

SETTLEMENT AGREEMENT

This Settlement Agreement ("Agreement") is made between the Department of Fish and Wildlife ("DFW") and Conner B. Wishard (individually, a "Party," and collectively, "Parties").

I. Recitals

The Parties execute this Agreement with reference to and in contemplation of the following facts:

- a. Roger E. Wishard owned *F/V Sealoom*, a commercial fishing vessel permitted with Salmon Vessel Permit (SVP), Permit Number SA0974.
- b. DFW license records indicate that the SVP was last valid during the 2012-13 permit year, making it eligible for renewal in 2013-2014, but not 2014-2015 or 2015-2016.
- c. Roger Wishard died on December 4, 2012; subsequently *F/V Sealoom* was held in probate. (Exhibit A.)
- d. In August 2013, U.S. Coast Guard certified Conner B. Wishard as the owner of the *F/V Sealoom*. (Exhibit B.)
- e. On May 22, 2014 Conner Wishard submitted to DFW an application to renew the SVP. (Exhibit C.)
- f. On June 13, 2014, DFW denied Conner Wishard's SVP renewal request pursuant to Fish and Game Code Section 7852.2 (Section 7852.2), subdivision (c). (Exhibit D.) Section 7852.2, subdivision (c) states "The department shall deny any application for renewal received after March 31 of the permit year following the year in which the applicant last held a valid permit for that fishery." For DFW to grant the renewal of SVP, Conner Wishard would have had to submit a renewal request along with applicable fees by March 31, 2014.
- g. Section 7852.2, subdivision (d), states "An applicant who is denied renewal of a late application may submit a written appeal for renewal to the commission within 60 days of the date of the department's denial. The commission, upon consideration of the appeal, may grant renewal. If the commission grants renewal, it shall assess the applicable late fee pursuant to subdivision (a)." On November 13, 2014, Conner Wishard submitted to the California Fish and Game Commission ("Commission") a request for an appeal of DFW's denial of his request to renew the SVP. (Exhibit E.)
- h. Section 7852.2, subdivisions (a) and (b) state:
 - (a) In addition to the base fee for the license, stamp, permit, or other entitlement, the department shall assess a late fee for any renewal the application for which is received after the deadline, according to the following schedule:
 - (1) One to 30 days after the deadline, a fee of one hundred twenty-five dollars (\$125).
 - (2) Thirty-one to 60 days after the deadline, a fee of two hundred fifty dollars (\$250).

- (3) Sixty-one days or more after the deadline, a fee of five hundred dollars (\$500).
- (b) The department shall not waive the applicable late fee. The late fees specified in this section are applicable beginning in the 2008 license year, and shall be adjusted annually thereafter pursuant to Section 713.”
- i. Pursuant to Section 7852.2, subdivisions (a) and (b), Conner Wishard would owe \$1,985.51 in fees if the Commission reinstates the SVP. (Exhibit D.) After March 31, 2015, Conner Wishard would owe an additional \$623.28 in fees.
- j. The Parties understand that this Agreement is solely between DFW and Conner Wishard and that the Commission is neither a signatory to it nor bound by it in any way. Furthermore, the Parties understand that pursuant to Section 7852.2, subdivision (d), the Commission, and not DFW, has the sole discretion to approve or deny Conner Wishard's renewal request.
- k. For the purpose of saving time and costs associated with an appeal hearing, the Parties agree to compromise and settle these issues. In light of recent discussions between DFW and Conner Wishard, the Parties have come to an agreement on terms upon which they can resolve this matter.

II. Terms

The Parties hereby agree to the following:

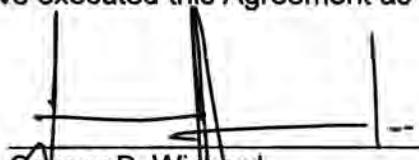
- a. DFW agrees to not oppose Conner Wishard's renewal request.
- b. If the Commission reinstates the SVP, Conner Wishard agrees to fully pay all fees owed pursuant Section 7852.2, subdivisions (a) and (b), within 60 days of the Commission's decision. If Conner Wishard pays by March 31, 2015, he would owe \$1985.51; after March 31, 2015, the total amount of fees would increase to \$2608.79. DFW shall not issue the SVP until all fees are paid.
- c. The Parties agree that this Agreement, all documents attached to this Agreement, and documents previously submitted to the Commission related to the renewal request constitute Conner Wishard's written appeal pursuant to Section 7852.2, subdivision (d), provided that the Commission considers the renewal request at an upcoming Commission meeting. Each Party may, at its discretion, address the Commission at a Commission meeting regarding the renewal request, so long as the address is consistent with the terms of this Agreement. In addition, DFW or Conner Wishard may submit a memorandum or other documents to the Commission requesting that it take action on the renewal request, so long as these documents are consistent with the terms of this Agreement.
- d. This Agreement is intended to be a full and complete settlement of all disputes between the Parties pertaining to the renewal request. Provided that the Commission considers the renewal request at an upcoming Commission meeting, Conner Wishard agrees to waive any present and future administrative appeal related to this renewal of the SVP, the June 13, 2014 denial of Conner Wishard's

renewal request, and all future claims and/or causes of action against DFW related to renewing the SVP.

- e. This Agreement may be pleaded as a full and complete defense and may be used as the basis for an injunction against any action, suit or proceeding which may be prosecute, instituted or attempted by any Party in breach thereof.
- f. This Agreement is only applicable to Conner Wishard's request to renew the SVP. This Agreement does not relate in any way to Conner Wishard's general Commercial Fishing License or any other DFW-issued entitlement held by Conner Wishard.
- g. Each party shall bear its own costs and attorneys' fees, and any other expenses, related to the renewal request subject to resolution by this Agreement.
- h. The obligations of this Agreement apply to and are binding on DFW or any successor agency or department and Conner Wishard and his respective heirs, executors, administrators, and permitted assigns.
- i. The Parties represent and warrant to each other that the execution of this Agreement and the performance of such Party's obligations hereunder have been duly authorized and that the Agreement is a valid and legal agreement binding on each Party and is enforceable in accordance with its terms.
- j. If any provision of this Agreement is found to be illegal or unenforceable, then any such provision shall be deemed stricken and the remaining provisions hereof shall remain in full force and effect.
- k. This Agreement constitutes the entire understanding between the Parties as to the renewal request and can only be amended or modified in writing, signed by duly authorized representatives of the Parties. This Agreement supersedes all prior representations and agreements, if any, between the Parties regarding the renewal request.
- l. This Agreement, when signed by all of the signatories, shall become effective as of the last signature date.
- m. This Agreement may be signed in counterparts, which together shall constitute one and the same Agreement. A facsimile or scanned signature shall be the same as an original.

IN WITNESS THEREOF, the Parties have executed this Agreement as of the date of the last signature below:

By: 
for James Fong
Department of Fish and Wildlife


Conner B. Wishard

Date: 1/29/15 1 . 2 9 . 1 5

Exhibit A

STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

COUNTY OF SONOMA
SANTA ROSA, CALIFORNIA

Received
MAY 22 2014
BY LRB

CERTIFICATE OF DEATH

3201249003554

Form containing personal data, usual residence, informant, spouse/parent information, funeral director, cause of death, physician's certification, and coroner's use only sections.



CERTIFIED COPY OF VITAL RECORDS

STATE OF CALIFORNIA
COUNTY OF SONOMA

This is true and exact reproduction of the document officially registered and placed on file in the Vital Statistics office, Sonoma County Department of Health Services.

This copy not valid unless prepared on engraved border displaying seal and signature of Registrar.

010001002216233
000711295

Signature of Registrar

LOCAL REGISTRAR
SONOMA COUNTY, CALIFORNIA



Exhibit B



UNITED STATES OF AMERICA

DEPARTMENT OF HOMELAND SECURITY
UNITED STATES COAST GUARD

NATIONAL VESSEL DOCUMENTATION CENTER

CERTIFICATE OF DOCUMENTATION

OMB APPROVED
ADFW-25-0027
Received
MAY 22 2014
BY
LRB

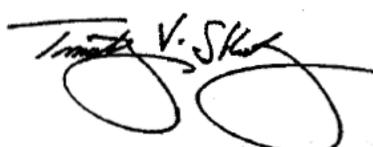
VESSEL NAME SEALOOM		OFFICIAL NUMBER 586191	IMO OR OTHER NUMBER 1	YEAR COMPLETED 1975	
HAILING PORT SAN FRANCISCO CA		HULL MATERIAL FRP (FIBERGLASS)		MECHANICAL PROPULSION YES	
GROSS TONNAGE 41 GRT	NET TONNAGE 30 NRT	LENGTH 56.6	BREADTH 15.7	DEPTH 11.7	
PLACE BUILT MARSHALL CA					
OWNERS CONNER B WISHARD		OPERATIONAL ENDORSEMENTS FISHERY COASTWISE			
MANAGING OWNER CONNER B WISHARD [REDACTED]					
RESTRICTIONS NONE					
ENTITLEMENTS NONE					
REMARKS None					
ISSUE DATE AUGUST 12, 2013		 DIRECTOR, NATIONAL VESSEL DOCUMENTATION CENTER			
THIS CERTIFICATE EXPIRES AUGUST 31, 2014					

Exhibit C



California Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
2014-2015 COMMERCIAL BOAT REGISTRATION WORKSHEET

CDFW
Received
MAY 22 2014

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY. GO ID NUMBER (FROM ALDS ISSUED LICENSE)

VESSEL OWNER'S FIRST NAME: Conner M.I.: B LAST NAME: Wishard COMMERCIAL FISHING ID#

MAILING ADDRESS: [REDACTED] DMV ID/STATE ID/PASSPORT: [REDACTED] DAY TELEPHONE (Voluntary): [REDACTED]

CITY: [REDACTED] STATE: [REDACTED] ZIP CODE: [REDACTED] DATE OF BIRTH: [REDACTED] GENDER: [REDACTED] HAIR COLOR: [REDACTED] EYE COLOR: [REDACTED] HEIGHT: [REDACTED] WEIGHT: [REDACTED]

I HAVE RESIDED IN CALIFORNIA CONTINUOUSLY FOR THE PAST 6 MONTHS
 YES NO EMAIL ADDRESS: [REDACTED]

CITY: Oakland STATE: CA ZIP CODE: 94608

F&G BOAT#: 34785 BOAT NAME: SEALOOM YEAR BUILT: 1972 DOC#CF#STATE#: 586191 HULL#

YEAR PURCHASED: 2013 LENGTH: 60 BEAM: 16 TONNAGE: 30 HORSEPOWER: 165 HOMEPORT: Bodega Bay

NOTE: Copies of the Articles of Incorporations, Amendments, Mergers, Dissolutions and Statement of Officers must be submitted to the California Department of Fish and Wildlife, License and Revenue Branch in Sacramento for all vessels that are owned under a business name.

BUSINESS NAME (if any): DAY TELEPHONE (Voluntary):

MAILING ADDRESS: CITY: STATE: ZIP CODE:

STREET ADDRESS: CITY: STATE: ZIP CODE:

Fees include a nonrefundable three percent (3%) application fee, not to exceed \$7.50 per item.
(Section 700.4, Title 14, California Code of Regulations)

COMMERCIAL BOAT REGISTRATION

- Resident Commercial Boat Registration \$351.50 = 351.50
 Nonresident Commercial Boat Registration 351.50 = 0.00

LIMITED ENTRY PERMITS

- Salmon Vessel Permit 42.49 = 42.49
 "John Doe" Commercial Fishing Salmon Stamp 126.18 = 0.00
 California Halibut Bottom Trawl Vessel Permit (Includes \$7.50 application fee) 61.29 = 0.00
 Dungeness Crab Vessel Permit (Resident) 283.25 = 0.00
 Dungeness Crab Vessel Permit (Nonresident) 283.25 = 0.00
 Market Squid Vessel (Transferable) 2,721.00 = 0.00
 Market Squid Vessel (Nontransferable) 1,364.25 = 0.00
 Market Squid Brail (Transferable) 2,721.00 = 0.00
 Market Squid Light Boat (Transferable) 821.50 = 0.00
 Market Squid Light Boat (Nontransferable) 53.82 = 0.00
 Northern Pink Shrimp Trawl Vessel (Nontransferable) 696.25 = 0.00
 Northern Pink Shrimp Trawl Vessel (Transferable) 1,384.50 = 0.00
 Spot Prawn Trap Vessel - Tier 1 351.50 = 0.00
 Spot Prawn Trap Vessel - Tier 2 351.50 = 0.00
 Spot Prawn Trap Vessel - Tier 3 1,384.50 = 0.00

Permit late fees are not subject to the nonrefundable three percent (3%) application fee.

- Permit Late Fee (May 1, 2014 through May 30, 2014)* _____ x 145.50 = 0.00
 Permit Late Fee (May 31, 2014 through June 29, 2014)* _____ x 290.50 = 0.00
 Permit Late Fee (June 30, 2014 through March 31, 2015)* _____ x 581.25 = 0.00

PERMIT DEADLINE FOR LIMITED ENTRY COMMERCIAL FISHING PERMITS

* Applications must be received with the permit fee at a California Department of Fish and Wildlife (Department) office or, if mailed, postmarked on or before April 30, 2014, for the above listed limited entry commercial fishing permits. Renewals received or postmarked after April 30, 2014, must be accompanied with permit fee and late fee. (Fish and Game Code Section 7852.2(c)). Before the above listed limited entry permits can be issued, you must purchase a Commercial Fishing License.

NONRESTRICTIVE VESSEL PERMITS AND STAMPS (Nonrestrictive Vessel Permit and Stamps are not subject to Permit Late Fees)

- Commercial Fishing Salmon Stamp* _____ x 126.18 = 0.00
 Commercial Passenger Fishing Vessel License* 351.50 = 0.00
 Commercial Ocean Enhancement Stamp* 49.70 = 0.00
 Coonstripe Shrimp Trap Vessel Permit* 106.35 = 0.00
 Tanner Crab Trap Vessel Permit* 12,922.00 = 0.00

*CAN BE PURCHASED AT ANY TIME

Total Fee Due\$ 393.99

Indicate type of payment: Check* Money Order* Visa Mastercard

*Make checks or money orders payable to California Department of Fish and Wildlife
(Please do not send cash)

TOTAL: \$0.00

CARD # [REDACTED] EXPIRATION DATE (MM/YY): 03/17
CVC Number (On back of credit card) 681

I authorize CDFW to charge the agreed amount listed above to my credit card provided herein. I agree that I will pay for this purchase in accordance with the issuing bank cardholder agreement.

PRINT NAME: CONNER WISHARD SIGNATURE: [Signature] DATE: 5-3-14



California Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
2014-2015 COMMERCIAL FISHING LICENSE WORKSHEET

CU Received
MAY 22 2014

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY. GO ID NUMBER (FROM ALDS ISSUED LICENSE) _____

FIRST NAME CONNEL	M.I. B	LAST NAME WISHARD	COMMERCIAL FISHING ID#
MAILING ADDRESS [REDACTED]			DAY TELEPHONE (Voluntary)
CITY [REDACTED]	STATE [REDACTED]	ZIP CODE [REDACTED]	
PHYSICAL ADDRESS [REDACTED]		CITY [REDACTED]	STATE [REDACTED]
DMV ID/STATE ID/PASSPORT [REDACTED]		DATE OF BIRTH [REDACTED]	GENDER [REDACTED]
[REDACTED]		HAIR COLOR [REDACTED]	EYES [REDACTED]
[REDACTED]		HEIGHT [REDACTED]	WEIGHT [REDACTED]

I HAVE RESIDED IN CALIFORNIA CONTINUOUSLY FOR THE PAST 6 MONTHS
 YES NO

Fees include a nonrefundable three percent (3%) application fee, not to exceed \$7.50 per item. (Section 700.4, Title 14, California Code of Regulations)

COMMERCIAL FISHING LICENSE			
<input checked="" type="checkbox"/> Resident Commercial Fishing License	\$134.93	=	\$0.00
<input type="checkbox"/> Nonresident Commercial Fishing License	134.93	=	\$0.00
LIMITED ENTRY COMMERCIAL FISHING PERMITS			
<input type="checkbox"/> Deeper Nearshore Species Fishery Permit	177.42	=	\$0.00
<input type="checkbox"/> Drift Gill Net (Shark and Swordfish) (Must possess a General Gill/Trammel Net Permit)	462.00	=	\$0.00
FG Boat#: FG _____ Boat Name: _____			
<input type="checkbox"/> General Gill/Trammel Net	462.00	=	\$0.00
<input type="checkbox"/> Lobster Operator	372.50	=	\$0.00
<input type="checkbox"/> Nearshore Fishery Permit	696.25	=	\$0.00
<input type="checkbox"/> Nearshore Fishery Permit Trap Endorsement (Must possess a Trap Permit)	106.35	=	\$0.00
<input type="checkbox"/> Nearshore Fishery Bycatch	283.25	=	\$0.00
<input type="checkbox"/> Sea Cucumber Diving	351.50	=	\$0.00
<input type="checkbox"/> Sea Cucumber Trawl	351.50	=	\$0.00
<input type="checkbox"/> Sea Urchin Diving Permit	462.00	=	\$0.00
<input type="checkbox"/> Southern Rock Crab Trap Permit (Must possess a Trap Permit)	346.75	=	\$0.00

Permit late fees are not subject to the nonrefundable three percent (3%) application fee.

<input type="checkbox"/> Permit Late Fee (May 1, 2014 through May 30, 2014)*	_____ x	145.50	=	\$0.00
<input type="checkbox"/> Permit Late Fee (May 31, 2014 through June 29, 2014)*	_____ x	290.50	=	\$0.00
<input type="checkbox"/> Permit Late Fee (June 30, 2014 through March 31, 2015)*	_____ x	581.25	=	\$0.00

PERMIT DEADLINE FOR LIMITED ENTRY COMMERCIAL FISHING PERMITS
 * Applications must be received with the permit fee at a California Department of Fish and Wildlife (Department) office or, if mailed, postmarked on or before April 30, 2014, for the above listed limited entry commercial fishing permits. Renewals received or postmarked after April 30, 2014, must be accompanied with permit fee and late fee. (Fish and Game Code Section 7852.2(c))

NONRESTRICTIVE COMMERCIAL FISHING PERMITS AND STAMPS			
<input type="checkbox"/> Anchovy Take	\$42.49	=	\$0.00
FG Boat#: FG _____ Boat Name: _____			
<input type="checkbox"/> Bay Shrimp	42.49	=	\$0.00
<input type="checkbox"/> Commercial Fishing Salmon Stamp	126.18	=	\$0.00
<input type="checkbox"/> Commercial Ocean Enhancement Stamp	49.70	=	\$0.00
<input type="checkbox"/> Ghost Shrimp (Must possess a Tidal Invertebrate Permit)	42.49	=	\$0.00
<input type="checkbox"/> Golden And Ridgeback Prawn Trawl	42.49	=	\$0.00
<input type="checkbox"/> Lobster Crewmember	177.42	=	\$0.00
<input type="checkbox"/> Marine Aquaria Collector	462.00	=	\$0.00
<input type="checkbox"/> Northern Rock Crab Trap (Must possess a Trap Permit)	346.75	=	\$0.00
<input type="checkbox"/> Sea Urchin Crewmember	42.49	=	\$0.00
<input type="checkbox"/> Southern Pink Shrimp Trawl	42.49	=	\$0.00
<input type="checkbox"/> Swordfish	462.00	=	\$0.00
<input type="checkbox"/> Tidal Invertebrate	42.49	=	\$0.00
<input type="checkbox"/> Trap	49.70	=	\$0.00

Total Fee Due \$0.00

Indicate type of payment: Check* Money Order* Visa Mastercard

*Make checks or money orders payable to California Department of Fish and Wildlife (Please do not send cash)

TOTAL: \$

CARD #: _____ EXPIRATION DATE (MM/YY): _____ / _____ / _____

CVC Number (On back of credit card) _____

I authorize CDFW to charge the agreed amount listed above to my credit card provided herein. I agree that I will pay for this purchase in accordance with the issuing bank cardholder agreement.

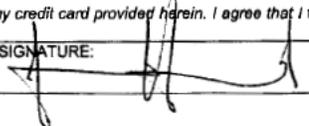
PRINT NAME: **CONNEL WISHARD** SIGNATURE:  DATE: **5.3.14**

Exhibit D



State of California -The Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
License and Revenue Branch
1740 N. Market Blvd
Sacramento, CA 95834
www.wildlife.ca.gov

EDMUND G. BROWN JR, Governor
CHARLTON H. BONHAM, Director



Certified Mail

June 13, 2014

Mr. Conner Wishard
[REDACTED]
[REDACTED]

Subject: NOTICE OF DENIAL OF APPLICATION FOR A SALMON VESSEL PERMIT FOR THE F/V *Sealoom* (FG34785)

Dear Mr. Wishard:

This is in response to your application for a 2014-2015 Salmon Vessel Permit (SVP), Permit Number SA0974, for the F/V *Sealoom* (FG34785), which was owned by Roger E. Wishard. My sincere sympathy for your loss.

Authority-Salmon Vessel Permit

Pursuant to Fish and Game Code (FGC) Section 8235(a), the owner of a permitted vessel, or that owner's agent, may apply for renewal of the permit annually on or before April 30, upon payment of the fees without penalty. Upon receipt of the application and fees, the Department of Fish and Wildlife (Department) shall issue the permit for use of the permitted vessel in the subsequent permit year only to the owner of the permitted vessel.

Authority-Late Renewal Applications

Effective April 1, 2008 pursuant to FGC Section 7852.2, a graduated late fee was established for any renewal application that is received after the deadline.

In addition, FGC Section 7852.2(b), states the Department shall not waive the applicable late fee. Pursuant to FGC Section 7852.2(c), the Department shall deny any application for renewal received after the March 31 if the permit year following the year in which the applicant last held a valid permit for that fishery.

Documentation Submitted

- Copy of Mr. Roger E. Wishard's Certificate of Death, which shows the date of death as December 4, 2012.
- A 2014-2015 Commercial Fishing License Worksheet for Conner B. Wishard received May 22, 2014.
- A 2014-2015 Commercial Boat Registration Worksheet for the F/V *Sealoom* received May 22, 2014.
- Change of Ownership form for the F/V *Sealoom*, received May 22, 2014, showing Conner B. Wishard is the new owner.
- Copy of the United States Coast Guard Certificate of Documentation for the F/V *Sealoom*, dated August 12, 2013, showing Conner B. Wishard is the owner.

Department Findings

Department license records show that the F/V *Sealoom* last held a valid 2012-2013 SVP, which made you eligible to renew the SVP for the 2013-2014 permit year.

Mr. Conner Wishard
June 13, 2014
Page Two

Department Recommendation

Based on the previously stated information, your application for a SVP for the *F/V Sealoom* is denied, because the *F/V Sealoom* last held a valid SVP in the 2012-2013 permit year. The Department received your application to renew the SVP for the *F/V Sealoom* on May 22, 2014. FCG Section 7852.2(c), states the Department shall deny any application for renewal received after March 31 of the permit year following the year in which the applicant last held a valid permit for that fishery.

Deadline to File an Appeal to the Fish and Game Commission

If you wish to appeal the Department's decision, you must submit a written request to the Fish and Game Commission (Commission) at 1416 Ninth Street, Sacramento, California 95814. Pursuant to FGC Section 7852.2(d), your appeal must be received within 60 days of this letter. The Commission, upon consideration of the appeal, may grant renewal. If the Commission grants renewal, it shall assess the applicable late fee.

The Commission will review the information you submit and will notify you in writing if your appeal will be scheduled before the Office of Administrative Hearings. If the Commission should recommend approval, full payment of \$1,985.51 would be due 60 days after receipt of the Commission's approval letter. A fee schedule is enclosed.

If you have any questions or require further assistance, please contact Ms. Ruth Flores, of my staff, at the letterhead address, by telephone at (916) 928-7470, or e-mail Ruth.Flores@wildlife.ca.gov.

Sincerely,

Original Signed by:

Maria Melchiorre 

James Fong, Chief
License and Revenue Branch

Enclosure

cc: Mr. Sonke Mastrup
Fish and Game Commission
Sacramento, California

Ms. Ruth Flores
California Department of Fish and Wildlife
Sacramento, California

Flores:irl File: Commercial Records, LRB-Chron



State of California -The Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 License and Revenue Branch
 1740 N. Market Blvd
 Sacramento, CA 95834
 www.wildlife.ca.gov

EDMUND G. BROWN JR, Governor
 CHARLTON H. BONHAM, Director



June 13, 2014

Mr. Conner B. Wishard
 Fees Required for Reinstatement for a
 Salmon Vessel Permit
 FV Sealoom (FG34785)

Year	Permit Fees	
2013-2014 Commercial Fishing License	\$	133.39
Commercial Fishing Salmon Stamp	\$	87.55
Commercial Boat Registration	\$	347.50
SVP	\$	41.97
Late Fee (61 days to March 31, 2014)	\$	<u>574.50</u>
		1,184.91
Prior Year Fees Due	\$	1,184.91
Prior year permit fees must be paid before a 2014-2015 SVP can issued.		
Current Year Fees		
2014-2015 Commercial Fishing License	\$	134.93
Commercial Fishing Salmon Stamp	\$	126.18
Commercial Boat Registration	\$	351.50
SVP	\$	42.49
Late Fee (one to 30 days)	\$	<u>145.50</u>
Total Current Permit Year Fees Due	\$	800.60
Total Fees Due	\$	1,985.51

If the Fish and Game Commission should recommend approval, full payment of \$1,985.51 would be due within 60 days after receipt of the Commission's approval letter.

Exhibit E

RECEIVED
CALIFORNIA
FISH AND GAME
COMMISSION

2014 NOV 26 AM 7:17

MLS

Date: November 13, 2014
Name: Conner Wishard
Vessel: Sealoom
Official Hull Number: 586191
Fish and Game Number: FG34785
Permit number: SA0974

RE: Commercial Salmon Permit Appeal

To whom it may concern,

I am the current owner of the fishing vessel Sealoom. I inherited the vessel from my father in 2013 and wish to appeal the decision of the California Fish and Game to not renew our commercial salmon permit.

This boat and its history of fishing goes back to 1970 when my father began building the boat in the small town of Marshall CA. He was a life long fisherman, fishing locally for herring, in the Bering Sea for king crab, and on the east coast fishing for tuna. The boat, which is a 60' ferro-cement ketch, was designed from its inception as a sail powered fishing vessel. She has a fish hold built below deck and a trolling pit at the very stern. The boat was built by my father and mother with the help from the community that all shared dreams of living lives supported by the sea.

Sealoom was launched in 1975 and fished locally for troll caught salmon off the Sonoma coast. This was the main fishery that supported our boat. When I was old enough to manage myself aboard my father and I fished together. Relying on each other and on the vessel my dad built is something I will never forget and feel fortunate to have experienced. I fished with him through high school and into my college education. The last trip we did was just a few months before his death. Fishing aboard the boat allowed my dad to fulfill his dream and it gave me the opportunity to witness his happiness. It has also given me a profound respect for the ocean and of the wildlife that inhabit it.

My father suddenly died of a pulmonary embolism on Dec. 4th 2012. It is hard for me, even today, to explain how much of a loss that was for my family and me. He was a well-respected man and full of wisdom and love. This was a trying time for my mom and I. With sudden deaths there is an enormous amount of things to sort through and I didn't put a high enough priority on checking in with the fish and game regarding the salmon permit.

By the time I did call the office to inquire about renewing the permit I was told that ownership of the vessel would have to be proven in order to get the salmon permit for the vessel. This was a challenge because we had to settle my father's estate and the boat was not left to me and was part of the estate. We hired an estate lawyer to help us with the procedures and we filled out all the necessary forms that the coast guard required in order to get the documentation stating who the new owner of the vessel was. This took considerably more time than we thought. When my mom was officially the owner we then had to transfer the title into my name because I would be the one using the boat.

I now see that I should have immediately gone to the fish and game with this new documentation and renewed the permit. This negligence is my fault and now I am faced with the reality that because I didn't act quickly that I have now failed to keep the dream my father and I share alive. To live a life supported by the sea.

It would mean a great deal to me to renew our permit because it allows our family tradition to survive. I have taken on the responsibility of owning and maintaining the vessel. It is a labor of love that I hope to continue doing for many years to come. Keeping the permit active gives our vessel the opportunity to support my family and help generate the income needed to keep her in good shape. I am sorry I wasn't able to accomplish these goals by simply meeting the deadlines but I hope you can grant me an appeal that excuses my errors due to the circumstances that my father's sudden death created.

Thank you for your time.

-Conner Bowdon Wishard

