



US Army Corps
of Engineers
Alaska District

FACT SHEET

Floating Recovery Devices (FRDs) in Alaska
Regional General Permit (GP) POA-2007-372-M1,
(previously known as Suction Dredging)

Under **Section 10 of the Rivers and Harbors Act of 1899**, the Corps has jurisdiction over structures and work, in or affecting, navigable waters.

A Department of the Army (DA) permit is required for operations engaged in recovery of metals from a floating vessel (FRD) in navigable waters. The Alaska District list of navigable waters may be found here:

<http://www.poa.usace.army.mil/Portals/34/docs/regulatory/NavWat.pdf>

Under Section 10, the GP considers only the effects of the vessel on the navigable capacity of the water. How does an operator stay in compliance? Stay out of shipping lanes and other navigational channels. Maintain access to moorage for other vessels. Avoid sinking your boat in a location where it becomes an obstruction. Know and follow Coast Guard requirements for safety lights and signals.

1. The GP has two thresholds related to water depth:

- Operations in **marine waters at minus 20 feet or less in depth**, measured from Mean Low Lowest Water (MLLW) at 0.0 feet, are automatically approved for operation, without notifying the Corps. Operators will not receive a written permit verification. Nevertheless, the work falls under Corps jurisdiction, and operators must comply with the terms and conditions of the GP.
- Operations in **marine waters minus 20 feet or greater in depth MLLW** must fill out a Department of the Army (DA) permit application (**ENG FORM 4345**), available at a Corps office or at our website:
http://www.poa.usace.army.mil/Portals/34/docs/regulatory/engform_4345_2013july.pdf

Applications shall include:

- A legible map showing the location of the proposed work;
- A description of the floating recovery device, size, and anchoring mechanism;
- Plan drawings that show the operation relative to tidal datum;
- Latitude and Longitude of the project area;
- Information about Endangered Species, Critical Habitat, and Historic Properties in the project area

2. The GP has no timing restrictions with regard to when you can or cannot mine.

3. In Individual Permit (IP) is required when a project is proposed in specific excluded areas, such as “biologically important habitat”, and state or federally designated “Special Areas”. This trigger may also be satisfied through presence of unevaluated archaeological, cultural, or historic properties, or an agency adverse effect comment on Essential Fish Habitat, or Endangered Species or Critical Habitat.