

STATE OF ALASKA

FRANK H. MURKOWSKI, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
OFFICE OF HABITAT MANAGEMENT AND PERMITTING

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FISH HABITAT PERMIT **FG93-III-0152, AMENDMENT #2**

ISSUED: August 19, 2004
EXPIRES: December 31, 2009

General Public:

RE: Public Boat Launch Site; Southwest Corner of Section 15, T3N, R1W, FM; Chatanika River at Elliot Highway Bridge; Chatanika River (Stream No. 334-40-11000-2490-3151-4020)

Pursuant to AS 41.14.870(b), the Alaska Department of Natural Resources, Office of Habitat Management and Permitting (OHMP) is issuing a general permit for the use of the streambed of the Chatanika River at the referenced location (see enclosed map). Activities covered under the general permit include the launching and landing of boats using vehicles with a gross weight up to 10,000 pounds.

The Chatanika River has been specified as being important for the migration, spawning, or rearing of anadromous fishes in accordance with AS 41.14.870(a). Chinook, chum, and coho salmon use the Chatanika River for spawning, rearing, and migration.

In accordance with AS 41.14.870(d), project approval is hereby given subject to the following stipulation:

- (1) Permitted activities do not include gravel removal, streambank alteration, water use, and/or the operation of heavy equipment. Use of the Chatanika River is limited to those activities associated with normal launching and landing of boats.

NOTE: If other uses of the launch area are deemed to be necessary, the individual is responsible for the submission of plans and specifications to the OHMP for review and approval prior to beginning the activity.

This letter constitutes a permit issued under the authority of AS 41.14.870. Please be advised that this approval does not relieve you of the responsibility of securing other permits, state, federal or local.

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

“Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans.”

OHMP reserves the right to require mitigation measures to correct disruption to fish and game created by the project and which were a direct result of the failure to comply with this permit or any applicable law.

The recipient of this permit (the permittee) shall indemnify, save harmless, and defend the OHMP, 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 OHMP's negligence.

Please be advised that this determination applies only to activities regulated by OHMP; other divisions with ADNR also may have jurisdiction under their respective authorities. This determination does not relieve you of the responsibility for securing other permits, state, federal, or local. You are still required to comply with all other applicable laws.

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

Sincerely,

Dick LeFebvre, Deputy Commissioner

A handwritten signature in black ink, appearing to read "Robert F. McLean". The signature is written in a cursive, flowing style.

BY: Robert F. McLean, Area Manager
Office of Habitat Management and Permitting
Alaska Department of Natural Resources

Enclosure: Map, Chatanika River, Elliott Highway

ecc: Charlies Swanton, ADF&G, Fairbanks
David James, ADF&G, Fairbanks
Fred Bue, ADF&G, Fairbanks

RFM/llj