

Subject: Recusal Determination for the Council's April 2018 meeting

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Date: 3/26/2018 4:02 PM

Dear Council members -- NOAA GC Alaska Section has examined the Council's April 2018 draft agenda for recusal issues.

Two agenda items, **C-3 Charter Halibut Permit Annual Renewal -- Final Action** and **C-4 Mixing of Guided and Unguided Halibut -- Final Action**, constitute "Council decisions" as that term is defined in regulations at 50 CFR 600.235(a). 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, Hull, Kinneen, Laukitis, Mezirow, and Peterson) are required to be recused from participating in, or voting on, this action under regulations at 50 CFR 600.225 or 600.235. This action is not 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 a recusal for this agenda item, 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 5, 2018. 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

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

Thanks,

Maura

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