



## FISH HABITAT PERMIT

**FH21-III-0117**

ISSUED: May 20, 2021  
EXPIRES: December 31, 2025

Western Alaska Copper & Gold Co.  
Attn: Kit Marrs  
Box 881  
Talkeetna, AK 99676

RE: APMA 2444  
Tributaries of California, Minnesota, and Eddy Creeks  
Sec 1-2, 11-14, 23-26, 35-36, T15S, R6E, Sec 16-21, 28-33, R7E, Sec 1, 12, T16S, R6E,  
Sec 4-9, R7E, KRM, Nulato A-4-5  
Median Withdrawal Coordinate (WGS84): 64.1754 N, -157.5754 W

Mr. Marrs:

Pursuant to AS 16.05.841 (Fishway Act), the Alaska Department of Fish and Game (ADF&G), Habitat Section has reviewed your proposal to continue hardrock exploration in the uplands of the headwaters of California and Eddy Creek drainages that was previously authorized by a letter of determination.

### **Project Description**

Access to and operating within your claimblock via aircraft will not involve crossings of streams with equipment. You will require the withdrawal of water from the described waterbodies to support your drilling operation.

### **Fishway Act**

The described drainages support resident species of fish such as Dolly Varden and your operation is near the upper extent of Chinook and/or coho salmon habitat in California, Minnesota and Eddy creeks. 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 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 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  
Fairbanks Regional Supervisor

ecc: Lisa Stuby, ADF&G SF, Fairbanks  
ADNR, Mining & Water, Fairbanks  
ADEC, Placer Notices, Fairbanks  
Bob Henszey, USFWS, Fairbanks  
Ellen Lyons, USACE, Fairbanks  
Leslie Tose, USACE, Anchorage  
AWT, Northern Detachment, Fairbanks  
Permit Coordinator, ADF&G SF  
Al Ott, ADF&G HAB, Fairbanks

tn/AB