



**US Army Corps  
of Engineers**  
Alaska District

# Public Notice

**Date: April 28, 2004**

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**Identification No. SPN: 2004-06**

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Regulatory Branch (1145b)  
Post Office Box 898  
Anchorage, Alaska 99506-0898

**In reply refer to above Identification Number**

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## SPECIAL PUBLIC NOTICE

### Clarification on Recreational Mining Definition in Alaska

**Action:** Effective immediately the Alaska District Corps of Engineers (Corps) restates the "Placer Mining Activities Having De Minimus Impacts" section of Special Public Notice (SPN) 94-10 signed 13 September 1994: "Recreational suction dredge mining using an intake nozzle size equal to or less than 4 inches and hand mining in waters of the United States would have de minimus effects on the aquatic environment, provided the State of Alaska Department of Fish and Game requirements for fish bearing waters are met. Therefore, the Corps will generally not regulate these activities, and no permit is required. However, the Alaska District Corps retains the discretion to require authorization on a case-by-case basis." The Alaska District finds this statement to be relevant today, and will continue to follow this guidance. No other section of SPN-94-10 is being restated by this SPN. The recent increase in the price of gold has generated renewed interest in recreational dredging in Alaska. This renewed interest and need for clarification has resulted in this public notification.

**Methodology:** The Corps will continue to apply the existing Placer Mining General Permit (GP) number 88-02P to authorize suction dredges meeting the terms and conditions of the GP. This is consistent with GP-88-02N, which has expired, and with GP-88-02P, which will expire on August 31, 2006. Suction dredge mining with an intake nozzle larger than 4 inches can be authorized under GP-88-02P. No Pre-Construction Notification (PCN) will be required to authorize a suction dredge with an intake nozzle between 4 inches and up to an intake nozzle of 6 inches. No annual report is required for suction dredge operations. Dredges with an intake nozzle larger than 6 inches will follow PCN requirements. (Section 404)

**Background:** The Corps, on April 7, 2003, in SPN # 2003-04 proposed that suction dredges with an intake greater than 6 inches be commercial for Alaska District definition purposes. A dredge smaller than 6 inches would have been considered recreational. The public comments on this proposal were either supportive of this change or questioned the need for the change. The Alaska District never finalized this proposed definition change. The Alaska District Corps of Engineers on August 13, 2001, reauthorized the Placer Mining GP. When the Corps reauthorized the placer mining GP the recreational suction dredge discussions were removed. The suction dredge discussion was removed because the Tulloch rule (excavation rule) was rescinded. The current Placer Mining GP-88-02P defines recreational mining as: "hand mining with a pick, shovel, pan, and or rocker box. Recreational placer mining

generally will not be regulated by the Corps and does not require a Corps permit, as explained in SPN 94-10, issued September 13, 1994. As long as State of Alaska Department of Fish and Game requirements for fish-bearing waters are met, the activity is expected to have de-minimus effects. The Corps retains the discretion to require authorization on a case-by-case basis if it is believed that effects are greater than de-minimus. The placement of fill material specifically for dikes, wing dams, and stream diversion structures are not considered part of recreational mining."

District Engineer  
U.S. Army, Corps of Engineers