



FISH HABITAT PERMIT FH20-V-0020-GP

ISSUED: January 6, 2020
EXPIRES: December 31, 2020

General Public:

RE: Small-Scale Recreational Placer Mining in Resurrection Creek and Associated Tributaries

Resurrection Creek

Water Body No. – 247-60-10150
Including Associated Tributaries
(See attached list and map)

Alaska law (AS 16.05.841 and AS 16.05.871) requires that a permit from the Alaska Department of Fish and Game (ADF&G), Habitat Section, be obtained prior to conducting small-scale mining below the ordinary high water mark of streams within the Resurrection Creek watershed. Pursuant to AS 16.05.871(b) and AS 16.05.841, Habitat Section, has determined that both the public interest and the proper protection of fish and game resources would be served by issuing a General Permit (GP) authorizing small-scale recreational mining activities in the Resurrection Creek watershed (please see attached list of specific water bodies).

Small-scale mining equipment authorized by this permit is restricted to the use of motorized pumps of 18 horsepower or less and intake hoses with diameters of 6-inches or less.

This GP does not authorize motorized vehicle use in anadromous (salmon-bearing) streams. A separate Fish Habitat Permit is required to cross anadromous waters.

In accordance with AS 16.05.871(d) and AS 16.05.841, approval is hereby given to mine with the specified equipment in Resurrection Creek and its tributaries subject to the permit terms and the following stipulations:

PERMIT STIPULATIONS – ANADROMOUS FISH STREAMS

These stipulations apply to anadromous water bodies specified under AS 16.05.871(a) (Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fish). Mining activities below the ordinary high water (OHW) line are seasonally restricted to protect incubating fish eggs, alevins, and fry within the streambed gravels.

1. **This permit must be retained onsite during small-scale recreational mining activities.**
2. Small-scale mining below the OHW mark in the anadromous water bodies in the Resurrection Creek watershed (see attached list and map) are restricted to May 15 – July 15.

3. Construction or maintenance of dams, diversions, fills, deflectors, and any other structures below the OHW (vegetation) line is prohibited.
4. Natural streambanks and vegetated gravel bars or vegetated islands shall not be mined, under cut, or disturbed.
5. Motorized equipment or winches shall not be used to move boulders, logs, or other objects too large to be moved by hand.
6. Wheeled or tracked vehicles or equipment shall not be operated in the stream or cause disturbance to the stream bank.
7. No equipment leaking fuel, hydraulic fluid, or other pollutants shall be operated below the OHW line.
8. Water withdrawal is restricted to processing material through the sluice box and shall not be used for hydraulic mining or any other purpose.

Additional Stipulations for Power Sluicing in Anadromous Fish Streams

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

Stipulation for ALL Small-Scale Mining in Resident Fish Streams

1. Construction or maintenance of dams, diversions, fills, deflectors, and any other structure that may impede the efficient passage of fish is prohibited.

Additional Stipulation for Power Sluicing in Resident Fish Streams

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

This determination applies only to activities regulated by ADF&G. This determination does not relieve you of the responsibility for securing other state, federal, or local permits, nor does it authorize trespass on mineral claims or private property.

On state land, the Alaska Department of Natural Resources, Division of Mining, Land, and Water (ADNR/DMLW) also classifies suction dredges with an intake 6 inches or less as recreational. Dredge operators with an intake larger than 6 inches or a pump larger than 18 horsepower should contact ADNR/DMLW (907) 269-8647 to obtain commercial mining application instructions.

The Alaska Department of Environmental Conservation (ADEC) considers dredges with an intake 6 inches or smaller as small-scale and has issued a General Permit (AKG375000) for small scale mining in Alaska. Larger dredges are considered commercial operations and require prior notice or approval from the land manager and ADEC. For more information, please contact the ADEC at (907) 451-2142.

ADEC Small-Scale Suction Dredge GP: <https://dec.alaska.gov/water/oasys.aspx>

Permit Terms

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 Habitat Section regulated activities; other agencies also may have jurisdiction under their respective authorities. This determination does not relieve you of your responsibility to secure other state, federal, or local permits. You are still required to comply with all other applicable laws.

For any activity that significantly deviates from the approved plan, you shall notify the 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 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 a Habitat Section responsibility. Therefore, it is recommended you consult the Habitat Section 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 project site. You shall furnish whatever assistance and information as 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.

You may appeal this permit decision relating to AS 16.05.871 in accordance with the provisions of AS 44.62.330-630.

Sincerely,

Doug Vincent-Lang
Commissioner

Brian Blossom

By: Brian Blossom
Kenai Peninsula Area Manager

ADF&G, Habitat

Enclosures:

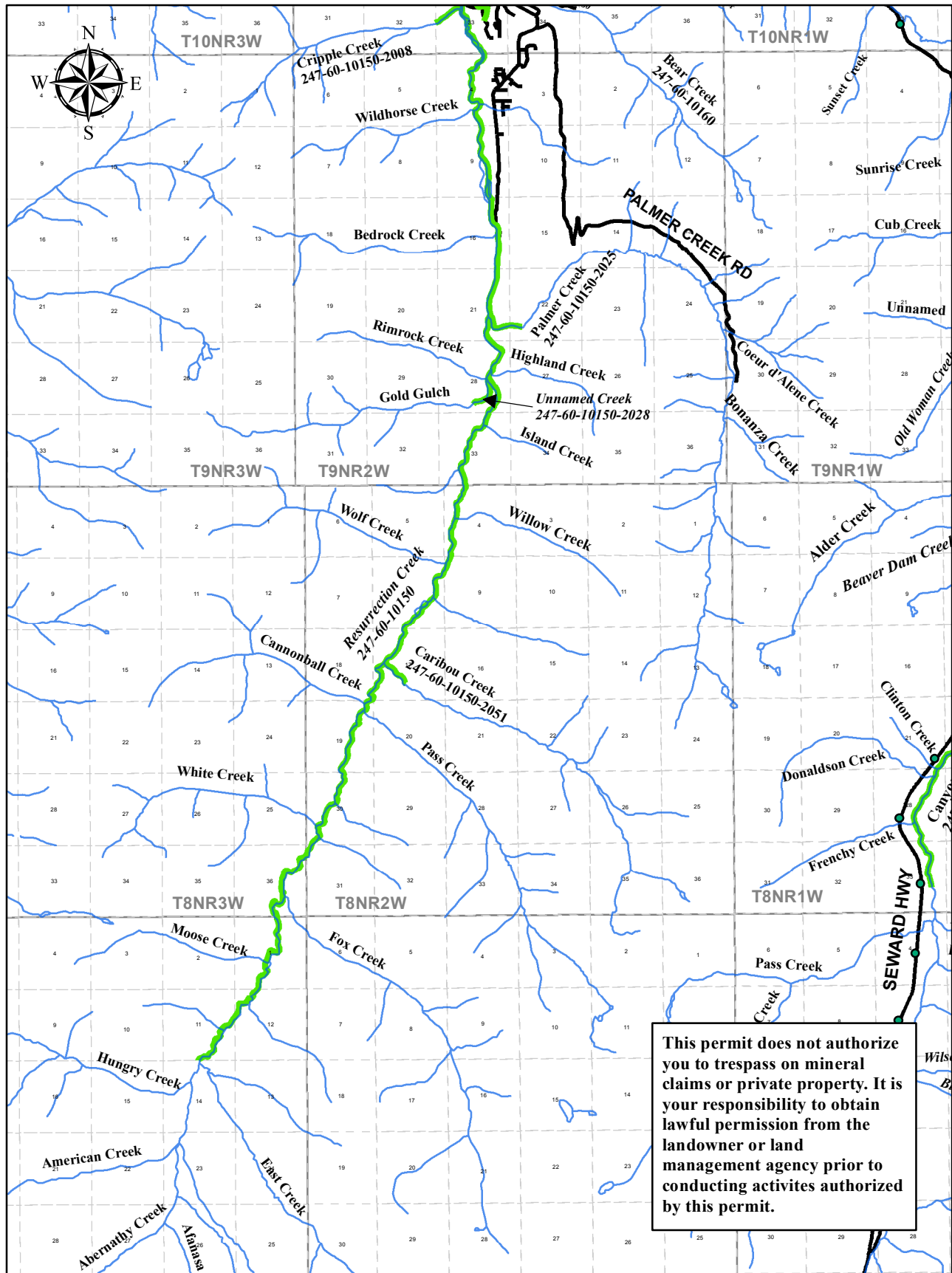
List of Authorized Streams
Map of Authorized Streams

Cc: A. Ott, ADF&G
B. Blossom, ADF&G
L. Smith, ADF&G
C. Lipka, ADF&G
DEC Group
DFG, DSF Permit Coordinator
DNR Group
H. Chalup, ADNR/MLW
D. Schade, ADNR/MLW
K. Geis, ADNR/MLW
M. Walton, ADNR/MLW
J. Wynne, ADNR/MLW
M. Aldridge, KPB
S. Leslie USFS
D. Ross, AWT
AWT (Northern Detachment)
COE-KFO

AUTHORIZED STREAM LOCATIONS AND OPEN TIME PERIODS IN THE RESURRECTION CREEK DRAINAGE

	STREAM NAME ANADROMOUS CATALOG STREAM NO.	LOCATION	DATES AUTHORIZED	841/871
1.	Abernathy Creek		year round	841
2.	Afanasa Creek		year round	841
3.	American Creek		year round	841
4.	Bedrock Creek		year round	841
5.	Bonanza Creek		year round	841
6.	Cannonball Creek		year round	841
7.	Caribou Creek 247-60-10150-2051	From river mile 0.5 to outlet Sec 17, T8N, R2W	5/15 to 7/15	871
8.	Caribou Creek	From river mile 0.5 upstream to end	year round	841
9.	Coeur d'Alene Creek		year round	841
10.	Cripple Creek 247-60-10150-2008	From river mile 0.5 to outlet Sec 32, 33, T10N, R2W	5/15 to 7/15	871
11.	Cripple Creek	From river mile 0.5 upstream to end	year round	841
12.	East Creek		year round	841
13.	Fox Creek		year round	841
14.	Gold Gulch/Unnamed 247-60-10150-2028	From river mile 0.5 to outlet Sec 28, T9N, R2W	5/15 to 7/15	871
15.	Gold Gulch	From river mile 0.5 upstream to end	year round	841
16.	Highland Creek		year round	841
17.	Hungry Creek		year round	841
18.	Island Creek		year round	841
19.	Moose Creek		year round	841
20.	Palmer Creek 247-60-10150-2025	From river mile 0.5 to outlet Sec 21, 22, T9N, R2W	5/15 to 7/15	871
21.	Palmer Creek	From river mile 0.5 upstream to end	year round	841
22.	Pass Creek		year round	841
23.	Resurrection Creek 247-60-10150	entire creek	5/15 to 7/15	871
24.	Rimrock Creek		year round	841
25.	White Creek		year round	841
26.	Wildhorse Creek		year round	841
27.	Willow Creek Wolf Creek		year round	841
28.	All other unnamed tributaries to Resurrection Creek drainage	various	year round year round	841 841

Resurrection Creek and Drainages



Legend

- █ Open to mining May 15 to July 15 ONLY
- █ Open to mining year round

