



Suction Dredging in Idaho

IDEQ's Role and Responsibilities

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Authority

- Idaho's **Authority**- comes from Clean Water Act where the state is authorized under section 401 to issue water quality certifications of NPDES permits that meets the state's water quality standards.

Side Note

- Idaho is one of 4 states in the nation without primacy for the NPDES program, as such, EPA Region 10 in Seattle writes all of the NPDES permits in Idaho. (Idaho, New Mexico, New Hampshire, and Massachusetts)

IDEQ's Responsibility in Issuing the 401 Certification

- Is to ensure the NPDES permit meets state water quality standards. If the permit does not meet the state's water quality standards, then DEQ is to prescribe the conditions necessary to meet the water quality standards. DEQ may also deny water certification of permits, this is rarely done preferring to certify with conditions rather than deny certification.

Suction Dredging Permit Certification Process

- DEQ worked with IDL, IDF&G and IDWR in preparing the state's 401 certification. The public was given an opportunity to provide comment on the draft certification.
- EPA amended the permit and DEQ amended certification based on public comment.
- EPA issued the final Suction Dredging Permit and DEQ issued the final certification.

IDEQ's Certification Found

- *“Based upon its review of the above-referenced permit, associated fact sheet and compiled research pertaining to the effects of suction dredging, DEQ certifies that if the permittee complies with the terms and conditions imposed by the permit along with the conditions set forth in this water quality certification then there is reasonable assurance the discharge will comply with the applicable requirements of Section 301, 302, 303, 306 and 307 of the Clean Water Act, including the Idaho Water Quality Standards (IDAPA 58.01.02) and other appropriate water quality requirements of State law.”*

Suction Dredging Certification Highlights

- Conditions:
 - DEQ issued a Mixing Zone for discharges from dredges
 - IDWR Stream Channel Alternation Permit is required
 - Provide fish passage

Certification Highlights continued

- Invasive species recognition
- Streambank mining prohibition
- Mechanized equipment restrictions
- Hazardous material storage