



FISH HABITAT PERMIT FH24-V-0002-GP

ISSUED: April 17, 2024
EXPIRES: July 15, 2028

Re: Vehicle Ford

Quartz Creek – Stream No. 244-30-10010-2177
Section 16, T 5N, R 2W, S.M.
Location: 60.5273°N, 149.6431°W

General Public:

Pursuant to the Anadromous Fish Act at AS 16.05.871(b), the Alaska Department of Fish and Game (ADF&G), Habitat Section, has determined that both the public interest and the proper protection of fish and game resources would be served through the issuance of a General Permit (5 AAC 95.770) authorizing stream crossings of Quartz Creek for light vehicles (less than 10,000 pounds dry vehicle weight) between May 15th and July 15th annually. Crossings are authorized at the existing ford located behind the Quartz Creek Power Station and referenced above. For the 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.

Alaska State Statute (AS 16.05.871) requires that a permit from the Habitat Section be obtained prior to operating wheeled or tracked vehicles in or on the bed, bank, or waters of specified anadromous fish bearing waters. The use of any motorized vehicle for stream crossings, other than described in this General Permit, is not allowed except by an individual Fish Habitat Permit. Ground contact vehicles with a dry weight of more than 10,000 pounds are required to obtain an individual Fish Habitat Permit.

Quartz Creek has been specified as being important for the spawning, rearing, and migration of anadromous fish pursuant to AS 16.05.871(a). Near the designated crossing, Quartz Creek provides migration, spawning and rearing habitat for Chinook, sockeye, coho, chum and pink salmon and other species of resident fish.

In accordance with AS 16.05.871(d), the movement of wheeled or tracked vehicles, less than 10,000 pounds dry vehicle weight, on the bed and banks at the referenced stream ford is hereby authorized subject to the description above, the following stipulations, and permit terms:

1. Crossing Quartz Creek at the established ford is limited to May 15th - July 15th. No other crossing locations are authorized under this permit.
2. Stream crossings shall be made directly from bank to bank perpendicular to the stream flow. Crossings are authorized only at the existing ford at the location referenced above and indicated on the attached map.
3. Streambanks, streambeds, or the existing ford shall not be modified, expanded, repaired, or otherwise changed without the prior written approval from ADF&G Habitat Section.
4. No vehicles leaking fuels, oils, hydraulic, or cooling fluids shall be operated below the ordinary high-water line of Quartz Creek.

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 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.

You are responsible for the actions of contractors, agents, or other persons who participate in the approved activity. 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 taken by the permittee or agent of the permittee which 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 plan. The final determination as to the significance of any deviation and the need for a permit amendment is a Habitat Section responsibility. Therefore, it is recommended you consult the Habitat Section immediately when a deviation from the approved plan is being considered.

For inspecting or monitoring compliance with any provision of this permit, you shall give an authorized representative of the state free and unobstructed access, at safe and reasonable times, to the project site. You shall furnish whatever assistance and information as the authorized representative 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 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 Wayne Haimes at (907) 714-2478 or e-mail at wayne.haimes@alaska.gov.

Sincerely,

Doug Vincent-Lang,
Commissioner



By: Kaitlynn Cafferty; Kenai Peninsula Area Manager

ecc:

KRC File
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Permitting, ADNR-SCRO



GPS location of approved crossing: 60.5273°N, 149.6431°W