



THE STATE
of **ALASKA**

GOVERNOR MICHAEL J. DUNLEAVY

Department of Fish and Game

DIVISION OF HABITAT
Southeast Region Office

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SPECIAL AREA PERMIT FH19-I-0007-SA-GP

ISSUED: February 21, 2019
EXPIRES: December 31, 2020

General Public:

RE: Motorized Access
Yakataga State Game Refuge

The Yakataga State Game Refuge was established pursuant to Alaska Statute 16.20.033(b) to protect fish and wildlife habitats and populations and public uses of those resources. The Alaska Department of Fish and Game has determined special area uses and resources are properly protected through issuance of a General Permit authorizing motorized public access.

Members of the public accessing the Yakataga State Game Refuge with all-terrain vehicles, aircraft, and airboats, must maintain equipment to prevent fluid leaks, not harass wildlife, and leave no trace (Figure 1).

All-Terrain Vehicles

Wheeled or tracked all-terrain vehicles or snowmobiles may be used on established trails or seaward of coastal vegetation above the mean high tide line. During winter, snowmobiles may operate off trails when soils and vegetation are protected from damage by frozen ground or more than 12 inches of snow.

Aircraft Use and Airstrip Maintenance

Fixed wing aircraft equipped with tundra tires may land anywhere. Fixed wing aircraft without tundra tires may use the Moose International Airstrip located near the east-southeast shoreline of Vitus Lake or the airstrip adjacent to the Sam Fejes Tsiu River Lodge. Anyone may maintain the airstrips for public use.

Airboats

Airboats may transit areas with water depths greater than 6 inches from May 1 to August 10.

Legislatively Designated Special Area

The Yakataga State Game Refuge was established pursuant to 16.20.033(b) to protect fish and wildlife habitats and populations and public uses of those resources.

In accordance with 5 AAC 95, the public may use all-terrain vehicles, aircraft, and airboats in the Yakataga State Game Refuge subject to the description above and the permit terms.

Permit Terms

This letter constitutes a permit issued under the authority of AS 16.20.060 and must be retained on site during 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.

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 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 Division of Habitat. Therefore, we recommend you consult the Division of Habitat immediately 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.

Pursuant to 5 AAC 95.920, an interested person may initiate an appeal of a decision made under this chapter in accordance with the provisions of AS 44.62.330 - 44.62.630 by requesting a hearing under AS 44.62.370.

Questions about this permit may be directed to Habitat Biologist Nicole Legere at (907) 465-6979 or nicole.legere@alaska.gov.

Sincerely,
Doug Vincent-Lang
Commissioner



By Kate Kanouse
Southeast Regional Supervisor

Email cc:

Al Ott, ADF&G Habitat, Fairbanks
ADF&G Habitat Staff, Douglas
Matt Catterson, ADF&G SF, Sitka
Rick Hoffman ADF&G CF, Yakutat
Charlotte Westing, ADF&G WC, Cordova
Neil Stichert, USFWS, Juneau
Cindy Hartmann Moore, NMFS, Juneau
Linda Speerstra, USACE, Sitka

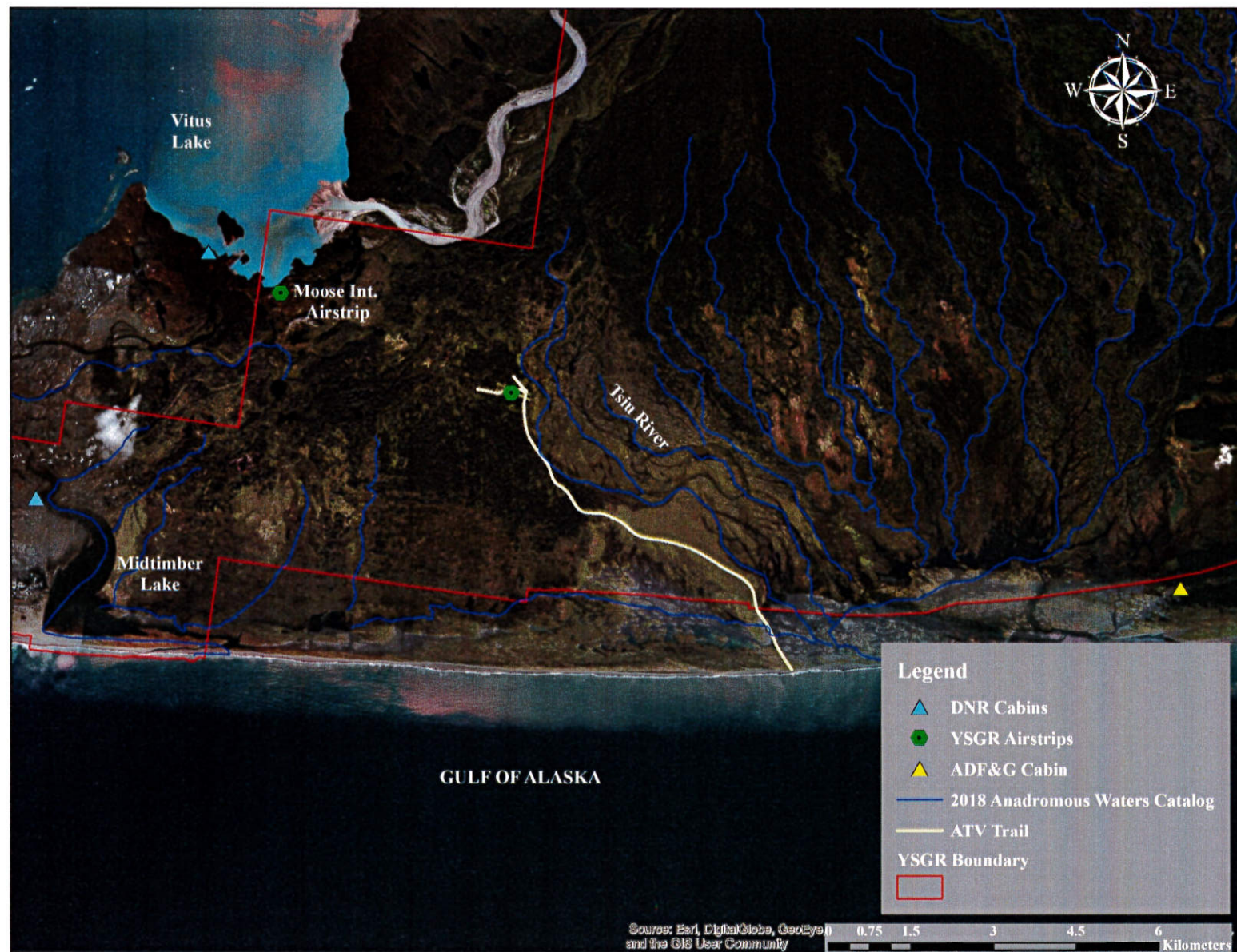


Figure 1.—Yakutat State Game Refuge FH19-I-0007-SA-GP map.