



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
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September 20, 2024

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

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

**SUBJECT:** Recusal Determinations for the October 2024 Council Meeting

NOAA General Counsel, Alaska Section has reviewed the North Pacific Fishery Management Council's October 2024 draft agenda for recusal issues.

Under 50 C.F.R. § 600.225(b)(9)(ii), none of the agenda items for the October 2024 meeting constitutes a "particular matter primarily of individual concern," and none of the Council members is recused from participating on any agenda item under that regulation.

Under 50 C.F.R. § 600.235, neither of the following agenda items constitutes a "Council decision" as that term is defined at 50 C.F.R. § 600.235(a); therefore, a recusal determination is not required for either of them:

- C1 BSAI Crab specifications – review SAFE report; adopt ABC/OFLs for BBRKC, Tanner crab, snow crab, PIBKC; BSAI Crab Plan Team report; (SSC only) Ecosystem Status Report preview; and
- C4 Observer 2025 Annual Deployment Plan – Review; PCFMAC report.

Under 50 C.F.R. § 600.235, the following agenda item involves a potential amendment to regulations and, accordingly, constitutes a "Council decision":

- C2 Recreational Quota Entity implementation - approve proposed modifications to fee collection process (Council only).

For this agenda item, we have determined that none of the appointed Council Members (Members Drobnica, Goen, Kimball, Moller, Ritchie, Tsukada, and Vanderhoeven) are required to be recused from voting because, based on the financial reports that are on file with the Council, either (1) none of the Council members have a financial interest in the fishery that would be affected by the Council decision or, (2) if a Council member has such a financial interest in the fishery, the Council decision would not have a significant and predictable effect on that interest. See 50 C.F.R. § 600.235(c).

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 this determination. 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 September 30, 2024. Please see the regulations at 50 C.F.R. § 600.235(g) for more information on requests for review.