



**FISH HABITAT PERMIT FH17-I-0101-GP
GENERAL PERMIT**

ISSUED: June 26, 2017

General Public:

RE: Old Situk River ATV Crossing
Old Situk (Stream No. 182-70-10100-2020)
Section 16, T 27S, R 35E, CRM (Yak C-4)

Alaska Statute 16.05.871 requires that prior to crossing a specified waterbody with a wheeled or tracked vehicle an individual obtain a permit from the Alaska Department of Fish and Game. The Department has determined that both public interest and the proper protection of fish and game are served through the issuance of a general permit authorizing ATV crossings at the hardened ford on the Old Situk River.

Activity Description

Year round ATV crossings of the Old Situk River Ford at 59.5707 N, 139.4894 W (Figure 1).

Anadromous Fish Act

The Old Situk River has been specified as being important for the spawning, rearing, or migration of anadromous fishes pursuant to AS 16.05.871(a). Stream No. 182-70-10100-2020 provides habitat for coho and sockeye salmon, Dolly Varden char, and Steelhead.

In accordance with AS 16.05.871(d), public ATV crossings of the ford are approved, subject to the activity description above and the terms of this permit.

Permit Terms

For any activity that significantly deviates from the approved activity, you shall notify the Division of Habitat and obtain written approval in the form of an individual permit amendment 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 stipulation contained in this permit will be deemed a significant deviation from the approved actions. 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 you consult the Division of Habitat immediately when a deviation from the approved activity is being considered.

This letter constitutes a permit issued under the authority of AS 16.05.871. Please be advised that this determination applies only to activities regulated by the Division of Habitat; 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.

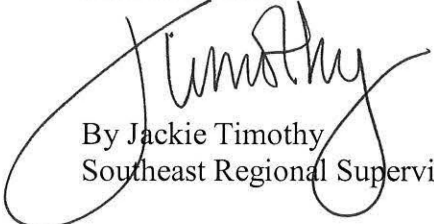
In addition to the penalties provided by law, this permit may be terminated or revoked for failure to comply with its provisions or failure to comply with applicable statutes and regulations. The department reserves the right to require mitigation measures to correct disruption to fish and game created by the activity and which was a direct result of the failure to comply with this permit or any applicable law.

Any member of the general public operating under this General Permit 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.

This permit decision may be appealed in accordance with the provisions of AS 44.62.330-630.

If you have any questions, please call the Juneau Division of Habitat at (907) 465-4105.

Sincerely,
Sam Cotten
Commissioner



By Jackie Timothy
Southeast Regional Supervisor

Email cc:

Al Ott, ADF&G Habitat, Fairbanks
ADF&G Habitat Staff, Juneau
Bob Chadwick, ADF&G/SF, Sitka
Nicole Zeiser, ADF&G/CF, Yakutat
Stephanie Sell, ADF&G/WC, Juneau
Sgt. Matt Dobson, DPS/AWT, Juneau
Steve Brockmann, USFWS, Juneau
Cindy Hartmann Moore, NMFS, Juneau

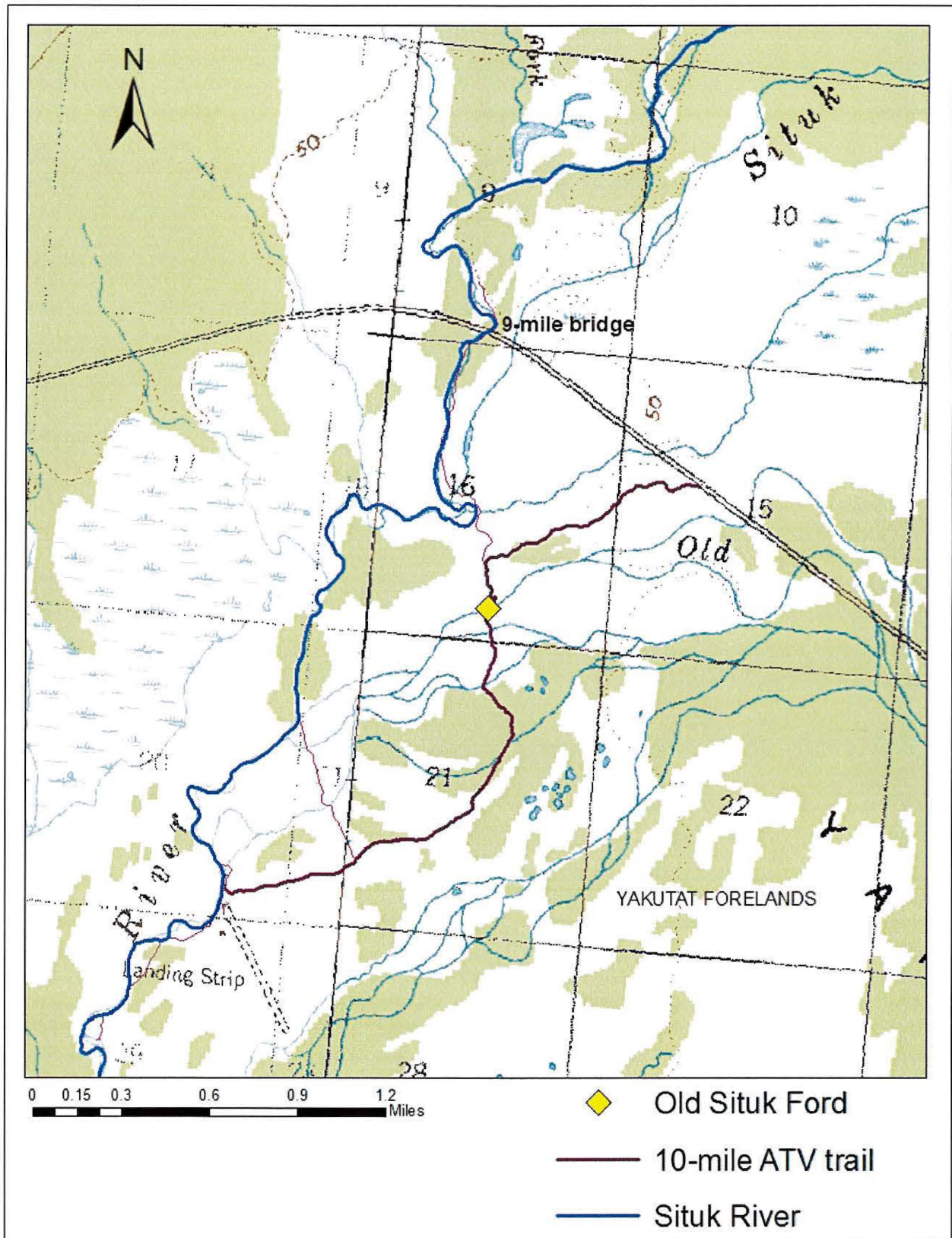


Figure 1.—Old Situk Ford location map.