FISH HABITAT PERMIT FH19-V-0020-GP

ISSUED: January 1, 2019
EXPIRES: December 31, 2019

General Public:

Re: Small-Scale Recreational Placer Mining in Resurrection Creek and Associated Tributaries

Resurrection Creek
Water Body No. – 247-60-10150
Including Associated Tributaries
(See attached list and map)

Alaska law (AS 16.05.841 and AS 16.05.871) requires that a permit from the Alaska Department of Fish and Game, Division of Habitat, be obtained prior to conducting small-scale mining below the ordinary high water mark of streams within the Resurrection Creek watershed. Pursuant to AS 16.05.871(b) and AS 16.05.841, the Division of Habitat has determined that both the public interest and the proper protection of fish and game resources would be served by issuing a General Permit (GP) authorizing small-scale recreational mining activities in the Resurrection Creek watershed (please see attached list of specific water bodies).

Small-scale mining equipment authorized by this permit is restricted to the use of motorized pumps of 18 horsepower or less and intake hoses with diameters of 6-inches or less.

This GP does not authorize motorized vehicle use in anadromous (salmon-bearing) streams. A separate Fish Habitat Permit is required to cross anadromous waters.

In accordance with AS 16.05.871(d) and AS 16.05.841, approval is hereby given to mine with the specified equipment in Resurrection Creek and its tributaries subject to the permit terms and the following stipulations:

PERMIT STIPULATIONS – ANADROMOUS FISH STREAMS

These stipulations apply to anadromous water bodies specified under AS 16.05.871(a) (Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fish). Mining activities below the ordinary high water (OHW) line are seasonally restricted to protect incubating fish eggs, alevins, and fry within the streambed gravels.

1. This permit must be retained onsite during small-scale recreational mining activities.
2. Small-scale mining activities below the OHW mark in the anadromous water bodies in the Resurrection Creek watershed (see attached list and map) are restricted to May 15 – July 15.
3. Construction or maintenance of dams, diversions, fills, deflectors, and any other structures below the OHW (vegetation) line is prohibited.
4. Natural streambanks and vegetated gravel bars or vegetated islands shall not be mined, under cut, or disturbed.
5. Motorized equipment or winches shall not be used to move boulders, logs, or other objects too large to be moved by hand.
6. Wheeled or tracked vehicles or equipment shall not be operated in the stream or cause disturbance to the stream bank.
7. No equipment leaking fuel, hydraulic fluid, or other pollutants shall be operated below the OHW line.
8. Water withdrawal is restricted to processing material through the sluice box and shall not be used for hydraulic mining or any other purpose.

Additional Stipulations for Power Sluicing in Anadromous Fish Streams

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

Stipulation for ALL Small-Scale Mining in Resident Fish Streams

1. Construction or maintenance of dams, diversions, fills, deflectors, and any other structure that may impede the efficient passage of fish is prohibited.

Additional Stipulation for Power Sluicing in Resident Fish Streams

2. 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 ADF&G. This determination does not relieve you of the responsibility for securing other state, federal, or local permits, nor does it authorize trespass on mineral claims or private property.

On state land, the Alaska Department of Natural Resources, Division of Mining, Land, and Water (ADNR/DMLW) also classifies suction dredges with an intake 6 inches or less as recreational. Dredge operators with an intake larger than 6-inches or a pump larger than 18 horsepower should contact ADNR/DMLW (907-269-8647) to obtain commercial mining application instructions.

The Alaska Department of Environmental Conservation (ADEC) considers dredges with an intake 6 inches or smaller as small scale and has issued a General Permit (AKG375000) for small scale mining in Alaska. Larger dredges are considered commercial operations and require prior notice or approval from the land manager and ADEC. For more information, please contact the ADEC at (907) 451-2142.

ADEC Small-Scale Suction Dredge GP: https://dec.alaska.gov/water/oasys.aspx
Permit Terms
For any activity that significantly deviates from the approved activity, you shall notify the Division of Habitat and obtain written approval in the form of an individual permit 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 activity. The final determination as to the significance of any deviation and the need for an individual permit 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 activity 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 16.05.841 and AS 16.05.871. 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 from state, federal, or local agencies. 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. 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 this permit decision relating to AS 16.05.871 in accordance with the provisions of AS 44.62.330-630.

Sincerely,
Doug Vincent-Lang
Commissioner

Brian Blossom
By: Brian Blossom
Kenai Peninsula Area Manager
ADF&G, Division of Habitat
Enclosures:
  List of Authorized Streams
  Map of Authorized Streams

Cc:  A. Ott, ADF&G
     B. Blossom, ADF&G
     L. Byker, ADF&G
     L. Smith, ADF&G
     C. Lipka, ADF&G
     DEC Group
     DFG, DSF Permit Coordinator
     H. Chalup, ADNR/MLW
     D. Schade, ADNR/MLW
     K. Geis, ADNR/MLW

     M. Walton, ADNR/MLW
     J. Wynne, ADNR/MLW
     DNR Group
     M. Aldridge, KPB
     M. Johnson, USFS
     D. Ross, AWT
     COE-KFO
# Authorized Stream Locations and Open Time Periods in the Resurrection Creek Drainage

<table>
<thead>
<tr>
<th>Stream Name</th>
<th>Anadromous Catalog Stream No.</th>
<th>Location</th>
<th>Dates</th>
<th>Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abernathy Creek</td>
<td></td>
<td>year round</td>
<td>841</td>
<td></td>
</tr>
<tr>
<td>Afanas Creek</td>
<td></td>
<td>year round</td>
<td>841</td>
<td></td>
</tr>
<tr>
<td>American Creek</td>
<td></td>
<td>year round</td>
<td>841</td>
<td></td>
</tr>
<tr>
<td>Bedrock Creek</td>
<td></td>
<td>year round</td>
<td>841</td>
<td></td>
</tr>
<tr>
<td>Bonanza Creek</td>
<td></td>
<td>year round</td>
<td>841</td>
<td></td>
</tr>
<tr>
<td>Cannonball Creek</td>
<td></td>
<td>year round</td>
<td>841</td>
<td></td>
</tr>
<tr>
<td>Caribou Creek</td>
<td>247-60-10150-2051</td>
<td>From river mile 0.5 to outlet</td>
<td>5/15 to 7/15</td>
<td>871</td>
</tr>
<tr>
<td>Cripple Creek</td>
<td>247-60-10150-2008</td>
<td>From river mile 0.5 upstream to end</td>
<td>year round</td>
<td>841</td>
</tr>
<tr>
<td>Cripple Creek</td>
<td>247-60-10150-2028</td>
<td>From river mile 0.5 upstream to end</td>
<td>year round</td>
<td>841</td>
</tr>
<tr>
<td>Coeur d'Alene Creek</td>
<td></td>
<td>year round</td>
<td>841</td>
<td></td>
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<tr>
<td>East Creek</td>
<td></td>
<td>year round</td>
<td>841</td>
<td></td>
</tr>
<tr>
<td>Fox Creek</td>
<td></td>
<td>year round</td>
<td>841</td>
<td></td>
</tr>
<tr>
<td>Gold Gulch</td>
<td>247-60-10150-2028</td>
<td>From river mile 0.5 to outlet</td>
<td>5/15 to 7/15</td>
<td>871</td>
</tr>
<tr>
<td>Highland Creek</td>
<td></td>
<td>From river mile 0.5 upstream to end</td>
<td>year round</td>
<td>841</td>
</tr>
<tr>
<td>Hungry Creek</td>
<td></td>
<td>year round</td>
<td>841</td>
<td></td>
</tr>
<tr>
<td>Island Creek</td>
<td></td>
<td>year round</td>
<td>841</td>
<td></td>
</tr>
<tr>
<td>Moose Creek</td>
<td></td>
<td>year round</td>
<td>841</td>
<td></td>
</tr>
<tr>
<td>Palmer Creek</td>
<td>247-60-10150-2025</td>
<td>From river mile 0.5 to outlet</td>
<td>5/15 to 7/15</td>
<td>871</td>
</tr>
<tr>
<td>Pass Creek</td>
<td></td>
<td>From river mile 0.5 upstream to end</td>
<td>year round</td>
<td>841</td>
</tr>
<tr>
<td>Resurrection Creek</td>
<td>247-60-10150</td>
<td>entire creek</td>
<td>5/15 to 7/15</td>
<td>871</td>
</tr>
<tr>
<td>Rimrock Creek</td>
<td></td>
<td>year round</td>
<td>841</td>
<td></td>
</tr>
<tr>
<td>White Creek</td>
<td></td>
<td>year round</td>
<td>841</td>
<td></td>
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<tr>
<td>Wildhorse Creek</td>
<td></td>
<td>year round</td>
<td>841</td>
<td></td>
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<tr>
<td>Willow Creek</td>
<td></td>
<td>year round</td>
<td>841</td>
<td></td>
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<tr>
<td>Wolf Creek</td>
<td></td>
<td>year round</td>
<td>841</td>
<td></td>
</tr>
<tr>
<td>All other unnamed tributaries to Resurrection Creek drainage</td>
<td>various</td>
<td>year round</td>
<td>841</td>
<td></td>
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</tbody>
</table>
This permit does not authorize you to trespass on mineral claims or private property. It is your responsibility to obtain lawful permission from the landowner or land management agency prior to conducting activities authorized by this permit.