

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF MINING, LAND AND WATER

DAM SAFETY AND CONSTRUCTION UNIT



Certificate of Approval to Operate a Dam

The **State of Alaska** under Alaska Statute Title 46 and the regulations adopted under this statute, grants to:

Hecla Greens Creek Mining Company

The approval to modify the following dam and appurtenant works on **Admiralty Island** in accordance with the terms and conditions contained in this certificate:

Sand Pit Dam (NID ID# AK00317)

The location of this project is: T43S, R65E, S15, Copper River Meridian

The holder of this certificate shall:

- Operate and maintain the Sand Pit Dam and appurtenant works in accordance with accepted practice and the documents titled *Periodic Dam Safety Inspection No. 2* (PSI) dated October 2023, and *Hecla Greens Creek Mining Company Sand Pit Dam, Operation and Maintenance Program (O&M)* dated November 2023.
- Except for claims or losses arising from negligence of the State, defend and indemnify the State against, and hold it harmless from any and all claims, demands, legal actions, loss, liability and expense for injury or death of persons, and damages to or loss of property, arising out of or connected with the exercise of the approval granted by this certificate.
- Comply with all applicable laws, regulations and conditions.
- Allow representatives of the Department to inspect the work and records covered by this certificate at all times determined necessary by the Commissioner.
- Follow special conditions listed in Attachment A, attached hereto and made a part hereof.

CERTIFICATE OF APPROVAL TO OPERATE A DAM
Sand Pit Dam

This *Certificate of Approval to Operate a Dam* is granted subject to the pertinent statutory provisions in AS 46.15, AS 46.17 and the Administrative Regulations in 11 AAC 93. This certificate is valid only for the time period indicated in Attachment A.

APPROVED BY: Benjamin Wagner, P.E.
TITLE: State Dam Safety Engineer
Division of Mining, Land and Water
SIGNATURE: *Ben Wagner*
DATE: *December 27, 2023*

State of Alaska)
) SS.
Third Judicial District)

This is to certify that on *December 27*, 2023, before me appeared *Benjamin Wagner*, known by me to be the Authorized Representative of the Division of Mining, Land and Water, Alaska Department of Natural Resources, and acknowledged to me that this Certificate of Approval was voluntarily executed on behalf of the State of Alaska.



S.A. Von Hafften
Notary Public in and for the State of Alaska

My Commission expires: *with office*

CERTIFICATE OF APPROVAL TO OPERATE A DAM
Sand Pit Dam

Attachment A – Special Conditions

1. The Sand Pit Dam (AK00317) is approved to operate as a Class III (low) hazard potential dam as defined in 11 AAC 93.157 at a nominal crest elevation of 240 feet.
2. Inspect, operate, and maintain the Sand Pit Dam in accordance with the procedures outlined in the O&M. Inspect the dam after all significant seismic or precipitation events. Maintain records of all inspections, including routine inspections listed in the O&M.
3. Document any routine operations and maintenance procedures that deviate from or are not included in the O&M Program. Update the O&M Program with each periodic safety inspection cycle as described herein, or as needed and submit it to the Department.
4. Perform a Periodic Safety Inspection as required by 11 AAC 93.159 on the Sand Pit Dam and appurtenant works by August 31, 2028. The frequency for Periodic Safety Inspections shall be at five-year intervals as required by regulation for a Class III (low) hazard potential dam. The Periodic Safety Inspection must be performed by an engineer qualified in accordance with 11 AAC 93.193(b). Prior approval of the engineer and the scope of the inspection must be agreed upon in advance with the Department.
5. Implement the recommendations of the inspection engineer in the PSI.
6. Any significant problems that may develop with the dam or appurtenant works which could affect the safety of the dam shall be reported to the Dam Safety and Construction Unit of the Department within 24 hours.
7. For any modifications, major repairs, removal or abandonment of the dam, a separate certificate of approval must be obtained from the Department.
8. This Certificate of Approval to Operate a Dam expires on October 30, 2028.

End of Attachment A