

STAFF SUMMARY FOR DECEMBER 12-13, 2018

36. DEPARTMENT INFORMATIONAL ITEMS (TERRESTRIAL AND INLAND FISHERIES)**Today's Item****Information** ☒**Action** ☐

This is a standing agenda item to receive and discuss informational updates from DFW:

- (A) Director's report
- (B) Law Enforcement Division
- (C) Wildlife and Fisheries Division and Ecosystem Conservation Division

Summary of Previous/Future Actions (N/A)**Background**

Verbal reports are expected at the meeting for items (A) through (C).

- (A) The director's report will include an update on tricolored blackbird population estimates and progress with safe harbor agreements.
- (B) The Law Enforcement Division prepares a quarterly report containing a snapshot of wildlife officers and their work, from poaching and pollution investigations to handling calls about problem wildlife and assisting allied law enforcement agencies (Exhibit B1).
- (C) The Wildlife and Fisheries Division report will include an update on efforts to eradicate nutria in California and an update on wildfires and wildlife populations.

Significant Public Comments (N/A)**Recommendation (N/A)****Exhibits**

- B1. DFW Law Enforcement Division 2nd quarter report, received Nov 27, 2018

Motion/Direction (N/A)

California Department of Fish and Wildlife Law Enforcement Division Quarterly Report: 2nd Quarter 2018

The majority of California's outdoors, hunting, and fishing communities are law-abiding citizens. A small percentage are not. From poaching and pollution investigations, to handling calls about problem wildlife, responding to assist allied law enforcement agencies, other general law enforcement and more, here is a snapshot of Wildlife Officers and their stories from April through June, 2018.

HIGHLIGHT STORY: K-9 Losses, Rango and Zoe

It was with great sadness that CDFW said goodbye to two immeasurable assets to the Department during the month of May 2018. The unforeseen and unexpected deaths of K-9's Rango and Zoe shook the K-9 program and the Law Enforcement Division.



K-9 Rango:

Served the Law Enforcement Division as a dual purpose police canine since 2016. Rango suffered an acute medical emergency while off duty and at home with his partner, Wildlife Officer Aaron Galwey.

Galwey's gentle demeanor melded with his partner and formed Rango's reputation as the K-9 programs gentle giant. Galwey often said he never hesitated to turn Rango loose into a crowd of kids as Rango had learned to love the attention from his younger fans.

Rango served as an ambassador for the Department at events and was also featured on the Department's 2018 Warden Stamp advertisement posters. He made a lasting impact on the resources that he protected.



K-9 Zoe:

Succumbed to Leukemia. Zoe served the Law Enforcement Division as a dual purpose police canine since 2017. She spent her last days surrounded by her handler, Wildlife Officer Nick Buckler, his family, and several other DFW K-9 handlers. Although she was only with the Department for a short duration of time, she gained the support and respect of all those who came to know and love her.

Despite Zoe's small stature, her speed and agility made her a force to be reckoned with. She exemplified "It is not the size of the dog in the fight, but the size of the fight in the dog".

Zoe shined when she served as an ambassador for the Department making contacts with thousands of Californians at various events. Like Wildlife Officer Buckler, she demonstrated a strong desire to work.

FISHERIES ENFORCEMENT: Marine



Wildlife officers on vessel patrol contacted four anglers who were in possession of a mass over limit of fish. In all, the officers discovered 139 rockfish and one calico bass. The officers seized the fishing gear aboard the vessel and issued citations for fillet violations, over limits of rockfish, and general over limits. Officers plan to seek a commercialization enhancement for possessing over three times the daily bag limit as well.

Wildlife officers on vessel patrol were monitoring two divers. As the officers approached, the divers saw the officers and attempted to stash their game bag beneath a 7 ft deep underwater ledge. An officer jumped from the boat into the water and retrieved the bag, which contained one fully protected green abalone and four out of season lobsters. The suspects admitted to their crimes and received citations. To solidify the case, officers submitted the diver's gloves to the wildlife forensic lab to scan for traces of abalone DNA. All four gloves returned positive for traces of green abalone blood.



Wildlife officers conducting several vessel patrols focused on reports of individuals keeping mass amounts of undersized sport Dungeness crab. The multiple patrols resulted in officers issuing 18 citations for undersized Dungeness crab, over limit of Dungeness crab, or a combination of both. In one instance, an officer contacted an individual in possession of 21 undersized crabs.

Wildlife officers on vessel patrol observed a large sport fishing vessel drifting far offshore well outside the legal rockfish fishing areas (less than 120 ft. depth) in the Cowcod Conservation Area. The officers used radar overlay on the GPS plotter and estimated the boat was in 300 ft of water. As the officers approached and attempted contact, they noticed the suspect boat began to travel. The officers GPS flagged the point where the vessel was fishing and confirmed the water depth was approximately 290 ft.



The officers successfully stopped the vessel and contacted the 11 anglers aboard. Officers confirmed the boat contained massive amounts rockfish and lingcod, specifically a boat over limit of 134 rockfish. The officers seized all the fish, issued citations for over boat limit of rockfish and fishing deeper than 120 feet in the Cowcod Conservation Area.

FISHERIES ENFORCEMENT: Freshwater



A **wildlife officer** conducting a nighttime lake patrol observed three anglers coming in off the water. As they were loading their boat onto a trailer, the officer contacted the group. The anglers were avoidant and unclear with answers to basic questions, such as how many fish they caught. After multiple attempts to get clear answers, the officer decided to conduct an inspection of the boat. The officer located 67 crappie in the live well and an additional 110 crappie and two undersize in length black bass stashed in a bag under the dashboard of the boat. All three anglers admitted to catching the hidden over limit and short bass. All three anglers

were cited accordingly.

A **wildlife officer** contacted two subjects at a campground who were putting fishing gear into their car and asked the men if they had caught any fish. The men told him that they had caught some trout and hesitantly retrieved a plastic bag from a cooler that contained 19 trout, before quickly closing the cooler's lid. Based on the behavior of the men, the officer conducted an inspection of the cooler. The officer located an additional plastic bag full of fish for a total of 44 trout in the men's possession. Each man was cited for possessing 12 trout over the legal limit.



WILDLIFE ENFORCEMENT:

Wildlife officers were conducting patrol along a creek when they observed two subjects walking along the water edge carrying pellet rifles. The officers watched the subjects and saw them use the rifles to take a Red-Headed Merganser duck. As the officers were approaching to contact the subjects, they observed them chop the head off with a machete. Both subjects were cited for take of duck out of season.

A **wildlife officer** conducting nighttime patrol for spotlight activity observed a vehicle traveling through an orchard casting directional lights in search of wildlife. The officer covertly got behind the vehicle without detection before activating his emergency lights and making contact. Upon inspection, the officer found three subjects, with three long guns and ammunition in firearms, along with two spotlights.

A **wildlife officer** was conducting nighttime patrol when he saw a vehicle stopped diagonally across the road using the headlights to illuminate the grass along the side of the road. The officer saw a subject on foot using a hand-held light to illuminate the same area, while also carrying a rifle. The subject walked across the road and illuminated the pasture with his hand-held light, then took aim and fired from the road. The officer contacted the subject and determined he was spotlighting rabbits. The subject was cited for shooting from the road, spotlighting, and taking rabbits out of season.

OUTREACH:

Wildlife officer teams participated in two exciting annual events to raise funds for charities.

The annual Battle of the Badges softball tournament in Visalia.



The 4th annual Fallen Officer's Foundation Never Forget Relay, to provide support funds for first responders and their families in Santa Cruz County.

Wildlife officers and multiple CDFW staff competed in the first annual "Claws vs. Paws" fundraising event, pitting local law enforcement and government agencies against the Lassen Grizzly Claw-breakers Jr. trap-shooting club in a shooting competition. The event had a great turnout and raised a lot of money.



A **wildlife officer**, with assistance and support from the Natural Resource Volunteers, participated in a two-day Special Olympics event held at Cal State Long Beach. The team staffed a CDFW outreach booth, complete with a carnival style game for giveaway prizes and an array of various taxidermy mounts. CDFW was well-received by the Olympians and their families.

A **wildlife officer** attended a Kid Safety Day event. The event comprised of various first responders and EMS personnel from local agencies provides opportunity to engage with the public, answer question and distribute relevant outreach materials.



RESCUE EFFORTS:

A **wildlife officer** received a call on a very windy night, reporting an elderly man and his 12-year-old grandson were stranded on a lake on float tubes, unable to get to shore. The officer responded with his patrol boat and was able to locate the pair. The wildlife officer, with support from the Sheriff's Office, was able to return the subjects to the launch ramp around 3 a.m.

Wildlife officers were on vessel patrol when a stranded swimmer in distress flagged them down. The 47-year-old man was several hundred yards from shore and fully dressed, complete with shoes and socks. The man showed signs of hypothermia before being pulled from the water onto the Department patrol skiff. The man had no ID and stated his friends pushed him into the water. He would not provide any additional details. Wildlife officers transported the man to the San Diego City Lifeguard dock for a medical evaluation. After medical assessment and stabilization, the San Diego Police Department (SDPD) arrived to document the incident. When questioned by SDPD, the man refused to provide them with his name or any other related information. SDPD was able to identify the man using facial recognition software and discovered the man was currently on a terrorist threat watch list. He was taken into custody by SDPD for a mental evaluation.

A **wildlife officer** responded to an emergency call from a man who reported breaking his leg while fishing. The officer and the local Fire Department located and transported the man from the river to a nearby ambulance.

A **wildlife officer** was driving home when a vehicle passed him over double yellow lines at approximately 90 MPH in a 55 MPH section of roadway. The vehicle was immediately in a near head-on situation with an oncoming vehicle and made an evasive return to the correct lane. The erratic move caused the driver to lose control, sending the vehicle off the roadway, tumbling multiple times into an open field. The officer radioed for additional emergency response and began to search the field through a large cloud of thick dust. The officer located the wrecked remains of the vehicle and to his surprise, four subjects were located near the vehicle showing no signs of significant bodily injury despite all being ejected from the vehicle. All four subjects, including the driver, showed signs of alcohol intoxication. Responding EMS and CHP processed the occupants and the scene.

A **wildlife officer** was first on scene of multi-vehicle accident along a country road. The officer exited his vehicle and began to assess victims. As he looked into one of the mangled vehicles, he noticed the driver pinned in and slumped over, with a major compound fracture to his left knee and leg. The driver appeared deceased, leading the officer to move on to the passenger. He located a trapped, but conscious female passenger. The officer conducted basic first aid triage and provided calm reassurance while EMS arrived. Once relieved by medical staff the officer conducted traffic controls until relieved by responding CHP. The accident resulted in the loss of three lives, with the female passenger being the only survivor.

GENERAL:

A **wildlife officer** was conducting patrols for unlawful night hunting when he observed a small car drive down a private dirt road and park under a tree. The officer, suspicious of the activity, contacted the male and female occupants of the vehicle. The officer determined both had multiple warrants. The male subject had a criminal history ranging from petty theft to attempted murder. Both subjects were arrested and booked at the county jail without incident.

WILDLIFE CONFLICT:



Wildlife officers responded to a report of a mountain lion under a mobile home. Arriving officers confirmed a large, healthy mountain lion was under the occupied mobile home. After several hazing techniques were unsuccessful, the lion was darted and removed from under the mobile home. Officers successfully transported and released the lion onto more suitable department wildland.

A **wildlife officer** on lake patrol was advised by several anglers that a young bear stole a stringer full of fish from two anglers just moments before the officer arrived. Curious of the tale, the officer contacted the two anglers from whom the fish were stolen. The two stated the bear took their stringer, but it only had one fish. The officer, recalling all the witnesses describing the stringer as “full” and noticing the two appeared very nervous, asked if they had any fish now. Upon further investigation, the officer determined the two subjects possessed a total of 19 fish, well over the limit, despite how many the bear took.



Wildlife officers responded to a report of a bear in a populated city, only about fifty yards from a major highway. Numerous allied agencies were on scene hoping the bear did not enter the highway but preparing for the chance it may. Responding wildlife officers arrived and reacted quickly. They successfully tranquilized, transported, and released the bear to more suitable habitat.

WILDLIFE DISTRESS:

A **wildlife officer** responded to a report that employees from Sierra Pacific Lumber Mill found a lost and lonely baby fox amongst the facility in a very dangerous location. After assessment of the area, it was determined there was no suitable safer adjacent location for the fox to remain. The decision was made to collect and deliver the fox to a wildlife rehabilitation facility.



UNLAWFUL POSSESSION:



A wildlife officer received a call from a local police department regarding an alligator they had found during the execution of a search warrant. The resident alleged he did not know who the alligator belonged to because so many people have come and gone from his house in the past few months. The officer seized the alligator and delivered it a permitted care facility.

A wildlife officer received a CalTIP reporting a fawn kept as a pet at a residential residence within a major urban city. The responding officer contacted the resident and was given consent to look in the backyard. Upon inspection the officer found a fawn deer running around the yard appearing very habituated to people. The residents said they had the fawn for two months and planned to keep it. The officer explained the safety and health risks associated with harboring wildlife. The officer seized and delivered the fawn to a licensed rehabilitation facility.



A wildlife officer received a report of Red Tail Hawks being taken from the nest. The reporting party (RP) stated he had been observing the nest with a telescope watching the young birds grow, when one day he noticed the birds were gone. The RP noticed a ladder at the base of the tree. The RP went to the property, spoke with one of the tenants, and discovered there were four hawks in two different cages. Wildlife officers responded to the CalTIP and located the four hawks in cages. After interviewing the suspect, he admitted he had taken all of the hawks from the same nest, two from this year and two from a previous year. The suspect did not have the required permits for the hawks. Officers seized and delivered the hawks to a permitted facility.

Wildlife officers responded to a report that employee of a feed store found five baby barn owls in hay bales and decided to take them home. Officers contacted the subject at his residence and he admitted to possessing the barn owls, which he was keeping in his vehicle. The subject stated he planned to turn the owls over to a rehabilitation facility once he got their weight stabilized. Officers seized and delivered the owls to a permitted rehabilitation facility.



A wildlife officer received a report of a coyote “attack”. The officer learned the report involved a six-week-old coyote pup that bit the finger of a woman trying to feed it. The woman had the pup in captivity and intended to keep it as a pet. Further investigation revealed the pup was one of five coyote pups previously taken from the wild, after the mother was killed in farming operations. Wildlife Officers tracked down, seized, and delivered four of the pups to a permitted wildlife rehabilitation facility.

DISPOSITIONS:

A **wildlife officer** received disposition of a commercial Dungeness crab case, involving the suspect's retention of more than 1% undersized. The subject received a fine of \$5,000 and 3-years' probation.

Wildlife officers appeared in court for a case involving possession of 142 undersized Pismo Clams and 109 Bean Clams and take without a license. The subject received a fine of \$5,000.

A **wildlife officer** received disposition for a case involving a suspect using multiple lines for rockfish. The subject received a fine of \$150.

A **wildlife officer** appeared in court for a case involving of unlawful possession of 21 Pismo clams. The subject received a fine of \$2,500.

A **wildlife officer** received disposition for a case with multiple subjects involving take of turkeys and quails out of season, trespass to hunt, take of a non-game species, and failure to show. The two main subjects received a fine of \$3,325 each. The remaining subjects received fines ranging from \$655 to \$1,295.

A **wildlife officer** received disposition for a case involving a diver stealing lobsters from a commercial angler's traps. The subject was ordered to serve 10 days in county jail, received a fine of \$1,000, and ordered forfeiture of all seized dive gear.

A **wildlife officer** received disposition for a case involving unlawful possession of a hawk, failure to adhere to care, failure to renew an annual falconry license (while engaged in falconry), and failure to adhere to annual reporting. The subjects were ordered to pay \$250 to the Fish and Game Preservation Fund and restitution of \$1,091.38 to the South Bay Wildlife Rehabilitation Center for care of the hawk. Both subjects received 24 months summary probation.

The hawk is scheduled to be released to the wild once formal court documents have been received on case disposition.