



May 30, 2025

Chair Angel Drobnica
North Pacific Fishery Management Council
1007 W. 3rd Avenue, Suite 400
Anchorage, AK 99501

Re: C3 Pelagic Gear Definition and Pelagic Gear Innovations agenda items

Dear Chair Drobnica and Council Members,

On behalf of Native Peoples Action, I write to express our deep concern and strong recommendations regarding Agenda Item C3: Pelagic Trawl Gear Definition and Pelagic Gear Innovation. As a Tribal advocacy organization dedicated to protecting Indigenous ways of life and advancing environmental justice, we urge the Council to take a precautionary, science-based, and inclusive approach to these critical issues.

We strongly urge the Council to maintain a clear and enforceable definition of pelagic trawl gear as gear that operates entirely in the midwater column and does not contact the seafloor under any conditions. Pelagic gear must be defined by its function and ecological footprint, not by industry norms or operational convenience. NOAA research has shown that pelagic trawl gear does contact the seafloor 40% to 100% of trawl tows, depending on depth, speed, and gear configuration (Devitt, 2011).

If trawl gear makes contact with the seafloor incidentally or routinely, it must be reclassified as bottom-contact trawl gear or, more precisely, as mobile bottom-contact trawl gear. This distinction is essential for accurate environmental impact assessments, regulatory enforcement, and protecting Essential Fish Habitat and non-target species such as crab and halibut. Misclassifying bottom-contact gear as pelagic creates loopholes that undermine conservation goals and disproportionately harm Indigenous communities who rely on healthy marine ecosystems for food security, cultural practices, and economic livelihoods.

We also urge the Council to prohibit the use of pelagic gear type(s) that contact the seafloor in areas where bottom trawling is currently restricted or banned. Allowing pelagic gear that behaves like a bottom trawl to operate in these protected areas under the guise of pelagic fishing would violate the spirit and intent of existing conservation measures.

Enforceability and simplicity must be a cornerstone of any regulatory definition. The Council should establish tractable mandates requiring the use of existing and emerging monitoring technologies, such as sensors, bottom contact sensors, and vessel monitoring systems, to verify that pelagic gear remains off the seafloor. These technologies are already used in other fisheries and can provide real-time data to ensure compliance (NOAA Fisheries, 2022).

Without such verification, the definition of pelagic gear becomes unenforceable and subject to abuse.

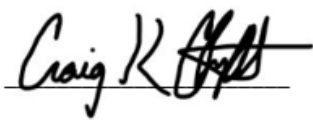
We also respectfully request that the Council bring these agenda items back to Alaska for further deliberation. Decisions of this magnitude must be made in proximity to the communities most affected. Holding these discussions outside of Alaska limits the ability of Indigenous peoples and rural residents to participate meaningfully in the process.

Furthermore, we call on the Council to fully incorporate Local and Traditional Knowledge (LTK) into its decision-making processes. Indigenous knowledge systems offer invaluable insights into marine ecosystems and long-term environmental change. These perspectives must be integrated into the NEPA Environmental Impact Statement process and considered through robust Tribal Consultation, in accordance with federal policy and Executive Order 13175. Tribal governments and knowledge holders must be engaged early and consistently, and their input must be treated with the same weight as Western scientific data.

Finally, we emphasize the importance of upholding Tribal sovereignty and the federal government's trust responsibility. Meaningful consultation is not a checkbox but a legal and moral obligation. We urge the Council to work closely with NOAA and NMFS to ensure that Tribal voices are not only heard but are central to the development of sustainable fisheries policy.

In closing, we ask the Council to act with integrity, foresight, and respect for the original stewards of these lands and waters. The decisions you make today will shape the health of our oceans and the well-being of our communities for generations to come. Let us move forward together in a spirit of collaboration, honoring both science and Indigenous knowledge, and protecting the ecosystems that sustain us all.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig K. Chythlook", written over a horizontal line.

Craig Kaviak Chythlook
Fisheries Policy Director
Native Peoples Action

References

Devitt, K. (2011). *Trawl Rationalization Trailing Actions: Chafing Gear Environmental Assessment*. NOAA Technical Memorandum NMFS-NWFSC-112. <https://repository.library.noaa.gov/view/noaa/10754>

NOAA Fisheries. (2022). *Fishing Gear: Bottom Trawls*. National Oceanic and Atmospheric Administration. <https://www.fisheries.noaa.gov/national/bycatch/fishing-gear-bottom-trawls>