



**WDFW Enforcement Program Advisory Committee  
February 5<sup>th</sup>, 2011  
1000-1300  
Dept. of Natural Resources, Ellensburg, WA**

<b>Members in Attendance</b>	
Bob Holtfreter, Chair	Ron Oules, Vice Chair
Ed Scullywest	Robin Hickok
Don Gulliford	Dave Croonquist
Kelly Riordan	Dean Byus
John Suessman	Jay Webster
Dave Ruffin	Andrew Hamilton
<b>WDFW Staff:</b>	
Bruce Bjork, Chief	Chris Anderson, Captain Region 2
Mike Sprecher, Sergeant Region 3	Sean Carrell, Problem Wildlife Coord.
<b>Members Absent:</b>	
Ed Owens	Terry Abrams
Eric Granstrom	Dave Robinson
Lyle Cabe	

**Chief Bruce Bjork convened meeting at 1000**

**[October 2010 Meeting Minutes Reviewed and Approved](#)**

**Intro, and/or announcements:**

The advisory group recently appointed Kelly Riordan from Shelton, Ed Scullywest from Bothell, and Dave Ruffin from Moses Lake because of recent departures and current vacancies. Brief introductions were given. Chief Bjork advised that the group started six years ago. The focus of the group is primarily on the assessment of enforcement needs. There are 159.9 positions currently in the Enforcement Program. All 39 counties of this state have at least one officer. Chair Bob Holtfreter wants to cover the minutes and asked if there were any additions or corrections. Dave Croonquist moved to approve. The minutes were approved as written. Chair Holtfreter asked if there were any suggestions on new agenda items. Croonquist asked that the group be updated on CODY.

## **New Business:**

*Budget/Legislative* – Chief Bjork advised that week three of the legislative session had proved ugly for natural resource agencies. The highlights of those legislative activities included Enforcement tracking over 200 bills. Once a bill was introduced, any enforcement, or natural resources nexus and a bill analysis had to be done. Additionally, any fiscal impact and WDFW must complete a fiscal note combined with the legislative analysis. Title 77 omnibus bill had gone through a number of reiterations with House and Senate testimony with technical corrections to existing code and policy. One major policy change to the bill was the feeding of predatory wildlife. Predatory wildlife includes, bear, cougar, and wolf. There are no other species listed in the bill. The animal rights groups support this policy. Animal rights and some legislative staff would like to add small game to this bill. Chief Bjork advised that was not done at the time. Similar legislation had been introduced over the last three years, but it included too many species and those bills failed. It allows any general law enforcement entity that enforces fish & wildlife, or animal control office, the ability to issue an infraction to a person if they are found actually feeding wildlife. If issued an infraction, if an officer must respond again in the future to the same property, the landowner can be issued a misdemeanor. Chief Bjork advised that this mimics false alarm calls in city ordinances. Chief Bjork went to Administrative Office of the Courts to look at citations issued by the Parks and DNR. Only 63 citations were issued on title 77 violations over the last 25 years. All administrative codes must have a statute. Ex officio has been taken out. General law enforcement agencies can enforce any state law, but not the agency's WAC unless entered into a MOU/contract. WDFW is certainly interested in doing that if there's a need. This portion of the bill gives the Director of fish & wildlife that authority to enter into those agreements. Legislature did not realize the scope of this issue and are better informed and like the interagency agreements. The other issue under RCW 10.93.020, local city/county can enter into an interagency agreement with tribal law enforcement. The reason why that was taken out was to prohibit municipalities from giving tribal law enforcement those powers. Dean Byus asked that he didn't recall whether there was a right, or restriction for such an action. Chief Bjork advised that there are those abilities. If the Spokane County Sheriffs' Office was interested in working a specific location, then we could enter into an interagency agreement. Croonquist advised that the clam language has not had the language where ex officio had been removed. Chief Bjork advised that needs to be cleaned up as well. Ed Scullywest identified on page 2 of HB 1453, page 10, line 1, ex officio is listed for shellfish. There is a new section regarding fires set on WDFW land. A lien can be placed on the violators land for negligence. All WDFW crimes are strict liability crimes where no intent has to be proven. Chair Holtfreter asked what happened to the tribes on the Yakama Reservation that was killing eagles. Sergeant Sprecher advised that he believed that the USFWS and the tribe handled. Chair Holtfreter asked if compensation was given back. Chief Bjork advised that they do not meet the requirements. Croonquist asked why general authority does not have the ability to enforce the regulations associated with the WACs. Chief Bjork advised that there are arguments with the legislature and that they should have the ability to do that. The Commission can set up a WAC under a statute. Legislature sets the statute and the crime, Commission sets crime type and so forth. Vice Chair Ron Oules advised there's a

discussion about everyone having a user pass, or a \$50 discover pass, and/or parking decal for bird watchers and other recreational folks. In order to park on, or access those lands, you must have the decal. It would create an infraction for not having the pass. It does give authority for DNR and Parks land. Any general law enforcement could issue a citation. In WDFW, department employees can issue the infraction, but the current WAC directs a fish and wildlife officer. Chief Bjork advised when WDFW was a limited law enforcement authority, wildlife area managers issued citations. No citations were being written however. Chief Bjork advised that the current decal infraction is still being used. WDFW has 700 access sites that are not all signed, but will once the bill is passed. Current pass is inept and an interior decal should be used. Chief Bjork advised that there will be a decal under this new bill. Chair Holtfreter asked if the groups on the Westside are fighting. Chief Bjork advised that there is a lot of controversy around this bill. Decals are no longer transferrable and there is an annual fee. License holders would receive a part of their license. However, Chief Bjork advised that WDFW is working the fee issue so hunters aren't charged again. Vice Chair Oules also addressed the issues regarding the fees or licensing should be earmarked for enforcement, not for more biologists. Chief Bjork advised that it's not written for that right now and the additional revenue would be used on habitat and species. Folks are supportive of the recreational license increases, just as long as it is going to enforcement. Vice Chair Oules advised that is what he is hearing from licensees. Kelly Riordan advised that is the case too on the Westside as well. Chair Holtfreter asked what the projected revenue could be. Chief Bjork advised that the discovery pass is expected to generate \$70 million; \$16 million for license fee structure. Robin Hickok asked if a camper and boat trailer would be charged twice. Chief Bjork advised that it would be. Riordan asked if there are user fees with a park, would the access fee also be charged. Croonquist advised that you would be charged. John Suessman asked what a person would do from Oregon. Chief Bjork advised that those licenses can be purchased through a licensed dealer. The merger bill moves Parks, DNR, and WDFW into one super agency. This moves the DNR enforcement staff into WDFW and makes them fish & wildlife officers. This was dropped in the Senate. The Commission would create two divisions; parks & fish and wildlife. Director can add more. The parks and fish and wildlife commissions would only be advisory groups. Chair Holtfreter asked if there is a good chance that this would pass. Chief Bjork advised that there is a good chance. Jay Webster asked if it was going to save money. Chief Bjork advised that the Governor's office said it would save \$13 million and thirteen positions. It moves three directors to one director and there is no limit on deputy directors. It would set up a transition team which would identify additional inefficiencies for the 2012 legislative session. Dean Byus asked where the savings would be then. Chief Bjork advised that it would move them into the LEOFF retirement and salary amendments. Eight new officers would cost \$1 million. Croonquist advised that when they did this in Colorado and it didn't work because it actually increased costs. Chief Bjork advised that there's going to be a lot of opposition like the WSP merger bill. Everyone that signed it did not support it, except the WSP union which approved it. There's so much opposition to the bill, the sponsor could not get the bill out of committee. Vice Chair Oules asked if there was something that could be done that the group can take. Chief Bjork advised the group that they could do that. Vice Chair Oules said that the group should do that. Webster said that the problem with

dedicated dollars is eventually it would be taken away. Croonquist advised that we could do that as a group, or our individual groups, where contact should be made with legislative folks about the groups' position. If you have dedicated funds, as what was done with the salmon stamps, the costs eventually go up. Chief Bjork advised that he takes information back to the Director. Vice Chair Oules volunteered to write up a letter and Chair Holtfreter suggested that it be sent to the group for approval. A motion moved to write a letter. Suessman asked how much of that total dollar will come from hunters/fishers. If a family uses the licenses and does not believe the money should go to the parks, what option do they have? If 85% of the revenue is going to parks, then why is the hunter/fisher only having a 7% coming back? Ruffin advised that there is urgency because there's a notion of losing the parks. If they don't contribute the money, then it will be lost. Chief Bjork advised that may be true. Senator Ranker is the individual that had discussion regarding the 85%. It had gone through the Governor's office, but was not introduced. Sen. Ranker took the language and drew up the bill and introduced. Chair Holtfreter would like to see an appropriation based upon the different user groups to the different programs. Webster advised that the decal is going to be hard to enforce; more problems in decals than anything else. Captain Chris Anderson advised that 60% of his complaints were access decals. Don Gulliford advised that he hasn't seen much regarding these mergers. Chief Bjork advised that something will be out the next week. Chief Bjork talked about SB 5249 as the WSP bill. Chief Bjork advised that any bill that has a fiscal note may be brought back to life if it is part of the budget. This has a \$5 million price tag. HB 1137 is the body-gripping trap bill which authorized certain traps to capture wildlife using the best trap type (BMPs) through the Commission instead of a statewide ban. This was not agency requested legislation. It's in the house committee; no hearing yet. Rep. Blake is the primary sponsor. HB 1124 is the cougar hunting with the aid of dogs. This was agency requested legislation. This would take the five northeast counties and combine the public safety cougar removals and develop a statewide program using the Commission process. The bill is going through a few changes. The current law would sunset this June. HB 1243 is the crimes against animals and would make it a crime for shooting someone's livestock, or wildlife. Chief Bjork asked Rep. Kretz to support a spree killing bill; kill two big game animals in a single event, or over a 24 hour period, would be a class c felony, civil liabilities, and hunting suspension. Vice Chair Oules asked if anyone could do that under statute. Chief Bjork advised that it was under agriculture and anyone can enforcement the title. HB 1453 is the shellfish bill that Scullywest and Croonquist spoke about. It adds a penalty clause in Department of Health's code regarding certification tags and inspection. There are amendments that will be added in regards to commercial enterprises which refuses a health inspector access to shellfish. Chief Bjork advised that these are the bills he wanted to talk about. The group already talked about the hunting/fishing license fee increases. All are going up and all user groups are supporting, although some groups would like to see the money dedicated. Chief Bjork advised that there are currently three fee bills. Chief Bjork asked if there is any more discussion on budget and legislation. Chair Holtfreter asked if there's any information more on guides. Chief Bjork advised that there is not right now, but there may be in the future.

## **Old Business:**

Tip Trailer – Chief Bjork gave a brief intro of staffing needs using the pamphlet that was given to the advisory group. Identifying staff needs takes into consideration fish and wildlife violations increasing and the continued upward trend in the states’ population. Vice Chair Oules advised that a local prosecutor and game warden checked him recently. Vice Chair Oules advised that there needs to be more of this type of interaction. Chief Bjork advised that does occur, including legislators and the public too. Tip Trailer Presentation – Chief Bjork advised that it was developed using federal and state dollars. The trailer is a travelling reader board advertising agencies specific policies/objectives, recruitment, information, etc. Chief Bjork advised that the themes on the trailer cover poaching, vandalism, trespassing, the display of hotline numbers, and the recent improvements to texting service and 911. Enforcement hopes to deploy another trailer to the field.

Pamphlet review - Webster and Vice Chair Oules advised that some of their issues had been resolved. Webster advised that he did receive one comment. Webster advised about setting of crab pots. However, the WAC identifies the act of setting/pulling another person crab pots is illegal. Webster suggested including “set” in language. Webster also identified the Hunter Education raffle, not permit, from September 1<sup>st</sup> – December 31<sup>st</sup> that any weapon designation has a hunter orange requirement. Webster advised that there needs to be a clarification on hunter orange if the center-fire hunter was hunting in a muzzleloader or archery only area must wear hunter orange too. Finally, Webster advised that snagging of salmon that the fish must be hooked inside of mouth. Suggestion was identified to hook inside the mouth for all freshwater. What about folks fishing a rig with a trailer hook that hooks into the head if the other hook is taken on the mouth? Chief Bjork advised that he would like to see a WAC development in this group. There’s enough experience here that something could be written. Could be hunting hours, fishing equipment, and/or snagging issues. Also, Chief Bjork advised that the group could take to the Commission for approval. Vice Chair Oules asked if there should be a motion. Croonquist advised that maybe Enforcement should list a “top 10” list and provide to the group to discuss. Chair Holtreter advised that he helped write the Master Hunter Education WAC. Hickock advised that there should be an internal committee developed. Chief Bjork advised that the information can be sent out to the group as a whole and the information and comments e-mailed to Sean. Program can prioritize the issues. Captain Anderson advised their biggest issue was deer hunters continuing to hunt and claiming to be bear hunting within a hunting group. Hunter orange is easy because it is public safety issue; hunters’ hours are a public safety situation as well. Chief Bjork advised that we would check with Fish and Wildlife and determine Chair Holtreter asked if there were any additional discussions. Croonquist asked if the group could talk about CODY. Chief Bjork advised that the new records management system goes into our rms. Some of the issues were that it was too slow. All the officers’ laptops are being replaced with laptops using faster processors and better air cards. Chief Bjork advised that this should help with connectivity issues and lost signals. The program has purchased new GPS units to give our officers a GPS coordinate. The program has made additional changes to computer updates and lag time and functionality of CODY. This

function was turned off so there was no interference. Officers will have to update manually. The computers have been enabled to utilize Wi-Fi as well. Enforcement had met with CODY to help with re-labeling of pages within CODY. Incident Report Forms are being changed currently. Enforcement has not pursued the Phase II of the project yet. Nothing has been purchased. Errors have decreased from 1,000 to 500. Chief Bjork advised that the program is also building CODY to merge with SECTOR so that will decrease amount of data entry by auto-populating information. Captain Anderson advised that it is working. Using the CODY system has enabled him to determine false licensing issues. Sergeant Sprecher advised that it has great access to prior fish and wildlife contacts and the ability to issue a citation based on prior contacts by another officer. Croonquist asked if the Wildlife Compact and CODY are able to populate the information. Chief Bjork advised that those conversations are occurring. Going to also develop an interface between the states as well that uses the same system. Croonquist advised that there are 32 states that are active members already. Chief Bjork advised that WDFW and DOL have just developed a contract that will merge photos of licensees.

**Conclusion/Next meeting:** Scheduling of next meeting. Chair Holtfreter said June 25<sup>th</sup> is a good date for the next meeting. The group concurred. Meeting was scheduled for June 25<sup>th</sup> at DNR located at 713 Bowers Rd, Ellensburg, WA.

***Requested Action Items:***

- List of the Top 10 Violations for group to recommendations

***Topics for Future Discussion:***

- Pre and post legislative issues
- KBD Program
- Update on Wildlife Crime Stoppers by Lieutenant Steve Crown
- Presentation on scope of problems on WDFW land use

***Next meeting:*** Saturday, June 25<sup>th</sup>, 2011 from 1000-1500. The agenda will be sent out before the meeting with information on topics for discussion.