



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of
Fish and Game**

DIVISION OF HABITAT
Central Region Office

333 Raspberry Road
Anchorage, Alaska 99518-1565
Main: 907.267.2342
Fax: 907.267.2499

FISH HABITAT PERMIT FH 17-II-0090

ISSUED: May 11, 2017
EXPIRES: December 31, 2017

Jesse Passin
DBA Mega Trucking, LLC
PO Box 1808
Valdez, AK 99686

Dear Mr. Passin:

Re: Gravel Extraction – Valdez Glacier Stream
Section 11, T. 9 S., R. 6 W., C.R.M.
Coordinates: 61.1082 N., 146.2396 W.

Pursuant to AS 16.05.841, the Alaska Department of Fish and Game (ADF&G), Division of Habitat, has reviewed your proposal to remove up to 20,000 cubic yards of sand and gravel from Valdez Glacier Stream in Valdez.

Project Description

You propose to excavate and remove up to 20,000 cubic yards of sand gravel from Valdez Glacier Stream downstream of the Richardson Highway bridge (see Sheet 1). The gravel will be removed from an area of about 1.25 acres and will be stockpiled below the ordinary high water mark of Valdez Glacier Stream. Sand and gravel will be removed in lifts to a depth of up to 10 feet. Excavation areas will be continually graded to slope towards the active stream channel and no depressions will remain which have the potential to strand fish when water levels fluctuate. Material will only be excavated from dewatered gravel bars during low water periods and no gravel extraction will be conducted within the active stream channel.

Fishway Resources

Valdez Glacier Stream likely supports resident fish. Your project as proposed has the potential to obstruct the efficient passage and movement of fish.

Fishway Act

In accordance with AS 16.05.841, project approval is hereby given subject to the project description above and the following stipulation:

1. The creation of holes or depressions that may strand fish during fluctuating water levels shall be avoided. If gravel removal operations are to be suspended for more than 5 days, all work areas shall be contoured to gradually slope to the active channels of Valdez Glacier Stream in a manner that eliminates holes or depressions that could trap fish.

You are responsible for the actions of contractors, agents, or other persons who perform work to accomplish the approved plan. 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 taken by you or your agent 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 that the ADF&G Division of Habitat be consulted 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 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 may also have jurisdiction under their respective authorities. This determination does not relieve you of the responsibility for securing 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.

Any questions or concerns about this permit may be directed to Habitat Biologist Megan Marie at 267-2446 or emailed to megan.marie@alaska.gov.

Sincerely,

Sam Cotten, Commissioner

A handwritten signature in black ink, appearing to read "Megan Marie", with a stylized flourish at the end.

By: Megan Marie
Acting Regional Supervisor
Central Region Office

Enc: Sheet 1

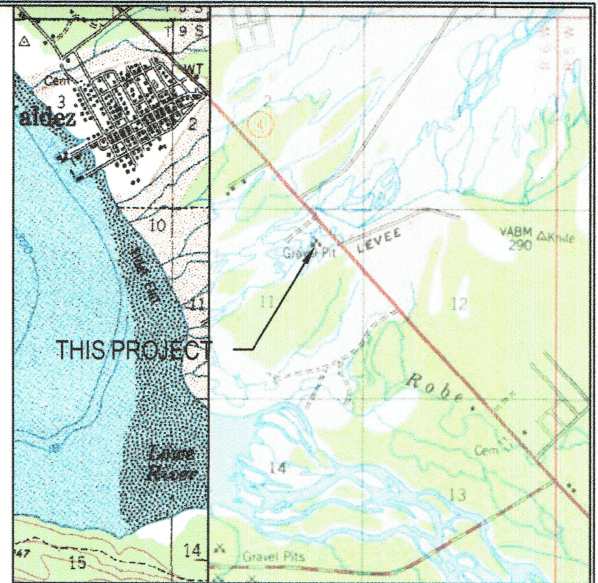
ecc: AWT, Valdez
A. Ott, ADF&G
J. Botz, ADF&G
T. Hansen, ADF&G
J. Baumer, ADF&G
C. Larson, ADNR
J. Rypkema, ADEC
COE, Regulatory
A. Lain, City of Valdez

TRACT B ASLS 98-26
OWNER: CITY OF VALDEZ

THIS PROJECT PROPOSED
EXTRACTION AREA

CITY OF VALDEZ
COPPER AVE. EROSION PROTECTION
EXCAVATION AREA

OLD VALDEZ TOWNSITE



VICINITY MAP
1" = 1 MILE



M.S. 71-1-1-012-5

DATE PREPARED:
APRIL 26, 2017

APPLICANT'S NAME:
MEGA TRUCKING

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER

DIAGRAM

SEC. 11, TOWNSHIP 9 S., RANGE 6 W., COPPER RIVER MERIDIAN

SCALE: 1" = 1000'

SHEET 1 OF 2

FILE# 17005 MEGA 170426D