

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. 11-0056

ORDER AFFIRMING
DECISION

REGIONAL ADMINISTRATOR'S REVIEW AND ORDER
AFFIRMING THE NATIONAL APPEALS OFFICE DECISION
DATED NOVEMBER 29, 2011

The National Appeals Office ("NAO") issued a Decision dated November 29, 2011, *In Re Application of* [REDACTED] Appeal No. 11-0056 ("Decision"). The Decision upholds the Initial Administrative Determination dated January 12, 2011, 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. On December 19, 2011, I issued a stay of the Decision until February 17, 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 November 29, 2011, 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: _____

5/7/12

[REDACTED]

for James W. Balsiger, Ph.D.
Regional Administrator