



FISH HABITAT PERMIT
FH17-III-0022

ISSUED: January 11, 2017
EXPIRES: December 31, 2021

GENERAL PUBLIC

RE: Public (Unimproved) Boat Launch Locations
Southwest Seward Peninsula and Unalakleet (Kateel River Meridian)
Niukluk River (Stream No. 333-20-10670-2281)
 Council-end of road, Sec 11, T7S, R25W, Solomon D-4
Solomon River (Stream No. 333-10-11700)
 Mouth of river, Sec 10, T11S, R29W, Solomon C-5
Nome River (Stream No. 333-10-11250)
 Mouth of river, Sec 32, T11S, R33W, Nome B-1
Snake River (Stream No. 333-10-11200)
 Upstream from harbor, East Bank, Sec 26, T11S, R34W, Nome C-1
Pilgrim River (Stream No. 332-00-10250-2110)
 Kougarok Road Bridge, Sec 24, T4S, R30W, Bendeleben A-6
Kuzitrin River (Stream No. 332-00-10250)
 Kougarok Road Bridge, Sec 21, T3S, R30W, Bendeleben A-6
Unalakleet River (Stream No. 333-60-10100)
 Mouth of river, Sec 3, T19S, R11W, Unalakleet D-4

Pursuant to AS 16.05.871(b), the Alaska Department of Fish and Game (ADF&G), Division of Habitat, has determined that both the public interest and protection of fish and game would be served with the issuance of a General Fish Habitat Permit authorizing the use of wheeled or tracked motorized vehicles with a **gross vehicle weight (GVWR) of 10,000 pounds or less** on the bed of the described waterbodies to launch/land boats at the referenced locations.

Note 1: Any other use of vehicles within the described waterbodies or any use of vehicles within other natural waterbodies catalogued as anadromous not described herein requires an individual Fish Habitat Permit. Request for additional launch/landing sites shall be submitted to the Division of Habitat prior to the use of the site.

Note 2: Access to and/or use of some sites above ordinary high water or sites beyond public easements may be conditional due to land status (e.g., private property/native corporation land).

Anadromous Fish Act

The catalogued waterbodies of the southwest Seward Peninsula have been specified as being important for the spawning, rearing, or migration of anadromous fishes pursuant to AS 16.05.871(a). The drainages in this region provide habitat for a combination of all salmon species, anadromous whitefish, and/or anadromous Dolly Varden, and also supports resident fish species (e.g., Arctic grayling).

In accordance with AS 16.05.871(d), authorization is hereby given to launch and land boats in the described waterbodies at the referenced locations using the described size of vehicle subject to the following stipulation:

- 1) No streambed or bank alteration, gravel removal, water use, or diversion of any kind is authorized under this permit.

The owner and/or operator of the vehicle (permittee), and/or the legal guardian of minor dependent owner/operators (permittees), is 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 Division of Habitat 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 stipulation 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 Division of Habitat. Therefore, it is recommended you consult the Division of Habitat immediately when a deviation from the approved plan is being considered.

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

This letter constitutes a permit issued under the authority of AS 16.05.871 and must be retained on site during project activities. Please be advised that this determination applies only to activities regulated by the Division of Habitat; 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.

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. The department reserves the right to require mitigation measures to correct disruption to fish and game created by the project and which was a direct result of the 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.

This permit decision may be appealed in accordance with the provisions of AS 44.62.330-630.

Any questions or concerns about this permit may be directed to Habitat Biologist Todd Nichols at 907-459-7363 or emailed to todd.nichols@alaska.gov.

Sincerely,

Sam Cotten, Commissioner



BY: Audra L. J. Brase, Regional Supervisor
Division of Habitat
Alaska Department of Fish and Game

ecc: Brendan Scanlon, ADF&G SF, Fairbanks
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AB/tn