



FISH HABITAT PERMIT FH23-IV-0017-GP

ISSUED: January 1, 2023
EXPIRES: December 31, 2027

General Public:

Re: Small-Scale Recreational Mining – Petersville Recreational Mining Area

Peters Creek (Water Body No. 247-41-10200-2053-3150-4060)
Section 1, T 28 N, R 9 W, SM
Sections 6, 7 and 8, T 28 N, R 8 W, SM

Cottonwood Creek (Water Body No. 247-41-10200-2053-3150-4060-5050)
Section 6, T 28 N, R 8 W, SM

Pioneer Gulch (Water Body No. 247-41-10200-2053-3150-4060-5047)
Section 7, T 28 N, R 8 W, SM

Unnamed Stream
Resident Stream
Section 7, T 28 N, R 8 W, SM

Alaska law (AS 16.05.871 and AS 16.05.841) requires that a permit from the Alaska Department of Fish and Game, Habitat Section be obtained prior to conducting small-scale recreational mining below the ordinary high water mark of streams within the Petersville Recreational Mining Area (PRMA). Pursuant to AS 16.05.871(b) and AS 16.05.841, the Habitat Section has determined that both the public interest and the proper protection of fish and game would be served by issuing a general permit (GP) authorizing small-scale mining activities within the PRMA.

Small-scale mining equipment authorized within the PRMA is restricted to the use of motorized pumps 18 horsepower or less and intake hoses 6 inches in diameter or less.

This GP does not authorize motorized vehicle use in anadromous (salmon bearing) streams. There are three designated crossings within the PRMA permitted under FH23-IV-0006-GP. A separate Fish Habitat Permit is required to cross anadromous waters at other locations within the PRMA.

PERMIT STIPULATIONS – ANADROMOUS FISH STREAMS

In accordance with AS 16.05.871(d) and AS 16.05.841, approval is hereby given to mine with the specified authorized equipment at the specified locations subject to the following stipulations:

1. **This permit must be retained onsite during small-scale recreational mining activities.**
2. Small-scale mining activities below the ordinary high water mark on Peters Creek within the PRMA are restricted to May 15 – July 15.
3. Small-scale mining activities below the ordinary high water mark on Cottonwood Creek and Pioneer Gulch within the PRMA are restricted to May 1 – October 31.
4. Construction or maintenance of dams, diversions, fills, deflectors, and any other structures below the OHW (vegetation) line is prohibited.

5. Natural stream banks and vegetated gravel bars or vegetated islands shall not be mined, under cut, or disturbed.
6. Motorized equipment shall not be used to move boulders, logs, or other objects too large to be moved by hand.
7. Wheeled or tracked vehicles or equipment shall not be operated in the stream or disturb the stream bank.
8. No equipment leaking fuel, hydraulic fluid, or other pollutants shall be operated below the OHW.
9. Water withdrawal is restricted to processing material through the sluice box and shall not be used for hydraulic mining or any other purpose.

Additional Stipulation for Power Sluicing (High Banking) in Anadromous Fish Streams

10. Water intakes must be screened with 1/8-inch mesh to prevent the impingement and entrainment of fish.
11. Adequate flow must remain to maintain fish passage during mining activities.

PERMIT STIPULATIONS – RESIDENT FISH STREAMS

These stipulations apply to resident fish streams pursuant to AS 16.05.841. Small-scale mining activities in the resident streams within the PRMA are authorized year-round.

Stipulation for Small Scale Mining in Resident Fish Streams

1. **This permit must be retained onsite during small-scale recreational mining activities.**
2. Construction or maintenance of dams, diversions, fills, deflectors, and any other structure that may impede the efficient passage of fish is prohibited.

Additional Stipulations for Power Sluicing (High Banking) in Resident Fish Streams

3. Water intakes must be screened with 1/8-inch mesh to prevent the impingement and entrainment of fish.

This determination applies only to activities regulated by the Habitat Section. This determination does not relieve you of the responsibility for securing other state, federal, or local permits.

On state land, the Alaska Department of Natural Resources, Division of Mining, Land and Water (ADNR/DMLW) also classify suction dredges with an intake 6-inches or less and a pump less than 18 hp as recreational.

The Alaska Department of Environmental Conservation (ADEC) considers dredges with an intake 6 inches or smaller and a pump less than 18 hp as small scale and will issue a General Permit (GP) for small scale mining in Alaska. Larger dredges are considered commercial operations and require prior notice or approval from the federal land manager and ADEC. For more information, please contact the ADEC at (907) 451-2142.

Please be reminded that harassing fish while crossing any stream is prohibited by state law (5 AAC 75.060).

This letter constitutes a permit issued under the authority of AS 16.05.871 and AS 16.05.841 and must be retained on site during project activities. Please be advised that this determination applies only to Habitat Section regulated activities; other agencies also may have jurisdiction under their respective authorities. This determination does not relieve you of your responsibility to secure 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 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 a Habitat Section responsibility. Therefore, we recommend 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.

You may appeal those components of this permit decision relating to AS 16.05.871 in accordance with the provisions of AS 44.62.330-630.

If you have any questions, please call the Palmer Habitat Section at (907) 861-3200.

Sincerely,

Doug Vincent-Lang, Commissioner



By: Sarah Myers
Matanuska-Susitna Area Manager
Habitat Section
(907) 861-3200

-gdh

Enclosure: Petersville Recreational Mining Area Map

cc:	D. Dahl, AWT	S. Ivey, SF	A. Ott, Habitat	Permits, DEC
	Pagemaster, COE	C. Larson, DNR	S. Church, DNR	N. Dallman, DEC
	Permits, SF	R. Lysdahl, AWT	C. Shook, SF	



Petersville Recreational
Mining Area
FH23-IV-0017-GP

- Roads
- Anadromous Streams
- Petersville RMA

