



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Fish and Game

DIVISION OF HABITAT
Southeast Region Office

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GENERAL FISH HABITAT PERMIT FH17-I-0003-GP AMENDMENT A

ISSUED: February 6, 2017
AMENDMENT A: July 18, 2018
EXPIRES: December 31, 2022

General Public:

RE: Tsirku River Vehicle and Equipment Crossing
Tsirku River (Stream No. 115-32-10250-2067)
Section 1, 12, 13, 24, T 29S, R 55E, CRM and Sec 6, T. 29 S., R. 56 E., CRM
Location: 59.3806 N, 136.0599 W (Skagway B-3)

Alaska Statute 16.05.871 requires that prior to crossing a specified waterbody with a wheeled or tracked vehicle an individual obtain a permit from the Alaska Department of Fish and Game. The department has determined that both the public interest and the proper protection of fish and game are served through the issuance of a General Permit authorizing public vehicle and equipment crossings of the Tsirku River upstream of Devil's Elbow.

Project Description

A person may take vehicles or equipment across the Tsirku River within the established boundaries in Figure 1.

Anadromous Fish Act

The Tsirku River has been specified as being important for the spawning, rearing, or migration of anadromous fishes pursuant to AS 16.05.871(a). Stream No. 115-32-10250-2067 provides habitat for chum, coho, and sockeye salmon, Dolly Varden char, cutthroat trout, Pacific lamprey, and whitefish. Fish have not been observed spawning in the Tsirku River above Devil's Elbow.

In accordance with AS 16.05.871(d), approval is given subject to the activity description above and the terms of this permit. This permit amendment extends vehicle and equipment crossings approximately one mile upstream to the upper extent of anadromy according to the 2018 Anadromous Waters Catalog.

Permit Terms

This letter constitutes a permit issued under the authority of AS 16.05.871. Please be advised that this determination applies only to activities regulated by the Division of Habitat. 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.

Any member of the general public operating under this General Permit 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 about this permit may be directed to Habitat Biologist Nicole Legere at (907) 465-6979 or emailed to nicole.legere@alaska.gov.

Sincerely,
Sam Cotten
Commissioner

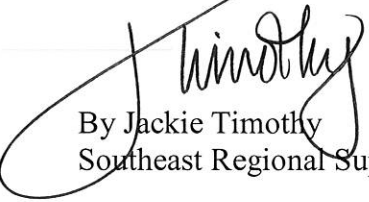

By Jackie Timothy
Southeast Regional Supervisor



Figure 1.—Tsirku River crossings approved between yellow lines.

Email cc:

Al Ott, ADF&G Habitat, Fairbanks
ADF&G Habitat Staff, Juneau
Rich Chapell, ADF&G/SF, Haines
Wyatt Rhea-Fournier, ADF&G/CF, Haines
Carl Koch, ADF&G/WC, Juneau
Trent Chwialkowski, AWT, Haines
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Cindy Hartmann Moore, NMFS, Juneau