



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

## Department of Fish and Game

HABITAT SECTION  
Fairbanks Regional Office

1300 College Road  
Fairbanks, AK 99701-1151  
Main: 907.459.7289  
Fax: 907.459.7303

### **FISH HABITAT PERMIT FH22-III-0019 – AMENDMENT 1**

ISSUED: February 11, 2022  
EXPIRES: Life of Structures

Bartly Kleven  
Peak Gold, LLC  
PO Box 73726  
Fairbanks, AK 99707-3726

RE: Culvert Installations  
Unnamed stream  
Section 5, T17N, R14E, CRM  
Location: 63.2832 N, 142.7683 W

Dear Bartly 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 replace a battery of three culverts on the Tetlin Village Road for water management. This amendment request was received by phone on February 3, 2022.

#### **Project Description**

Peak Gold, LLC will replace a battery of three perched 24-inch diameter culverts on the existing Tetlin Village Road with three 30-inch diameter culverts as part of the Manh Choh Project. The proposed Manh Choh Project is located approximately ten miles southeast of Tok, Alaska in the Tetlin Hills. The original permit was for installation of three 30-inch culverts on the proposed 5.4-mile Manh Choh Twin Road which will be constructed to eliminate the co-use of mine and village traffic along the existing Tetlin Village Road. This amendment approves the replacement of the nearby Tetlin Village Road culverts.

#### **Fishway Act**

This unnamed stream is likely seasonally connected to the Tok River and therefore may support resident fish species such as slimy sculpin. 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 culverts shall be constructed, operated, and maintained for the life of the structures to ensure fish passage. Any obstruction to the passage of fish (e.g., perched culvert, outwash gravels, and/ or excessive water velocities) shall be restored to the satisfaction of the Habitat Section. The Habitat Section shall be notified, and its approval granted before any instream culvert maintenance activities occur.

### **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 Olivia Edwards at 907-459-7326 or [olivia.edwards@alaska.gov](mailto:olivia.edwards@alaska.gov).

Sincerely,  
Doug Vincent-Lang  
Commissioner



By: Audra L. J. Brase  
Fairbanks Regional Supervisor

cc: Al Ott, ADF&G Habitat, Fairbanks  
Andy Gryska, ADF&G SF, Fairbanks  
Brandy Baker, ADF&G SF, Delta Junction  
Permit Coordinator, ADF&G SF  
Jeanette Brena, Boreal Services, Anchorage  
Fairbanks Mining, ADNR Fairbanks  
Gillian O'Doherty, ADF&G SF, Anchorage  
Tim Pilon, ADEC, Fairbanks  
Bob Henszey, USFWS, Fairbanks  
Ellen Lyons, USACE, Fairbanks  
AWT, Northern Detachment, Fairbanks  
Ashlee Adoko, ADNR OPMP

one/AB