



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Office of General Counsel
P.O. Box 21109
Juneau, Alaska 99802-1109

**Litigation Updates for the
February 2025 Meeting of the North Pacific Fishery Management Council**

Groundfish Forum v. NMFS

Parties:

Plaintiff: Groundfish Forum, Inc.

Federal Defendants: National Marine Fisheries Service (NMFS); National Oceanic & Atmospheric Administration (NOAA); Secretary of Commerce, Gina M. Raimondo; and Assistant Administrator for NOAA, Janet Coit.

Defendant-Intervenors: Central Bering Sea Fishermen's Association; City of Saint Paul, Alaska; Alaska Longline Fishermen's Association; Fishing Vessel Owners' Association; Homer Charter Association; The Boat Company; Petersburg Vessel Owners' Association; Alaska Marine Conservation Council; Halibut Association of North America; North Pacific Fisheries Association; Aleut Community of St. Paul Island Tribal Government; and Seafood Producers Cooperative.

Case Activity:

On December 19, 2023, Plaintiff filed a complaint in the United States District Court for the District of Alaska challenging NMFS Alaska Region's implementation of Amendment 123 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area. Following compilation of an extensive administrative record, briefs from numerous parties and interested submitters, and oral arguments, the District Court issued its decision and order on November 8, 2024.

The Court's decision and order found NMFS's issuance of the ABM rule was reasonable and supported by the administrative record, and ruled in favor of NMFS/Defendants. All of the Plaintiff's claims were dismissed with prejudice. At the time of the December 2024 Council Meeting, the deadline for appeal had not yet passed. It has now passed with no appeal.

Status/Next Steps:

The deadline for appeal passed on January 7, 2025, and no appeal was filed. The District Court's decision upholding the ABM rule is final.

Attached:

No attachments