



February 2, 2024

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

RE: Comment on Agenda Item D1 (Pelagic trawl gear definition changes) – discussion paper

Dear Chair Drobnica and Council Members:

The Alaska Bering Sea Crabbers (ABSC) is a trade association representing the majority of independent crab harvesters who commercially fish for king, snow (opilio), and Tanner (bairdi) crab with pot gear in the Bering Sea and Aleutian Islands (BSAI) Crab Rationalization Program. We appreciate the opportunity to comment on Agenda Item D1 (Pelagic trawl gear definition changes).

We recommend the Council list pelagic trawl under the definitions of “bottom contact gear” and “mobile bottom contact gear” and prohibit its use in areas closed to bottom trawling until proven effective and enforceable technologies or performance standards are implemented to prevent bottom contact.

We would like to acknowledge the time and effort that was put into this document and the number of contributors with expertise on the subject matter. Pelagic trawl performance standards and gear definitions are a critical component for effective fisheries management measures. We understand the Council’s recommendation to separate the trawl gear definitions from the trawl performance standard and the Bristol Bay red king crab (BBRKC) closures agenda item because they could apply much more broadly than just in Bristol Bay, however, there are still many related and overlapping considerations that we will speak to here and in our comment letter under C2 (BBRKC closures).

In considering changes to the pelagic trawl gear definition that may be intended to address impacts associated with seafloor contact, the Council should first consider the intended management objective of the fishing gear and what the enforceable performance standards will be. If pelagic fishing gear is meant to be fished off the bottom, there would then need to be gear definitions that allow for appropriate innovations, along with performance standards that would allow for proper enforcement. If, however, pelagic trawl gear is intended to be fished on the seafloor, then again, the gear and gear definitions should allow for innovation and methods that will minimize the impacts to seafloor habitat and non-target species (similar to measures that have been implemented for bottom trawls). Regardless of where a trawl net is fished, the need for flexibility in gear design and restrictions to allow for innovation is important to increase fishing efficiencies and reducing bycatch (including unobserved fishing mortality) and impacts on critical crab habitat.

Section 6 of this document highlights that *“While differences occur among vessels, pelagic trawl gear variations, and the management of pollock fisheries utilizing pelagic trawl gear within BSAI and GOA vessels and fisheries, NMFS recommends against adopting pelagic trawl gear definitions specific to the*

*GOA or BSAI - consistency in definitions between both areas minimizes any confusion and facilitates enforcement.”* The section then goes on to recommend potential changes that would facilitate consistency for regulations between the Gulf of Alaska and Bering Sea. While at the same time, there remains several large discrepancies between pelagic trawl definitions by region (State and Federal), where the current regulations for Alaska State Waters (*5 AAC 39.105(10)(C)*) define a pelagic trawl 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.* Crab can be injured or killed by contact with any section of trawl gear: doors, sweeps, footropes, footrope gear, net and codend. This paper fails to recommend changes that would bring any consistency between State and Federal definitions.

In closing, we urge the Council to clarify that an objective of the pelagic trawl gear definition is to prevent such trawls from being operated on the seafloor and must prioritize initiating revisions to the performance standards which provide enforceable accountability to this objective. Similarly, to effectively limit contact with the seafloor by pelagic trawl gear, the Council should consider a revised gear performance standard that includes modern technology integration to quantify bottom contact. Until this is proven to be effective and enforceable, the Council should list pelagic trawl under the definitions of “bottom contact gear” and “mobile bottom contact gear” and prohibit its use in areas closed to bottom trawling. This will serve to protect critical crab habitat, maintain consistency with other Council objectives and bring the definition of pelagic trawl gear into alignment with the definitions in Alaska state waters fisheries.

Sincerely,



Jamie Goen  
Executive Director  
*Alaska Bering Sea Crabbers*