



January 17, 2024

**RE: Alaska Fisheries Science Center *proposed* research project
“Northern Bering Sea Effects Trawling Survey (NETS)”**

Dear Tribal Leader:

Greetings! We—the Tribal Government of St. Paul Island, Kawerak, Inc., the Association of Village Council Presidents (AVCP), and the Bering Sea Elders Group (BSEG)—are writing because we believe you, as a federally recognized Tribe and Tribally-authorized Consortia, may be interested in information about a research project proposed by the National Oceanic and Atmospheric Administration’s (NOAA) Alaska Fisheries Science Center (AFSC). We learned about this project, are extremely concerned about it, and are collectively sending you this letter. *If, after reviewing this letter, you are also concerned about the NETS research project we strongly urge you to reach out to NOAA AFSC to request information that will allow you to consider the potential risks, threats, and impacts of this research on your community and Tribe.*

AFSC is proposing to conduct a commercial bottom-trawl research project in the Northern Bering Sea Climate Resilience Area (NBSCRA). This project is called “NETS” and is slated to begin this fall. The project proposes to look at the effects of commercial bottom-trawling activity on the seafloor and animals that live there by conducting bottom-trawling in the NBSCRA. AFSC plans to use commercial bottom-trawl fishing gear—which damages the seafloor—and then use the NETS results to determine whether bottom-dwelling species recover and, if they do, what changes there are one or more years after their habitat are intentionally disrupted by commercial trawling.

AFSC has described the purpose of the NETS study as obtaining “a better understanding of the potential impacts of trawling on the benthic and epibenthic fauna.” We are concerned that this research project is being initiated to facilitate commercial bottom trawling in the Northern Bering Sea within the NBSCRA (see attached: NETS project details from AFSC). We are extremely concerned that this research will directly lead to the opening of the northern Bering Sea to destructive bottom-trawl fisheries, which are currently banned.

The NBSCRA, where the NETS research project is proposed to take place, was established through [Executive Order 13754](#). Tribes and Tribal organizations worked for many years to achieve this Executive Order to, in part, prevent bottom-trawl fishing gear from being used in the NBSCRA. Bottom-trawl gear is destructive and indiscriminate and could have negative impacts on subsistence-harvested animals and

ecosystem health. There are already hundreds of peer-reviewed scientific studies showing the negative effects of bottom-trawling on the seafloor.

AFSC's project summary (see attached: NETS project details from AFSC) has asserted they have Tribal partners and endorsements for these activities. We want to clearly state that we are not partners on the NETS project, we do not endorse any of the project's activities, and we do not plan to be involved in this research. Kawerak, AVCP, BSEG, and the Tribal Government of St. Paul Island have all passed resolutions that either directly oppose the NETS project or explicitly oppose bottom trawling in the northern Bering Sea and efforts by the federal government to allow bottom trawling in the northern Bering Sea.

To our knowledge, NOAA has not shared information about this project with Tribes—we learned about it through Kawerak staff, who were informally told about it by AFSC. NOAA has also not fulfilled their responsibility to proactively offer Consultation to all potentially interested Tribes ahead of taking any actions.¹ NOAA AFSC has been minimally responsive to a specific request for Consultation from the Tribal Government of St. Paul Island, and subsequent requests for materials and information related to the project. The requested Tribal Consultation was scheduled and then postponed with virtually no notice by AFSC on January 5, 2024.

In their notice of postponement, AFSC stated they had not engaged any potentially interested or impacted Tribes. We are reaching out to you today so that the Federal government's lack of outreach and failure to follow their own published policies and protocols around Tribal Consultation¹ do not further deny you of the opportunity to engage in Consultation, should you be interested. Below we are sharing the information and concerns we have about the NETS project so that you can be as informed as possible.

Also, it is our understanding that NOAA has not met their directive to engage with the NBSCRA's Bering Inter-Governmental Tribal Advisory Council (BITAC). Executive Order 13754 states that, “[a]ll agencies charged with regulating, overseeing, or conducting activities in the Northern Bering Sea Climate Resilience Area shall do so with attention to the rights, needs, and knowledge of Alaska Native tribes.” The NBSCRA's TAC was created specifically to provide input and recommendations on “activities, regulations, guidance, or policy that may affect actions or conditions in the Northern Bering Sea Climate Resilience Area”—activities like the proposed NETS project.

For additional background information, please see the attachments to this letter:

- NETS project details from AFSC (two documents combined into one PDF);
- Resolutions from Kawerak, AVCP, and the Tribal Government of St. Paul Island opposing the NETS project;
- BSEG Resolution opposing bottom trawling in the northern Bering Sea.

Summary and Next Steps

Because all Tribes in Alaska are potentially interested in the ways that NOAA has not upheld their responsibilities under Executive Order 13175 regarding appropriate Consultation and Executive Order

¹ NOAA Tribal Documents, Information & Documents, www.noaa.gov/legislative-and-intergovernmental-affairs/noaa-tribal-resources/information-documents.

13754 regarding the NBSCRA, we wanted to share this information with you. Even if your Tribe does not wish to seek Consultation on this project, it is important for all federal agencies—including NOAA—to uphold its obligations to and government-to-government relationship with Tribes.

If you have any concerns about this proposed NETS research project, we strongly urge you to reach out to NOAA AFSC to request more information that will allow you to consider the potential risks, threats, and impacts of this research on your community and Tribe.

We also encourage you to reach out to the Tribal Government of St. Paul Island to join our (postponed) formal Consultation if you are interested, or to contact NOAA AFSC directly (Jon.Kurland@noaa.gov and Robert.Foy@noaa.gov) and initiate your own Consultation on this matter.

Qagaalakux, Quayana, Thank you,



John Wayne Melovidov
President, Tribal Government of St. Paul Island



Melanie Bahnke
President, Kawerak Inc.



Vivian Korthius
CEO, Association of Village Council Presidents



Jaylene Wheeler
Executive Director, Bering Sea Elders Group