



SPECIAL AREA PERMIT SA24-V-0006-GP

ISSUED: June 19, 2024
EXPIRES: December 31, 2025

RE: Limited Off-Road Use of Motorized Vehicles
Anchor River Fritz Creek Critical Habitat Area
Vehicles Less Than 1,000 Pounds Dry Vehicle Weight on Designated Trails

General Public:

Pursuant to AS 16.20.520, AS 16.20.530, 5 AAC 95.400-.440, and 5 AAC 95.700-.990, the Alaska Department of Fish and Game (ADF&G), Habitat Section, has determined that both the public interest and the proper protection of fish and wildlife and their habitat would be served through the issuance of a General Permit (5 AAC 95.770) authorizing limited off-road motorized vehicle use in the Anchor River Fritz Creek Critical Habitat Area (ARFCCHA). This General Permit authorizes limited off-road use of motorized vehicles, less than 1,000 pounds dry vehicle weight, on designated trails (see enclosed map) within the boundaries of the ARFCCHA.

For the purposes of this permit, the dry weight of a vehicle is the weight of the vehicle without passengers, cargo, or fuel as specified by the manufacturer. Due to the bridge at the Beaver Creek ford location, this general permit does **not** include vehicle crossings of Beaver Creek during non-frozen conditions.

This General Permit authorizes only normal recreational travel of motorized vehicles less than 1,000 pounds dry weight under the conditions stipulated. The off-road use of heavier wheeled or tracked vehicles is not allowed in the Anchor River/Fritz Creek Critical Habitat Area except by an individual Special Area Permit.

Legislatively Designated Special Area

The ARFCCHA was created pursuant to AS 16.20.590 to protect and preserve habitat areas especially crucial to the perpetuation of fish and wildlife, and to restrict all other uses not compatible with that primary purpose. This activity is not expected to adversely impact important habitat values.

In accordance with 5 AAC 95.770, limited off-road use of motorized vehicles in the ARFCCHA is hereby authorized subject to the description above, the following stipulations, and the permit terms:

1. The use of motorized vehicles less than 1,000 pounds dry weight shall remain on designated trails (see enclosed map).
2. The off-trail use of vehicles less than 1,000 pounds dry weight is authorized on all critical habitat area lands from **November 1 through March 31** provided there is a minimum of 12-inches of snow cover and sufficient ground frost to prevent penetration of, or disturbance to, the soil surface or plant roots. In addition, ice cover on wetlands or other water bodies must be of sufficient thickness to support the weight-bearing load of the off-road vehicle.

Permit Terms

This letter constitutes a permit issued under the authority of AS 16.20.530 and must be retained on site during project activities. Please be advised that this determination applies only to activities regulated by the Habitat Section; 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 in accordance with 5 AAC 95.740 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 Habitat Section. Therefore, we recommend you consult the Habitat Section immediately 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 Wayne Haimes at (907) 714-2478 or e-mail at wayne.haimes@alaska.gov.

Sincerely,

Doug Vincent-Lang,
Commissioner



By: Kaitlynn Cafferty; Kenai Peninsula Area Manager

ecc:

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