



FISH HABITAT PERMIT FH 17-II-GP56

ISSUED: December 1, 2017
EXPIRES: May 31, 2021

General Public:

Re: Vehicle Movement on Frozen Water Surfaces within the ADF&G, Division of Habitat Region II Permitting Boundaries

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 the proper protection of fish and game would be served through the issuance of a general permit (GP) authorizing the use of motorized vehicles on frozen rivers, lakes, and streams within the ADF&G, Division of Habitat, Region II permitting boundaries (see attached map). This GP does not apply to motorized vehicle use within state refuges, critical habitat areas, and sanctuaries. Winter motorized vehicle use in Trading Bay State Game Refuge and Redoubt Bay Critical Habitat Area are covered under separate general permits.

Categories of motorized vehicles covered by the GP are limited to wheeled and tracked motorized vehicles less than 1,000 pounds dry vehicle weight, with the exception of vehicles operated on the Yukon and Kuskokwim rivers and their first order tributaries, which are limited to less than 10,000 pounds dry vehicle weight. The dry weight of a vehicle is the weight of the vehicle without passengers and cargo, as specified by the manufacturer. This GP does not authorize cross-country movement of equipment on state lands or other activities not allowed under 11 AAC 96.020 (Generally Allowed Uses on State Lands).

Various rivers, lakes, and streams within the ADF&G, Division of Habitat Region II permitting boundaries have been specified as being important for spawning, rearing, or migration of anadromous fish pursuant to AS 16.05.871(a). These rivers, lakes, and streams may also support a variety of resident fish species.

Pursuant to AS 16.05.871(d), access to, crossings of, or egress from any frozen specified anadromous river, lake, or stream within the ADF&G, Division of Habitat Region II permitting boundaries is authorized subject to the activity description above and the following stipulations:

- 1. This permit must be in your possession while conducting authorized activities.**

2. The ice cover shall be of sufficient thickness to support the weight-bearing load of the authorized vehicle(s).
3. There shall be no vehicles or equipment operated in the open waters of any specified river, lake, or stream.
4. The use of snow or ice bridges, access ramps, or cribbing to cross any specified river, lake, or stream is prohibited unless approved, in writing, by the ADF&G, Division of Habitat.
5. Access to or egress from frozen waters shall occur only at locations with gently or gradually sloping banks. There shall be no access to or egress from frozen waters at locations with sheer or cut banks.
6. The bed or banks of any specified river, lake, or stream shall not be altered or disturbed in any way to facilitate access to, use of, or egress from their frozen surfaces.
7. No fuel shall be stored, nor vehicles fueled or serviced while located on the frozen surface or below the ordinary high water line of any specified river, lake, or stream.

The vehicle owner and the operator, or the legal guardian of minor dependents, are responsible for the actions of contractors, agents, or other persons who participate in the approved activity. For any activity that deviates from this approval, the responsible party shall notify the Division of Habitat and obtain written approval in the form of an individual permit before beginning the activity. Any action taken which increases the scope of the approved activity 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 that the Division of Habitat be consulted immediately when a deviation from the approved activity is being considered.

This letter constitutes a general permit issued under the authority of AS 16.05.871. Please be advised that this authorization applies only to activities regulated by the Division of Habitat; other agencies also may have jurisdiction under their respective authorities. This approval does not relieve you of the responsibility for securing other State, Federal, or local permits. You are required to comply with all other applicable laws.

In addition to the penalties provided by law, this general permit may be terminated or revoked for failure to comply with its provisions or failure to comply with applicable statutes and regulations. The Division of Habitat reserves the right to require mitigation measures to correct disruptions to fish and game created by the project that were a direct result of the failure to comply with this general permit or any applicable law.

Persons using this permit shall indemnify, save harmless, and defend the Division of Habitat, 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 the permittee's performance under this permit. However, this provision has no effect if, and only if, the sole proximate cause of the injury is the Division of Habitat's negligence.

This permit decision may be appealed in accordance with the provisions of AS 44.62.330--44.62.630.

Any questions or concerns about this permit may be directed to Habitat Biologist Jacob Cunha at 267-2342 or emailed to jacob.cunha@alaska.gov.

Sincerely,

Sam Cotten, Commissioner



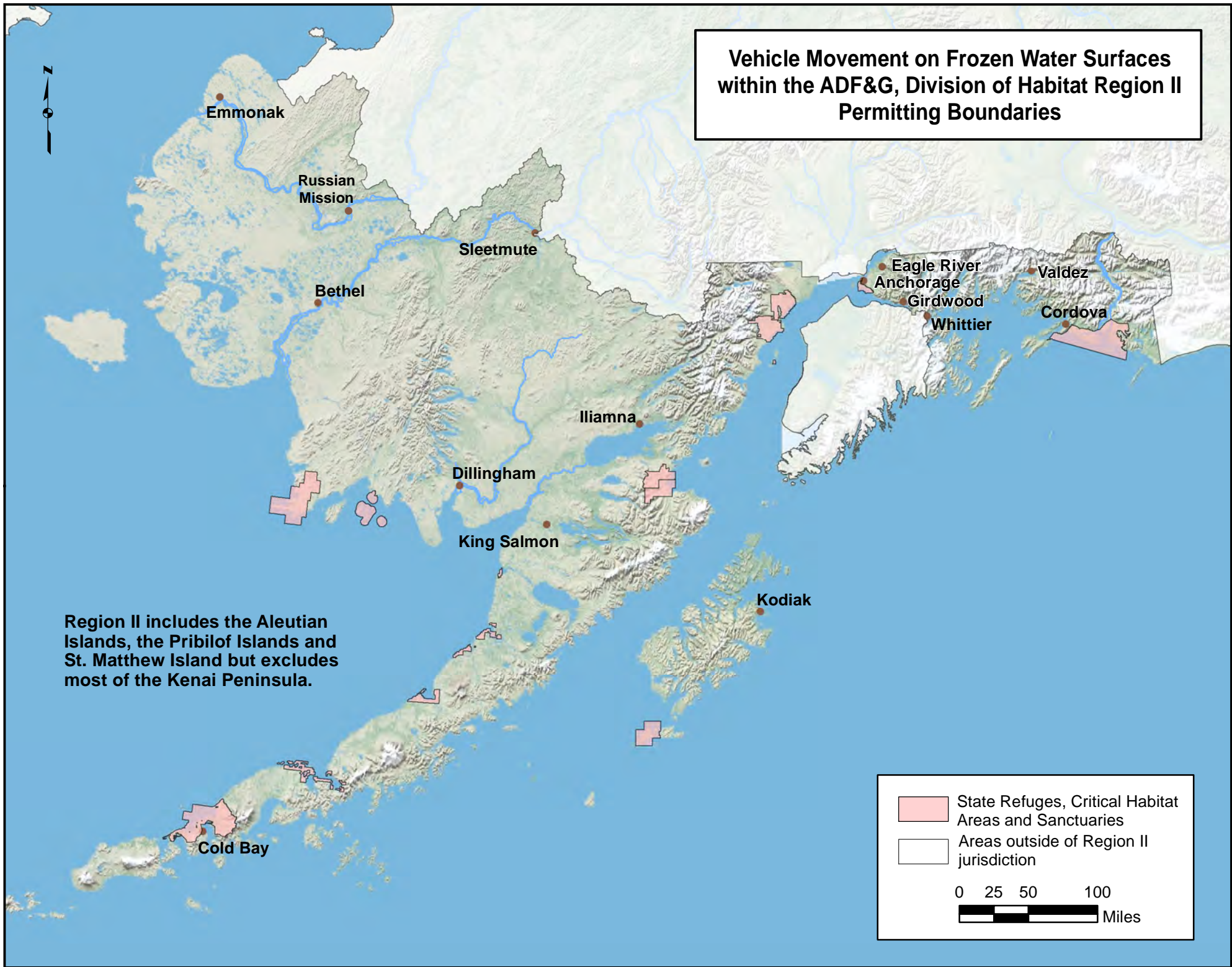
By: Ron Benkert
Regional Supervisor
Central Region Office

Enc: Map

cc: AWT, Cold Bay

ecc:	A. Ott, ADF&G	D. Crowley, ADF&G	AWT, Valdez
	J. Baumer, ADF&G	A. Tiernan, ADF&G	AWT, Bethel
	D. Wilburn, ADF&G	D. Battle, ADF&G	AWT, Girdwood
	J. Chythlook, ADF&G	P. Perry, ADF&G	AWT, Kodiak
	J. Dye, ADF&G	C. Kerkvliet, ADF&G	AWT, Soldotna
	B. Marston, ADF&G	T. Polum, ADF&G	AWT, Cordova
	J. Botz, ADF&G	C. Russell, ADF&G	AWT, Dutch Harbor
	E. Fox, ADF&G	J. Rypkema, ADEC	AWT, Dillingham
	T. Elison, ADF&G	G. Williams, KPB	AWT, King Salmon
	J. Estensen, ADF&G	J. Collier, City of Whittier	
	R. Murphy, ADF&G	A. Lain, City of Valdez	
	T. Sands, ADF&G	S. Greenwood, City of Cordova	
	P. Salomone, ADF&G	T. Tobish, MOA	
	J. Jackson, ADF&G	P. Williams, City of Bethel	
	B. Fuerst, ADF&G	E. Weiss, AEB	
	S. Schrof, ADF&G	N. Peterson, City of Unalaska	
	S. Ivey, ADF&G	J. Fulton, Bristol Bay Borough	
	P. Shields, ADF&G	P. Swetzof, City of St. Paul	
	D. Hill, ADF&G	M. Powers, Kodiak Island Borough	
	E. Weiss, ADF&G	N. Hill, Lake and Peninsula Borough	
	J. Meehan, ADF&G	L. Lockett, City of Adak	
	G. Hollowell, ADF&G	AWT, Anchorage	

**Vehicle Movement on Frozen Water Surfaces
within the ADF&G, Division of Habitat Region II
Permitting Boundaries**



Region II includes the Aleutian Islands, the Pribilof Islands and St. Matthew Island but excludes most of the Kenai Peninsula.

State Refuges, Critical Habitat Areas and Sanctuaries

Areas outside of Region II jurisdiction

0 25 50 100 Miles