



Public Notice
US Army Corps
of Engineers
Alaska District
Regulatory Branch (1145b)
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In reply refer to above Identification Number

SPECIAL PUBLIC NOTICE 03-04

The Corps of Engineers in SPN 2003-01 outlined a recent change in the definition of fill. In light of the new definition of fill the Corps now finds it necessary to define recreational mining.

To date recreational mining has been defined by the Corps to include hand mining with a pick, shovel, pan, and or rocker box. In the General Permit for placer mining GP-88-02N, the Corps accepted a 4-inch intake as the break point for the definition between recreational and commercial mining. The Corps regulated excavation at this point in history. The proposed change would put the Corps in line with the definitions currently being used by Alaska EPA. Further, the State of Alaska considers a 6-inch intake as the break point between recreational and commercial operations. It is the intent of the following proposal to put the Department of Army, Corps of Engineers in line with other regulatory agencies.

For Department of Army permitting purposes the Department of Army, Corps of Engineers, Alaska District, proposes that "the use of a floating suction dredge in waters of the United States, with an intake and hose size of six inches or less, and powered by a motor of 18-HP or less, and used without any mechanized support will be considered recreational mining. Thus the discharge from a recreational floating suction dredge would be considered de minimus. The Corps will not generally regulate the discharges from recreational mining. This would be in Section 404 and Section 10 waters. To be considered de minimus the dredger would need to be in compliance with the regulatory requirements of the Land Manger, possess a permit from Alaska Department of Fish and Game (if in anadromous water), possess a National Pollutant Discharge Elimination System Permit (402) if applicable, and have all other Federal and State permits. The placement of fill material specifically for dikes, wing dams, and stream diversion structures using mechanized means to move boulders would not be considered part of recreational mining. This definition would apply within the State of Alaska, and include all State of Alaska recreational mining areas. Dredging operations with an intake and or a hose larger than 6-inches would be considered commercial, and require authorization from the Corps." (Section 10 and 404).

Comments will be accepted for 30 days on this proposed definition change.

District Engineer
U.S. Army, Corps of Engineers