

Comments to the North Pacific Fisheries Management Council

Agenda Item C-2

April 2014 Meeting

By Frank Logusak, Sr., Togiak Traditional Council; Qayassiq Walrus Commission

Hello, Thank you for the opportunity to speak today. My name is Frank Logusak, Sr., and I am the (former) Chief of Togiak Traditional Council, and am the Chairman of the Qayassiq Walrus Commission. I was on the Tribal Council for almost 40 years, and I have been hunting and fishing in the waters of Bristol Bay my whole life.

I read the Environmental Assessment dated April 2014, and it looks like to me like you have a decision in mind and you adapted the report to suit your goal. It is very clear the report does not reach its decision based on the available science. I will explain what I mean. Let me say I understand why you are interested in changing the route, but I strongly disagree with the very narrow buffer you have chosen. I think you did not make that choice based on science and good information.

First the report says on page 10 that transit time and fuel costs are the same for all three options under Alternative 2. The vessels you are trying to help with the new rule would not have to spend any more money if you choose a different option

under Alternative 2. Therefore they should not oppose the choice of Togiak and the Qayassiq Walrus Commission.

Second, for many years, beginning around 1990, there was no fishing within 12 miles of Round Island from April 1 to September 30. The reason was because of the “noise emitted by fishing activities and its potential to disturb walrus hauled out in those areas.” This is on page 12 of the report. Amendment 17 was adopted in 1992 to prohibit not just fishing but transit within 12 miles of Round Island. What I do not understand is why 12 miles was so important that the Council took action but now you are saying 3 miles is enough. This makes no sense unless you are saying those decisions were wrong.

I also want to point out a mistake in the report. Twice (on pages 26 and 69) it says that at the October 2012 meeting representatives of the AKSC reached a voluntary agreement and established a working group to review fishing and subsistence impacts. That does not apply to this area. AKSC is working with AVCP and Bering Sea Elders and they are working on fisheries north of Cape Newenham, not Bristol Bay. The Qayassiq Walrus Commission has nothing to do with that decision and it is not even our area, so it has no relevance to this problem of Round Island. This is in the report as some kind of evidence that you have consulted the

affected communities and they are working on the problem. That is not true. The report has confused two different regions and two different fisheries.

I also want to point out that on page 31 of the report you reject the suggestion of the Qayassiq Walrus Commission that consisted of curved boundaries around Round Island. The report says the Enforcement Committee said it would create enforcement problems. This makes no sense to me. There are curved boundaries all over the place, around the islands, around Cape Newenham. There is no reason it is okay other places but not here.

Next I want to talk about the walrus. The report says many times that walrus are disturbed by noise. Starting on page 34, and again at page 45, it says that walrus hearing is very sensitive especially underwater. This of course means that propeller and all the sounds associated with moving vessels will bother them. The 1990 reports on the Chukchi Sea ice proved that walrus moved 11-13 nautical miles away when there were icebreaking activities going on. (page 46). That is probably why the boundary for Round Island used to be set at 12 miles. This Council and the technical staff know very well that noise is a problem, yet from what I can tell you are basing your entire decision not on the many years of studies proving this but on one study done in 2012. On page 54, you make it very clear

that all information about noise disturbance is being ignored and this one study is all you are basing your decision on. I do not even understand that study by Weiss and Sell. It seems to me that it says they only saw ten walrus outside the 3 miles zone and because none of those 10 walrus showed signs of disturbance, all walrus are not bothered by noise beyond three miles. I doubt 10 walrus in one sample in one study in one year are enough to refute the many years of studies about noise disturbance and my lifetime of experience. I know that noise and presence disturb walrus, you know this, but because you already have a decision in mind you want you are choosing the one small piece of evidence you think supports your decision. I think this is very bad logic. And not good science.

The report also says that walrus are depleted, which is of course true and that they are clearly on the decline. The report also points out how important haulouts are, which is also true. Importantly, the report also says on page 40 that “in the late 1980s daily counts and peak haulout counts on Round Island declined dramatically, coincident with the development of the yellowfin sole fishery.” The very next sentence says that when the yellowfin fleet was not near the island the count went up. Let me state this very clearly: the presence of the yellowfin fleet caused a decline in the walrus. You know this. Obviously they were not hitting and killing walrus, so it was their presence and noise that caused the disturbance.

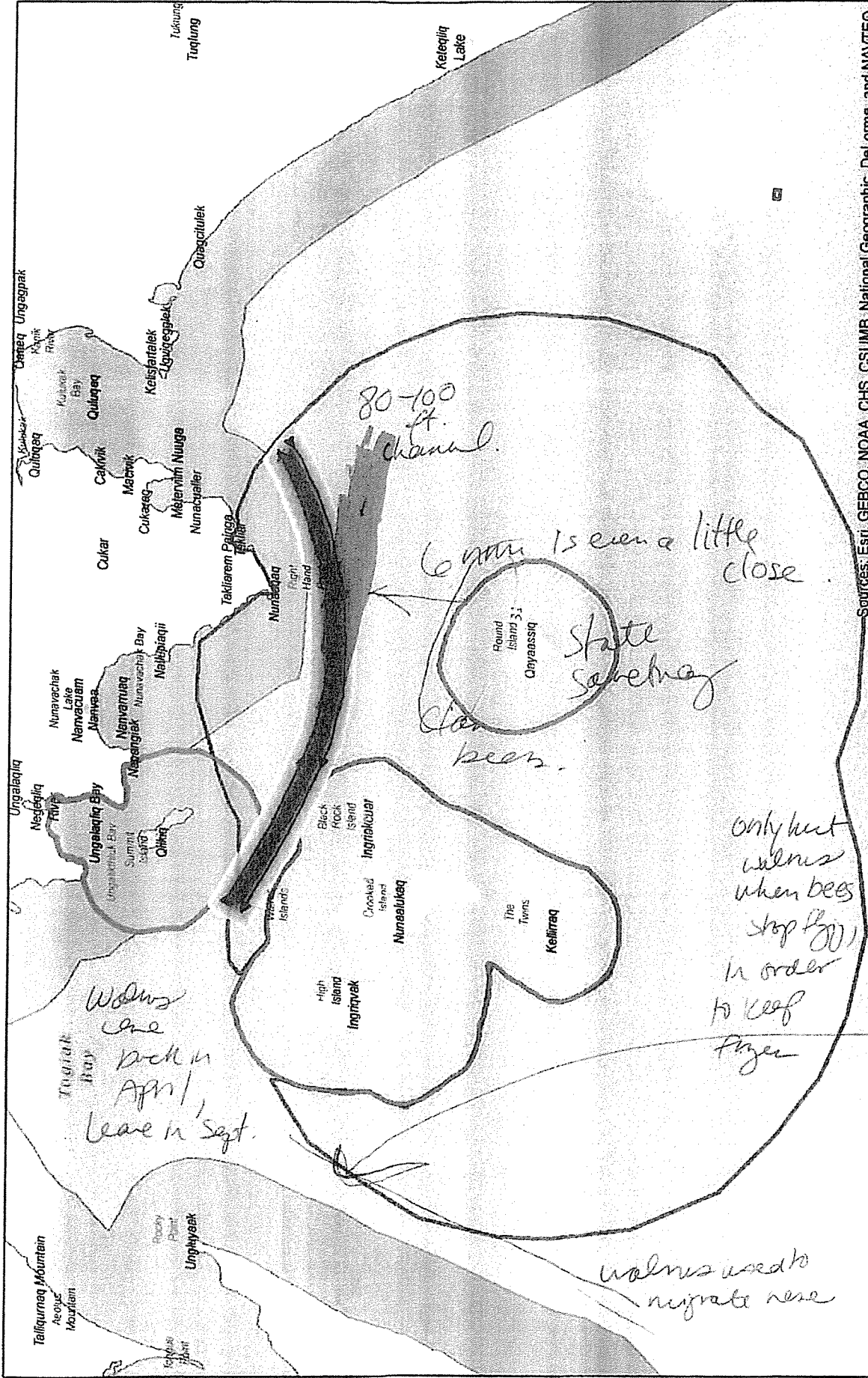
Presence and noise. Why, when you know this, would you allow transit so close to Round Island?

I am concerned that some people are focusing too much on convenience and cost-savings for commercial fishermen. Therefore, I and the Qayassiq Walrus Commission support Alternative 2, Option 3. We even consider this a compromise. We did have 12 miles of protection and now we are settling for 6. Three is just not good enough given what you and I and all of us know about noise disturbance. If you allow transit up to 3 miles to Round Island, in a few years we will be back here asking you to move it back out because you have destroyed that haulout.

We are also specifically reserving our right to bring a lawsuit on this issue. No one wants to do that, but if you cannot protect the walrus, we have to do so ourselves.

Thank you for your time.

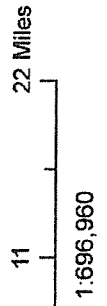
add. 2, opt. 3



Sources: Esri, GEBCO, NOAA, CHS, CSUMB, National Geographic, DeLorme, and NAVTEQ

**Round Island Transit Corridor**  
 Proposed By Qayassic Walrus Commission (QWC)

- Proposed Round Island Transit Corridor
- Walrus Islands State Game Sanctuary
- Walrus Protection Zone
- No Trawling (State Waters)



Date: 4/24/2013

Yup'ik placenames courtesy of BBNC

File: Proposed\_Corridor\_QWC\_2013.mxd

purse  
 seines +  
 spotter  
 planes  
 also in  
 that  
 corner


climate change

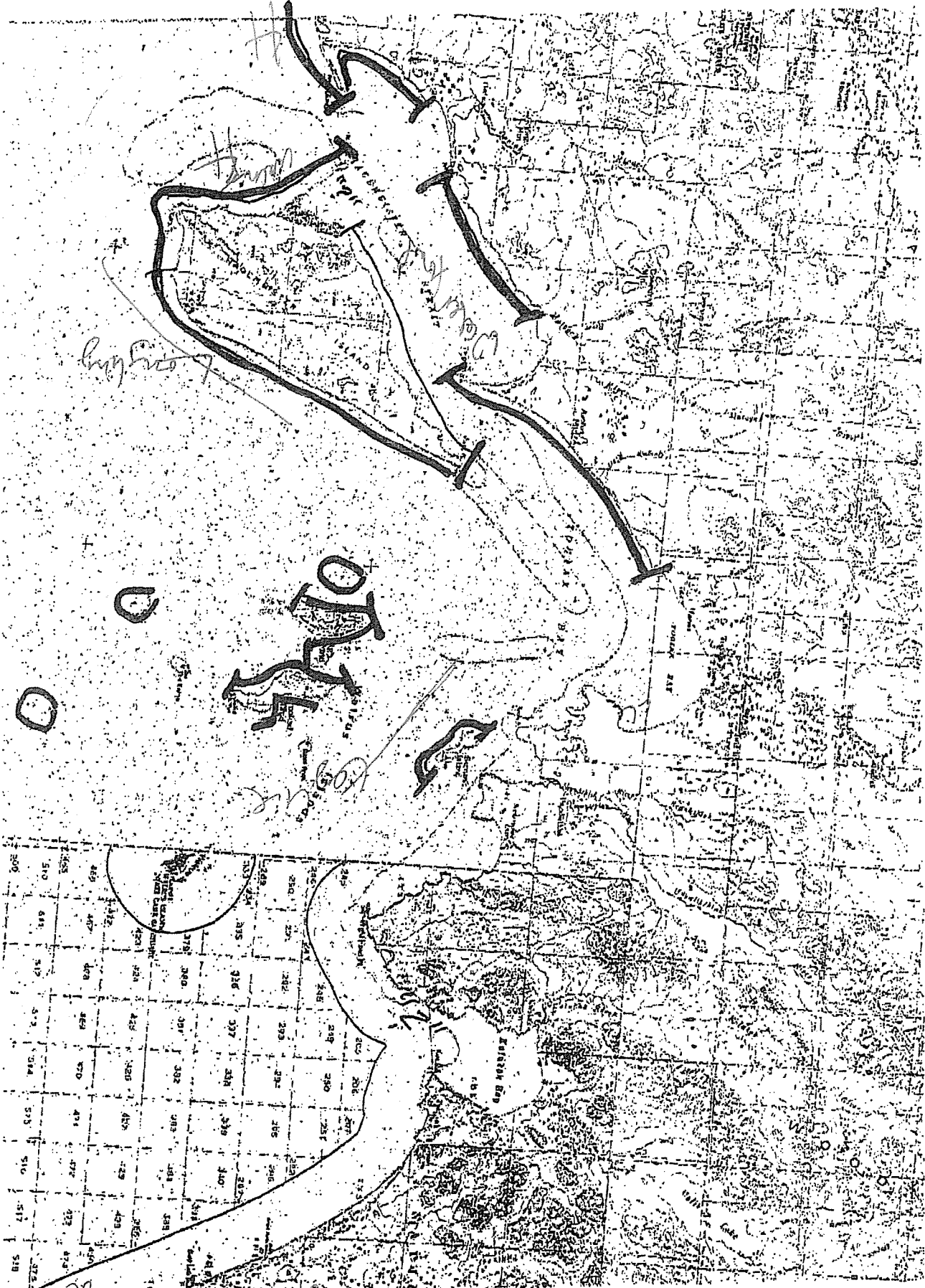
stopped areas by 5 other sea lions



Draft Togiak Bay Ices Seals Haulout Sites (Bearded Seal Haulout Areas), Togiak, Alaska of Togiak Bay, Kulukak, Watus Islands by Peter Lockuk, Sr, Hunter, Togiak Traditional Council

AS OF DEC. 9, 2013

 Approximate seal locations with limited ice flow



Sagely - not too shallow