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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

GROUND FISH FORUM, INC.,

Plaintiff,

v.

NATIONAL MARINE FISHERIES
SERVICE, *et al.*,

Defendants.

Case No. 3:23-cv-00283-JMK

DECLARATION OF JOHN WAYNE MELOVIDOV

Groundfish Forum, Inc. v. NMFS
Case No. 3:23-cv-00283-JMK

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Ex. L, p. 1

I, John Wayne Melovidov, declare as follows:

1. I am over 21 years of age and under no legal disability. The facts stated in this declaration are true and correct based on my personal knowledge and my review of business records. I give this declaration voluntarily for use in support of the motion to intervene in the above-captioned litigation filed on behalf of the Aleut Community of St. Paul Island Tribal Government, and for all other purposes allowed by law.

2. I am the President of the Aleut Community of St. Paul Island Tribal Government. The Aleut Community of St. Paul Island is a federally recognized tribe that seeks to preserve and protect the intrinsic rights of the Aleut, or Unangax̂, People of St. Paul Island. The Tribal Government leads efforts to ensure and strengthen the Aleut Community's political sovereignty, economic self-sufficiency, continued cultural practices, tribal self-determination and self-governance, and the overall health, safety, and welfare of Tribal members. Unangax̂ have connections to and have been stewards of the marine waters surrounding the Pribilof Islands from time immemorial, and the fate of our people is inextricably linked to the integrity of the marine ecosystem surrounding our ancestral home.

3. Sustainable management of the Bering Sea's natural resources is essential to ensuring an empowered, healthy Aleut Community. Our Tribal

Community rests in the middle of the Bering Sea. We rely solely and directly on the Bering Sea halibut fishery for our economic sustainability. For many members of our Community, halibut-related employment and income represents the only income received during the entire year. Without a healthy halibut resource, closures and reductions in the fishery remove an essential economic lifeline from our Community.

4. Beyond economics, the halibut is sacred to the Unangax̂ People and our culture. Halibut harvesting, and the communal sharing of the harvest, provides a shared sense of identity and allows for strong social bonds to form within the community. An unhealthy halibut resource is a direct threat to the health and welfare of our Tribal members and our Community as a whole. Halibut harvested from the Bering Sea also serves as a significant source of food for members of our Community. Many families rely on subsistence halibut fishing to meet their basic needs.

5. Recently, harvest limits for the directed fishery have been at or near historic lows. Halibut abundance has declined sharply since the 1990s. As halibut abundance has decreased, however, bycatch limits for groundfish trawlers have not been proportionally reduced. During periods of low abundance, our halibut fishery has had its harvest limits disproportionately

reduced, as bycatch by Bering Sea trawlers consumed more and more of the halibut resource.

6. Our Tribal Community suffers great economic, cultural, and social hardships when halibut fishermen are forced to endure disproportionate and deeply damaging harvest reductions due to wasteful bycatch by trawlers like the Amendment 80 fleet. As a result of lower harvest limits for the directed fishery, our Tribal members have lost essential income. Tribal members have been forced to exit the fishery they have depended upon for generations. Our social bonds and community have faced increasing challenges, including increasing rates of substance abuse, domestic violence, and unemployment.

7. Reduced harvest limits have also impacted the ability of families to access essential subsistence halibut. Much of the subsistence halibut our Community relies upon is caught while Tribal members are fishing commercially. When trawl bycatch makes prosecuting the commercial fishery difficult or even impossible, our Community's access to subsistence halibut suffers.

8. The Tribal Government has been involved in multiple efforts to reduce halibut bycatch limits on groundfish trawlers. In 2015, the Tribal Government was active in both the North Pacific Fishery Management Council (NPFMC) process as well as lead efforts in Washington D.C. to have the

Department of Interior recognize the nature and extent of fish harvest rights set aside by the United States for the use of the Aleut Communities of St. Paul and St. George Islands. We were successful in obtaining a letter from the Department of Interior to NOAA Fisheries urging NOAA to act in a manner consistent with the federal government's responsibility to the Pribilof Aleuts.

9. The Tribal Government has long supported a change to abundance-based management of halibut bycatch, and we were actively involved in the process that resulted in adoption of Amendment 123. We provided support for abundance-based management through testimony and written comments to the NPFMC. We supported Alternative 4, which would have enacted greater cuts in bycatch limits than those ultimately imposed at times of low abundance. Nevertheless, we view Amendment 123 as an important step toward more rational and responsible management of Bering Sea halibut.

10. By reducing bycatch limits when abundance is low, Amendment 123 is a critical measure to preserve access to the halibut fishery in Area 4CDE. It also provides needed incentives to the Amendment 80 groundfish trawlers to reduce their bycatch and conserve halibut. There is simply no reason that the Amendment 80 fleet should be allowed to continue to kill and waste millions of pounds of Bering Sea halibut — doing great harm to our Community

and others like it — when the halibut population is declining and abundance is low. Every fishery faces challenges when populations decline and abundance is low, as the need to conserve and protect the resource limits the amount of fish that can be safely harvested. Why should the Amendment 80 fleet be any different?

11. Invalidating Amendment 123 would reduce our ability to harvest halibut from the Bering Sea and would correspondingly pose a direct threat to the health, welfare, and economic stability of our Aleut Community and our Tribal members. Members would lose much needed income. Families that rely on halibut for basic dietary needs will be forced to find other sources of sustenance or risk going hungry. The Community as a whole will also face hardships, as it confronts mounting instability and uncertainty.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on the 4th day of February, 2024.



John Wayne Melovidov