



SPECIAL AREA PERMIT FH22-IV-GP10-SA (Amendment #1)

ISSUED: January 1, 2024
EXPIRES: March 31, 2027

General Public:

RE: *Off-Road Vehicle Use and Aircraft Landings*
Susitna Flats State Game Refuge

Project Description

In response to public need for access to the Susitna Flats State Game Refuge (SFSGR), the Alaska Department of Fish and Game, 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. This general permit, issued pursuant to 5 AAC 95, authorizes certain types of off-road motorized vehicle (ORV) use and the landing of aircraft within the SFSGR.

Legislatively Designated Special Area

The SFSGR was established in 1976 pursuant to AS 16.20.036 to protect and preserve:

1. Fish and wildlife habitat and populations, particularly waterfowl nesting, feeding, and migration areas; moose calving areas; spring and fall bear feeding areas; salmon spawning and rearing habitats; and
2. Public uses of fish and wildlife and their habitat, particularly waterfowl, moose, and bear hunting; viewing; photography; and general recreation in a high quality environment.

Alaska State statutes and the SFSGR Management Plan authorize multiple land use activities on the refuge if the activity provides proper protection of fish and game. The operation of off-road vehicles and aircraft is not expected to adversely impact important habitat values, fish and wildlife populations, or public recreation provided all activities are conducted in strict accordance with the conditions and stipulations contained herein.

In accordance with 5 AAC 95, your project is approved subject to the project description, the following stipulations, and the permit terms:

This permit must be in your possession during off-road vehicle use and aircraft landings.

Off-Road Vehicles

Less than 1,000 lb GVW

The off-road use of any wheeled, tracked, or other ground effect motorized vehicle less than one thousand pounds (1,000 lb) gross vehicle weight (inclusive of operator and gear) is authorized from November 9 through March 31 in the following areas provided the following conditions exist:

- On all refuge lands, provided there is at least twelve inches (12”) of snow cover and sufficient ground frost to prevent the penetration of or disturbance to the soil surface or plant roots.

- On the Enstar Gas Pipeline right-of-way (ROW) and marked trails to Figure Eight Lake and Flat Horn Lake (see attached map) provided there is sufficient ground frost to prevent the penetration of or disturbance to the soil surface or plant roots.

Less than 10,000 lb GVW

The off-road use of any wheeled, tracked, or other ground effect motorized vehicle less than ten thousand pounds (10,000 lb) gross vehicle weight (inclusive of operator and gear) is authorized from November 9 through March 31 in the following area provided the following conditions exist:

- On the Enstar Gas Pipeline right-of-way (ROW), and on the frozen surface and floodplain of the Susitna River to access Flat Horn Lake and Alexander Creek north of where the Enstar Gas Pipeline crosses the Susitna River (see attached map), provided there is sufficient ground frost to prevent the penetration of or disturbance to the soil surface or plant roots.

Aircraft

The landing of fixed-wing aircraft is authorized year-round within the SFSGR except within the High Density Spring Waterfowl Staging Area (see attached map) which is closed to aircraft landings from April 1 through May 15 to avoid disturbance of waterfowl populations during spring staging (5 AAC 95.515(3)). The landing of rotary aircraft within the SFSGR requires an individual Special Area Permit from the Habitat Section.

Pursuant to 5 AAC 95, the operation of vehicles and aircraft within the SFSGR as described above is authorized provided all activities are performed in strict accordance with the stipulations below:

1. The operation of vehicles within open waters on the SFSGR except for aircraft and watercraft is prohibited. In addition, ice cover on wetlands and other water bodies must be of sufficient strength to support the laden weight of the off- road vehicle.
2. Harassment of wildlife is prohibited.
3. Vehicles or equipment shall not be left unattended within the SFSGR. The use of vehicles and aircraft within the refuge shall not restrict or interfere with public access to or across state land, or to fish and wildlife resources.
4. No material of any kind, including waste products, debris, supplies, or equipment shall be stored or disposed of within the SFSGR.
5. No vehicles leaking fuels, oils, hydraulic or cooling fluids shall be operated within the Susitna Flats State Game Refuge.

Ground-effect vehicle and aircraft operations other than specifically described herein requires an individual Special Area Permit from the Habitat Section.

Permit Terms

This letter constitutes a permit issued under the authority of AS 16.20.060 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.

Sincerely,

Doug Vincent-Lang
Commissioner

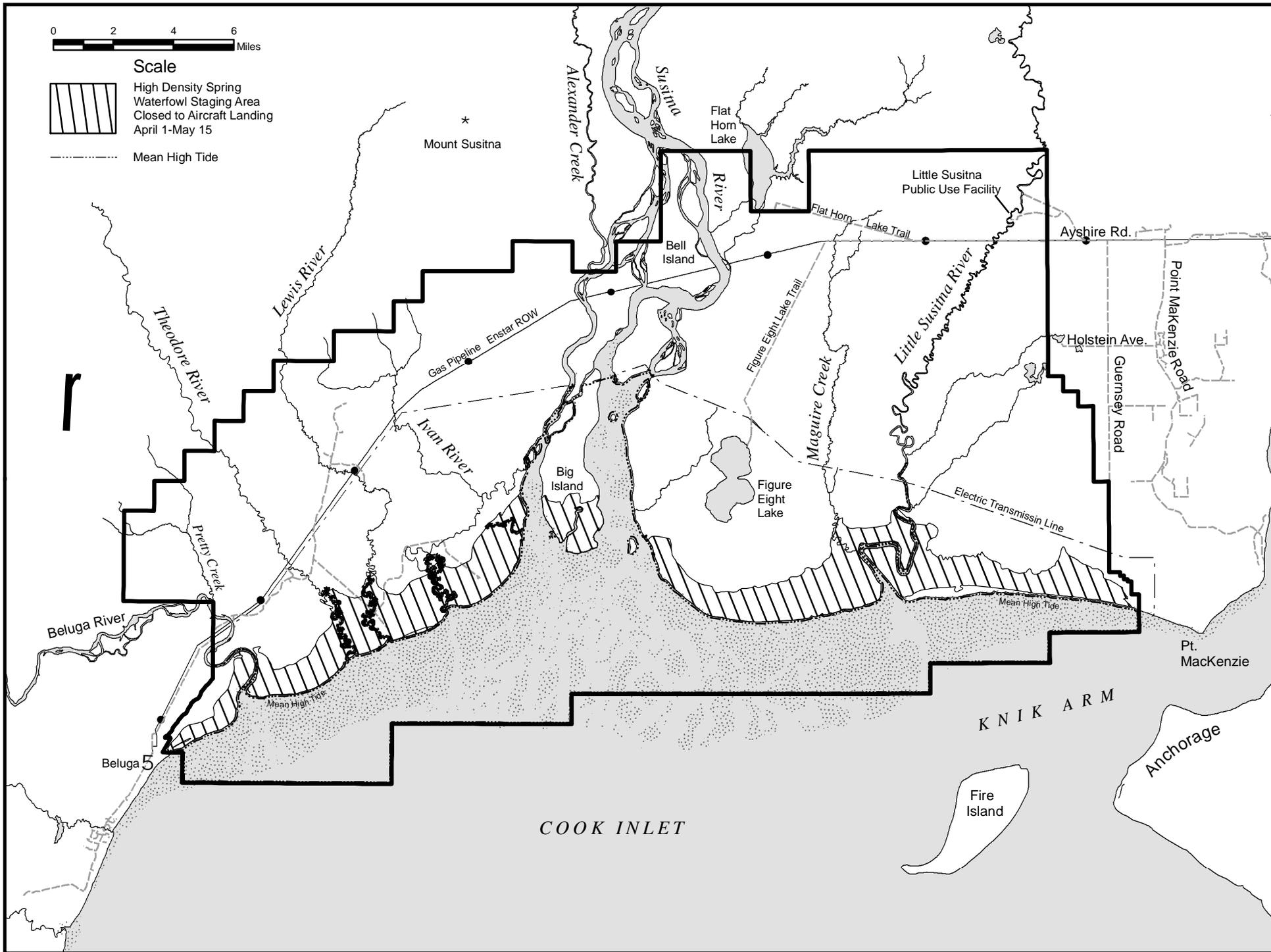


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Enclosures: Susitna Flats State Game Refuge Area Map

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