



September 26, 2024

Dear Chairwoman Drobica,

I am submitting these comments on behalf of the Alaska Longline Fishermen's Association (ALFA) on **C-3, Pelagic Trawl Gear Definition**. ALFA recommends that the Council establish clear and enforceable performance standards that limit bycatch and seafloor contact by vessels operating pelagic trawls in areas and at times otherwise closed to non-pelagic trawl gear. We recognize that is still not the focus of this action, but we strongly believe it should be a high and immediate priority of the Council.

### **Establishing the objective**

When Council analysis revealed some years ago that pelagic trawl gear was in fact in contact with the seafloor up to 70 percent of the time, we expected the Council to move quickly to either exclude pelagic gear from areas closed to bottom trawling or to effectively limit pelagic trawl gear's contact with the seafloor. Instead, the Council has spent its limited analytical time struggling to redefine pelagic trawl gear without changing how the gear is fished. This indicates that limiting seafloor disturbance is not the Council's objective, and that bottom trawl closures were never intended to protect habitat or benthic species. ALFA finds that alarming.

The stated purpose for this action is to "align regulations with the longstanding interpretation of pelagic trawl gear in Alaska and to remove unnecessary outdated text." One would assume that the regulations would be clarified to match the State of Alaska definition of pelagic trawl gear: "*A pelagic trawl is 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;*" 5 AAC 39.105(10)(C) (emphasis added). Strangely, even the state of Alaska does not seem to be advocating for this definition but instead defines the "longstanding interpretation" in Alaska only as "never intended to include the cod end."

We would pose the same question as the staff: “What is the policy objective the Council is trying to accomplish with this language?”<sup>1</sup> If that objective is to ensure pelagic trawl gear can continue to be fished on bottom at times and in areas closed to bottom trawling, then there seems to be little point to redefining the gear—the trawl fleet already has full license to fish on bottom with any net and to continue to trawl in closed areas by relabeling the net they are using. We understand that the trawl industry wants the regulations modified to allow cameras and flotation; we do not object to these changes but are frustrated by the lack of action on the critical issue of limiting seafloor contact to protect habitat and benthic species.

Again, ALFA requests that as part of this action the Council clarify that its policy objective for pelagic trawl gear is to limit seafloor contact. This seems urgent given the status of crab stocks and the climate stress apparent in our marine ecosystem. Although monitoring and enforcing the amount of trawl contact with the seafloor has been challenging in the past, we understand that technology is now readily available. To quote OLE’s statement from a recent analysis:

"In addition to examining performance standards, OLE has become aware of the potential to improve enforcement of existing and potential future gear restrictions involving seafloor contact. In recent months, OLE has determined currently fielded transducer and sensor technologies enable monitoring of seafloor contact. If the Council were to mandate the use of existing technologies to record – and allow enforcement access to – seafloor contact data, the potential for successful enforcement of seafloor-contact gear restriction(s) is high.<sup>2</sup>

**In sum**, OLE can enforce a Council objective of limiting seafloor contact if the Council sets that objective. ALFA strongly supports the Council in setting this conservation objective. We also urge the Council to develop regulations that limit seafloor contact by pelagic trawls, prohibit pelagic trawls from conservation areas if seafloor contact cannot be avoided, and require technologies capable of monitoring for compliance.

Thank you for considering our recommendations.

Sincerely,



Linda Behnken  
Executive Director

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<sup>1</sup> NPFMC. C3 Pelagic Trawl Gear Definition October 2024 at 4

<sup>2</sup> NPFMC C4 BBRKC Closure Areas (June 2023). Groundfish Area Closures within the BBRKC Stock Assessment Area, at 95.