



**FISH HABITAT PERMIT FH18-IV-0017-GP**

**ISSUED:** January 1, 2018  
**EXPIRES:** December 31, 2022

General Public:

*Re: Small-Scale Recreational Mining- Petersville Recreational Mining Area*

**Peters Creek**

Water Body – 247-41-10200-2053-3150-4060

Section 1, T. 28 N., R. 9 W., S.M.

Sections 6, 7 and 8, T. 28 N., R. 8 W., S.M.

**Cottonwood Creek**

Water Body - 247-41-10200-2053-3150-4060-5050

Section 6, T. 28 N., R. 8 W., S.M.

**Pioneer Gulch**

Resident Stream

Section 7, T. 28. N., 8 W., S.M.

**Unnamed Stream**

Resident Stream

Section 7, T. 28. N., 8 W., S.M.

Alaska law (AS 16.05.871 and AS 16.05.841) requires that a permit from the Alaska Department of Fish and Game, Division of Habitat be obtained prior to conducting small-scale recreational mining below the ordinary high water mark of streams within the Petersville Recreational Mining Area (PRMA). Pursuant to AS 16.05.871(b) and AS 16.05.841, the Division of Habitat has determined that both the public interest and the proper protection of fish and game would be served by issuing a general permit (GP) authorizing small-scale mining activities within the PRMA.

Small-scale mining equipment authorized within the PRMA is restricted to the use of motorized pumps 18 horsepower or less and intake hoses 6 inches in diameter or less.

This GP does not authorize motorized vehicle use in anadromous (salmon bearing) streams. There are two designated crossings within the PRMA permitted under FH18-IV-0006-GP. A separate Fish Habitat Permit is required to cross anadromous waters at other locations within the PRMA.

**PERMIT STIPULATIONS – ANADROMOUS FISH STREAMS**

In accordance with AS 16.05.871(d) and AS 16.05.841, approval is hereby given to mine with the specified authorized equipment at the specified locations subject to the following stipulations:

1. **This permit must be retained onsite during small-scale recreational mining activities.**
2. Small-scale mining activities below the ordinary high water mark on Peters Creek within the PRMA are restricted to May 15 – July 15.

3. Small-scale mining activities below the ordinary high water mark on Cottonwood Creek within the PRMA are restricted to May 1 – October 31.
4. Construction or maintenance of dams, diversions, fills, deflectors, and any other structures below the OHW (vegetation) line is prohibited.
5. Natural stream banks and vegetated gravel bars or vegetated islands shall not be mined, under cut, or disturbed.
6. Motorized equipment shall not be used to move boulders, logs, or other objects too large to be moved by hand.
7. Wheeled or tracked vehicles or equipment shall not be operated in the stream or disturb the stream bank.
8. No equipment leaking fuel, hydraulic fluid, or other pollutants shall be operated below the OHW.
9. Water withdrawal is restricted to processing material through the sluice box and shall not be used for hydraulic mining or any other purpose.

#### **Additional Stipulation for Power Sluicing (High Banking) in Anadromous Fish Streams**

10. Water intakes must be screened with 1/8-inch mesh to prevent the impingement and entrainment of fish.
11. Adequate flow must remain to maintain fish passage during mining activities.

#### **PERMIT STIPULATIONS – RESIDENT FISH STREAMS**

These stipulations apply to resident fish streams pursuant to AS 16.05.841. Small-scale mining activities in the resident streams within the PRMA are authorized year-round.

#### **Stipulation for Small Scale Mining in Resident Fish Streams**

1. **This permit must be retained onsite during small-scale recreational mining activities.**
2. Construction or maintenance of dams, diversions, fills, deflectors, and any other structure that may impede the efficient passage of fish is prohibited.

#### **Additional Stipulations for Power Sluicing (High Banking) in Resident Fish Streams**

3. Water intakes must be screened with 1/8-inch mesh to prevent the impingement and entrainment of fish.

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**This determination applies only to activities regulated by the Division of Habitat.** This determination does not relieve you of the responsibility for securing other state, federal, or local permits.

**On state land, the Alaska Department of Natural Resources, Division of Mining, Land and Water (ADNR/DMLW) also classify suction dredges with an intake 6-inches or less and a pump less than 18 hp as recreational.**

**The Alaska Department of Environmental Conservation (ADEC) considers dredges with an intake 6 inches or smaller and a pump less than 18 hp as small scale and will issue a General Permit (GP) for small scale mining in Alaska.** Larger dredges are considered commercial operations and require prior notice or approval from the federal land manager and ADEC. For more information, please contact the ADEC at (907) 451-2142.

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**Please be reminded that harassing fish while crossing any stream is prohibited by state law (5 AAC 75.060).**

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 a 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 AS 16.05.871 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 (see above). 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 department 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.

AS 16.05.871 (anadromous stream) permit decisions may be appealed in accordance with the provisions of the Administrative Procedures Act (AS 44.62.330—44.62.630).

If you have any questions, please call the Palmer Division of Habitat at (907) 861-3200.

Sincerely,

Sam Cotten, Commissioner



By: Ron Benkert, Regional Manager  
Division of Habitat  
(907) 861-3200

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Enclosure: Petersville Recreational Mining Area Map

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|------------------|----------------|-----------------|-----------------|
| cc: D. Dahl, AWT | S. Ivey, SF    | A. Ott, Habitat | D. Massie, AWT  |
| L. Tose, COE     | C. Larson, DNR | H. Chalup, DNR  | N. Dallman, DEC |
| T. Hansen, SF    | T. Long, SF    | DEC, Permits    |                 |



# Petersville Recreational Mining Area FH18-IV-0017-GP



Petersville RMA



Roads



Anadromous Streams



1

Miles