



State of California -The Natural Resources Agency
DEPARTMENT OF FISH AND GAME
License and Revenue Branch
1740 N. Market Blvd
Sacramento, CA 95834
<http://www.dfg.ca.gov>

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



Certified Mail

January 8, 2015

Mr. Kenneth L. Bouchard
[REDACTED]

SUBJECT: NOTICE OF DENIAL FOR A SEA CUCUMBER DIVING PERMIT

Dear Mr. Bouchard:

This is in response to your request to reinstate your Sea Cucumber Diving Permit (SCDP), Permit Number (SCD066), (L91755).

Authority-SCDP

Pursuant to Section 8405.1(d), Fish and Game Code (FGC), sea cucumber permit holders must have held a valid permit in the immediately preceding permit year. Renewal of a sea cucumber permit must be received to the Department of Fish and Wildlife (Department), or, if mailed, postmarked on or before April 30 of each permit year.

Authority-Late Renewal Applications

Effective April 1, 2008, pursuant to Section 7852.2, of the FGC, a graduated late fee was established for any renewal application that is received after the deadline. Section 7852.2(a), of the FGC, states 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. Section 7852(b), of the FGC, states the Department shall not waive the applicable late fee. The late fees beginning in the 2008 license year shall be adjusted annually thereafter pursuant to Section 713, of the FGC.

Section 7852.2 (c), of the FGC, 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 in the fishery.

Reason for Appeal to the Department

In your undated letter, received October 27, 2014, you are requesting reinstatement of your SCDP. You explain that your income was drastically reduced in 2012 due to diving conditions and repairs on the vessel you dive from. You stated that this caused financial hardship. You further stated that in 2013 you obtained other employment and would now like to have your SCDP reinstated so that you may supplement your current income and that with two more years of landings you would like to transfer your permit to another diver.

Documentation Submitted

None

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Department Findings

Department license records show that you last held a valid 2012-2013 SCDP, which made you eligible to renew your permit for the 2013-2014 permit year.

Permits Held by Applicant

Department license records show that you possess no commercial fishing entitlements for the 2014-2015 permit year.

Department Recommendation

Based on previously stated information, your request for renewal of your SCDP is denied, because you last held a valid SCDP in the 2012-2013. As previously stated, FGC Section 7852.2(c), requires the Department to 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 the 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 appeal 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 the date of this letter.

The Commission, upon consideration of the appeal, may grant renewal. If the Commission grants renewal, it shall assess the applicable license, permit, and late fees of \$2,123.07 which would be due 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. Debbie Noriega, of my staff, at the letterhead address, by telephone at (916) 928-5817, or e-mail Debbie.Noriega@wildlife.ca.gov.

Sincerely,


James Fong, Chief
License and Revenue Branch

Enclosure

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

Ms. Debbie Noriega
Department of Fish and Wildlife
Sacramento, California



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**Mr. Kenneth L. Bouchard (L91755)
 Fees Required for Reinstatement for a
 Sea Cucumber Diving Permit (SCDP)**

Year		Permit Fees
2013-2014	Resident Commercial Fishing License	\$133.39
	SCDP	\$347.50
	Late Fee (61 days to March 31, 2014)	<u>\$574.50</u>
		\$1,055.39

Prior Year Fees Due **\$1,055.39**

Prior Year permit fees must be paid before 2014-2015 SCDP can be issued.

2014-2015	Resident Commercial Fishing License	\$134.93
	SCDP	\$351.50
	Late Fee (61 days to March 31, 2015)	<u>\$581.25</u>
		\$1,067.68

Total Current Fees **\$1,067.68**

Total Fees Due **\$2,123.07**

If the Fish and Game Commission (Commission) should recommend approval, payment of \$2,123.07 would be due within 30 days after receipt of the commission's approval letter.