



THE STATE  
of **ALASKA**

GOVERNOR MICHAEL J. DUNLEAVY

## Department of Fish and Game

DIVISION OF HABITAT  
Fairbanks Regional Office

1300 College Road  
Fairbanks, Alaska 99701-1551  
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### **FISH HABITAT PERMIT**

**FH19-III-0116**

ISSUED: June 4, 2019  
EXPIRES: December 31, 2023

Western Alaska Copper & Gold  
Attn: Kit Marris  
3573 E. Sunrise Dr., Suite 233  
Tucson, AZ 85718

RE: APMA F199831  
Uplands of Little Mud River and Illinois Creek Drainage  
Sec 12, T17S, R4E, T16-17S, R5E, KRM, Nulato A-4-5  
Primary Withdrawal Coordinate (WGS84): 64.0230 N, -158.0023 W

Dear Mr. Marris:

Pursuant to AS 16.05.841 (Fishway Act), the Alaska Department of Fish and Game (ADF&G), Division of Habitat, has reviewed your request to continue the hardrock exploration operation in the area described. This operation was previously conducted by three separate exploration companies authorized under Fish Habitat Permit FH16-III-0113 and FH16-III-0113 Amendment 1.

#### **Project Description**

Access to your mine site will be via air and/or existing roads. Equipment will not cross any natural waterbodies. You will withdrawal water from an unnamed tributary of the Little Mud River to support your drilling operation. No dam/diversion will be required for this project.

#### **Fishway Act**

Upland tributaries in this area supports resident species of fish such as Arctic grayling. Note: Adjacent primary and secondary streams support anadromous fish. Your project as proposed should not 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) Each water intake structure shall be designed to prevent the entrainment, impingement and/or entrapment of fish and shall be installed and maintained at each intake location. The effective screen openings may not exceed 0.25 inches (1/4 inch), and water velocity at the screen/water interface may not exceed 0.5 feet per second when the pump is operating.

*Note: For detailed information regarding screened intake device design please consult our webpage <http://www.adfg.alaska.gov/index.cfm?adfg=uselicense.withdrawal> and Technical Report No. 97-8 ([http://www.adfg.alaska.gov/static/license/uselicense/pdfs/97\\_08.pdf](http://www.adfg.alaska.gov/static/license/uselicense/pdfs/97_08.pdf)). Feel free to contact our office for additional assistance.*

### **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 Division of Habitat; 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 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.

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 condition of this permit. 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. 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.

Questions about this permit may be directed to Habitat Biologist Todd Nichols at 907-459-7363 or [todd.nichols@alaska.gov](mailto:todd.nichols@alaska.gov).

Sincerely,

Doug Vincent-Lang, Commissioner



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

ecc: John Chythlook, ADF&G SF, Fairbanks  
ADNR, Mining & Water, Fairbanks  
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Bob Henszey, USFWS, Fairbanks  
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AB/tn