



FISH HABITAT PERMIT

FH20-III-0024

ISSUED: February 24, 2020

EXPIRES: Life of Structure

Cal Craig
Trilogy Metals
1941 Sanduri Ave.
Fairbanks, AK 99701

RE: Bridge Replacement
Dahl Creek
Section 21, T018N, R009E, KRM (Shungnak D-2 Quad)
Location: 66.9457 N, 156.9130 W

Dear Mr. Craig:

Pursuant to AS 16.05.841 (Fishway Act), the Alaska Department of Fish and Game (ADF&G) Habitat Section has reviewed your proposal to replace the Dahl Creek bridge on the Bornite Road.

Project Description

The applicant proposes to remove and replace the aging Dahl Creek Bridge in May 2020. The existing bridge will be dismantled by removing the deck boards, then removing the four metal I-beams that span the bridge. Sand bags will be used to divert creek flow away from one creek bank at a time to remove the existing wooden abutments and install new abutments. The I-beams will be refinished and reinstalled, then new deck boards and side boards will be placed on top of the I-beams. During bridge construction, traffic on the Bornite Road will cross Dahl Creek downstream of the existing bridge at a shallow riffle with gently sloping banks.

Fishway Act

Dahl Creek supports resident fish species such as Dolly Varden, Arctic grayling, round whitefish, and slimy sculpin. Your project as proposed is not anticipated to obstruct the free passage of fish.

In accordance with AS 16.05.841, your project is approved subject to the project description and permit terms, with the following stipulation:

1. The bridge shall be constructed, operated, and maintained for the life of the structure such that free passage of fish is assured. Sandbags and/or other diversion materials must be completely removed from the creek following bridge construction activities. Any obstruction to the free passage of fish shall be restored to the satisfaction of the Habitat Section of ADF&G. Before any future instream bridge maintenance activities occur, approval must be obtained from the ADF&G Habitat Section.
2. Open water stream crossings with light vehicles and equipment shall be made from bank to bank in a direction substantially perpendicular to the direction of stream flow to the extent practicable. Equipment crossings shall be made in a manner that precludes creation of barriers to efficient fish passage (ridging and/or rutting of streambed, etc.). No modifications to the banks of the stream are authorized via this permit.

Permit Terms

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 Habitat Section of ADF&G; other agencies also may have jurisdiction under their respective authorities. 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.

You are responsible for the actions of contractors, agents, or other persons who perform work to accomplish the approved project. For any activity that significantly deviates from the approved plan, you shall notify the ADF&G 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 provision 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 ADF&G Habitat Section. Therefore, it is recommended that you consult the Habitat Section before considering any deviation from the approved plan.

You shall give an authorized representative of the state free and unobstructed access to the permit site, at safe and reasonable times, for the purpose of inspecting or monitoring compliance with any provision of this permit. You shall furnish whatever assistance and information 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.

Please direct questions about this permit to Habitat Biologist Chelsea Clawson at (907) 459-7287 or chelsea.clawson@alaska.gov.

Sincerely,
Doug Vincent-Lang, Commissioner



BY: Audra L. J. Brase, Regional Supervisor
Habitat Section
Alaska Department of Fish and Game

ecc: Al Ott, ADF&G Habitat, Fairbanks
Brendan Scanlon, ADF&G SF, Fairbanks
Permit Coordinator, ADF&G SF
Drew Harrington, ADNR, Fairbanks
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cmc/AB