

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
NATIONAL MARINE FISHERIES SERVICE
OFFICE OF THE REGIONAL ADMINISTRATOR

In Re Application of

[REDACTED]

Appellant.

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Appeal No. 11-0044

ORDER AFFIRMING
DECISION

REGIONAL ADMINSTRATOR'S REVIEW AND ORDER
AFFIRMING THE NATIONAL APPEALS OFFICE
DECISION (CORRECTED) DATED JANUARY 4, 2012

The National Appeals Office ("NAO") issued a Decision (Corrected) dated January 4, 2012, *In Re Application of* [REDACTED] Appeal No. 11-0044 ("Decision"). The Decision upholds the Initial Administrative Determination dated December 22, 2010, and denies the Appellant's application for a charter halibut permit under the general eligibility provisions and the successor in interest provision of the Charter Halibut Limited Access Program regulations. After considering Appellant's Motion for Reconsideration, NAO issued an Order dated February 10, 2012, denying Appellant's Motion for Reconsideration. On March 9, 2012, I issued a stay of the Decision until April 13, 2012. I issued this stay to provide additional time for my review of the Decision pursuant to my authority under 50 C.F.R. § 679.43(o).

I have completed my review of the Decision. Based on my review of the record and pursuant to my authority under 50 C.F.R. § 679.43(o)(1), I affirm the January 4, 2012, Decision of the NAO as the decision of the agency in this matter. I conclude that NMFS must deny Appellant's application for a charter halibut fishing permit for the reasons set forth in the Decision.

In accordance with 50 C.F.R. § 679.43(o), this Order takes effect immediately and constitutes final agency action on this matter.

IT IS SO ORDERED

Date: 4/12/12

[REDACTED]

for

James W. Balsiger, Ph.D.
Regional Administrator