There shall be no observable turbidity plume extending beyond 500 linear feet downstream of a suction dredge. This limit applies even where multiple suction dredges are operating at the same time and in the same vicinity; the combined turbidity plume shall not exceed 500 linear feet.
16. No mechanized equipment shall be operated below the mean high water mark except for the suction dredge and any life support system necessary to operate a suction dredge.
17. All fuel, oil, and other hazardous materials shall be stored outside of the stream channel in containers approved by ANSI or UL for storage of the materials. Equipment that leaks fuel, hydraulic fluid, or other pollutants shall not be operated in the stream channel. A funnel or spill proof spout shall be used when refueling and absorbent material, sufficient to absorb a spill, and placed around the fuel tank opening when refueling. Petroleum absorbent spill kits of suitable size to handle combined fuel volume of all fuel storage containers shall be onsite in case of accidental spills, and no petroleum products shall enter the stream when servicing the equipment.

18. Hazardous and deleterious materials shall not be stored, disposed of, or accumulated adjacent to or in the immediate vicinity of stream channels unless adequate measures and controls are provided to ensure that those materials will not enter stream channels. Mercury, cyanide, or any other hazardous or refined substance shall not be used to recover or concentrate gold adjacent to or in the immediate vicinity of stream channels.
19. Dredge mining equipment shall not house invasive species. When required, equipment must be decontaminated prior to placement in the stream channel. Decontamination procedures may be found at: <https://www2.deq.idaho.gov/admin/LEIA/api/document/download/15318>
20. Dredge mining equipment shall not be operated within 500 feet of a developed campground.
21. Dredge platforms, in-stream concentrators, or free-standing sluices shall be secured without stringing wire, cable, chain, or ropes across the stream channel.
22. This permit does not constitute:
 - a. An easement or right-of-way to trespass or work upon property or mining claims belonging to others;
or
 - b. Responsibility of IDWR for damage to any properties due to stream channel alterations.
23. This permit may be canceled at any time to minimize adverse impact on the stream channel.