



SPECIAL AREA PERMIT
FH17-III-006-SA-GP

ISSUED: February 8, 2017
EXPIRES: October 31, 2021

GENERAL PUBLIC

RE: Minto Flats State Game Refuge
Highway Vehicle Access to the Chatanika River Lower Boat Landing
T2N, R6W, NW1/4 of NE1/4 of NW1/4 Section 25, FM, Fairbanks D-4

Pursuant to 5 AAC 95.770, the Alaska Department of Fish and Game (ADF&G), Division of Habitat, has determined that both the public interest and protection of fish and game would be served with the issuance of a general permit authorizing use of highway vehicles to access the “lower landing” at the described location, within the Minto Flats State Game Refuge (MFSGR).

Anadromous Fish Act

The Chatanika River has been specified as being important for the spawning, rearing, or migration of anadromous fishes pursuant to AS 16.05.871(a). The river at this site provides migration habitat for Chinook, chum, and coho salmon and supports resident fish species (e.g., Arctic grayling).

Authorization and Permit Conditions

MFSGR (AS 16 20.037) was established to ensure the protection and enhancement of habitat, conservation of fish and wildlife, and to guarantee continuation of hunting, fishing, trapping, and other compatible uses. Specific management goals and policies presented in the 1992 Management Plan have been adopted as regulation (5 AAC 95.530).

In accordance with 5 AAC 95, ADF&G hereby issues a general permit for the public to access the boat launch site described above with use of highway vehicle subject to the following stipulations:

- 1) This permit does not authorize the construction/ establishment of new trails, parking sites or cutting of vegetation that would significantly alter habitat.

- 2) The vehicle operator shall be responsible to know the easement trail and boundaries of the refuge and private property. Vehicles must remain on the trail and park in existing openings within the MFSGR.
- 3) Permitted activities within the Chatanika River at the “Lower Landing” boat launch are limited to those activities associated with normal launching and landing of boats authorized under General Public Permit FH17-III-0016. This permit does not authorize the removal of gravel, streambank alteration, water use, and/or the operation of heavy equipment.
- 4) This authorization does not provide exclusive privilege to use the refuge; thus, the permittee must ensure activities do not conflict with other users of the refuge.

The owner and/or operator of the vehicle (permittee) is responsible for the actions of contractors, agents, or other persons who perform work or participate in the activity authorized by the approved plan. For any activity that significantly deviates from the approved plan, the permittee shall notify the ADF&G, Division of Habitat, and obtain written approval in the form of a permit amendment or individual permit prior to commencement of the work or activity. Any action taken by the permittee or an agent of the permittee that increases the overall scope of the project or that negates, alters, or minimizes the intent or effectiveness of any stipulation contained in this permit will be considered 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 ADF&G. Therefore, it is recommended that ADF&G, Division of Habitat, be consulted immediately when a deviation from the approved plan is considered.

This letter constitutes a permit issued under the authority of 5 AAC 95. Please be advised that this approval does not relieve you of the responsibility for securing other permits, state, federal, or local.

In addition to the penalties provided by law, this permit may be terminated or revoked for failure to comply with its provisions or with applicable statutes and regulations, or if activities described in this permit conflict with activities directly associated with the primary purposes of the refuge. The permittee shall mitigate any adverse effect upon fish or wildlife, their habitat, or any restriction or interference with public use, which the commissioner determines may be expected to result from, or which actually results from, the permittee's activity, or which was a direct result of the permittee's failure to: 1) comply with a permit condition or a provision of 5 AAC 95; or 2) correct a condition or change a method foreseeably detrimental to fish and wildlife, or their habitat.

The recipient of this permit 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 the permittee's performance under

this permit. However, this provision has no effect, if, but 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.

Any questions or concerns about this permit may be directed to Habitat Biologist Todd Nichols at 907-459-7363 or 7282, or emailed to todd.nichols@alaska.gov.

Sincerely,

Sam Cotten, Commissioner



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AB/tn