

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

In Re Application of



Appellant.

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Appeal No. 11-0065

ORDER AFFIRMING  
DECISION

REGIONAL ADMINSTRATOR'S REVIEW AND ORDER  
AFFIRMING THE NATIONAL APPEALS OFFICE DECISION  
DATED NOVEMBER 28, 2011

The National Appeals Office ("NAO") issued a Decision dated November 28, 2011, *In Re Application of* [REDACTED] Appeal No. 11-0065 ("Decision"). The Decision upholds the Initial Administrative Determination dated January 19, 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. After considering Appellant's Motion for Reconsideration, NAO issued an Order dated February 14, 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 November 28, 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: \_\_\_\_\_

4/11/12



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