



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Fish and Game

DIVISION OF HABITAT
Central Region Office

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FISH HABITAT PERMIT FH18-II-0133

ISSUED: June 27, 2018
EXPIRES: December 31, 2018

Pebble Limited Partnership
Attention: Tim Havey
3201 C Street, Suite 604
Anchorage, AK 99503

Dear Mr. Havey:

Re: Water Withdrawal - Unnamed Tributary – Upper Talarik Creek Watershed
Section 22, T. 3 S., R. 35 W., S.M.

Pursuant to AS 16.05.841 (Fishway Act), the Alaska Department of Fish and Game (ADF&G), Division of Habitat, has reviewed your application to withdraw water from an unnamed tributary in the Upper Talarik Creek watershed (see Location Map – UTC Resident Fish).

Project Description

Water will be withdrawn at a maximum rate of 25 gallons per minute. The water pumped from the unnamed tributary in the Upper Talarik Creek watershed will be used for geotechnical investigations. Pebble Limited Partnership (PLP) has provided the ADF&G, Division of Habitat, with the specifications of the fish screens being used to conduct water withdrawals for this project. The screens consist of a 24-inch long, 4-inch diameter outer screen with a 1-millimeter by 12-millimeter slot size and either an 18-inch or 24-inch long, 2.5-inch diameter inner distribution sleeve. At a withdrawal rate of 25 gallons per minute, these screens exceed the Division of Habitats' most restrictive screening criteria of a screen mesh size not to exceed 1.0 millimeter and maximum water velocity at the screen surface of 0.1 feet per second. These fish screens have been certified by ADF&G as being protective of all life states of fish present in these waterbodies.

When conducting activities under this permit, PLP will adhere to the State-approved Pebble Project Water Withdrawal Plan (enclosed). No activities associated with the water withdrawals will occur in the tributaries and ponds, except for the placement of the screened pump intake

enclosure. No surface disturbing activities will occur within 100 feet of the unnamed tributaries or ponds.

Fish Resources

The unnamed tributary may support resident fish species, such as Dolly Varden, rainbow trout, Arctic grayling, slimy sculpin, threespine stickleback, and ninespine stickleback, in the area of your proposed activity. Your project, as proposed, has the potential to obstruct the efficient passage and movement of fish. Upper Talarik Creek has been specified downstream of your project area as being important for the spawning, rearing, or migration of anadromous fish.

Fishway Act

In accordance with AS 16.05.841, project approval is hereby given subject to the project description above and the following stipulation:

1. PLP shall inspect the intake screen for damage (torn screen, crushed screen, screen separated from intake ends, etc.) before and after each use. Any damage observed must be repaired prior to use of the intake structure. The structure must always conform to the original design specifications while in use.

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 Division of Habitat 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 stipulation 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 Division of Habitat. Therefore, it is recommended you consult the Division of Habitat immediately when any deviation from the approved plan is being considered.

For the purpose of inspecting or monitoring compliance with any condition of this permit, you shall give an authorized representative of the state free and unobstructed access, at safe and reasonable times, to the permit site. You shall furnish whatever assistance and information as the authorized representative reasonably requires for monitoring and inspection purposes.

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 Division of Habitat; 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.

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. The Division of Habitat reserves the right to require mitigation measures to correct disruption to fish and game created by the project and which was a direct result of the 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.

Any questions or concerns about this permit may be directed to Habitat Biologist Kate Harper at 267-2261 or emailed to kate.harper@alaska.gov.

Sincerely,

Sam Cotten, Commissioner



By: Ronald Benkert
Fish and Game Coordinator
Central Region Office

enc: Pebble Project Water Withdrawal Plan
Location Map – UTC Resident Fish

ecc: AWT, Dillingham
D. Rogers, ADF&G
A. Ott, ADF&G
T. Hansen, ADF&G
J. Dye, ADF&G
T. Sands, ADF&G
D. Schade, ADNR
M. Walton, ADNR
J. Wynne, ADNR
H. Chalup, ADNR
K. Moselle, ADNR
N. Hill, L&PB

155°20'0"W

S003S035W08

S003S035W09

S003S035W10

S003S035W11

S003S035W17

S003S035W16

S003S035W15

S003S035W14

S003S035W20

S003S035W21

S003S035W22

S003S035W23

S003S035W29

S003S035W28


S003S035W27

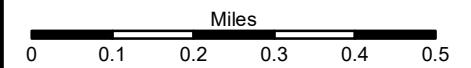
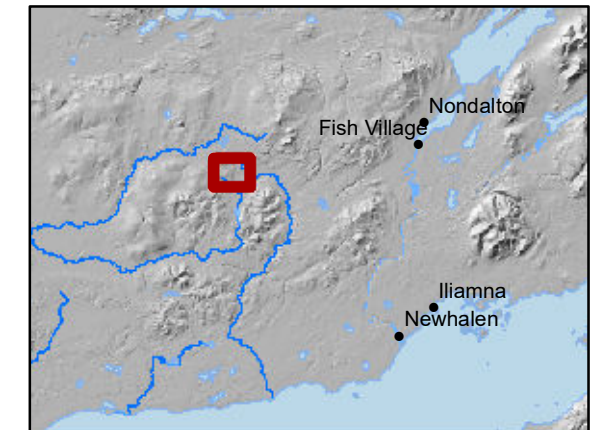
S003S035W26

59°54'0"N

155°20'0"W



 Resident Fish Stream



Scale 1:15,053

NAD 1983 StatePlane Alaska 5 FIPS 5005



Source(s):
Anadromous Waters Catalog, ADNR. May 2018

Figure:
1

Upper Talarik Creek Watershed Resident Fish

File: ADFG_2018FH.UTC_All

Date: 6/6/2018

Revision:

Author: TH/PLP

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