




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

March 28, 2019

MEMORANDUM FOR: David Witherell
Executive Director
North Pacific Fishery Management Council

FROM: Maura A. B. Sullivan 
Chief, Alaska Section
NOAA Office of General Counsel

SUBJECT: Designated Officials for the April 2019 meeting

This memorandum is to inform you that Josh Fortenbery, Lauren Smoker, and I will serve as the “designated officials” under the conflict-of-interest regulations at 50 C.F.R. § 600.235 for Council decisions at the April 2019 North Pacific Fishery Management Council meeting.

cc: Diana Evans
Kristen Gustafson
Adam Issenberg
Josh Fortenbery
Lauren Smoker
Dr. James Balsiger
Glenn Merrill



Dear Council Members,

NOAA General Council, Alaska Section, has examined the Council's April 2019 draft agenda for recusal issues.

The following three final actions constitute "Council decisions" as that term is defined in regulations at 50 CFR 600.235(a): **C1 IFQ medical, beneficiary lease provision; C2 fixed gear CV rockfish retention; and C3 BSAI Trawl CV Pacific cod mothership adjustments.** Because these agenda items are "Council decisions," the recusal regulations at 50 CFR 600.235 apply.

We have determined that none of the appointed Council members (i.e., Council members Cross, Down, Jensen, Kinneen, Laukitis, Mezirow, and Peterson) are required to be recused from participating in, or voting on, these actions under regulations at 50 CFR 600.225 or 600.235. None of these actions are a particular matter primarily of individual concern under 50 CFR 600.225, and none of the recusal thresholds at 50 CFR 600.235(c) are exceeded.

Although the regulations do not require recusals for these agenda items, a Council member may voluntarily recuse himself or herself under 50 CFR 600.235(d).

According to the regulations at 50 CFR 600.235(g), any Council member may file a written request to the NOAA General Counsel for a review of this determination. Requests for review should be emailed to Kristen Gustafson, Deputy General Counsel, NOAA Office of the General Counsel, at Kristen.L.Gustafson@noaa.gov. A request for review must be received by Ms. Gustafson no later than April 7, 2019. Please see the regulations at 50 CFR 600.235(g) for more information on requests for review. You can access these regulations at:

[http://www.ecfr.gov/cgi-bin/text-idx?
SID=ddc81ef9a69a79e3e381b30446bb6022&mc=true&node=se50.12.600_1235&rgn=div8](http://www.ecfr.gov/cgi-bin/text-idx?SID=ddc81ef9a69a79e3e381b30446bb6022&mc=true&node=se50.12.600_1235&rgn=div8)

Please contact me if you have any questions or would like more information.

Thanks,
Maura

Maura Sullivan
Chief, Alaska Section
NOAA Office of General Counsel
U.S. Department of Commerce