



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Fish and Game

HABITAT SECTION
Fairbanks Regional Office

1300 College Road
Fairbanks, AK 99701-1551
Main: 907.459.7289
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FISH HABITAT PERMIT FH21-III-0146

ISSUED: June 16, 2021
EXPIRES: December 31, 2025

Ambler Metals LLC
Attn: Cal Craig
3700 Centerpoint Drive Suite 100
Anchorage, AK 99503

RE: Beaver Dam Removal
Ruby Creek
Section 5, T019N, R009E, KRM; Ambler River A-2 Quad
Location: 67.0684 N, 156.9454 W

Dear Mr. Craig:

Pursuant to AS 16.05.841 (Fishway Act), the Alaska Department of Fish and Game (ADF&G), Habitat Section, has reviewed your proposal to remove a beaver dam on Ruby Creek.

Project Description

The beaver dam is impounding water on Ruby Creek and may potentially damage the Bornite-Dahl Creek Road. The applicant will remove the dam using an excavator that will operate from the roadbed. This permit authorizes repeated removals of the beaver dam(s) throughout the life of the permit. Ambler Metals will notify ADF&G Habitat by email or phone prior to commencing each removal.

Fishway Act

Ruby Creek supports resident fish species such as Dolly Varden, round whitefish, Alaska blackfish, and slimy sculpin. Your project as proposed is not anticipated to obstruct the free passage of fish.

In accordance with AS 16.05.841, project approval is hereby given subject to the project description above.

Permit Terms

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 Habitat Section of ADF&G; 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 ADF&G 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 ADF&G Habitat Section. Therefore, it is recommended that 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.

Please direct questions about this permit to Habitat Biologist Chelsea Clawson at (907) 459-7287 or chelsea.clawson@alaska.gov.

Sincerely,
Doug Vincent-Lang
Commissioner



By: Audra L. J. Brase
Fairbanks Regional Supervisor

ecc: Kelsey Stockert, Ambler Metals, Fairbanks
Shannon Wasuli, Ambler Metals, Fairbanks
Al Ott, ADF&G HAB, Fairbanks
Brendan Scanlon, ADF&G SF, Fairbanks
Ellen Lyons, ACOE, Fairbanks
Permit Coordinator, ADF&G SF
Bob Henszey, USFWS, Fairbanks
AWT Northern Detachment

cmc/AB