



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
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November 16, 2022

**MEMORANDUM FOR:** Council Members  
North Pacific Fishery Management Council

**FROM:** Demian A. Schane  
Chief, Alaska Section  
NOAA Office of General Counsel

**SUBJECT:** Recusal Determination for the December 2022 Council Meeting

NOAA General Counsel, Alaska Section has reviewed the North Pacific Fishery Management Council's December 2022 draft agenda for recusal issues.

Under 50 C.F.R. § 600.225(b)(9)(ii), none of the agenda items for December constitutes a "particular matter primarily of individual concern," and none of the Council members is recused from participating on any agenda item under that regulatory provision.

Under 50 C.F.R. § 600.235, the following three agenda items are not "Council decisions" as that term is defined at 50 C.F.R. § 600.235(a) and therefore no recusal determinations are required for them:

- C-4: BSAI Groundfish - Final Harvest Specifications;
- C-5: GOA Groundfish - Final Harvest Specifications; and
- C-6: Charter Halibut Annual Management Measures (2023).

According to the regulations at 50 C.F.R. § 600.235(g), any Council member may file a written request to NOAA General Counsel for a review of these determinations. Requests for review should be e-mailed to Kristen Gustafson, Deputy General Counsel, NOAA Office of the General Counsel at [Kristen.L.Gustafson@noaa.gov](mailto:Kristen.L.Gustafson@noaa.gov). A request for review must be received by Ms. Gustafson by November 28, 2022. Please see the regulations at 50 C.F.R. § 600.235(g) for more information on requests for review.

