



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Fish and Game

HABITAT SECTION
Fairbanks Regional Office

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FISH HABITAT PERMIT FH15-III-0219-AMENDMENT 1

ISSUED: April 22, 2021
EXPIRES: Upon Removal of Structures

Fairbanks Gold Mining, Inc.
Attn: Bartly Kleven
P.O. Box 73726
Fairbanks, AK 88707-3726

RE: Culvert Modification
Last Chance Creek Bay
Section 18, T002N, R003E, FM, Livengood A-1
Location coordinates (WGS84): 65.0015 N, 147.2192 W

Dear Ms. Kleven:

Pursuant to AS 16.05.841 (Fishway Act), the Alaska Department of Fish and Game (ADF&G) Habitat Section has reviewed your proposal to modify and extend the culvert crossing the Gil Causeway at Last Chance Creek Bay on the water storage reservoir. Application materials were received by email on March 31, 2021.

Project Description

Fairbanks Gold Mining Inc. plans to begin mining on the Gil Exploration Project in 2021. To accommodate the movement of heavy equipment on the access road to site, FGMI will extend the width of the road. Additional fill and culvert extensions will need to be added to the existing road. This 96" diameter corrugated metal pipe (CMP) will be extended by approximately 11 linear feet on the upstream end. The existing channel grade of 0.44% will be matched by the culvert extension. No in-water work will occur during the spring Arctic grayling spawning migration from April 25 – May 15.

Fishway Act

The Gil Causeway crosses the upper portion of the water supply reservoir. Arctic grayling and burbot use the reservoir for feeding and overwintering. Movement of Arctic grayling and burbot through this reach of the Gil Causeway has been documented with catches in fyke nets.

Your project as proposed is not anticipated to obstruct the free passage of fish.

In accordance with AS 16.05.841, your project is approved subject to the project description and permit terms, with the following stipulation:

1. The structure shall be designed, installed, and maintained to accommodate the efficient passage and movement of fish, both upstream and downstream, for the life of the project.

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: Al Ott, ADF&G Habitat, Fairbanks
Heather Scannell, ADF&G SF Fairbanks
Permit Coordinator, ADF&G SF
Fairbanks Mining, ADNRR Fairbanks
Tim Pilon, DEC, Fairbanks
Ellen Lyons, USACE, Fairbanks
Bob Henszey, USFWS, Fairbanks
Gillian O'Doherty, ADF&G SF, Anchorage
AWT Northern Detachment

cmc/AB