



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Fish and Game

HABITAT SECTION
Southcentral Regional Office

333 Raspberry Road
Anchorage, Alaska
Main: 907.267.2342
Fax: 907.267.2499

SPECIAL AREA PERMIT FH24-II-0079-GP-SA

ISSUED: February 2, 2024
EXPIRES: December 31, 2024

General Public:

RE: Use of Motorized Vessels and Boat Launch – Izembek State Game Refuge
Location: 55.270010 N, 162.897838 W

Pursuant to AS 16.20.050, AS 16.20.060, 5 AAC 95.400-.440, 5 AAC 95.550-.552, and 5 AAC 95.700-.990, the Alaska Department of Fish and Game (ADF&G), Habitat Section, has determined that both the public interest and the proper protection of fish and wildlife would be served through the issuance of a General Permit authorizing the use of certain motorized vessels (such as skiffs, fishing vessels, and inflatable boats) in Izembek Lagoon, including Moffet Lagoon, Applegate Cove, and Norma Bay, and use of motorized vehicles below mean high water (MHW) at the boat launch off Boat Ramp Road at Grant Point for launching and retrieving vessels within the Izembek State Game Refuge (ISGR) (see Izembek Lagoon Map).

This General Permit **does not authorize** the use of personal watercraft, air-cushioned vessels, or airboats. According to the ISGR Management Plan and this permit, “personal watercraft” is defined as: 1) a vessel that is less than 16 feet in length; 2) propelled by a water-jet pump or other machinery as its primary source of motor propulsion; and 3) designed to be operated by a person sitting, standing, or kneeling on the vessel, rather than by a person sitting or standing inside it. This General Permit **does not authorize** the storage of vehicles and trailers; the use of vehicles, including ATVs, below MHW anywhere except within the boat ramp; or the installation of mooring buoys. The Izembek National Wildlife Refuge manages lands above MHW (e.g., road access, storage of vehicles and trailers). The use of vehicles below MHW (except in vegetated intertidal areas) or the installation of mooring buoys may be authorized by ADF&G Habitat Section with an individual Special Area Permit.

ISGR was established pursuant to AS 16.20.030(a)(14) to protect and preserve the natural habitat and game populations, especially waterfowl. The ISGR Management Plan (April 2010), adopted into regulation by 5 AAC 95.550 and 5 AAC 95.552, establishes policies for ensuring proposed uses and activities are compatible with the purposes for which the refuge was established and the

goals of the management plan. Alaska statutes and the ISGR Management Plan allow for the use of motorized vessels in Izembek Lagoon to be authorized by General Permit if the activity provides for the proper protection of fish and wildlife resources. The proposed activity is not expected to adversely impact habitat values or fish and wildlife populations provided the stipulations contained herein are strictly adhered to.

In accordance with 5 AAC 95, the department hereby issues a General Permit for the use of certain motorized vessels within the ISGR subject to the project description above, the following stipulations, and the permit terms:

1. Damage or disturbance of any kind to eelgrass beds, including to the plant or substrate, by mud-motors (e.g., surface drive short or long tail motors designed to be operated in shallow water) or any other motorized vessel is prohibited.
2. Vessel use shall not restrict public access to and use of fish and wildlife resources.
3. Vessels that leak fuel or other petroleum products shall not be operated within ISGR.
4. Harassment, disturbance, or displacement of wildlife and waterfowl is prohibited, except for legal and permitted hunting and fishing.
5. No material of any kind, including waste products, debris, supplies, or equipment shall be discarded, abandoned, or otherwise disposed of within ISGR.
6. Motorized vehicles shall not be operated in any area of ISGR below MHW other than within the boat ramp for the purposes of launching and retrieving authorize vessels. No motorized vehicles, including ATVs, may be driven in tidal areas along any shorelines located within ISGR, including the barrier islands.

Advisory: Pacific walrus haulouts may be located in or near ISGR. Please be advised that you may encounter walrus while conducting activities authorized by this permit. Disturbance to hauled out walrus is not authorized by this permit and would be a violation of 5 AAC 95.420, AS 16.05.920, and AS 16.05.940(34). Information on minimizing impacts to walrus is attached.

Permit Terms

This letter constitutes a permit issued under the authority of AS 16.20.060 and must be retained on site during project activities. Please be advised that this determination applies only to activities regulated by the Habitat Section; 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 Habitat Section and obtain written approval in the form of a permit amendment in accordance with 5 AAC 95.740 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 Habitat Section. Therefore, we recommend you consult the Habitat Section immediately 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.

Questions about this permit may be directed to Habitat Biologist Jeanette Alas at 907-267-2805 or jeanette.alas@alaska.gov.

Sincerely,
Doug Vincent-Lang
Commissioner



By Ron Benkert
Southcentral Regional Supervisor





Enclosures: Special Area Permit FH24-II-0079-GP-SA Izembek Lagoon Map
Approach and Viewing Guidelines for Pacific Walrus

Email cc:

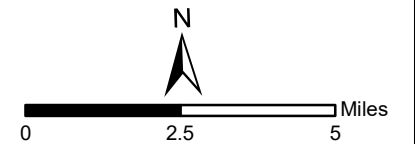
A. Ott, ADF&G-HAB
M. Keyse, ADF&G-CF
S. Rodman, ADF&G-WC
M. Carter, ADF&G-WC
J. Schamber, ADF&G-WC
AWT, Southern Detachment
A. Williams, USFWS

T. Polum, ADF&G-SF
A. Vandevoort, ADF&G-WC
A. Dubour, ADF&G-WC
T. Massie, ADF&G-HAB
C. Larson, ADNDR-DMLW
M. Fosado, USFWS
Administrator, City of Cold Bay

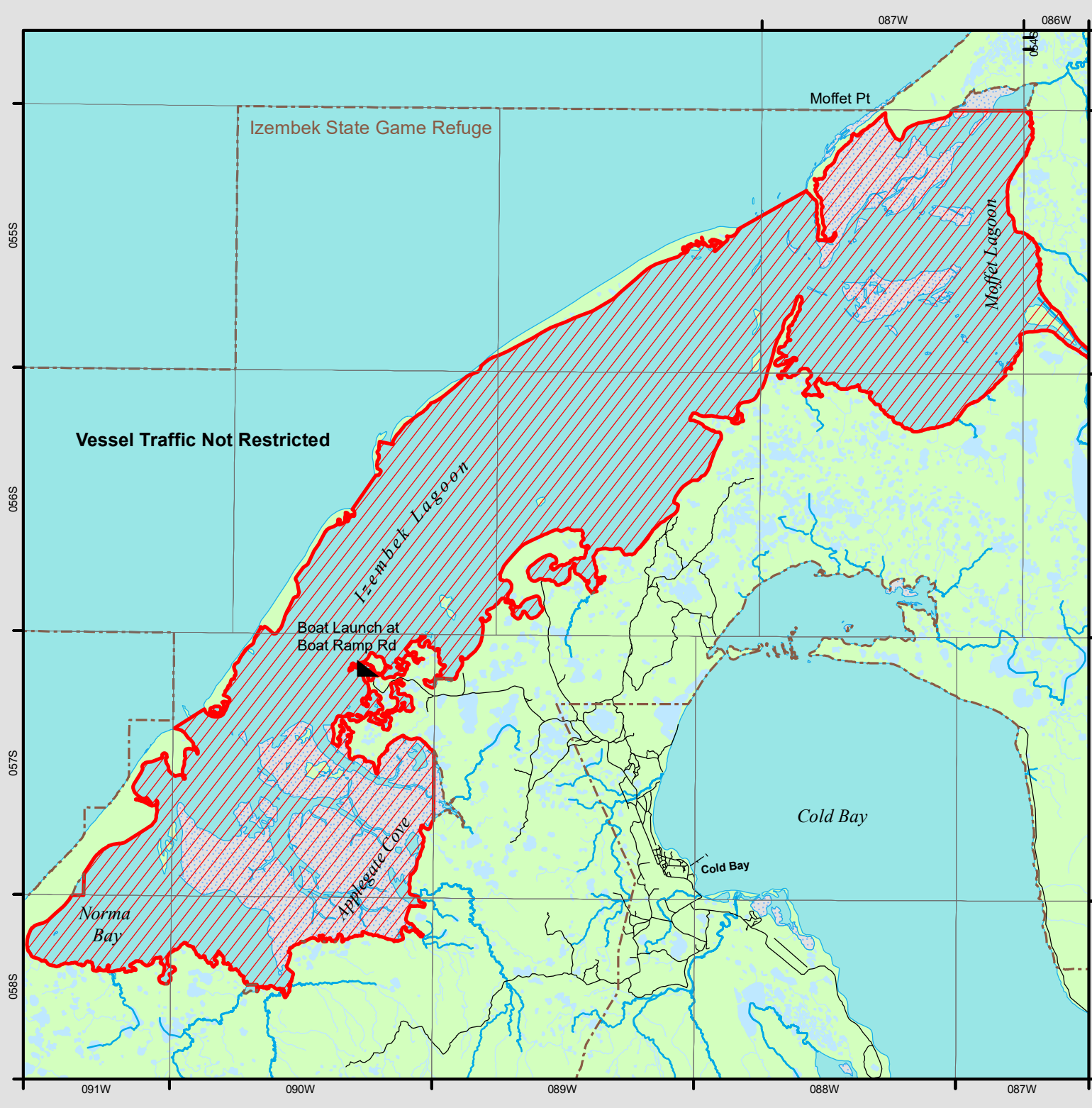
**Special Area Permit
FH24-II-0079-GP-SA
Izembek Lagoon Map**

-  Anadromous Water Bodies
-  Vessel Traffic in this Area Managed by General Permit
-  Izembek State Game Refuge
-  Roads

USGS quad Cold Bay



State of Alaska Department of
Fish & Game
2/11/2023



U.S. Fish and Wildlife Service

Approach & Viewing Guidelines for Pacific Walruses



BACKGROUND AND BEHAVIOR AWARENESS

Walruses are highly sensitive to boats, aircraft, and human presence. Noises, smells, and sights may elicit a reaction. When hauled out in dense groups onto ice or land, calves and yearlings are particularly susceptible to being crushed during disturbance events that cause the herd to panic and stampede at these large haulouts.

Harassing or Disturbing Walruses is Illegal

Pacific walruses are protected under the Marine Mammal Protection Act of 1972 (MMPA) and any human activity, including operating an aircraft, vehicle, or boat, or approaching on foot, in a manner which results in harassing walruses is prohibited. Harassment includes any act which has the potential to injure or disturb walruses and includes acts which disrupt behavioral patterns including, but not limited to migration, breathing, nursing, breeding, feeding, or sheltering. Some exceptions are made for authorized scientific research and subsistence harvest by Alaska Natives.

When viewing walruses on land, ensure that your actions do not cause a change in their behavior. Since individual animal's reactions will vary, carefully observe animals and leave the vicinity if you observe any of the following behaviors (generally listed in increasing intensity of disturbance):

- Several individuals raising their heads simultaneously
- Increased vocalizations
- Increased interactions with other animals
- Aggressive behavior by animals towards the disturbance
- Movement towards the water
- Hurried entry into the water

Walruses in the water can be disturbed by underwater sounds produced by a vessel's engines and propellers. Cautiously move away from the animals if you observe any of the following behaviors:

- Rapid changes in direction or swimming speed
- Erratic swimming patterns
- Grouping up and "head bobbing" to investigate the source of the disturbance
- Escape tactics such as prolonged diving, underwater exhalation, underwater course changes, or rapid swimming at the surface
- Females attempting to shield a calf with her body or by her movements

GUIDELINES FOR LAND BASED APPROACHES AND VIEWING

Approach walruses hauled out on land unobtrusively. Viewing should be accomplished without the animal's awareness of your presence. You may not be the only one that day that has approached these same animals, please be aware that increasing levels of disturbance may occur with each successive visit. Using binoculars and telephoto lenses to view or photograph animals from a safe distance can help ensure that animals are not disturbed.

Avoid detection by sight, smell or sound:

- Do not approach on motorized vehicles. Park vehicles out of sight at least 0.5 mile away and approach by foot, moving slowly and staying hidden behind natural cover.
- Approach viewing areas quietly, avoid conversation, noisy movements and loose clothing that may flap in the wind.
- Approach from downwind; avoid smoking and use of scented and fragrant products.
- Keep a low profile and avoid being backlit against skylines, or other light backgrounds.
- Do not wear brightly colored clothes.

GUIDELINES FOR MARINE VESSELS

Motor vessels should maintain a buffer from walrus haulouts on land or ice to avoid disturbance:

- Marine vessels 50 feet in length or less should remain at least 0.5 mile away from haulouts.
- Marine vessels 50 - 100 feet should remain at least 1 mile from haulouts.

Sound carries a long way across the water and often reverberates off of cliffs and bluffs adjacent to coastal walrus haulouts amplifying the level of noise. Avoid sudden changes in engine noise, using loud speakers, loud deck equipment or other operations that produce noise when in the vicinity of walrus haulouts.

Vessels traveling in a predictable manner appear to be less disturbing to animals. Avoid excessive speed or sudden changes in speed or direction when operating near walrus haulouts in the water. Harassment or pursuit of marine mammals is prohibited by law. Never attempt to herd, chase, or separate groups of walrus haulouts.

GUIDELINES FOR AIRCRAFT AND DRONES

Walrus haulouts are particularly sensitive to changes in engine noise and are more likely to stampede off beaches when aircraft turn or fly overhead. Aerial photography of walrus haulouts from manned aircraft or unmanned aircraft systems (drones) poses a high potential for disturbance and is specifically discouraged. To help prevent disturbances, please follow these general guidelines when operating aircraft near walrus haulouts along the coast:

- Pilots of single engine manned aircraft and UAS devices should not knowingly fly over or fly within 0.5 mile of walrus haulouts on land or ice to avoid causing a disturbance. If weather or aircraft safety require flight operations within 0.5 mile of walrus haulouts, aircrafts should maintain a 2000' minimum altitude.
- Pilots of helicopters and multi-engine aircraft should not knowingly fly over or fly within 1 mile of walrus haulouts on land or ice to avoid causing a disturbance. If weather or aircraft safety require flight operations within 1 mile of a haulout site, helicopters and multi-engine aircraft should maintain a 3000' minimum altitude.
- Landings, take-offs, and taxiing should not occur within 0.5 mile of haulouts for single engine aircraft or within 1 mile for multiple engine aircraft and helicopters. Please be aware that some locations have prohibitions on landing and takeoffs, check with the applicable land manager.
- Avoid unnecessary circling or turning near walrus haulouts on land or ice.
- Please be aware that some locations have stricter recommendations (such as Round Island within the Walrus Islands State Game Sanctuary). Pilots are requested to maintain a minimum altitude of 5,000 feet above ground level within a 3 mile radius of Round Island (58° 36' N. 159° 58' W.). Access to Round Island or adjacent waters requires written permission from ADF&G. Please check with the Alaska Department of Fish and Game for additional restrictions.

If aircraft safety requires flight operations below these recommended altitudes, please pass inland or seaward (within safe gliding distance to shore) of the haulout site at the greatest lateral distance manageable for safe operation of the aircraft (a minimum of 1 mile if possible).

Please note these are only guidelines, and may not prevent disturbances in all situations. You are responsible for your actions and operating your aircraft or marine vessel in a manner which does not cause disturbance or violate the Marine Mammal Protection Act.

FOR MORE INFORMATION PLEASE CONTACT:

U.S. Fish and Wildlife Service
Marine Mammal Management Office
1011 East Tudor Road
Anchorage, AK 99503
1-800-362-5148

To report incidences of harassment, injury, or potential wasteful harvest please contact:

U.S. Fish and Wildlife Service Office of Law Enforcement 1-877-535-1795 or 1-800-858-7621.

Flight Advisory for Pacific Walrus



Bristol Bay

The U.S. Fish and Wildlife Service seeks your support and cooperation in minimizing disturbances to walrus herds resting throughout Bristol Bay, Alaska.

HAULOUT LOCATIONS

Regularly used walrus haulout locations in Bristol Bay include Cape Newenham, Cape Pierce, Cape Senievain, Cape Grieg, Hagemeister Island, and Round Island. Sporadically used haulout locations include Izembek Lagoon (Cape Glaznap and Neuman Island), Amak Island, and Cape Sarichef and Oksenof Point on Unimak Island. See graphics depicted on following pages.

THESE ARE IMPORTANT RESTING AREAS FOR PACIFIC WALRUSES. Each summer, thousands of male walruses migrate into Bristol Bay to feed on rich beds of clams and other marine organisms. Between feeding cycles, they come to shore to rest at isolated resting areas (haulouts) distributed throughout Bristol Bay.

WALRUSES ARE SENSITIVE TO HUMAN DISTURBANCES. Although responses to human activities are variable, walruses will often flee haulouts in response to the sight, sound, or odor of humans or their machines. Trampling deaths associated with haulout disturbance is one of the largest known sources of natural mortality for walrus. Frequent or prolonged disturbances may even result in haulout abandonment.

HARASSING OR DISTURBING WALRUSES IS AGAINST THE LAW. Any human activity, including operating an aircraft, vehicle, or boat, or approaching on foot, in a manner which results in harassing walruses is prohibited under provisions of the Marine Mammal Protection Act of 1972. Harassment includes any act which has the potential to injure or disturb walruses and includes acts which disrupt behavioral patterns including, but not limited to migration, breathing, nursing, breeding, feeding, or sheltering.

YOU CAN HELP MINIMIZE DISTURBANCE TO WALRUSES RESTING ALONG THE BRISTOL BAY COAST. Walrus are particularly sensitive to changes in engine noise and are more likely to stampede off beaches when planes turn or fly low overhead. Aerial photography of walruses from manned aircraft or unmanned aircraft systems (drones) poses a high potential for disturbance and is specifically discouraged. In an effort to prevent disturbances, please follow these general guidelines when operating aircraft near walrus herds.

Pilots of single engine manned aircraft and drones should not knowingly fly over or fly within 1/2 mile of walruses hauled out on land or ice to avoid causing a disturbance. If weather or aircraft safety require flight operations within 1/2 mile of walruses, small single engine aircraft should maintain a 2000' minimum altitude.

Pilots of helicopters and multi-engine aircraft should not knowingly fly over or fly within 1 mile of walrus haulouts on land or ice to avoid causing a disturbance. If aircraft safety requires flight operations within 1 mile of walrus haulouts, helicopters and multi-engine aircraft should maintain a 3000' minimum altitude.

If aircraft safety requires flight operations below these recommended altitudes, please pass inland or seaward (within safe gliding distance to shore) of the haulout site at the greatest lateral distance manageable for safe operation of the aircraft (1 mile if possible).

Please be aware that some locations have stricter recommendations (such as Round Island within the Walrus Islands State Game Sanctuary). Pilots are requested to maintain a minimum altitude of 5,000 feet above ground level within a 3 mile radius of Round Island (58° 36' N. 159° 58' W.). Access to Round Island or adjacent waters requires written permission from ADF&G. Please check with the Alaska Department of Fish and Game for additional restrictions.

Please note these are only guidelines, and may not prevent disturbances in all situations. You are responsible for operating your aircraft in a manner which does not cause disturbance or violate the Marine Mammal Protection Act.

THANK YOU FOR YOUR HELP AND COOPERATION

To report incidences of disturbance or harassment please contact:

U.S Fish and Wildlife Service
Division of Law Enforcement:
1011 E. Tudor Road
Anchorage Alaska 99503-6199
Toll free: 1-800-858-7621

For questions about walrus haulouts please contact:

U.S. Fish and Wildlife Service
Marine Mammals Management Field Office
1011 E. Tudor Road
Anchorage Alaska 99503-6199
Toll free: 1-800-362-5148
<http://www.fws.gov/alaska/fisheries/mmm/>



How to avoid disturbance of Pacific walrus in Bristol Bay

Guidelines for Mariners

In Bristol Bay during the months of March through December, walrus may be encountered in the water and resting on shore at Round and Hagemeister Islands, Capes Peirce, Newenham, Seniavin, Greig and Cinder River. Round Island is part of the Walrus Islands State Game Sanctuary and there are state regulations specific to that area mariners should follow. The guidelines provided here do not supersede or amend the state's regulations for Round Island.

The Marine Mammal Protection Act (MMPA) prohibits the take of all marine mammal species in U.S. waters. Take is defined as "to harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill any marine mammal." Harassment is defined under the MMPA as "any act of pursuit, torment, or annoyance which has the potential to injure a marine mammal or marine mammal stock in the wild; or has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering." Take is further defined by regulation to include feeding or attempting to feed a marine mammal in the wild. Some exceptions are made for authorized scientific research and subsistence hunting by Alaska Natives.

Disturbance

Marine mammals swimming or hauled out on land, rock or ice are sensitive to boats, and human presence. Noises, smells, and sights may elicit a flight reaction. Trampling deaths associated with haulout disturbance are among the largest known sources of natural mortality for walrus. Frequent or prolonged disturbances may even result in long-term haulout abandonment. Your vessel may not be the only one that day that has interacted with a particular group of walrus, please be aware that increasing levels of disturbance may occur with each successive interaction.



USFWS

Pacific walrus fleeing a terrestrial haulout in response to human induced disturbance.

Signs of Disturbance

Signs of disturbance to animals hauled out on the beach may include any of the following behaviors (generally listed in increasing intensity of disturbance):

- Several individuals raising their heads simultaneously
- Increased vocalizations
- Increased interactions among individuals in the herd
- Aggressive behavior by animals towards the disturbance Movement towards the water
- Hurried entry into the water

Much of the disturbance that impacts marine mammals in the water is related to underwater sound produced by a vessel's engines and propellers. Cautiously move away from the animals if you observe any of the following behaviors:

- Rapid changes in direction or swimming speed
- Erratic swimming patterns
- Grouping up and "head bobbing" to investigate the source of the disturbance
- Escape tactics such as prolonged diving, underwater exhalation, underwater course changes, or rapid swimming at the surface
- Females attempting to shield a calf with her body or by her movements

Guidelines for Vessel Operation

Note that state waters (0 – 3 nautical miles) around Round Island, within the Walrus Islands State Game Sanctuary are closed to all access without prior authorization under state regulations.

The following should be observed for all other Bristol Bay haulouts:



Anthony Fischbach USGS

Walrus mortality due to disturbance

- Maintain a buffer between their vessel and walrus haulouts on land or ice to avoid disturbance.
- Assume that known walrus haulouts will be occupied.
- Vessels 50 feet in length or less should remain at least a 0.5 nautical mile away from a walrus haulout.
- Vessels 50–100 feet in length should remain at least 1 nautical mile away from a walrus haulout.
- Vessels greater than 100 feet in length should remain at least 3 nautical miles away from a walrus haulout.
- All vessels should refrain from anchoring, or conducting tendering or fishing operations within 3 miles of hauled out walrus.
- Reduce noise levels near haulouts. Avoid sudden changes in engine noise, using loud speakers, loud deck equipment or other operations that produce noise when in the vicinity of walrus haulouts.
- Avoid excessive speed or sudden changes in speed or direction when approaching or departing walrus haulout areas. Vessels traveling in a predictable manner appear to be less disturbing to swimming walrus.
- Reduce speed and maintain a minimum 0.5 nautical mile exclusion zone around feeding walrus.
- Don't operate your vessel in such a way as to separate members of a group of walrus from other members of the group.
- When weather conditions require, such as when visibility drops, vessels should adjust speed accordingly to avoid the likelihood of injury to walrus.

Mariners should take every precaution to avoid harassment of concentrations of walrus in the water. Harassment or pursuit of marine mammals is prohibited by under the Marine Mammal Protection Act. Never attempt to herd, chase, or separate groups of walrus.

**To report incidences of disturbance or harassment contact:
U.S Fish and Wildlife Service, Alaska
Division of Law Enforcement
1011 E. Tudor Road
Anchorage Alaska 99503-6199
Toll free: 1-800-858-7621**

**For more information about walrus,
contact:U.S. Fish and Wildlife Service,
Alaska
Marine Mammals Management Field
Office
1011 E. Tudor Road, MS-341
Anchorage, Alaska 99503
907/786 3800 or 800/362 5148**