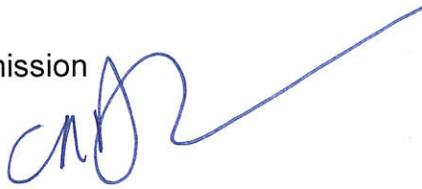


Memorandum

Date: March 10, 2015

To: Sonke Mastrup
Executive Director
Fish and Game Commission

From: Charlton H. Bonham
Director



Subject: Agenda Item for April 8, 2015, Fish and Game Commission Meeting:
Consideration of an Application from Ms. Billie E. Pennisi to Transfer the California Halibut Bottom Trawl Vessel Permit (CHBTVP), Permit Number BT0010, for the *F/V San Giovanni* (FG06337)

The Department of Fish and Wildlife (Department) requests that the Fish and Game Commission consider Ms. Pennisi's application to transfer her late husband's, Mr. Giuseppe Pennisi, CHBTVP for the *F/V San Giovanni* (FG06337) from Mr. Pennisi to her, Ms. Billie Pennisi. The Department has received the application for transfer and supporting documents for the Commission to consider.

Currently, there is not a formal restricted access program for the California halibut trawl fishery, therefore, the Department is requesting the Commission determine if Ms. Pennisi is eligible for the CHBTVP for use on the *F/V San Giovanni*.

Authority

Pursuant to Fish and Game Code (FGC), Section 8494(a), beginning April 1, 2006, the owner of a registered commercial fishing vessel using trawl gear to take, possess aboard a vessel, or land California halibut for commercial purposes must have a valid CHBTVP that has not been suspended or revoked. A CHBTVP shall be issued annually, beginning with the 2006 permit year. Beginning with the 2007-2008 permit year, in order to be eligible for a CHBTVP, an applicant shall have been issued a CHBTVP in the immediately preceding permit year.

Pursuant to FGC, Section 8494(d)(3), CHBTVPs issued pursuant to this section may be transferred if prior to the implementation of a halibut trawl restricted access program, the Commission may consider requests from a vessel permit holder or his or her conservator or estate representative to transfer a permit with the vessel if both of the following conditions are met:

- (A) The permit holder has died, is permanently disabled, or the permit holder is at least 65 years of age and has decided to retire from commercial fishing.
- (B) California halibut landings contributed significantly to the record and economic income derived from the vessel, as determined by regulations adopted by the Commission. The Commission may request information that it

determines is reasonably necessary from the permit holder or his or her heirs or estate for the purpose of verifying statements in the request prior to authorizing the transfer of the permit.

Documentation Submitted By Ms. Pennisi

The following has been submitted to the Department:

- A California Halibut Bottom Trawl Vessel Permit Transfer Application dated February 26, 2014, received on February 28, 2014, requesting to transfer the CHBTVP from Mr. Pennisi to Ms. Billie E. Pennisi for use on the F/V *San Giovanni*.
- Copy of Certificate of Death dated December 31, 2013, which shows Mr. Pennisi's date of death as December 24, 2013.
- Copy of Uniform Statutory Form Power of Attorney, dated December 5, 2013, appointing Ms. Billie Elaine Pennisi, as agent for Mr. Pennisi.
- Copy of the 2014-2015 Commercial Boat Registration for the F/V *San Giovanni*.
- Copy of the 2014-2015 CHBTVP for the F/V *San Giovanni*.
- Copy of the United States Coast Guard (USCG) Certificate of Documentation dated October 24, 2014, that shows Ms. Billie Elaine Pennisi is the owner of the F/V *San Giovanni*.
- Copy of Ms. Pennisi's 2014-2015 Commercial Fishing License.

Department Findings

Department license records show that the F/V *San Giovanni* has held a valid CHBTVP from the 2006-2007 permit year to the current 2014-2015 permit year. In addition, Ms. Pennisi possess a 2014-2015 Resident Commercial Fishing License and Resident Commercial Boat Registration for the F/V *San Giovanni*.

Summary of Landing Information

Based on fish landing receipt records on file with the Department for the F/V *San Giovanni*, Mr. Pennisi participated in the California halibut fishery four of the nine permit years when he possessed a valid CHBTVP. Mr. Pennisi was one of 29 permit holders that contributed to the record of California halibut landings.

Thank you for your consideration. If you have any questions, please contact Mr. Dan Yparraguirre, Deputy Director of Wildlife and Fisheries Division at (916) 445-3685.

Attachments (Confidential)

Sonke Mastrup, Executive Director
Fish and Game Commission
March 10, 2015
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cc: Department of Fish and Wildlife

Dan Yparraguirre, Deputy Director
Wildlife and Fisheries Division
Dan.Yparraguirre@wildlife.ca.gov

David Bess, Deputy Director
Law Enforcement Division
David.Bess@wildlife.ca.gov

Craig Shuman, Manager
Marine Region (Region 7)
Craig.Shuman@wildlife.ca.gov

James Fong, Chief
License and Revenue Branch
Administration Division
James.Fong@wildlife.ca.gov

Vandella Campbell, Analyst
License and Revenue Branch
Administration Division
Vandella.Campbell@wildlife.ca.gov