



FISH HABITAT PERMIT

FH22-III-0125

ISSUED: May 24, 2022
EXPIRES: December 31, 2026

Graphite One (Alaska)
Attn: Ed Fogels
600-777 Hornby St.
Vancouver, BC Can. V6Z 1S4

RE: APMA 2299
Upland Tributaries of the Southern Imuruk Basin
Sec 3, 9-10, 14-16, 21-23, 28-30, T5S, R34W, KRM, Teller A-2
Median Withdraw Coordinate (WGS84): 65.0435 N, -165.5544 W

To Ed Fogels:

Pursuant to AS 16.05.841 (Fishway Act), the Alaska Department of Fish and Game (ADF&G), Habitat Section has reviewed your proposal to continue hardrock exploration along the northern slope of the Kigluaik Mountains between Glacier Creek and the Cobblestone River Valley previously authorized under Fish Habitat Permit FH17-III-0130 for Graphite One Resources, Inc.

Project Description

Access to drill sites will be via helicopter. You will withdraw water from the upland headwaters in the described area to support your drilling operation. Activities for your environmental research in Graphite and Glacier Canyon Creeks and the access road corridor are authorized under Fish Habitat Permits FH22-III-0123 and 0124, respectively.

Fishway Act

The described water bodies support resident species of fish such as Arctic grayling. Your project as proposed should not 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) 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.

Note: 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). Feel free to contact our office for additional assistance.

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 Todd Nichols at 907-459-7363 or todd.nichols@alaska.gov.

Sincerely,
Doug Vincent-Lang
Commissioner



By: Audra L. J. Brase
Fairbanks Regional Supervisor

ecc: Brendan Scanlon, ADF&G SF, Fairbanks
ADNR, Mining, Fairbanks
Jenny March, ADNR Water, Fairbanks
ADEC, Placer Notices, Fairbanks
Bob Henszey, USFWS, Fairbanks
Ellen Lyons, USACE, Fairbanks
Leslie Tose, USACE, Anchorage
AWT, Northern Detachment, Fairbanks
Permit Coordinator, ADF&G SF
Al Ott, ADF&G HAB, Fairbanks

tn/AB