

# STATE OF ALASKA

DEPARTMENT OF FISH AND GAME  
Division of Habitat

SEAN PARNELL, GOVERNOR

514 Funny River Road  
Soldotna, Alaska 99669  
Phone: (907) 714-2475  
FAX: (907) 260-5992

## SMALL-SCALE MINING PERMIT RESIDENT AND ANADROMOUS FISH STREAMS-KENAI PENINSULA

Please submit application to the Soldotna  
Field Office at the above address, by fax or  
email to [ginny.litchfield@alaska.gov](mailto:ginny.litchfield@alaska.gov)

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
TELEPHONE: \_\_\_\_\_  
EMAIL ADDRESS: \_\_\_\_\_

<p>For Official Use Only</p> <p>PERMIT NUMBER: <b>FH 12-V-</b> _____</p> <p>DATE ISSUED: ____/____/2012 ____</p> <p>DATE EXPIRES: <b>DECEMBER 31, 2012</b> ____</p> <p>ISSUED BY: _____ Delegation from Cora Campbell, ADF&amp;G Commissioner</p>
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**Suction Dredge** Intake (in.): \_\_\_\_\_ (must be 6 inches or less) Horsepower: \_\_\_\_\_ (must be 18 hp or less)

**Power Sluice:** Water Pump Horsepower: \_\_\_\_\_ (must be 18 hp or less)

Power sluicing is defined as the use of a sluice box and small pump to process material delivered to the sluice with hand tools (shovels, buckets, etc.). It is commonly referred to as high banking.

*I certify that I am a small-scale miner and that I have read and understand this permit, including all permit stipulations. I agree to strictly abide by all of the conditions of this permit and I affirm that all information provided herein is true.*

Signature of Applicant \_\_\_\_\_

Date \_\_\_\_/\_\_\_\_/2012 \_\_\_\_



## PERMIT STIPULATIONS

In accordance with AS 16.05.841 and/or AS 16.05.871(d), approval is hereby given to mine (small-scale) with the specified authorized equipment at the specified locations subject to the following stipulations. **Stipulations #1, 7 and 8 apply to all fish-bearing waterbodies;** all stipulations apply to anadromous waterbodies specified under AS 16.05.871(a) (*Catalog of Waters Important for Spawning, Rearing or Migration of Anadromous Fish*).

1. **Construction or maintenance of dams, diversions, fills, deflectors and any other structures below the ordinary high water line (OHW) (vegetation line) is prohibited.**
2. **Stream banks and vegetated gravel bars or vegetated islands shall not be mined, under cut, or disturbed.**
3. **Mining activities below OHW, with the exception of water pump intake, may be seasonally restricted to protect incubating fish eggs, alevins, and fry within the streambed gravels. Consult the timing limitations noted in the 'Dates Authorized' column on page 2.**
4. **Motorized equipment, including winches, shall not be used to move boulders, logs, or other objects too large to be moved by hand.**
5. **Wheeled or tracked vehicles or equipment shall not be operated in the stream or disturb the stream bank.**
6. **No equipment leaking fuel, hydraulic fluids, or other pollutants shall be operated below the OHW.**
7. **Water withdrawal is restricted to processing material through the sluice box and shall not be used for hydraulic mining or any other purpose.**
8. **The water intake shall be designed and properly screened with a mesh size of 1/8 inch or less to prevent intake, impingement, or entrapment of fish. Adequate flow must remain to maintain fish passage during water withdrawal.**

This permit constitutes approval pursuant to AS 16.05.841 and/or AS 16.05.871(d) and must be available for inspection while you are mining. The above named person is authorized to operate the described suction dredge within the described Kenai Peninsula stream locations. This permit is not transferable and does not relieve you from complying with State Water Quality Standards specified by the Department of Environmental Conservation (18 AAC 70.005-18 AAC 70.990). ***This authorization applies only to activities regulated by ADF&G and 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.*** You are advised to contact the appropriate landowner or land management agency prior to conducting activities authorized by this permit.

**Vehicle access, including off-road ATV access, to the mining area that involves ford crossings of anadromous fish streams is NOT authorized under this permit. An individual Fish Habitat Permit is required for these ford crossings.** Please contact the Soldotna Division of Habitat office at (907) 714-2475.

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/or 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.

This permit decision may be appealed in accordance with the provisions of AS 44.62.330—44.62.630.

*NOTE: On state land, the Alaska Department of Natural Resources, Division of Mining, Land and Water classifies suction dredges with an intake 6 inches or less recreational. Dredge operators with an intake larger than 6 inches should contact the Alaska Division of Mining, Land, and Water (907-269-8652) to obtain commercial mining application instructions. The Alaska Department of Natural Resources, Division of Parks and Outdoor Recreation (ADNR/DPOR) has additional limitations on the use of motorized small-scale mining equipment within state park units. Small-scale miners should contact the ADNR/DPOR (907-714-2470) to obtain the latest information for those areas.*

*The U.S. Forest Service considers dredges with an intake 4 inches or smaller recreational. The U.S. National Park Service reviews all mining activities, regardless of size, under the Mining in Parks Act. The Alaska Department of Environmental Conservation (ADEC) and the U.S. Army Corps of Engineers (COE) consider dredges with an intake 6 inches or smaller recreational and have issued General Permits for recreational mining in Alaska. Larger dredges are considered commercial operations and require prior notice or approval from the federal land manager, COE and ADEC. The current permits can be found at the websites listed below. For more information call the COE at (907-474-2766), and the ADEC at (907-451-2142). For information on **any mining activities** on Bureau of Land Management (BLM) land, please contact the BLM at (907) 474-2200.*

**COE Suction Dredge GP** [http://www.poa.usace.army.mil/REG/gps\\_scanned/GP%202007-372FINAL.pdf](http://www.poa.usace.army.mil/REG/gps_scanned/GP%202007-372FINAL.pdf)

**ADEC Suction Dredge GPs** <http://yosemite.epa.gov/r10/water.nsf/NPDES+Permits/General+NPDES+Permits#Placer%20Mining>

**ADNR/Div. of Mining, Land & Water/Public Information Center** <http://dnr.alaska.gov/commis/pic/>

cc:

___M. Daigneault, ADF&G, Anchorage	___AWT/Anchorage
___L. Tose, COE	___AWT/Seward
___N. Dallman, DEC	___AWT/Big Lake
___R. Begich, ADF&G, Soldotna	___AWT/Palmer
___L. Books, DNR/DMLW	___AWT/Cantwell
___J. Fincher, USFS, Glacier Ranger Dist.	___AWT/Glennallen
___J. Evans, USFS, Seward Ranger Dist.	___AWT/Soldotna