



FISH HABITAT PERMIT FH 13-II-GP55

ISSUED: November 15, 2013
EXPIRES: May 15, 2015

General Public:

Re: Vehicle Crossing – Lowe River
Stream No. 221-60-11370
Sections 23, 26, and 27, T. 9 S., R. 5 W., C.R.M.

Pursuant to AS 16.05.871(b), the Alaska Department of Fish and Game, Division of Habitat, has determined that the public interest would be served through the issuance of a General Permit for a vehicle crossing of the Lowe River near milepost 7.5 of the Richardson Highway.

Project Description

This general permit authorizes the movement of wheeled or tracked vehicles weighing less than 10,000 lbs. dry weight on the bed and banks of the Lowe River at the above referenced location. The authorized crossing site is identified on the attached map. This General Permit authorizes river crossings during low flow periods or when the river is frozen to access and harvest timber for personal use.

Anadromous Fish Act

The Lowe River has been specified as being important for the spawning, rearing, or migration of anadromous fishes pursuant to AS 16.05.871(a). The Lowe River is known to support Chinook, sockeye, pink, chum, and coho salmon, and Dolly Varden.

In accordance with AS 16.05.871(d), authorization is hereby given for the general public to cross the Lowe River at the identified crossing subject to the following stipulations:

1. Crossing the Lowe River at the identified crossing site (see attached map) is authorized between October 15 and April 30. Crossings outside of this time period will require an individual permit.
2. Crossings by wheeled or tracked vehicles equipped with buckets or blades are prohibited.
3. River crossings shall be made in a direction substantially perpendicular to the water flow and vehicles shall not be driven upstream or downstream.
4. To minimize streambed disturbance, all open water crossings shall be conducted at the same location.
5. Streambanks and streambeds shall not be altered or disturbed in any way to facilitate crossings.

6. Vehicles shall not be parked in open water. Parking below ordinary high water is authorized only on frozen surfaces or exposed gravel bars.
7. Vehicles shall not be refueled or serviced below ordinary high water. Vehicles leaking oil or other hazardous substances are prohibited from crossing the river.

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 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.

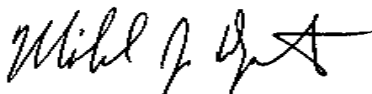
You shall indemnify, save harmless, and defend the department, its agents, and its employees from any and all claims, actions, or liabilities for injuries or damages sustained by any person or property arising directly or indirectly from permitted activities or your performance under this permit. However, 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 Megan Marie at 267-2446 or emailed to megan.marie@alaska.gov.

Sincerely,

Cora Campbell, Commissioner



By: Michael J. Daigneault
Regional Supervisor

Central Region Office

Enc: Lowe River Crossing Map

Ecc: AWT, Valdez
A. Ott, ADF&G
D. Bosch, ADF&G
J. Botz, ADF&G
G. Mullens, ADNR/DOF
L. Robertson, City of Valdez

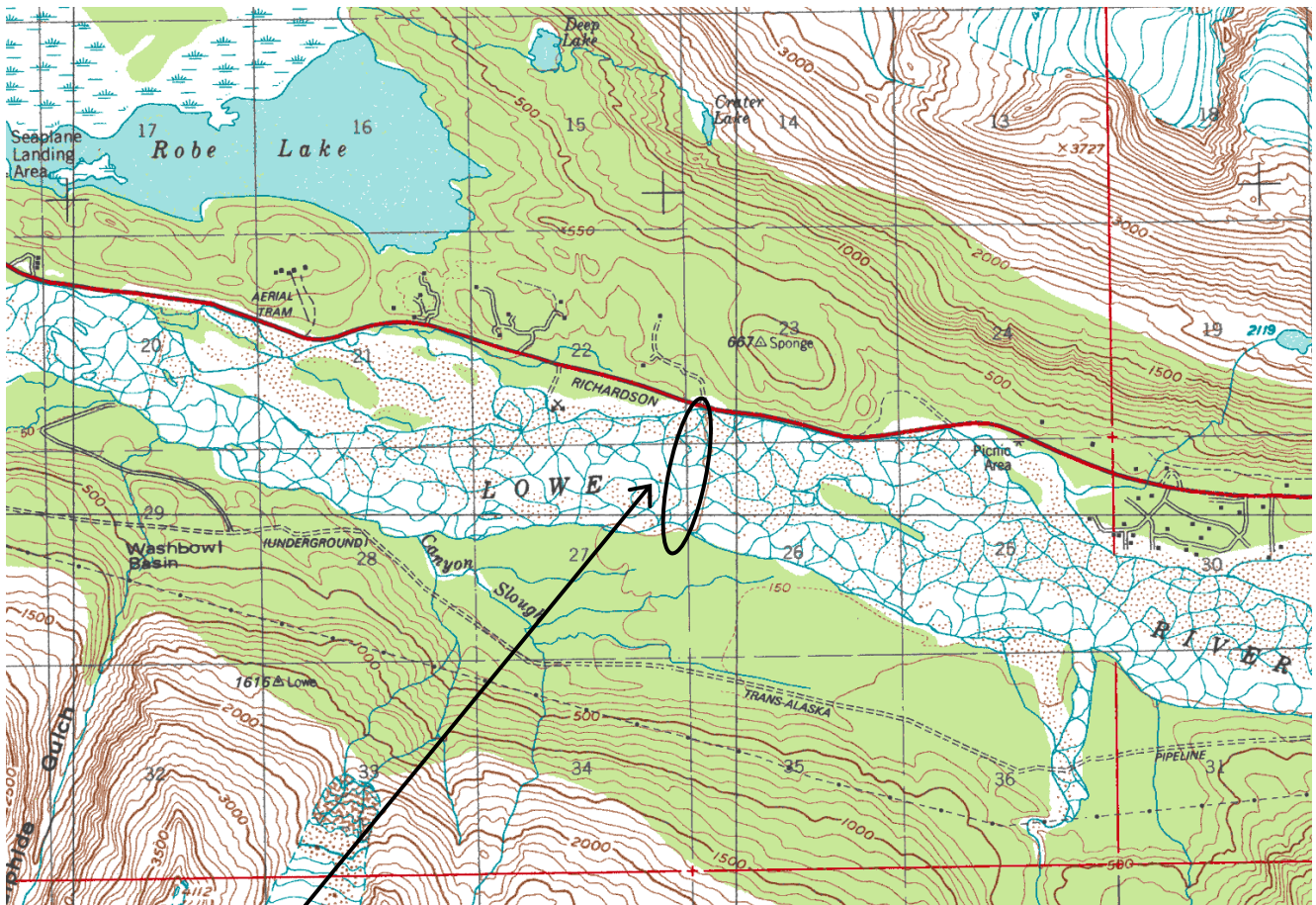
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APPROVED CROSSING – MAP

Lowe River – Stream No. 221-60-11370

Sections 23, 26, and 27, T. 9 S., R. 5 W., C.R.M.

Map Notes: The approved crossing of the Lowe River is noted by the legal description above and the circled area depicted below. The crossing is located near milepost 7.5 of the Richardson Highway, directly across from Deep Lake Drive in Valdez, AK. Vehicle crossings at other locations are not authorized by this General Permit and will require an individual permit. Please contact Megan Marie at 267-2446 or megan.marie@alaska.gov with any questions or to request an individual permit application.



Approved Crossing Location