THE STATE of ALASKA
GOVERNOR BILL WALKER

Department of Fish and Game

DIVISION OF HABITAT
Southeast Region Office

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FISH HABITAT PERMITS

FH15-I-0024, FH15-I-0025, & FH15-I-0026

ISSUED: April 27, 2015

Chris Wallace
Environmental Affairs Manager
Hecla Greens Creek Mining Company
P.O. Box 32199
Juneau, AK 99803-2199

RE: Water withdrawal point 1 (FH15-I-0024)
Zinc Creek
Sec 35 T 43 S R 65 E, CRM (Juneau A3 Quad)
Location: 58.0909 N, 134.7360 W (WGS 84)

Water withdrawal point 2 (FH15-I-0025)
Little Sore Creek
Sec 18, T 43 S, R 66 E, CRM (A3 Quad)
Location: 58.1456 N, 134.6952 (WGS 84)

Water withdrawal point 3 (FH15-I-0026)
Unnamed Creek
Sec 11, T 43 S, R 65 E, CRM (A3 Quad)
Location: 58.1559 N, 134.744 W (WGS 84)

Dear Mr. Wallace:

Pursuant to AS 16.05.841 (Fishway Act), the Alaska Department of Fish and Game (ADF&G), Division of Habitat has reviewed your proposal to withdraw water from three streams on Admiralty Island for construction, exploration, and dust control. These permits replace FH05-III-0072B.

Project Description

You will withdraw water using 2 inch gravity fed intakes screened with 1/8 inch mesh, or 2 inch pump intakes placed in a bucket with 1/4 inch holes, at a combined rate of 25-30 gpm in Zinc Creek, Little Sore Creek, and Unnamed Creek.

Fishway Act

Zinc Creek and Little Sore Creek support Dolly Varden char, and Unnamed Creek supports Dolly Varden char and cutthroat trout.

In accordance with AS 16.05.841, project approval is hereby given subject to the project description above and the terms of this permit.

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 Division of Habitat 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 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 the responsibility of the Division of Habitat. Therefore, it is recommended you consult the Division of Habitat immediately when any deviation from the approved plan is being considered.

For the purpose of inspecting or monitoring compliance with any condition of this permit, you shall give an authorized representative of the state free and unobstructed access, at safe and reasonable times, to the permit site. You shall furnish whatever assistance and information as the authorized representative reasonably requires for monitoring and inspection purposes.

This letter constitutes a permit issued under the authority of AS 16.05.841 and must be retained on site during project activities. 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 Division of Habitat reserves the right to require mitigation measures to correct disruption to fish and game created by the project and which was a direct result of the 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.

Any questions or concerns about this permit may be directed to Habitat Biologist Benjamin Brewster at (907) 465-6160 or emailed to ben.brewster@alaska.gov.

Sincerely,
Sam Cotten
Commissioner

By Jackie Timothy
Southeast Regional Supervisor

Email cc:

Al Ott, ADF&G Habitat, Fairbanks
ADF&G Habitat Staff, Juneau
Dan Teske, ADF&G/SF, Juneau
Dave Harris, ADF&G/CF, Juneau
Phil Mooney, ADF&G/WC, Sitka
Drew Harrington, ADNR/DMLW, Juneau
Steve Brockmann, USFWS, Juneau
Linda Speerstra, USACE, Sitka
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