



FISH HABITAT PERMIT

FH23-III-0151

ISSUED: July 26, 2023
EXPIRES: October 31, 2023

Northern Star (Pogo), LLC
Attn: Russell Gossett
P.O. Box 145
Delta Junction, AK 99737

RE: Sediment Removal
Goodpaster River (Stream Number 334-40-11000-2490-3407)
Section 14, T 5S, R 14E, FM (Big Delta B-2 Quad)
Location: 64.4736 N, 144.9158 W

Dear Russell Gossett:

Pursuant to AS 16.05.871 (b), the Alaska Department of Fish and Game (ADF&G) Habitat Section has reviewed your proposal to remove sediment at the inlet of the Northern Star (Pogo) LLC Off-River Treatment Works (ORTW) pond located adjacent to the Goodpaster River.

Project Description

Northern Star (Pogo) LLC proposes to remove approximately 1,200 cubic yards of sediment from the inlet channel of your ORTW pond with an excavator. This action is proactive to maintain adequate flow to the pond for mine operations throughout winter. The excavator will operate above the ordinary high-water line, and all sediment will be moved to a suitable upland location where it will not wash into the river during rain and high-water events.

Similar sediment removal from the ORTW inlet was previously authorized under FH03-III-0339 and subsequent amendments (Amendment 1 - 5). We received your request via email on July 20, 2023.

Anadromous Fish Act

The Goodpaster River (Stream Number 334-40-11000-2490-3407) has been specified as being important for the spawning, rearing, or migration of anadromous fishes pursuant to AS 16.05.871(a). The Goodpaster River provides spawning and migratory habitat for Chinook and chum salmon, and rearing habitat for juvenile Chinook salmon. Your project as proposed should not have adverse effects on anadromous fish or their habitat and is should not obstruct the free passage of fish.

In accordance with AS 16.05.871(d), your project is approved subject to the project description and permit terms, with the following stipulations:

- 1) No excavation, bank modification or travel activities are authorized within the mainstem Goodpaster River.
- 2) Aerial photos of the work site both before and after the excavation activities occur, must be provided to ADF&G Habitat within ten days after the work is complete.

Permit Terms

This letter constitutes a permit issued under the authority of 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 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 Lauren Yancy at 907-459-7254 or lauren.yancy@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
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