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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 MARISSA WILSON**

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

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Ex. C, p. 1

I, Marissa Wilson, 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 Alaska Marine Conservation Council and for all other purposes allowed by law.

2. I am the Executive Director of the Alaska Marine Conservation Council (AMCC). I was born in Homer, Alaska and have fished commercially for halibut, sablefish and salmon along Alaska's Gulf Coast since the age of fourteen. I have a deep personal connection with Alaska's fisheries and consider the non-monetary value of wild harvest to be paramount to my wellness. I helped establish AMCC's Young Fishing Fellows program, which provides young Alaskan fishermen with valuable learning, leadership, and career-building opportunities in fishing-related arenas. Prior to becoming Executive Director, I was a member of the AMCC's Board of Directors since 2013.

3. Founded in 1994, AMCC is dedicated to protecting and promoting the long-term health of Alaska's marine ecosystems and fishing-dependent communities. AMCC advances conservation solutions that honor the

interdependence of people and place. Our community-based approach includes outreach-driven grassroots advocacy, development of and advocacy for public policy, research and education.

4. AMCC has a broad and diverse membership that includes commercial, recreational, personal use, and subsistence harvesters along with marine scientists, seafood consumers, and small business owners and families who care deeply about Alaska's oceans. Many of AMCC's members are users of the directed halibut fishery or otherwise have financial, cultural, personal, and/or subsistence interests in the Pacific halibut resource. Members of AMCC are found throughout coastal Alaska communities. Other AMCC staff and board members also participate in directed, recreational, and/or subsistence halibut fisheries.

5. Halibut is an iconic species in Alaska and the fish hold tremendous social and cultural significance for many of AMCC's members. Halibut have been fished by Alaska Native Peoples for at least 8,000 years (likely longer, but halibut remains are not well represented in the archaeological record for a variety of reasons) and by commercial halibut fishermen for over 100 years. The inherent value of fishing as a way of life is irreplaceable and beyond quantification in analyses such as determinations of "net benefit to the nation" or assessments of community impacts.

6. Halibut also provide an important source of food for subsistence halibut fishermen, many of whom live in designated rural communities with historic ties to the resource and where store-bought food can be prohibitively expensive. Fishermen often serve subsistence networks in their local community; data from the Alaska Department of Fish & Game Subsistence Division has demonstrated the importance of fish for food and social connection: 83% of rural Alaska households harvest fish, while 95% of rural households use subsistence-caught fish. Additionally, the ADF&G Subsistence Division refers to the “30-70 rule” which suggests that 30% of households in a community generally produce 70% of the community’s harvest.

7. Many halibut fishermen combine subsistence and commercial fishing. Maintaining a viable commercial fishery is important to ensure continued access to needed subsistence halibut. Most of the subsistence halibut coming into rural areas does so via commercial vessels and gear. Fishermen in the BSAI region and rural fishermen elsewhere often serve as subsistence networks in their local community, sharing the harvest with the community as a whole. Such subsistence exchange encourages formation of positive relationships and reciprocity in the community and creates shared spiritual connections and identities.

8. From an economic view, as a commercial fishery, halibut often contributes income from spring through fall for fishing businesses. While salmon fisheries are common points of access for entry-level fishermen, fishermen invested in fishing a variety of species, including halibut, are more capable of withstanding variability in abundances and market conditions.

9. Additionally, the income derived from directed halibut fishing circulates through a community an estimated 7 times for homeported vessels and crews. This includes but is not limited to expenses directed toward vessel maintenance, moorage fees, insurance and safety equipment, fuel, bait, provisions, ice, supplies and other essential needs to utilize the halibut fishery. Halibut that are delivered to shoreside processing facilities provide employment for those employed by processors.

10. AMCC members have been adversely affected by excessive halibut bycatch during recent periods of low halibut abundance. Halibut removed as bycatch necessarily results in less halibut available for harvest by the directed fishery. AMCC members participating in directed halibut fishing in Area 4 have been impacted most directly in the form of a sustained reduction of halibut available for harvest. The negative economic impact has been severe and has resulted in differential impacts based on halibut dependence for each individual and community. As a halibut-dependent Alaskan Native

community, St. Paul particularly has suffered greatly from the sustained decline in halibut abundance.

11. Bycatch of halibut in the Bering Sea is especially problematic and reduces recruitment for the entire Pacific halibut population. The Bering Sea serves as nursery grounds for halibut which then migrate easterly toward the Gulf of Alaska, Southeast Alaska, Canada and the West Coast. Juvenile halibut removed from the Bering Sea as bycatch significantly impacts the halibut resource across the North Pacific. Halibut killed and wasted as bycatch do not grow and support future fishery opportunity and thus do not contribute to the long-term, overall health of the fishery. Peer-reviewed studies indicate that a 1-pound reduction in halibut bycatch in the Bering Sea results in an increase of approximately 1.4 pounds of halibut available to directed fisheries.

12. Declines in halibut abundance and directed halibut fishery limits has resulted in reduced fishing opportunities for commercial and recreational fishermen and increased costs associated with catch. Low annual limits for the directed fishery, increased catch costs, and unpredictable harvests due to low abundance have forced many of AMCC's members to reduce or stop participation in the halibut fishery in favor of other fisheries or opportunities.

13. The situation in the Bering Sea is getting progressively worse for directed halibut users. From 2002 to 2011, halibut harvested by directed

fishermen in Area 4CDE constituted 43% of total removals; from 2015 to 2019, that number fell to 31%.

14. Since its founding in 1994, AMCC has been deeply and continuously involved in efforts to reduce halibut, salmon, and crab bycatch. In 2012, AMCC attended meetings and provided written and oral comments in support of reducing halibut bycatch in the Gulf of Alaska. In 2015, AMCC held a seat on the Advisory Panel for the North Pacific Fishery Management Council and contributed to each Council motion to support reductions in bycatch. In each case, the AMCC drafted Action Alerts to notify its member stakeholders about the actions and to provide help to those members who wished to provide testimony or comments.

15. AMCC has been continuously involved in the adoption of abundance-based management as part of Amendment 123. AMCC attended every Council meeting over the 6-year period in which abundance-based management was discussed. During the analytical process, AMCC staff served on the Advisory Panel to the council. From 2016-2019, an AMCC staff-member served on the Council. AMCC submitted written comments four times, throughout the initial review process and during the final action, and testified 8 times. The AMCC also drafted and sent out alerts to our members and provided follow-up information on the outcomes of each meeting.

16. AMCC advocated for greater reductions in Amendment 80's bycatch limit than were ultimately enacted. Even still, the compromise solution adopted by the Council in Amendment 123 provides a long overdue measure of social equity and resource conservation. Given Amendment 80's halibut encounter rate, the reduced bycatch limits in Amendment 123 are achievable using existing technology and avoidance behaviors and will not substantially limit Amendment 80's groundfish operations.

17. Amendment 123's linking of bycatch allowances to abundance is a fundamental component of modern fisheries management. Bycatch of halibut in the Bering Sea groundfish fishery is, by far, the largest source of mortality for halibut in Area 4. A large amount of that bycatch is composed of juveniles, which is especially problematic, because juveniles serve as recruitment for the entire Pacific halibut population. Restrictive bycatch management during times of low halibut abundance, especially in areas near nursery grounds, supports conservation of the resource and recognizes the needs of directed halibut users and halibut-dependent communities.

18. If Amendment 123 were invalidated and previous bycatch limits were reinstated, AMCC members would again lose opportunity and access to harvest halibut in commercial and subsistence fisheries. A return to managing halibut bycatch by the Amendment 80 fleet using excessive, static limits would



impose direct harms on halibut users in the Bering Sea and Aleutian Islands in the form of reduced catch quotas, lower catch rates, and increased catch effort. In times of very low abundance, there would not be enough halibut in the BSAI to even have a directed fishery after accounting for the prior status quo's fixed bycatch limits. Such a situation is not merely hypothetical — the International Pacific Halibut Commission estimates a 50% chance of further declines in halibut abundance in upcoming years due in part to low coastwide recruitment. AMCC members in other areas of the Gulf of Alaska would also be harmed, as pressures of juvenile bycatch by the Amendment 80 fleet would harm halibut stocks coastwide.

19. As a conservation group, AMCC's overall mission to protect Alaska's marine resources would also be harmed by invalidation of Amendment 123's reductions in bycatch and linkage of bycatch limits to abundance. Likewise, the immense effort and resources that AMCC and others have invested in establishing abundance-based management of halibut bycatch will have been wasted.

20. Reverting to a static cap for halibut bycatch is contrary to basic principles of equity and fairness. Without an abundance-based management approach, the burden of conservation efforts during times of low halibut will

revert to a single user group, the directed halibut user, which will bear the full responsibility for conservation of the resource.

21. It is past time for the Amendment 80 fleet to join the directed halibut users in having their halibut use linked to, and considered within, stock abundance.

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 30th day of January, 2024.

  
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Marissa Wilson