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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
(Eugene Division)

NEWPORT FISHERMEN'S WIVES, INC.,
an Oregon nonprofit corporation, **CITY OF
NEWPORT, LINCOLN COUNTY, PORT
OF NEWPORT** and **MIDWATER
TRAWLERS COOPERATIVE**, an Oregon
cooperative,

Plaintiffs,

v.

UNITED STATES COAST GUARD, an
agency of the United States Department of
Homeland Security,

Defendant.

Case No. 6:14-cv-1890-MC

**DECLARATION OF DAVID JINCKS IN
SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION**

I, David Jincks, being sworn, say:

1. I am a director of the Midwater Trawlers Cooperative (MTC), reside in Newport, Oregon and make this declaration based upon my own person knowledge. I fished commercially

for 40 years, still own a fishing vessel, have served on the MTC board of directors since 1982 and currently am an elected commissioner of the Port of Newport.

2. MTC is an association founded in 1982 to represent U.S.-flag fishing vessel owners engaged in the whiting and other groundfish fisheries off the Pacific coasts of Oregon, Washington, California and Alaska. MTC currently represents 25 fishing vessels active in the Pacific groundfish fisheries that have 26 owners and employ 136 captains and crew members in good family wage jobs. Most of these vessels are homeported in Newport, Oregon and annually pursue the Dungeness crab, at-sea and shoreside whiting and traditional bottom trawl fisheries, much of that occurring in waters off the central Oregon coast.

3. All of MTC's members comply with Coast Guard safety standards pertaining to federal safety equipment and safety training. Nonetheless, commercial fishing is one of the most dangerous occupations in the United States and every one of our member vessels, their owners, captains and crew rely upon the extraordinary capability of the Coast Guard's search and rescue helicopter in Newport to be able to respond to man overboard emergencies in sufficient time to make a successful rescue. If the Coast Guard proceeds to decommission the rescue helicopter in Newport, those of us who fish in the waters off Oregon's central coast will lose access to a helicopter rescue asset that can be deployed in time to rescue someone in the ocean within a very narrow 40-minute survival window. We will also lose a key asset that performs medical evacuations of critically injured or ill crewmembers aboard vessels 30-40 miles offshore.

4. MTC's mission is to promote measures to manage stocks of Pacific groundfish that will provide for long-term productivity and sustainable yields. These measures not only include efforts to use the best biology to manage Pacific coast fish stocks on a sustainable basis,

but also strong efforts to prevent oil spills that could be devastating to these fisheries. The Coast Guard helicopter in Newport serves an important role in oil spill prevention and mitigation along Oregon's central coast with its ability to so quickly reach a grounded or capsized vessel, assess the extent of the pollution and then help coordinate the appropriate spill response resources.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

DATED this 9th day of December, 2014.


David Jincks

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of December, 2014, I served the foregoing

**DECLARATION OF DAVID JINCKS IN SUPPORT OF PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**, on the following:

Sean C. Duffy
United States Department of Justice
Environment & Natural Resources Division
Natural Resources Section
P.O. Box 7611, Ben Franklin Station
Washington, D.C. 20044-7611

by the following indicated method(s):

- by **mail** with the United States Post Office at Portland, Oregon in a sealed first-class postage prepaid envelope.
- by **email**.
- by **hand delivery**.
- by overnight mail.
- by **facsimile**.
- by the court's Cm/ECF system.

/s/Michael E. Haglund

Michael E. Haglund