



**SPECIAL AREA PERMIT FH18-IV-GP23-SA (Amendment #1)**

**ISSUED:** January 1, 2019

**EXPIRES:** December 31, 2022

General Public:

***Re: Palmer Hay Flats State Game Refuge - Blind and Tree Stand Installation***

The Alaska Department of Fish and Game, Division of Habitat has determined that both the public interest and the proper protection of fish and wildlife and their habitat would be served by the authorization of a blind and tree stand installation General Permit (GP) within the Palmer Hay Flats State Game Refuge (PHFSGR). Pursuant to 5 AAC 95.770, the Division of Habitat hereby authorizes the installation of portable blinds and tree stands on state lands in the PHFSGR for a period of up to 14 consecutive days as established herein.

The PHFSGR was established in 1975 pursuant to AS 16.20.032 to protect and preserve the area's natural habitat and game populations. Alaska State statutes and the PHFSGR Management Plan authorize multiple land use activities on the refuge if the activity provides proper protection of fish and game. The installation of temporary, portable blinds and tree stands 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, the Division of Habitat hereby approves the installation of portable blinds and tree stands within the PHFSGR subject to the following stipulations:

1. **This permit must be in your possession during use of the blind and tree stand.**
2. Prior to the end of the 14th day after set-up, blinds, tree stands, and all associated materials and personal property shall be removed from the refuge for at least three days (72 hours), or the blind or tree stand and all associated materials must be moved a minimum of two (2) miles from the previous site.
3. Blinds, tree stands, and access ladders must be portable and shall not be affixed to trees using nails, spikes, screws, bolts, or otherwise attached in such a way as to cause damage to trees. Tree spikes shall not be used for access to tree stands.
4. Blinds and/or tree stands left unattended must be clearly labeled with the owner's hunting license number and date of installation. If the blind or tree stand is for non-hunting purposes, it should be clearly labeled with the owners name, phone number, and date of installation.
5. There shall be no cutting of any standing woody vegetation to facilitate installation or to improve the view from the tree stand or blind.
6. Styrofoam shall not be used in blind or tree stand construction.
7. There shall be no interference with public use of state lands and waters in the PHFSGR.

**Advisory:** Temporary natural blinds made from onsite materials such as logs, branches, and grass do not require a permit provided no commercially produced construction materials (e.g., lumber, plywood, fencing, nails, screws, or netting) are used. Temporary natural blinds must be dismantled by the end of hunting season annually and are open to public use. No live or standing woody vegetation may be cut to facilitate the construction of temporary natural blinds. Blind and tree stand installation other than specifically described herein requires an individual Special Area Permit from the Division of Habitat.

Be reminded that, pursuant to 5 AAC 95.420, any activity within the PHFSGR that is likely to have a significant effect on vegetation, drainage, water quality, soil stability, fish, wildlife, or their habitats, including the construction of structures or the clearing of vegetation, is specifically not allowed without individual authorization from the Division of Habitat.

The permittee, 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 significantly deviates from the approved activity, the permittee shall notify the Division of Habitat at the above letterhead address and obtain written approval in the form of an individual Special Area Permit before beginning the activity. Any action taken by the permittee or an agent of the permittee that increases the overall scope of the permitted activity or that negates, alters, or minimizes the intent or effectiveness of any stipulation contained in this General 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 plan is being considered.

This letter constitutes a General Permit issued under the authority of 5 AAC 95. Please be advised that this approval does not relieve the permittee of the responsibility for securing other all other applicable state, federal, or local permits.

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.

The permittee shall mitigate any adverse effect upon fish or wildlife, their habitat, or any restriction or interference with public use, which the commissioner determines may be expected to result from, or which actually results from, the permittee's activity, or which was a direct result of the permittee's failure to: 1) comply with a permit condition or a provision of 5 AAC 95; or 2) correct a condition or change a method foreseeably detrimental to fish and wildlife, or their habitat.

The recipient of this permit (the permittee) 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 General 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.

An interested person may initiate an appeal of a decision made under this chapter in accordance with the provisions of AS 44.62.330 - 44.62.630 by requesting a hearing under AS 44.62.370.

Sincerely,

Doug Vincent-Lang, Acting Commissioner



By: Jonathan Kirsch  
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