



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Fish and Game

HABITAT SECTION
Southcentral Regional Office

333 Raspberry Road
Anchorage, Alaska
Main: 907.267.2342
Fax: 907.267.2499

FISH HABITAT PERMIT FH22-II-0078-GP

ISSUED: January 4, 2022
EXPIRES: December 31, 2026

General Public:

Re: **Vehicle Stream Crossings**

Water Body No. 283-34-10430
Section 30, T 56 S, R 87 W, SM
Location: 55.2982 N, 162.6619 W

Water Body No. 283-34-10400
Section 36, T 56 S, R 88 W, SM
Location: 55.2929 N, 162.6715 W

Water Body No. 283-34-10500
Section 29, T 56 S, R 87 W, SM
Location: 55.3009 N, 162.6185 W

Water Body No. 283-34-10530
Section 28, T 56 S, R 87 W, SM
Location: 55.3020 N, 162.6042 W

Water Body No. 283-34-10560
Section 28, T 56 S, R 87 W, SM
Location: 55.3000 N, 162.5939 W

Water Body No. 283-34-10590
Sections 26 and 27, T 56 S, R 87 W, SM
Location: 55.2976 N, 162.5628 W

Water Body No. 283-34-10600
Section 26, T 56 S, R.87 W, SM
Location: 55.2969 N, 162.5625 W

Water Body No. 283-34-10700
Section 35, 56 S, R 87 W, SM
Location: 55.2820 N, 162.5612 W

Pursuant to the Anadromous Fish Act at AS 16.05.871(b), the Alaska Department of Fish and Game, Division of Habitat, has determined that the public interest would be served through the issuance of a General Permit for vehicle stream crossings of the above referenced unnamed streams in the Kinzarof Lagoon watershed at the locations shown on the enclosed map.

Project Description

This General Permit authorizes stream crossings for certain wheeled or tracked vehicles along unvegetated beaches of the unnamed streams at the above referenced locations. This permit is limited to vehicles weighing less than 1,000 lbs dry weight. The dry weight of a vehicle is the weight of the vehicle without passengers and cargo, as specified by the manufacturer. Heavier vehicles are not covered under this General Permit and would require an individual Fish Habitat Permit. The stream crossing sites, identified by the legal description above and shown on the enclosed map, are expected to provide adequate access to the area while minimizing adverse

impacts to fish resources and habitats. This General Permit does not authorize cross-country travel above the mean high water line of Kinzarof Lagoon; however, cross-country travel on unvegetated beaches below the mean high water line in Kinzarof Lagoon on state tidelands does not require additional approval. As an advisory, please note that cross-country travel above the mean high water in this area may require federal approval.

Anadromous Fish Act

The above referenced unnamed streams in the Kinzarof Lagoon watershed have been specified as being important for the spawning, rearing, or migration of anadromous fishes pursuant to AS 16.05.871(a). The unnamed streams are known to support at least one of the following species: sockeye, coho, or chum salmon.

In accordance with AS 16.05.871(d), your project is approved subject to the project description, the following stipulations, and the permit terms.

1. Stream crossings shall not occur if adult salmon or salmon redds are observed at the time of crossing; crossings shall be avoided at high tides from June 1 through September 30.
2. Stream crossings shall be made from bank to bank in a direction substantially perpendicular to the stream flow. Vehicles shall not be driven upstream or downstream below mean high water of the streams.
3. The bed or banks of any specified stream shall not be altered or disturbed in any way to facilitate access to or crossing of the streams.
4. Vehicles shall not be refueled or serviced below mean high water. Vehicles leaking oil or other hazardous substances are prohibited from crossing the streams.

Permit Terms

This letter constitutes a permit issued under the authority of AS 16.05.871 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 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.

You may appeal this permit decision relating to AS 16.05.871 in accordance with the provisions of AS 44.62.330-630.

Please direct questions about this permit to Habitat Biologist Jeanette Alas at 907-267-2805 or jeanette.alas@alaska.gov.

Sincerely,
Doug Vincent-Lang
Commissioner



By Ron Benkert
Southcentral Regional Supervisor

Enclosures: Kinzarof Lagoon Map

Email cc:

A. Ott, ADF&G-HAB
E. Fox, ADF&G-CF
T. Massie, ADF&G-HAB
A. Dubour, ADF&G-WC
S. Goodlick, ADF&G-WC
Administrator, City of Cold Bay
M. Fosado, USFWS

T. Polum, ADF&G-SF
T. Lawson, ADF&G-CF
J. Meehan, ADF&G-WC
D. Crowley, ADF&G-WC
C. Larson, ADNR DMLW
AWT, King Salmon
A. Williams, USFWS

088W

087W

056S

056S

057S




057S

089W

088W

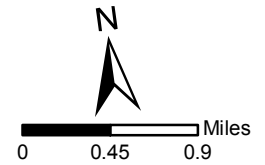
087W

FH22-II-0078-GP Kinzarof Lagoon

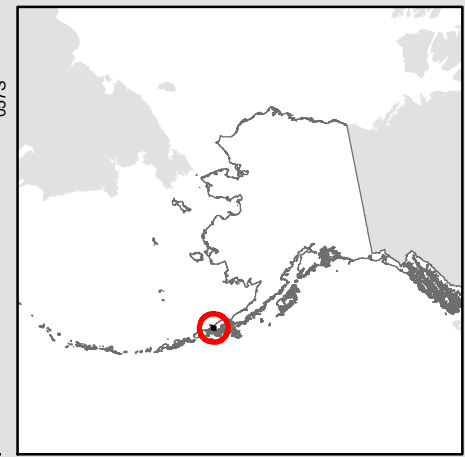
-  Izembek State Game Refuge
-  Anadromous Fish Bearing Waters
-  Approved Stream Crossing Site

Note: Crossing anadromous fish bearing waters except at approved sites and as authorized by the General Permit, requires the prior written approval of the ADF&G.

USGS quad Cold Bay



State of Alaska
Department of Fish & Game
1/3/2022



Kinzarof Lagoon

Cold Bay

283-34-10400

283-34-10430

283-34-10500-2031

283-34-10500

283-34-10530

283-34-10560

283-34-10590

283-34-10600

283-34-10700