



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Office of the General Counsel
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March 24, 2025

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 April 2025 Council Meeting

NOAA General Counsel, Alaska Section has reviewed the North Pacific Fishery Management Council's April 2025 agenda for recusal issues.

Under 50 C.F.R. § 600.225(b)(9)(ii), none of the agenda items for the April 2025 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, none 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 any of them:

- C3: MRA adjustments – Initial Review, Enforcement Committee report; and
- C4: Programmatic evaluation – Refine alternatives.

Under 50 C.F.R. § 600.235, the following agenda items constitute "Council decisions," and the recusal regulations at 50 C.F.R. § 600.235 therefore apply:

- C1: Area 4 vessel use caps – Final Action; and
- C2: Small sablefish release – Final Action.

For agenda item C1, we have determined that none of the appointed Council Members (Members Drobica, 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).

For agenda item C2, we have similarly determined that none of the appointed Council Members (Members Drobica, 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. A request for review must be received by Ms. Gustafson by April 3, 2025. Please see the regulations at 50 C.F.R. § 600.235(g) for more information on requests for review.