#### 15. DEPARTMENT INFORMATIONAL ITEMS

#### Today's Item

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Action

Standing agenda item to receive and discuss informational updates from DFW:

- (A) Director's Report
- (B) Wildlife and Fisheries Division, and Ecosystem Conservation Division
- (C) Law Enforcement Division
- (D) Other

#### Summary of Previous/Future Actions (N/A)

#### Background

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

(C) DFW's Law Enforcement Division has moved from a monthly report to a quarterly report; the Apr through Jun report is included as Exhibit C1.

Four suspects were recently arrested on charges of harvesting abalone with a recreational fishing license and then selling it on the black market for a profit, at a time when the abalone population is facing significant threats due to unprecedented environmental and biological stressors (Exhibit C2). The threats to abalone are described in more detail in Agenda Item 22 for this meeting.

#### Significant Public Comments (N/A)

#### **Recommendation (N/A)**

#### Exhibits

- C1. DFW LED second quarter report (Apr-Jun 2017), received Sep 11, 2017
- C2. <u>DFW news release: CDFW Arrests Four Suspects for Commercial Sale of Sport</u> <u>Harvested Abalone, dated Sep 21, 2017</u>

#### Motion/Direction (N/A)

# California Wildlife Officers Quarterly Report April – June 2017

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.



California Department of Fish and Wildlife Law Enforcement Division Command Staff, Wildlife Officers and Academy Cadets from around the state attended the California Peace Officer Memorial at the State Capitol in May. The event honors peace officers who died in the line of duty in the previous year and their families. Their names are permanently affixed to the California Peace Officer Memorial thereafter. It is always somber, but very moving as well.

#### Cases throughout the State

Wildlife officers on night patrol surveilled a group of anglers along the river. They observed two subjects netting juvenile salmon with a dip net along the shoreline. The officers contacted the suspects, questioning them about the net and the attempted take of juvenile salmon. The suspects

strongly denied the allegation and observations of the officers, and began video recording the contact with their cellphones. Within moments, a wildlife officer found a water bottle containing four live juvenile salmon. Confronted with the evidence the suspects stopped the video recording. Both suspects were cited for using juvenile salmon as bait, which was the second offense of this nature for one of the suspects who was cited for the same activity in the same location two years prior. One suspect refused to sign the citation and was transported and booked into Jail.



Wildlife officers were on vessel patrol when they observed on radar a Commercial Passenger Fishing Vessel (CPFV) within a State Marine Reserve. The area is a closed preserve and prohibits all take or possession of any species. The officers marked the location where the vessel was fishing inside the reserve, then approached for contact. As the patrol vessel approached, the CPFV powered away attempting to leave the boundary of the reserve, but were caught before they could exit the area. During interviews, the captain admitted they were within the reserve, but alleged it was due to drifting caused by tangled fishing lines. The captain was cited for fishing inside the reserve.



Wildlife officers assisted National Park Rangers with removing abandoned and entangled lobster traps, many of which were stuck on rocks and required the use of special equipment such as lift bags to bring them to the surface. A total of seven traps were recovered during three dives, from which over thirty lobsters were released, 90% being egg carrying females. These activities remain a priority as the department continues to solicit assistance from the public to report anytime they know of or discover such gear http://www.opc.ca.gov/2010/08/derelictfishing-gear-removal-pilot-project/

Wildlife officers from around the state converged for two separate multi-day minus tide saturation abalone patrols of the coast. During the course of the two operations, wildlife officers contacted over 2,914 divers/anglers and issued 190 citations for various violations including over-limit, undersized, and tagging violations of abalone. A wildlife officer/ K-9 duo participated in the operation and assisted

in various cases resulting in the seizure of 31 unlawful abalone. During one of the investigations an individual was suspected of taking an over limit of abalone and stashing them in his trailer. The K-9 searched the camper and located an untagged abalone hidden in the bathroom cabinet.

A wildlife officer investigated an egregious dumping of trash onto a forested area. Miscellaneous items located within the dump rubbish contained personal information and an address for a potential suspect. After an extensive investigation starting with the address and follow-up interview, the suspect confessed to the illegal dumping and agreed to remove the trash and restore the area, a testament solidified in the before and after photos of the site.





A wildlife officer responded to a report of a subject shining a light into a wooded area and discharging a firearm, activity known as spotlighting. The officer arrived in the area and saw a light shining through the trees then heard a gunshot. The suspect vehicle sped away from the area down a rough mountain road as the officer pursued. The suspect eventually crashed the vehicle after failing to yield for several miles. As the officer approached, he saw the driver retrieve an SKS style assault weapon from the vehicle and flee into the woods. Fearing a potential ambush/sniper situation, the officer retreated to a safe location and waited for backup assistance. The wildlife officer, sheriff's deputies, and CHP returned to the scene and conducted a search of the vehicle, which resulted in the seizure of methamphetamine, stolen property, and over 500 rounds of rifle ammunition. An extensive search for the suspect using K-9s and helicopters yielded no results. A records check of the vehicles registered owner indicated multiple felony arrest and numerous warrants in multiple states. The suspect was apprehended following day near the wrecked vehicle, without further incident.

Wildlife officers with the Wildlife Trafficking Unit (WTU) conducted several inspection details at public fairs and shops aimed to curtail illegal ivory sales. Officers seized 23 pieces of ivory from the various storekeepers during special detail efforts.

A wildlife officer located an online advertisement offering the sale of multiple pieces of ivory, thus conducted an undercover buy-bust. The seller had nine pieces of ivory offered for sale at 5,000. Officers seized the ivory as well as collected statements and evidence to file a formal complaint with the District Attorney's office.



Wildlife officers with the Watershed Enforcement Team (WET) investigated several illegal marijuana cultivation sites and executed search warrants on parcels throughout California associated with negative environmental destruction of creeks, streams, and waterways. The team predominantly focused on areas near the coast that have anadromous waterways and sensitive ecological areas. Many of the investigated sites involved pollution, litter, or dewatering of protected steelhead and coho salmon spawning areas, two fish species that are federally endangered. Violations included unlawful cultivation of marijuana where no nexus to medical marijuana existed, illegal timber conversion, pollution of water sources, illegal water diversion, possession of firearms and ammunition by convicted felons, and multiple contacts with persons with felony warrants.

Marijuana Enforcement Team (MET) wildlife officers conducted trespass marijuana grow scouts, arrests, eradications and reclamation missions in over thirteen counties throughout the state. Several of the unlawful grow operations were occurring in sensitive and volatile habitats and ecosystems. One trespass grow site led to the discovery of a California condor carcass and another was found in the high altitude areas of Sierra Nevada, home to the protected and highly regulated big horn sheep. CDFW K-9s continue to aid in the improvement of department efficiency and overall officer safety through support tactics involving suspect apprehensions and handler protections. In total, the teams successfully eradicated thousands of illegal marijuana plants, along with removing all the trash and miles of plastic pipe. Wildlife officers restored dozens of creek beds to their natural course by removing illegal water diversion dams.

The Law Enforcement Division was saddened to lose two K-9s this quarter. The Law Enforcement Division mourns and memorializes the life and career of K-9 Buddy. K-9 Buddy graduated from K-9 Academy 4 in July 2009. K-9 Buddy remained an active and valuable asset to the Department under the care and partnership of two handlers along the way. One of his handlers recalled one of this fondest memories working with Buddy, "I received a call from a fellow wildlife officer from a neighboring patrol area requesting Buddy to aid in locating white wing doves shot out of season and



buried. We arrived on scene and readied and deployed Buddy for an area search of the hidden doves. Buddy searched a large area with no luck, but as he walked by a place that appeared to have been freshly shoveled, he made a hard right turn back to the freshly shoveled dirt and laid down with his nose to the ground. As I brushed the dirt away and dug down about one foot, I first noticed feathers then as I dug down more I found three white wing dove that had been buried."

The Law Enforcement Division mourns and memorializes the life and career of K-9 Reno, who passed away unexpectedly. K-9 Reno graduated from K-9 Academy 4 in July 2009 and was assigned to Orange and south Los Angeles counties. During his tour, Reno became known as the "Gun Dog," as he was trained to locate recently-fired firearms and casings. Multiple agencies used Reno's



talents and some even began training their own gun dogs after seeing Reno's value. K-9 Reno also liked the limelight. Throughout his career, he participated in more than



400 public demonstrations showcasing his talents and connected with well over 100,000 people. Reno was destined to retire out at the end of the year but passed away unexpectedly.

#### **Dispositions**

A substantial commercial mining pollution civil case settled, with the defendants ordered to pay \$87,000 in fines. Additionally, they are required to hire an environmental engineering company to completely restore the affected stream. Lastly, the suspects are banned from mining for the next three years.

A disposition of a case involving the illegal sale of native reptiles/amphibians by a large volume reptile/amphibian exporter resulted in the company being fined \$10,000 and ordered to implement a training program within their company to educate the employees regarding federal and state laws. This company has prior egregious state and federal violations.

A wildlife officer received a disposition for a deer case last October. A poacher shot a trophy 6X7 buck on a children's school playground. The man was convicted of felony possession and discharge of a firearm in a school zone, as well as illegal possession of wildlife and waste of game. He was fined over \$2,500 dollars, placed on formal probation for two years and served four days in jail.





California Department of Fish and Wildlife Marine Region News Service

### News Release

FOR IMMEDIATE RELEASE - September 21, 2017

## CDFW Arrests Four Suspects for Commercial Sale of Sport Harvested Abalone

#### Contact:

Lt. Chris Stoots CDFW Law Enforcement (916) 651-9982 Wildlife officers have arrested four suspects on charges of harvesting abalone with a recreational fishing license then selling it on the black market for profit, the California Department of Fish and Wildlife (CDFW) announced. The arrests were preceded by a fivemonth investigation of



A CDFW Wildlife Officer places an abalone poaching suspect under arrest. CDFW photo

the suspects, some of whom have been previously convicted of similar violations.

Arrested were Oakley resident Thepbangon Nonnarath, 48, El Sobrante resident Dennis Nonnarath, 45, and San Jose residents Thu Thi Tran, 45, and Cuong Huu Tran, 42.

The group came to the attention of CDFW wildlife officers in November 2016, when Thepbangon and Dennis Nonnarath and two associates were cited for multiple abalone violations at Moat Creek, a popular recreational abalone fishery in Mendocino County. Thepbangon Nonnarath had previous abalone poaching convictions and the wildlife officers suspected the group may be engaged in the commercial sale of recreationally harvested abalone, which is unlawful.

Beginning in May 2017, wildlife officers observed suspicious activity by the same group of suspects in several popular recreational abalone diving locations in both Mendocino and Sonoma counties. Further investigation revealed an extended group of people who were harvesting abalone and allegedly selling it on the black market. The five-month investigation uncovered evidence of various poaching crimes among the group, including unlawful sale of sport caught abalone, take of abalone for personal profit, commercial possession of sport caught abalone, exceeding the seasonal limit of abalone, falsification of abalone tags and conspiracy to commit a crime, among others. "The collective efforts of these suspected poachers show a blatant disregard for the regulations designed to protect California's abalone resources," said David Bess, Chief of CDFW's Law Enforcement Division. "Whether it be California abalone or African ivory, wildlife officers will not tolerate trafficking of our wildlife resources."

The alleged abalone poaching crimes occurred at a time when abalone are facing significant threats to their populations due to <u>unprecedented environmental and biological stressors</u>. As a result, the California Fish and Game Commission has readopted an emergency abalone regulation to continue the restriction of the annual abalone limit to 12 abalone per person and continue the reduced open season which is limited to May, June, August, September and October.

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CDFW Marine Region News Service Ocean-related news and information

Learn more about CDFW's Marine Region on the web at <u>wildlife.ca.gov/regions/marine</u> Read the CDFW Marine Management News blog at <u>cdfwmarine.wordpress.com</u>

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