



FISH HABITAT PERMIT FH23-IV-0021-GP

ISSUED: January 1, 2023
EXPIRES: December 31, 2027

General Public:

Re: All-terrain Vehicle Stream Crossing

Plumley-Maud Trail

McRoberts Creek (Water Body No. 247-50-10200-2081-3025)

Section 7, T 17 N, R 3 E, SM

Location: 61.5828 N, 148.9875 W

Alaska law (AS 16.05.871) requires that a permit from the Alaska Department of Fish and Game, Habitat Section be obtained prior to operating wheeled or tracked vehicles in or on the bed, bank, or waters of specified anadromous fish-bearing streams and lakes. The Plumley-Maud Trail crosses McRoberts Creek near the end of Maud Road. Pursuant to AS 16.05.871(b), the Habitat Section has determined that both the public interest and the proper protection of fish and game would be served by issuing a general permit (GP) authorizing vehicle stream crossings at the above referenced stream ford location.

This GP authorizes stream crossings at the above location with vehicles having a dry weight of up to 2,000 pounds. For purposes of this permit, the dry weight of a vehicle is the weight of the vehicle without passengers and cargo, as specified by the manufacturer. The off-road use of any vehicle in excess of 2,000 pounds dry weight is not authorized under this General Permit. Ground contact vehicles with a dry weight of more than 2,000 pounds are required to obtain an individual Fish Habitat Permit before crossing any anadromous fish bearing waterway. For additional information regarding regulations governing the cross country movement of equipment or vehicles on state lands, or for information regarding land ownership, please contact the Department of Natural Resources, Public Information Center in Anchorage (907) 269-8400.

This permit does not apply to commercial operators. Commercial operators who need to conduct equipment or vehicle crossings of anadromous streams or need to operate equipment or vehicles below ordinary high water of any salmon bearing stream must obtain an individual Fish Habitat Permit prior to commencement of operations. Please contact the Palmer Habitat Section for permit application materials and/or for additional information (907) 861-3200.

McRoberts Creek (Water Body No. 247-50-10200-2081-3025) has been specified as being important for the spawning, rearing, or migration of anadromous fishes pursuant to AS 16.05.871(a) and provides spawning, rearing and migration habitat for sockeye and coho salmon and a variety of resident fish species.

In accordance with AS 16.05.871(d), the movement of wheeled or tracked vehicles on the bed and banks at the stream ford (listed above) is authorized subject to the following stipulations:

1. **This permit must be in your possession during stream crossings.**
2. **Crossings shall be made at the posted location only.** In the event posted signs have been removed or destroyed, crossings shall be made on established trail at the coordinates listed above.
3. **Stream crossings shall be made as directly as possible.** This is usually perpendicular to the flow of the water. However, the Habitat Section is aware that the safest route across a stream may not be perpendicular to the flow. Because of this, non-perpendicular crossings may be necessary for safety and are allowed when appropriate.
4. **Vehicle operations within streams shall be limited to that necessary to safely cross the water body.** Driving a vehicle up and downstream for any other purpose, including general recreation, is strictly prohibited.
5. **Vehicles may not linger or delay while crossing streams.** Washing mud from vehicles while the vehicle is in the flowing waters of a stream is prohibited. Ground contact vehicles shall not be parked below the ordinary high water line of any anadromous stream.
6. **The bed or banks of this specified water body shall not be altered or disturbed in any way to facilitate stream crossings.** Existing fords shall not be modified, expanded, repaired, or otherwise changed without the prior written approval of the Habitat Section.

Please be reminded that harassing fish while crossing any stream is prohibited by state law (5 AAC 75.060).

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 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 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 a Habitat Section responsibility. Therefore, we recommend you consult the Habitat Section 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.

If you have any questions, please call the Palmer Habitat Section at (907) 861-3200.

Sincerely,

Doug Vincent-Lang, Commissioner



By: Sarah Myers
Matanuska-Susitna Area Manager
Habitat Section
(907) 861-3200





Enclosure: McRoberts Creek Crossing Map

-clm

cc: D. Dahl, AWT	R. Lysdahl, AWT	S. Ivey, SF	A. Ott, Habitat
C. Shook, SF	C. Larson, DNR	Pagemaster, COE	Permits, SF



McRoberts Creek Crossing FH23-IV-0021-GP

-  Authorized Crossing Location
-  Plumley-Maud Trail
-  Roads
-  Anadromous Streams

