



FISH HABITAT PERMIT

FH22-III-0053

ISSUED: February 17, 2022
EXPIRES: December 31, 2022

Chris Eckert
Donlin Gold
4720 Business Park Blvd.
Suite G-25
Anchorage, AK 99503

RE: Winter Equipment Crossings and Water Withdrawal
Anaconda Creek (Stream No. 335-20-16600-2671-3032)
Section 16, T22N, R49W, SM (Iditarod A-5)
Crooked Creek (Stream No. 335-20-16600-2671)
Sections 16 and 22, T22N, R49W, SM, (Iditarod A-5)
Sections 2 and 12, T21N, R49W, and Section 30, T21N, R48W, SM (Sleetmute D-6)
Bell Creek (Stream No. 335-20-16600-2671-3020)
Section 33, T21N, R49W, FM (Sleetmute D-6)
Southernmost Crossing: 61.8858 N, 158.1511 W
Northernmost Crossing: 61.9999 N, 158.2566 W

Dear Chris Eckert:

Pursuant to AS 16.05.871 (b), the Alaska Department of Fish and Game (ADF&G) Habitat Section has reviewed your proposal for winter crossings of the listed water bodies, including water withdrawals, at the referenced locations.

Project Description

Donlin Gold proposes to move several pieces of equipment (including two tracked dozers, one tracked excavator, and three wheeled trucks) from Crooked Creek Village to the Donlin Gold Camp along the existing 14-mile-long winter trail. Seven anadromous stream crossings will be made: five on Crooked Creek, one on Bell Creek, and one on Anaconda Creek. Snow ramps will be constructed at river crossings to prevent damage to river banks. Stream crossings will be thickened by pushing snow onto the ice and compacting and pumping water from the creeks if

needed (TWUA F2022-006). Additional project details are contained in your project descriptions received on January 18 and January 27, 2022.

Anadromous Fish Act

Crooked Creek, Bell Creek, and Anaconda Creek have been specified as being important for the spawning, rearing, or migration of anadromous fishes pursuant to AS 16.05.871(a). Crooked Creek provides spawning habitat for coho, king, and chum, rearing habitat for coho and king salmon, and migration habitat for sockeye and pink salmon. Bell Creek provides rearing habitat for king salmon and migration habitat for coho salmon. Anaconda Creek provides rearing habitat for coho salmon. These water bodies also support resident fish species including Arctic grayling, Dolly Varden, and slimy sculpin. Your project as proposed should not have adverse effects on anadromous fish or their habitat and should not obstruct the free passage of fish.

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

1. Each water intake structure shall be designed to prevent the entrainment, impingement and/or entrapment of fish and shall be installed and maintained at each intake location. The effective screen openings may not exceed 0.25 inches (1/4 inch), and water velocity at the screen/water interface may not exceed 0.5 feet per second when the pump is operating. **Crooked Creek is specified as salmon spawning habitat; therefore, intake structures shall be suspended in the water column with a depth that prevents disturbance of streambed material.**

For detailed information regarding screened intake device design please consult our webpage <http://www.adfg.alaska.gov/index.cfm?adfg=uselicense.withdrawal> and Technical Report No. 97-8 (http://www.adfg.alaska.gov/static/license/uselicense/pdfs/97_08.pdf).

2. Equipment must not enter open water areas of a watercourse during winter. Ice or snow bridges and approach ramps must be substantially free of extraneous material (i.e., soil, rock, wood, or vegetation). Alterations of the banks of a watercourse are prohibited.
3. At the end of the season, the crossings shall be slotted, breached, or weakened prior to spring break-up to facilitate break-up and to minimize potential adverse impacts to stream banks.

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 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.

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 Maria Wessel at (907) 459-7281 or maria.wessel@alaska.gov.

Sincerely,
Doug Vincent-Lang, Commissioner



BY: Audra L. J. Brase, Regional Supervisor
Habitat Section
Alaska Department of Fish and Game

ecc: John Chythlook, ADF&G SF, Fairbanks
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