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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 MARGARET L. PARKER**

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

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Ex. G, p. 1

I, Margaret L. Parker, 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 Halibut Association of North America and for all other purposes allowed by law.

2. I am the Executive Director of the Halibut Association of North America (HANA), a bilateral trade association formed in 1961 by more than a dozen of the largest halibut processors in the U.S. and Canada. HANA's members include direct purchasers and processors based in Alaska, British Columbia, Washington, Oregon, and California. HANA has been dedicated to the responsible management of the Pacific halibut fishery for more than 50 years. One of HANA's key missions is to represent its members in regional, federal, and international processes that affect the halibut resource, including the North Pacific Fishery Management Council (Council) and the International Pacific Halibut Commission (IPHC).

3. HANA is dedicated to protecting and promoting the Pacific halibut processing industry. Halibut processing plants are located in coastal communities in Alaska and along the Pacific Coast. Processing plants operated

by HANA's members provide badly needed employment opportunities in fishery-dependent communities, where options for steady employment are often limited. HANA's members contribute to these communities by providing working-wage jobs to residents and their families. The facilities they operate are also a significant source of tax revenue for their local communities. Revenue associated with halibut processing facilities has funded things like expansions to local hospitals, youth sports, and educational activities.

4. A healthy halibut resource is essential to our members' business and future. The halibut season extends a full nine months of the year, longer than salmon and crab's relatively shorter seasons. As a result, the need for halibut processing covers most of the year. This provides a key source of income to processing facilities and the ability to provide more steady employment for the people working there.

5. Halibut holds special social and cultural significance for many HANA members and the communities they serve in Alaska, British Columbia, Washington, and Oregon. HANA's membership includes companies that have had plants throughout Alaska, British Columbia, and Washington State since the halibut industry began in the 1880's. Processors value their close ties to the men and women who skipper halibut boats and make up the coastal communities.

6. HANA members have been directly harmed by excessive and fixed bycatch limits. Under the previous regulatory regime, halibut mortality from bycatch was “taken off the top” of total annual mortality limits. Only after halibut bycatch was fully accounted for could the remainder be allocated between participants in the Canadian and American directed fisheries. Halibut bycatch was thus granted primacy over subsistence, recreational, and directed commercial catches.

7. Because halibut bycatch limits in the Bering Sea and Aleutian Islands were not tied to abundance, bycatch has represented increasing proportions of total mortality as halibut abundance has declined. Excessive bycatch limits resulted in low catch limits for the directed fishery, low catch rates, and ultimately low halibut landings for the directed fishery. For at least two years, Area 4CDE was virtually closed to directed halibut fishing because so much halibut was removed from the area by groundfish trawlers.

8. As Pacific halibut landings have decreased, processors have found themselves having to pay staff and other fixed costs of operation with insufficient or even no halibut to run through the plant. Further, without enough halibut to reliably satisfy long-term customers, HANA members are losing halibut market-share to other fish, including Atlantic halibut from Canada, Norway and Maine. HANA members are also being forced to shift

from halibut to other lower-valued species to keep their plants running. The loss in revenue to halibut processors has a cascading effect on processors' customers, including value-added processors, distributors, brokers, foodservice and retail buyers. It also harms the communities where HANA members operate that depend on taxes from the halibut processing operations.

9. Further, fixed bycatch limits that are untethered from the health of the halibut resource harms the resource as a whole. Halibut are long-lived (60 or more years), which means it takes longer to rebuild populations that are in decline. Use of indiscriminate gear such as bottom trawls in areas known to contain young fish, like Area 4CDE, results in the mortality of subadults (0-13 years old) before they have spawned and contributed to the population. This has long-term impacts on the halibut population.

10. HANA members invest substantial effort in maintaining a healthy and sustainable halibut resource. During the fishing season, HANA members provide real-time data to state and international management organizations. In the off-season, HANA members directly participate in management of the halibut resource by serving on advisory committees and attending management meetings of a variety of regulatory bodies, including: the Council; the Alaska Board of Fish; the Canadian Department of Fisheries and Oceans;

state fisheries management agencies in Washington, Oregon and California; and the IPHC.

11. HANA has long advocated for abundance-based management of halibut bycatch limits. I have personally been involved in such advocacy since I was hired as HANA's executive director in 2005. HANA has spent over a decade drafting and reviewing analyses to support abundance-based management and has continuously submitted comments to the Council supporting abundance-based management.

12. HANA also participated in the process in which Amendment 123 was adopted. HANA testified before the Council numerous times throughout the process to address mistakes in the analysis, bias in the text in favor of the trawl sector, omissions in analyses regarding economic impact, the importance of using a two-survey index, and the importance of sharing conservation burden between the directed fleet and the Amendment 80 fleet.

13. HANA's members would be harmed if Amendment 123 were invalidated. A return to the prior status quo would result in the continuation of insufficient and unreliable supplies of Pacific halibut to direct purchasers and processors. This would result in lower revenues and harm their businesses. Such a situation would also make it very difficult, if not impossible, for HANA members to recover market share that has been lost to other fish.

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 4<sup>th</sup> day of February, 2024

  
Margaret L. Parker