

STATE OF ALASKA

SEAN PARNELL, Governor

DEPARTMENT OF FISH AND GAME

DIVISION OF HABITAT

333 RASPBERRY RD.
ANCHORAGE, ALASKA 99518
PHONE: (907) 267-2342
FAX: (907) 267-2499

FISH HABITAT PERMIT FH 12-II-0149

ISSUED: June 26, 2012
EXPIRES: October 31, 2013

City of Eek
Attn: Carlie Beebe
P.O. Box 9
Eek, AK 99578

Dear Mr. Beebe:

Re: Dredging and Barge Landing Improvements – Eek River
Stream No. 335-10-16700
Section 31, T. 2 N., R. 73 W., S. M.
POA-2012-50

Pursuant to AS 16.05.871(b), the Alaska Department of Fish and Game, Division of Habitat, has reviewed your proposal to remove silt and sand from a sand bar in the Eek River and to expand the existing barge landing near the City of Eek.

Project Description

You propose to dredge about 35,000 cubic yards of river deposited material from below the mean high water (MHW) line of the Eek River to construct an upland port storage and staging area and to facilitate boat and barge traffic (Sheet 3). You also propose to expand the existing barge landing facility by placing about 3,000 cubic yards of rock and gravel on the bank and below the MHW line of the Eek River (Sheets 4 and 5). The new barge landing will be about 60 feet wide and 100 feet long. Dredging will be conducted using excavation equipment operating from a barge or using a suction dredge. The average depth of sediment removal will be less than 2 feet. The dredged material will be placed at the site of the new upland port storage area. All dredging, construction, and related activities will be completed during a single open-water construction season.

Anadromous Fish Act

The Eek River has been specified as being important for the spawning, rearing, or migration of anadromous fishes pursuant to AS 16.05.871(a). The Eek River is known to support Chinook, chum, sockeye, coho, and pink salmon, sheefish, whitefish, and Arctic char.

In accordance with AS 16.05.871(d), project approval is hereby given subject to the project description above and the following stipulations:

1. All dredged material shall be handled in a manner and deposited in a location sufficient to prevent reintroduction into the Eek River.

2. Riverbanks shall not be altered to facilitate dredging.
3. No fuel shall be stored, no vehicles shall be fueled or serviced, and vehicles leaking fuel, hydraulic fluids, or other pollutants shall not be operated below the MHW line of the Eek River.
4. With the exception of the bucket and arm of the excavator, no wheeled or tracked equipment will be operated in the flowing water of the Eek River.
5. All bank cuts, slopes, fills, and other exposed earthwork attributable to this project shall be stabilized to prevent erosion which may occur both during and after the project.

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.

For the purpose of inspecting or monitoring compliance with any condition of this permit, you shall give an authorized representative of the state free and unobstructed access, at safe and reasonable times, to the permit site. You shall furnish whatever assistance and information as the authorized representative reasonably requires for monitoring and inspection purposes.

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 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.

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.

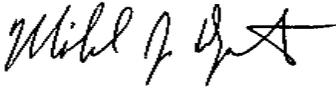
You shall indemnify, save harmless, and defend the department, its agents, and its employees from any and all claims, actions, or liabilities for injuries or damages sustained by any person or property arising directly or indirectly from permitted activities or your performance under this permit. However, this provision has no effect if, and only if, the sole proximate cause of the injury is the department's negligence.

This permit decision may be appealed in accordance with the provisions of AS 44.62.330-630.

Any questions or concerns about this permit may be directed to Habitat Biologist Jim Bales at 267-2143 or emailed to james.bales@alaska.gov.

Sincerely,

Cora Campbell, Commissioner

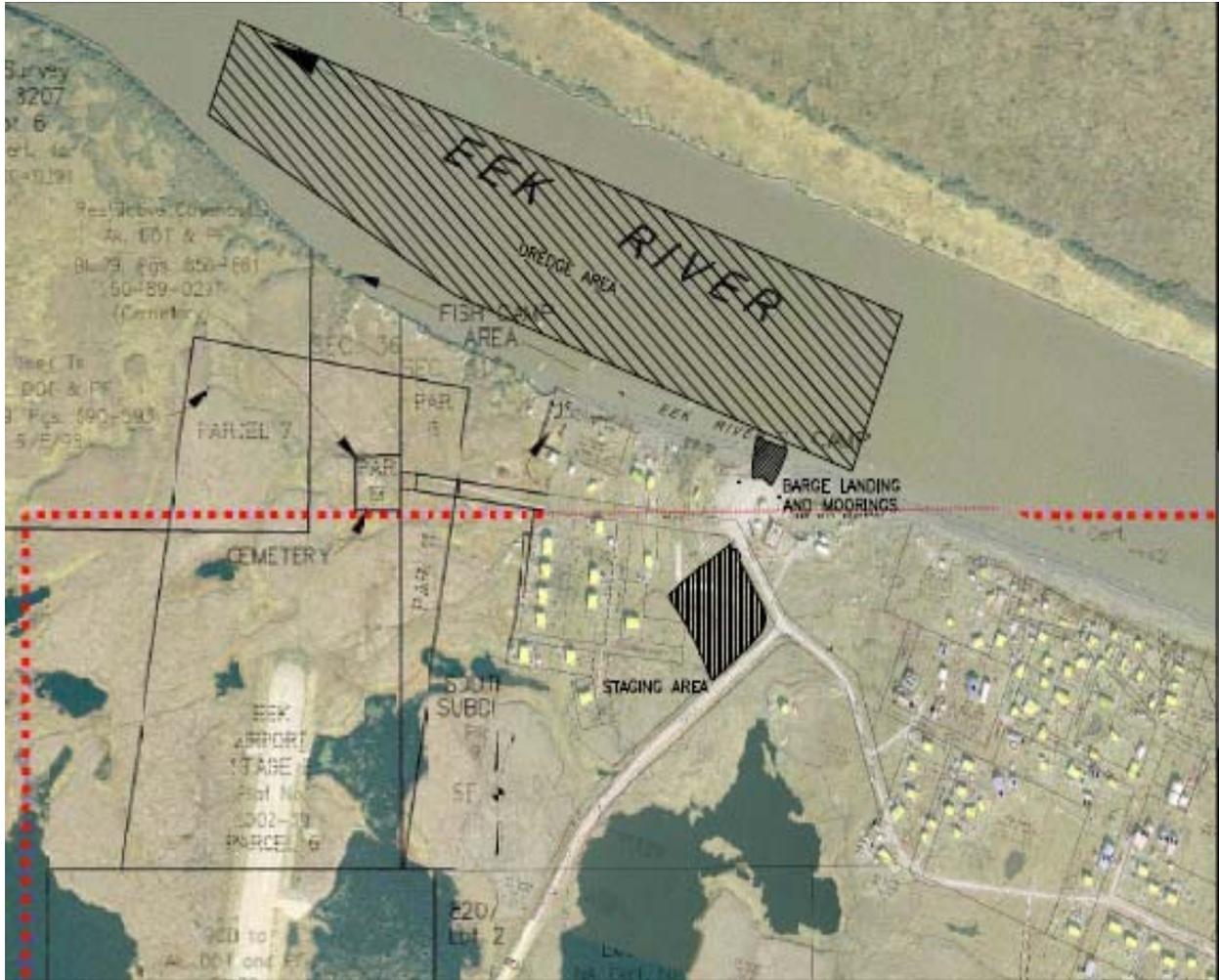
A handwritten signature in black ink, appearing to read "Michael J. Daigneault". The signature is stylized and cursive.

By: Michael J. Daigneault
Regional Supervisor
Anchorage Area Office

enc: Sheets 3 - 5

cc: AWT, Bethel

ecc: A. Ott, ADF&G
J. Chythlook, ADF&G
T. Elison, ADF&G
B. Piorkowski, ADF&G
B. Krauss, ADEC
USACE, Regulatory



Plan view of proposed barge landing, area to be dredged, and staging area

FILE No.:

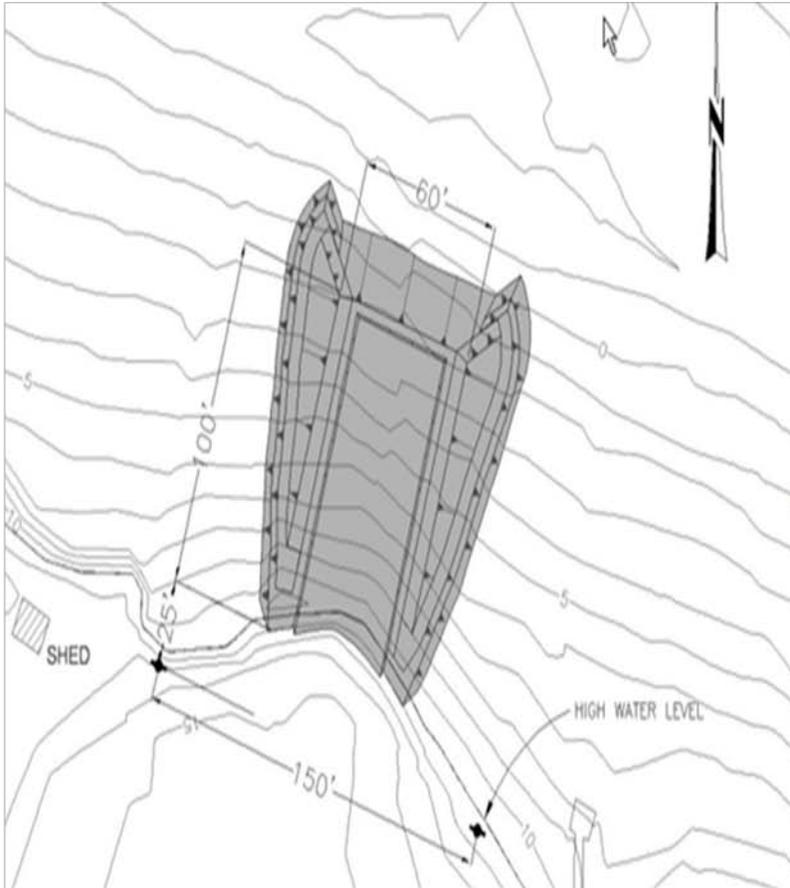
WATERWAY: Eek River

PROPOSED ACTIVITY: Expand barge landing, dredge, construct barge landing staging area.

LOCATION: Sec. 31, T. 2N, R. 74W. Lat.: 60 13' 13.69" Long.:162 01' 58.67"W

Sheet 3 of 7

DATE: 12/11/2011



Eek Barge Landing plan view

FILE No.:

WATERWAY: Eek River

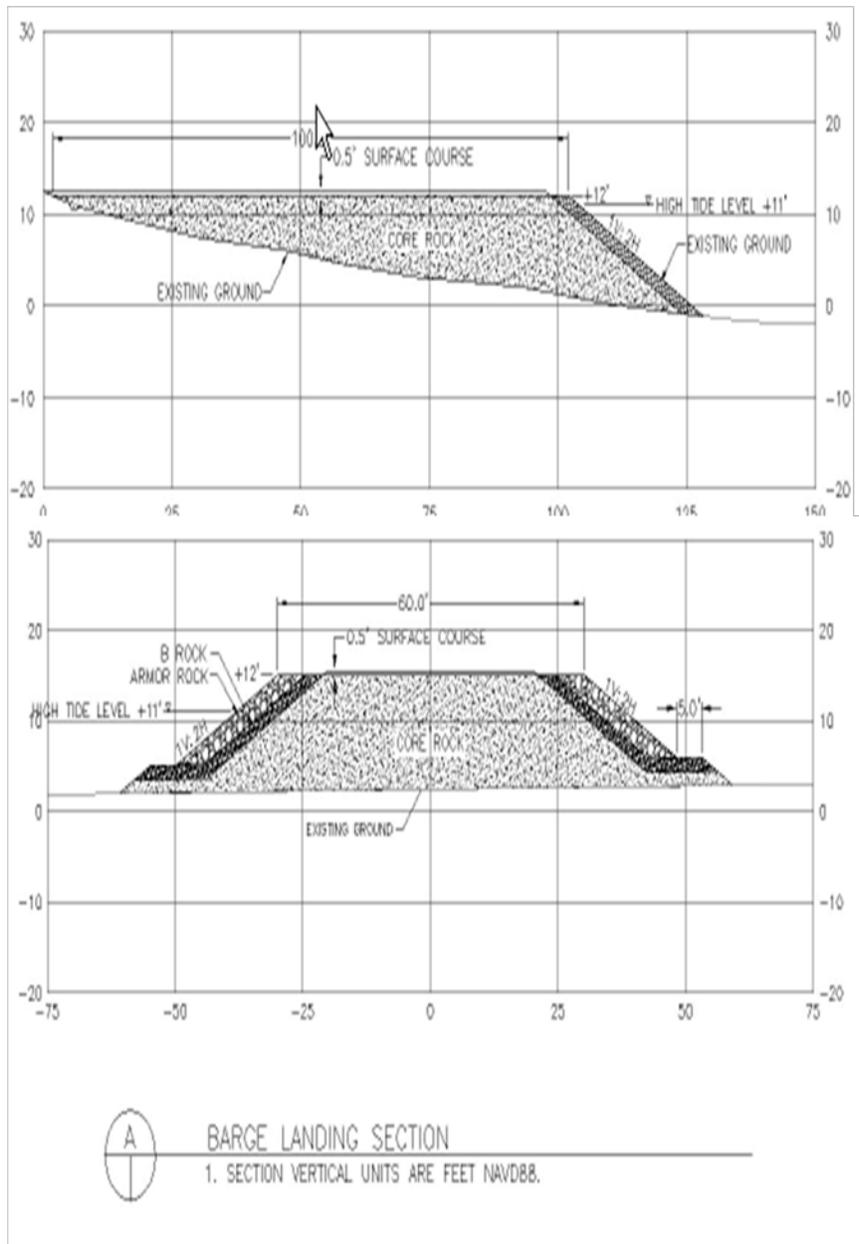
PROPOSED ACTIVITY: Expand barge landing, dredge river, construct barge landing staging area.

Sec. 31, T. 2N, R. 74W.

Lat.: 60 13' 13.69" **Long.:** 162 01' 58.67"W

Sheet 4 of 7

DATE: 12/12/2011



Eek Barge Landing profile and cross section

FILE No.:

WATERWAY: Eek River

PROPOSED ACTIVITY: Expand barge landing, dredge river, construct barge landing staging area.

Sec. 31, T. 2N, R. 74W.

Lat.: 60 13' 13.69"

Long.: 162 01' 58.67"W

Sheet 5 of 7

DATE: 12/12/2011