



Alaska Department of Environmental Conservation
DIVISION OF WATER

ALASKA'S CWA SEC. 404 DREDGE AND FILL PERMITTING PROGRAM DEVELOPMENT

The Alaska Department of Environmental Conservation is seeking assumption of the dredge and fill permitting program under Section 404 of the Clean Water Act (CWA). Designed for states' assumption, Section 404 regulates the discharge of dredged or fill material into waters of the United States (WOTUS), including wetlands. Alaska has a vested interest in assuming the program considering approximately 43% of Alaska's surface is wetlands – including tundra, permafrost areas, marshes, bogs and similar areas. Activities regulated under this program that require a permit include fill for development (residential, commercial, or recreational), water resource projects (such as dams and levees), infrastructure development (such as highways and airports), and mining projects.



In the FY 2023 budget, the Alaska Legislature approved funding for DEC to evaluate assumption of Section 404 of the Clean Water Act and prepare a feasibility study.

[Dredge and Fill Program Assumption Feasibility Report 1-26-23 \(PDF\)](#)

During the 2023 Alaska Legislative Session, DEC presented the Feasibility Study findings and is seeking funding to assume the dredge and fill program. The directive to “take all actions necessary to receive federal authorization” to administer the Dredge and Fill Permitting Program is already codified in Alaska law under Alaska Statute 46.03.020 (14).

- [404 Program Cheat Sheet \(PDF\)](#)
- [404 Program FAQ \(PDF\)](#)
- [2023 DREDGE AND FILL PERMITTING PROGRAM LEGISLATIVE ENGAGEMENT](#)

Department of Environmental Conservation

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