



SPECIAL AREA PERMIT

FH22-III-003-SA

ISSUED: May 31, 2022
EXPIRES: Upon Abandonment of Site

GENERAL PUBLIC

RE: Minto Flats State Game Refuge
Highway Vehicle Access and Use of the Chatanika River Lower Boat Landing
Chatanika River (Stream No. 334-40-11000-2490-3151-4020)
Sec 25, T2N R6W, FM, Fairbanks D-4
Landing Coordinate (WGS84): 64.9777 N, -148.6856 W

Pursuant to 5 AAC 95.770 and AS 16.05.871(b) (Anadromous Fish Act), the Alaska Department of Fish and Game (ADF&G), Habitat Section, has determined that both the public interest and protection of fish and game would continue to be served with the reissuance of a general permit authorizing the use of highway vehicles to access and use the boat landing at the described location within the Minto Flats State Game Refuge (MFSGR).

Legislatively Designated Special Area

MFSGR (AS 16 20.037) was established to ensure the protection and enhancement of habitat, conservation of fish and wildlife, and to guarantee continuation of hunting, fishing, trapping, and other compatible uses. Specific management goals and policies presented in the 1992 Management Plan have been adopted as regulation (5 AAC 95.530).

Anadromous Fish Act

The Chatanika River has been specified as being important for the spawning, rearing, or migration of anadromous fishes pursuant to AS 16.05.871(a). The river at this launch site provides migration habitat for Chinook, coho, and chum salmon, and supports resident fish species such as Arctic grayling. Your activity should not obstruct the free passage of fish.

Authorization and Permit Conditions

In accordance with AS 16.05.871(d) and 5 AAC 95, ADF&G hereby issues a general permit for the public to operate vehicles within the described area of MFSGR on the access road and boat

landing site, with the described vehicle limitations, and with environmental conditions that mitigate potential impact to habitat, subject to the following stipulations:

- 1) This permit does not authorize the construction/establishment of new trails, parking sites or cutting of vegetation that would significantly alter habitat.
- 2) The vehicle operator shall be responsible to know the easement trail, boundaries of the refuge, and private property. Vehicles must remain on the trail and park in existing openings within the MFSGR.
- 3) Permitted activities within the Chatanika River at the "Lower Landing" boat launch site are limited to those activities associated with normal launching and landing of boats. This permit does not authorize the removal of gravel, streambank alteration, water use, and/or the operation of equipment on the refuge and/or below ordinary high water.
- 4) This authorization does not provide exclusive privilege to use the refuge; thus, the permittee must ensure activities do not conflict with other users of the refuge.

Permit Terms

This letter constitutes a permit issued under the authority of AS 16.20.060 and AS 16.05.871. Please be advised that this determination applies only to activities regulated by the Habitat Section of ADF&G; other agencies also may have jurisdiction under their respective authorities. This determination does not relieve you of the responsibility for securing other permits, state, federal, or local. You are still required to comply with all other applicable laws.

You are responsible for the actions of contractors, agents, or other persons who perform work to accomplish the approved project. For any activity that significantly deviates from the approved plan, you shall notify the ADF&G Habitat Section and obtain written approval in the form of a permit amendment before beginning the activity. Any action that increases the project's overall scope or that negates, alters, or minimizes the intent or effectiveness of any provision contained in this permit will be deemed a significant deviation from the approved plan. The final determination as to the significance of any deviation and the need for a permit amendment is the responsibility of the ADF&G Habitat Section. Therefore, it is recommended that you consult the Habitat Section before considering any deviation from the approved plan.

You shall give an authorized representative of the state free and unobstructed access to the permit site, at safe and reasonable times, for the purpose of inspecting or monitoring compliance with any provision of this permit. You shall furnish whatever assistance and information the authorized representative reasonably requires for monitoring and inspection purposes.

In addition to the penalties provided by law, this permit may be terminated or revoked for failure to comply with its provisions or failure to comply with applicable statutes and regulations. You

shall mitigate any adverse effect upon fish or wildlife, their habitats, or any restriction or interference with public use that the commissioner determines was a direct result of your failure to comply with this permit or any applicable law.

You shall indemnify, save harmless, and defend the department, its agents, and its employees from any and all claims, actions, or liabilities for injuries or damages sustained by any person or property arising directly or indirectly from permitted activities or your performance under this permit. However, this provision has no effect if, and only if, the sole proximate cause of the injury is the department's negligence.

Please direct questions about this permit to Habitat Biologist Todd Nichols at 907-459-7363 or to todd.nichols@alaska.gov.

Sincerely,
Doug Vincent-Lang
Commissioner



BY: Audra L. J. Brase
Fairbanks Regional Supervisor

ecc: Andy Gryska, ADF&G SF, Fairbanks
Christine Gleason, ADF&G CF, Fairbanks
Deena Jallen, ADF&G CF, Fairbanks
Ryan Klimstra, ADF&G WC, Fairbanks
Tony Hollis, ADF&G WC, Fairbanks
Nikki Potter, ADNR MLW, Fairbanks
Tammy Massie, ADF&G HAB, Anchorage
Joe Meehan, ADF&G WC, Anchorage
Bob Henszey, USFWS, Fairbanks
NOAA Fisheries, HCD, Anchorage
AWT, Northern Detachment, Fairbanks
Permit Coordinator, ADF&G SF
Al Ott, ADF&G HAB, Fairbanks

tn/AB