



# Suction Dredge Mining in Idaho: IDWR Permit Process

Natural Resources Interim Committee

August 6, 2013



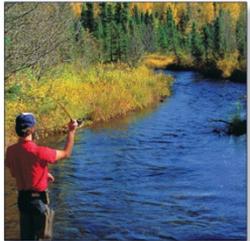
# Suction Dredge Mining in Idaho

Regulated as a Stream Channel Alteration (SCA)  
pursuant to Stream Channel Protection Act & Rules

- SC Protection Act created in 1971
  - See Chapter 38, Title 42
  - Permits required for SCA, including dredges
- SCA Rules – IDAPA 37.03.07
  - Rule 64 - Minimum Standards for Suction Dredging & Non-Powered Sluice Equipment

## SCA Act - Legislative Intent

Public health, safety and welfare requires that stream channels and their environments be protected against alteration for the **protection of fish and wildlife habitat, aquatic life, recreation, aesthetic beauty, and water quality.** No alteration of any stream channel shall be made unless approval has been given.



# Legislative Definitions

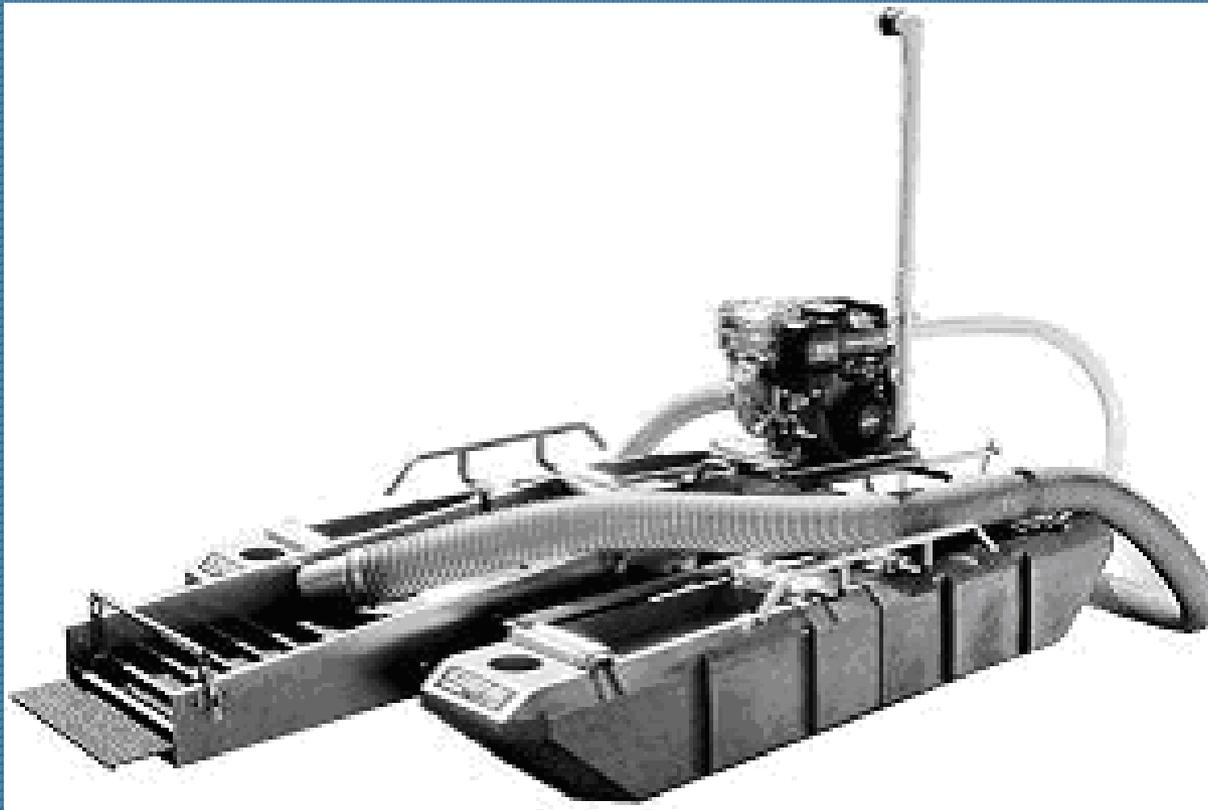
**Stream Channel:** “a natural watercourse of perceptible extent, with definite bed and banks, which confines and conducts continuously flowing water” (perennial)

**Alter:** “to obstruct, diminish, destroy, alter, modify, relocate, or change the natural existing shape or direction of water flow of any stream channel within or below the mean high water mark thereof”

# Suction Dredge - Definition

## Suction Dredge:

A machine that you use to move submerged aggregate via hydraulic suction. You process the aggregate through an attached sluice box for the recovery of gold and other minerals.



Definition & photo courtesy  
of Washington DFWD  
Gold and Fish Pamphlet



# Recreational Mining



# Suction Dredge Mining in Idaho

Two Categories of dredging per SCA Rules:

1. Recreational Mining (small scale)
2. Non-recreational or larger scale

# Recreational Mining

## SCA Rule 64 –Standards for Suction Dredges & Non-Powered Sluice Equipment

- engine/motor rated at 15 HP or less
- nozzle intake diameter of 5 inches or less
- non-powered sluice equip. moving more than  $\frac{1}{4}$  cubic yard per hour

# Recreational Mining – Letter Permit & Instructions

- Letter Permit authorizes alteration of stream channel as defined by the Standards (Rule 64)
- Instructions establish guidelines for rec. mining
- Instructions provide a list of open and closed streams, seasons of use, definitions, special restrictions, etc.
- Letter Permit applies only to miners following the guidelines listed within the instruction booklet

# Recreational Mining – Letter Permit

## Letter Permit = Expedited Process

Miner must:

- download/print permit & instructions
- complete permit & return to IDWR with fee
- fee = \$10 resident; \$30 non-resident (§ 42-221M)
- keep copy of completed permit & instructions

Permit good for one year only

Permit required for each dredge operator

# Recreational Mining – Letter Permit

## Letter Permit – Features

- two pages
  - p 1. - provide name, address, signature
  - p. 2 - identify drainage & streams
    - must work within open streams and seasons as per instructions
- includes conditions
- no waiting or process turn-around time

# Recreational Mining – Letter Permit

## Letter Permit – Features

- Process has been in place since 2010
- Former process required IDWR review and signature approval (one to seven days)
- Provides permit under ID. Dept. Lands rules for recreational mining on navigable rivers (one stop permit for both IDWR & Lands)
- Current process implemented in response to Zero Based Budgeting, priority of program & reduced SCA program staffing

# Non-Recreational Mining

Use of dredges that exceed Rule 64 standards

- engine/motor > 15 HP
- nozzle intake diameter > 5 inches

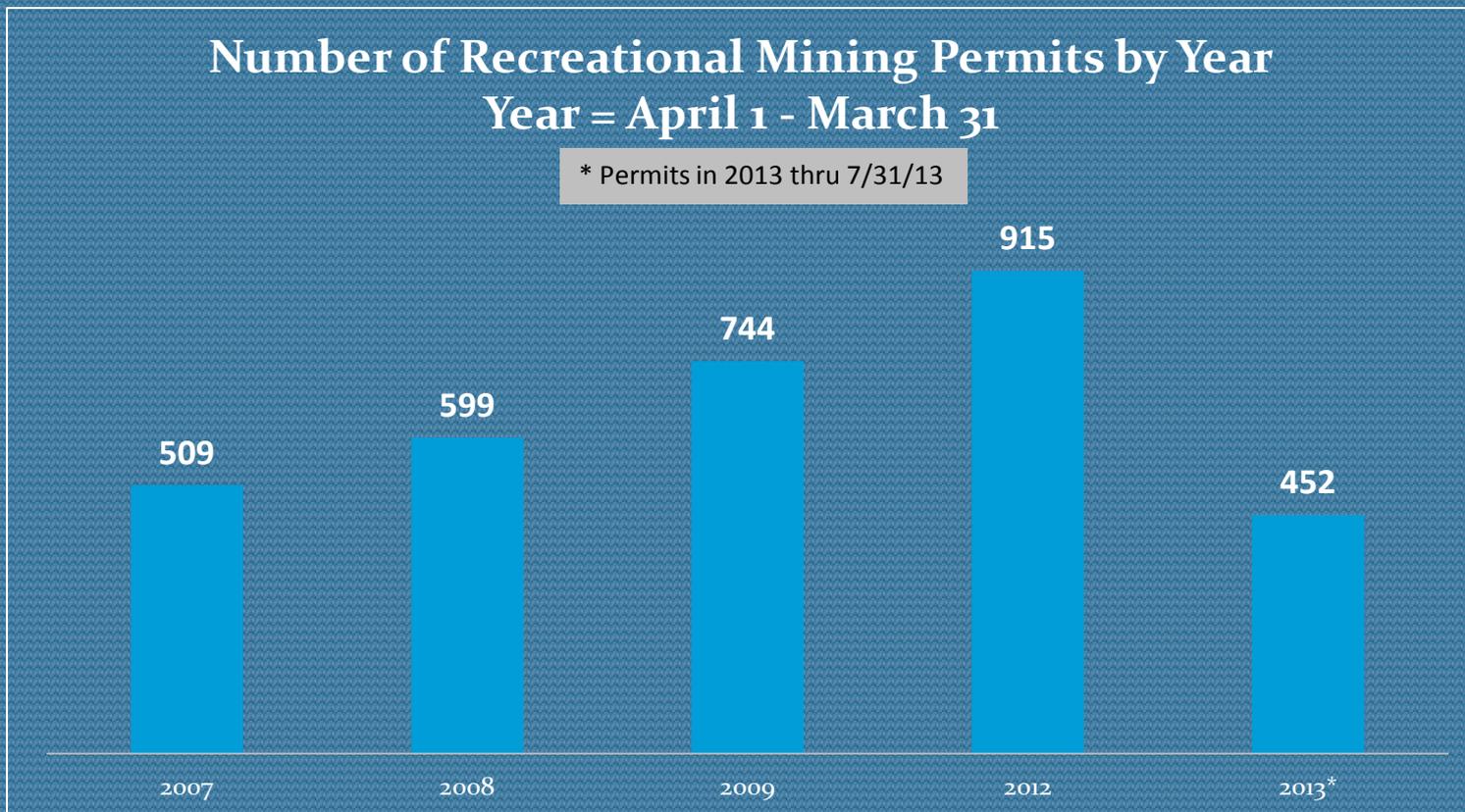
Requires regular SCA permit application and review  
(long form - joint application)

Long form application may be used for recreational mining in closed streams or when proposing extended season of operation

Very few long form permits received/issued

# Recreational Mining

## Permits Issued



Data from 2010 – 2011 not available due to reduced staffing

# Recreational Mining

## Revenue Received

4/1/2013 – 7/31/2013: \$ 6,420

4/1/2012 – 3/31/2013: \$ 16,255

4/1/2011 – 3/31/2012: \$ 15,594

Approx. average 2007 – 2010: \$10,000/year

# Recreational Mining

## In-state vs. Out-of State Permits

April 1 – July 31, 2013

In-State: 357

Out-of State: 95

# Recreational Mining

## EPA NPDES Permit vs. IDWR Permit

- EPA will highlight differences from IDWR permit process
- Main source of complaints due to added closures by EPA
- EPA has closed all waters with ESA listed species
- Several reaches of ESA listed waters popular to recreational dredging are open under IDWR permit
  - IDWR open reaches in ESA waters based upon recommendations from IDFG
  - Miners may need to work with Fed agencies on consultation process for ESA waters

# Recreational Mining

## EPA NPDES Permit vs. IDWR Permit

- Some waters closed under IDWR instructions are open under EPA NPDES permit
  - this has not caused complaints or tension

IDWR does not enforce EPA NPDES permit

# Recreational Mining

## Future Status of IDWR Permitting?

- IDWR lacks resources for field monitoring & enforcement
  - Currently working with IDFG on potential field monitoring assistance

# Recreational Mining

## Future Status of IDWR Permitting?

- IDWR will continue program subject to statutory or rule changes
- No significant changes planned by IDWR
- Dual permitting may be a concern
  - consider eliminating state permit?
  - elimination may be problematic given differences in programs?



Questions?