

**Homer T. McCrary**  
*310 Swanton Road, Davenport, CA 95017*  
*Phone (831) 423-4366*

---

December 2, 2004

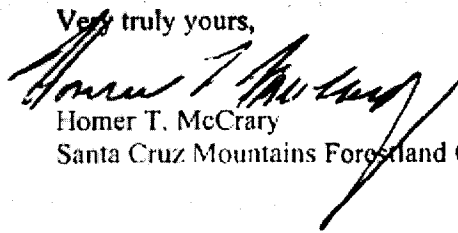
Mr. Rodney McInnis  
Regional Administrator  
NOAA Fisheries, Southwest Region  
501 W. Ocean Blvd., Suite 4200  
Long Beach, CA 90802-4213

**Subject: November 12, 2004 telephone conversation**

Dear Mr. McInnis,

Thank you for speaking with my associate, Fabian Alvarado, on November 12, 2004. Although you were unable to answer any of our questions, I appreciated your commitment to speak with Craig Wingert and your acknowledgment that we deserve feedback concerning our petition. As per your suggestion we sent a letter to Mr. Wingert inquiring as to the status of our petition. We sent the letter via email and the USPS the same day my associate spoke with you (11/12/04). This week (11/29/04) we received an email from Mr. Wingert informing us that the NOAA Fisheries formal determination regarding our petition has been postponed. Unfortunately he failed to give us any indication as to when we can expect this determination to be made. Pursuant to 16 U.S.C. § 1533 (b)(3)(B) this determination should be made within 12 months. We are now nearing the thirteenth month since we submitted our petition to your office. We will be sending another letter to Mr. Wingert today requesting more details including an approximate timeline. Hopefully, future communications from your organization will be more forthcoming. Thank you for your time.

Very truly yours,

  
Homer T. McCrary  
Santa Cruz Mountains Forestland Owner