

## **Suction Dredge Rules & Requirements & Permit Stipulations For The Nome East and West Public Beach Mining Areas**

Management of the East and West Nome Beach Public Mining Areas is an issue of increasing concern. With the current high price of gold and increased interest in offshore mining there have been incidents of friction between miners in the Public Mining Areas. Local police have been called on several occasions. There have also been some problems of miners in the public mining area straying onto leases held by other miners.

As a result of the above management concerns, there will be new permitting requirements and permit stipulations for miners in both public mining areas. An Annual Placer Mining Application (APMA) and Miscellaneous Land Use Permit (MLUP) will be required for all sizes of dredges in both public mining areas. This requirement will allow the DNR to revoke permits for miners who do not follow the stipulations for operating in the public mining areas. Generally, the permit stipulations will apply in both public mining areas at Nome. The stipulations will be as follows:

- In the West Public Beach Mining Area, suction dredge miners will be limited to six-inch or less suction nozzles with no more than 23hp pump engines. This limitation is to maintain the small/recreational mining character of the public mining area, and to extend the life of the resource in the new area.
- In the East Public Beach Mining Area, suction dredge miners will be limited to eight-inch or less nozzles with no more than 46 hp pump engines. These conditions and limitations have been in place for this area for several years now.
- No individual, association of individuals or company may hold an interest in the operation of more than one suction dredge in the two public mining areas combined. The intent of this stipulation is to prevent any individual, association of individuals, or company from leasing out a number of dredges to be operated in the public mining areas and retaining a royalty on production from the dredges. Individuals or companies may rent multiple dredges for use in the public mining areas, but the dredges must be rented at a set rental rate, with no royalty on production.
- Suction dredges are only allowed in the two offshore recreational mining areas when occupied by the miner. Miners may not leave their suction dredge anchored in the recreational areas and go ashore. Miners may not leave their suction dredge anchored overnight unless they are on the dredge during the night. Miners who leave a recreation area with their dredge may not leave any type of marker to secure their location for their return. The miner only occupies a location while their dredge is on that location and they are in operation.
- Miners must maintain a minimum 75' distance between dredges in the East and West Public Mining Areas. The first miner on site establishes their position; miners arriving later must locate with no part of their operation, dredge, anchors, or divers, less than the separation distances cited above from prior miner's dredges.

- State land begins at the mean high tide level. Since the average tide at Nome is 1.04 feet, this means that in order to be on state land the miner must effectively be in the water. All of the uplands at Nome are privately owned. Therefore, other recreational mining apparatus such as a rocker box or high banker or sluice box or gold pan must be used in the surf below mean high tide, but not higher up on the beach. Miners using these other recreational mining apparatus in the surf zone are not required to file a permit application and receive a permit.
- Because the uplands are all privately owned, any miner mining or camping on the beach or tundra above the beach will be in trespass unless they have permission from the land owner. Trespass is not allowed, and is grounds for revocation of the miners' permit.
- Permits can be revoked for failure to follow stipulations or for aggressive behavior.
- Miners operating in either of the public mining areas will confine their operations to those public mining areas. Miners will not venture outside of the public mining areas without the written permission of existing adjacent lease holders.
- In addition to this Permit, suction dredgers will have to obtain permits from the Alaska Department of Environmental Conservation and possibly the U.S. Army Corp. of Engineers. Under the APMA process, however, the DNR will distribute miners' applications to these agencies for processing and permitting.
- Winter "under ice" dredging is not allowed in either of the Nome Public Beach Mining Areas.

PROTECTION OF SHORE FISH NETS: During the summer months (mid June to mid September) the Alaska Department of Fish and Game issues shore fish set net permits for the coastal areas of northern Norton Sound. The permits are issued, with exceptions, for areas the fishermen are interested in. Many fishermen residing in western Alaska obtain these shore fish permits for sites along the southern coast of the Seward Peninsula. The set nets are up to 50 fathoms (300 feet) in length, and are anchored at both ends just offshore. Adjacent set nets are required to be 300 feet apart. Offshore mining operators using suction dredge and mechanical placer mining equipment must implement the following buffer around these set nets.

- A 300 foot separation distance from any part of a set net.
- If an 8 inch or larger suction dredge or a mechanical placer mining operation (eg. excavator with a wash plant on a barge or vessel) create any turbidity during mining, the separation distance must be 500 feet.

If a mining operator damages a set net, they will immediately report the damage to the Department of Fish and Game at 907-443-5167 and DNR at 907-269-8648.

PROTECTION OF RIVER MOUTHS:

- As a general rule, all mining is prohibited year-round within the 0.5 mile distance (radius) from any anadromous river mouth. Additionally, for 10 inch and larger suction dredge or mechanical placer mining operations, such as an excavator on a barge, mining within the 1 mile distance (radius) of any anadromous river mouth between the annual dates of June 1 – July 15 is prohibited. Exceptions to these mining prohibitions for the following anadromous rivers are as follows: mining offshore of the mouths of the Snake River, Penny River and Cripple River, between the annual dates of September 15 to December 1, is allowed to a distance of 500 feet from the mouth of these rivers. At no time, from September 15 to December 1, may any mining operation be closer than 500 feet to these three river mouths.

Upon reasonable evidence that a miner operating in either of these two public mining areas is not in compliance with the above stipulation requirements, the miner's permit may be revoked and the miner will not be allowed to operate in the public mining areas.