



**FISH HABITAT PERMIT FH22-I-0007-GP**

**ISSUED:** February 14, 2022  
**EXPIRES:** December 31, 2026

General Public:

**RE: Eagle Creek OHV Crossing**  
Stream Number 113-62-10050  
Section 26, T 53S, R 61E, CRM (Sitka A-6)  
Location: 57.2489 N, 135.6772 W

The United States Forest Service (USFS) maintains the Eagle Creek road system (Forest Road 7595) from Sukoi Inlet to Sukoi Lake near Sitka for public use with off-highway vehicles (OHV). A person driving vehicles or equipment across Eagle Creek must be authorized pursuant to the Anadromous Fish Act at AS 16.05.871. The Alaska Department of Fish and Game (ADF&G) Habitat Section determined the public interest is served and fish and game are properly protected through issuance of a General Permit authorizing stream crossings with OHVs between the hardened approaches of the Eagle Creek, as shown on the enclosed map.

**Anadromous Fish Act**

Stream Number 113-62-10050 has been specified as being important for the spawning, rearing, or migration of anadromous fishes pursuant to AS 16.05.871(a). The water body provides habitat for chum, coho, and pink salmon and steelhead.

In accordance with AS 16.05.871(d), public use of the existing hardened ford is approved subject to the project description and permit terms, and the following stipulations:

1. OHV operations shall be limited to that necessary to safely cross the water body in the most direct manner;
2. OHVs may not be refueled, serviced, or parked below the ordinary high water mark of the stream;
3. Equipment leaking fuel, hydraulic fluid, or other pollutants shall not be operated below the ordinary high water mark of the stream; and
4. The streambed, streambanks, and the existing constructed ford shall not be altered or disturbed to facilitate stream crossings.

**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 Habitat Section regulated activities; other agencies also may have jurisdiction under their respective authorities. This determination does not relieve you of your responsibility to secure other state, federal, or local permits. You are still required to comply with all other applicable laws.

The vehicle owner and operator (permittee), or the legal guardian of minor dependents, is responsible for the actions of contractors, agents, or other persons who participate in the approved activity. Prior to engaging in any activity that significantly deviates from this approval, the responsible party shall notify the Habitat Section and obtain written approval in the form of an individual permit. Any action taken by the permittee or agent of the permittee that increases the activity's overall scope 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 a Habitat Section responsibility. Therefore, it is recommended that the Habitat Section be consulted immediately when a deviation from the approved activity is being considered.

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.

You may appeal the permit decision relating to AS 16.05.871 in accordance with the provisions of AS 44.62.330–630 by requesting a hearing under AS 44.62.370.

Please direct questions about this permit to Habitat Biologist Greg Albrecht at (907) 465-6384 or [greg.albrecht@alaska.gov](mailto:greg.albrecht@alaska.gov).

Sincerely,  
Doug Vincent-Lang  
Commissioner



By: Kate Kanouse  
Regional Supervisor

Enclosure: Eagle Creek OHV Crossing map

Email cc:

Al Ott, ADF&G Habitat, Fairbanks  
ADF&G Habitat Staff, Douglas  
Troy Tydingco, ADF&G SF, Sitka  
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