



September 27, 2024

Ms. Angel Drobnica, Chair
North Pacific Fishery Management Council
1007 West Third, Suite 400
Anchorage, AK 99501-2252

Mr. John Kurland, Regional Administrator
NOAA Fisheries, Alaska Region
709 West Ninth Street
Juneau, AK 99802-1668

Re: Agenda Item C6 Pelagic Trawl Gear Definition

Dear Chair Drobnica, Mr. Kurland, and Council members;

The Alaska Marine Conservation Council (AMCC) is deeply committed to safeguarding Alaska’s marine ecosystems and the fishery-dependent communities that rely on them. Our membership comprises fishermen, subsistence harvesters, marine scientists, small business owners, and fishing families. These livelihoods depend on sustainable fishing practices that foster healthy ecosystems.

Regarding Agenda Item C6, which addresses changes to the Pelagic Trawl Gear Definition, AMCC urges the Council to consider the following recommendations:

1. **Clarification of "Intended Performance":** We recommend that the Council prioritize a clear definition of the “intended performance” of pelagic trawl gear, with the explicit goal of avoiding contact with the seafloor.
2. **Reaffirmation of Seafloor Protection:** The Council should reaffirm that a key objective of the pelagic trawl gear definition is to prevent trawl operation on the seabed. We suggest revising the performance standard to ensure meaningful and enforceable accountability toward this objective.
3. **Support for Gear Innovation:** Allow for innovation in gear design to reduce unobserved mortality and habitat impacts. This innovation should align with an updated performance standard that effectively limits seafloor contact.
4. **Integration of Monitoring Technology:** Explore and implement modern technologies, such as cameras and sensors, to accurately monitor and quantify any bottom contact by trawl gear.

5. **Temporary Inclusion under Bottom Contact Gear Definition:** Until a performance standard that comprehensively prohibits seafloor contact is proven effective and enforceable, pelagic trawl gear should be listed under “bottom contact gear” and “mobile bottom contact gear” classifications.

Recent data highlights the pressing need for these changes. Pelagic trawls, which were never designed for seafloor contact, are responsible for a significant proportion of the total fishing footprint in the North Pacific, with pelagic gear accounting for 34% of the total footprint (40% in the Eastern Bering Sea and 18% in the Gulf of Alaska).¹ The 2022 Evaluation of Fishing Effects on Essential Fish Habitat (EFH) reported 20-60% bottom contact rates for catcher vessels and 70-100% for catcher processors in the Bering Sea and Aleutian Islands. Even in the Gulf of Alaska, where a 10% bottom contact limit exists, the rates reached up to 40% for catcher vessels.¹

Despite the Council’s efforts in the early 1990s to exclude bottom protection devices from pelagic trawl gear and differentiate it from bottom trawls, recent evidence reveals that pelagic trawls still make significant contact with the seafloor. Some pelagic nets even include chafe protection gear to prevent abrasion from seafloor contact, undermining the original intent of the regulations.

Given these developments, the objective of the current action should not be to align the definition of pelagic trawl gear with current fishing practices but rather to maintain the distinction between pelagic and bottom trawl gear. This distinction is critical for managing the significant areas where pelagic trawling is allowed and bottom trawling is not.

Approximately 200 conservation areas representing 666,497 square nautical miles (about 61% of the North Pacific EEZ) of Alaska’s waters are closed to bottom trawling to protect benthic habitats.² For this reason, bottom trawling is also prohibited in State waters.³ However, current data suggests that much of the pelagic trawl gear used today does not adhere to the “longstanding interpretation” and original off-the-bottom intent, reducing the effectiveness of these habitat protections.

While AMCC understands that the Council’s proposed changes to the Pelagic Trawl Gear Definition aim to address compliance issues separately from ongoing work on the performance standard, we urge the Council first to clarify the gear’s “intended performance.” Without this clarity, the proposed updates will be insufficient and potentially ineffective.

¹M. Zaleski , T. S. Smeltz , S. Rheinsmith , J. L. Pirtle , and G. A. Harrington, [2022 Evaluation of Fishing Effects on Essential Fish Habitat](#),

² Council Coordinating Committee Area-Based Management Subcommittee, 2023. Michelle Bachman, Deirdre Boelke, Jessica Coakley, Mark Fitchett, John Froeschke, Kerry Griffin, Roger Pugliese, Eric Reid, Liajay Rivera-Garcia, Miguel Rolon, and David Witherell. An Evaluation of Conservation Areas in the U.S. EEZ. Final Report. Available at: <https://www.fisherycouncils.org/area-based-management>

³ (ALASKA ADMIN. CODE tit. 5, § 39 (2004))

Existing regulatory definitions can provide valuable guidance. For example, the State of Alaska defines pelagic trawl gear as “a trawl where the net, or the trawl doors or other trawl-spreading device, **do not operate in contact with the seabed**, and which does not have attached to it any protective device, such as chafing gear, rollers, or bobbins, that would make it suitable for fishing in contact with the seabed;” (*Alaska State Waters (5 AAC 39.105(10)(C))*). Fisheries off West Coast States (50 CFR 660.11) define “midwater (pelagic or off-bottom) trawl” as “a trawl in which the otter boards and footrope of the net remain above the seabed.” It is time for the Council to adopt and enforce a similar, clear definition in the North Pacific.

AMCC also requests clarification from the Council regarding the specific scope of work outlined in the upcoming "Pelagic Trawl Gear Innovation" Discussion Paper. We urge the inclusion of a robust and enforceable performance standard aimed at minimizing bottom contact for pelagic trawl gear and respectfully request that the Council update the public on the timeline for addressing the performance standard.

In conclusion, the Alaska Marine Conservation Council strongly believes that protecting Alaska's marine ecosystems and ensuring the sustainability of its fisheries is vital for the health of the environment and the communities that rely on these resources. We urge the Council to prioritize clear, enforceable definitions and performance standards for pelagic trawl gear that reflect its original intent to avoid seafloor contact. Doing so will safeguard the integrity of critical habitat protections and align fishing practices with long-standing conservation goals.

Thank you for considering our comments. We look forward to continued collaboration on this critical issue.

Sincerely,

Michelle Stratton

Michelle Stratton
Fisheries Scientist
Acting Executive Director
Alaska Marine Conservation Council