



**FISH HABITAT PERMIT**  
**FH21-III-0136-AMENDMENT 1**

ISSUED: April 21, 2023  
EXPIRES: December 31, 2024

Northern Star (Pogo) LLC  
Attn: Paul Hohbach  
PO Box 145  
Delta Junction, AK 99737

RE: Water Withdrawals  
APMA 5904  
Multiple Streams (See Table 1)  
Median Withdrawal Coordinate (WGS84): 64.2581 N, 144.4219 W

Dear Paul Hohbach:

Pursuant to AS 16.05.841 (Fishway Act), the Alaska Department of Fish and Game (ADF&G) Habitat Section has reviewed your proposal to add additional water withdrawal sources to your original fish habitat permit, FH21-III-0136, in support of exploration activities.

**Project Description**

You propose to withdraw water from the referenced streams 24 hours per day, at a rate of 30 gallons-per-minute. Withdrawals would take place from June 1 to October 31 each season. The expiration date has been changed to match the expiration date of the corresponding multi-year APMA F/2020/5904. This permit amendment supersedes FH21-III-0136.

**Table 1: Water Withdrawal Locations**

<b>Waterbody</b>	<b>Township</b>	<b>Range</b>	<b>Section</b>
Fog Creek	7S	17E	9-10, 15-16
Ink Creek	7S	17E	27-28
Brink Creek	8S	17E	4-5
Porthos Creek	7S	17E	22-23
Smoosh Creek	8S	17E	7-9, 16-18

### **Fishway Act**

The listed streams are likely to support resident fish, such as Arctic grayling and slimy sculpin. 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.

*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)).*

### **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.

Please direct questions about this permit to Habitat Biologist Lauren Yancy at 907-459-7254 or [lauren.yancy@alaska.gov](mailto:lauren.yancy@alaska.gov).

Sincerely,  
Doug Vincent-Lang  
Commissioner



For Audra Brase

By: Audra L. J. Brase  
Fairbanks Regional Supervisor

ecc: Al Ott, ADF&G Habitat, Fairbanks  
Permit Coordinator, ADF&G SF  
Jenny March, ADNR Mining and Water, Fairbanks  
DNR Mining, Fairbanks  
Andrew Gryska, ADF&G SF, Fairbanks  
Brandy Baker, ADF&G SF, Delta Junction  
Bob Henszey, USFWS, Fairbanks  
Ellen Lyons, USACE, Fairbanks  
Tim Pilon, ADEC, Fairbanks  
AWT Northern Detachment, Fairbanks

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