



WASHINGTON DEPARTMENT OF FISH AND WILDLIFE
ENFORCEMENT PROGRAM

Spring 2009 Newsletter



Policing the outdoors since 1887



FROM THE CHIEF AND DEPUTY CHIEF

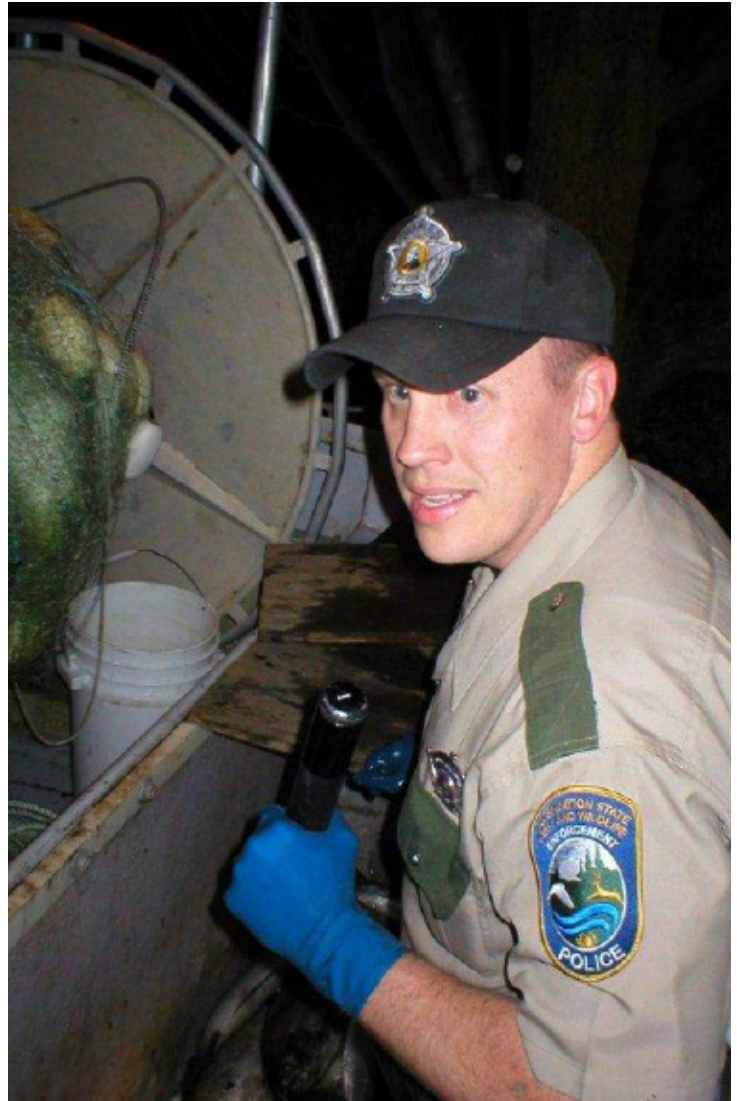


Washington Department of Fish & Wildlife Officers provide a wide variety of diverse public services.

The following real-life events are meant to provide a snapshot of enforcement activity for the Spring 2009 Quarter. Rather than attempt to list all of the Program’s accomplishments, examples were selected to show the diversity of issues our Officers encounter while protecting your natural resources. The WDFW Enforcement Program is made up of a number of specialized work units: Land, Statewide Marine, Special Investigations, Hunter Education, and Aquatic Invasive Species. Patrol and outreach responsibilities often overlap, and the different units commonly assist each other. All violations are considered “alleged” unless a conviction has been secured.

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Officer Hughes inspecting a commercial gillnetter.



Wildlife protection is a year-round event for Officers. People often associate this kind of enforcement with open hunting seasons. When seasons are open, Officers are involved in enforcing bag limits and special species restrictions, patrolling closed areas, investigating trespass cases, and checking for licenses and tags, along with many other regulations. Unfortunately, wildlife is commonly taken when seasons are closed, and often at night with the aid of spotlights.

Every hunting season, we see the full range of violation types. . . from inadvertent violations and temptations getting the best of someone, to hardcore poaching. Everyone makes mistakes; we recognize that. Often, it's not the mistakes themselves that become the issue, but it's how a person handles the incident. Many people do the right thing in their efforts to rectify the situation, but others simply compound the problem and make it difficult for law enforcement to ascertain the difference between what was intentional and what wasn't.

WDFW & Oregon State Police (OSP) Fish and Wildlife Officers Serve Search Warrant

Fish and Wildlife Officers Vance, Myers, Caton, Bolton, and Sergeant Grant, along with four Oregon State Troopers and County Deputies, served a search warrant on a subject's residence. Officer Vance and OSP Trooper Pearson had been conducting an investigation on the subject and his wife after it was discovered that they had been purchasing resident hunting licenses in both Washington and Oregon for years. (Hunters can only be a resident in one state, and formal proof of the intent to reside permanently in the state where residency is desired must be established.) The husband has two prior felony convictions for burglary, prohibiting him from legally possessing firearms. Some poaching history was also present as he had been previously convicted for illegally killing a grizzly bear in Montana.

Upon execution of the warrant, the convicted felon was kind enough to open the gun safe for the Officers, making it easier to show he had access to the firearms in it, an element that we must prove. A large bag of marijuana was also in plain view in the safe, as well as 98 prerolled marijuana joints. Drug paraphernalia and more marijuana were found in the bathroom for a total of 548 grams of pot in its packaging. Officers seized 12 firearms along with thousands of rounds of ammunition and numerous cans of gunpowder. Officers also seized a trophy 8x8 elk the suspect had taken this year, and a smaller elk rack, and a deer skull from 2006, since these had been illegally taken in Oregon under the false residency claims.



North River Elk Slaughter Case - Suspects Revealed

Officers James, Klump, Alexander, Zimmerman and Anderson, Sergeants Nixon and Chadwick, and Detective Rhoden served a search warrant on a subject's residence who was in possession of an illegally taken cougar. Officer James and Klump developed information that the subject was one of the shooters in a separate case involving five elk poached and left to rot.

During the current elk investigation, Officers James and Klump found that the subject had purchased his cougar license and tag after the time he had claimed to have killed the animal. Officers then obtained a search warrant for the cougar and rifle used. Officers interviewed the subject during the search warrant, and with a little finesse, the subject confessed to



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illegally killing the cat are shooting the five elk in the North River area, and implicated two others who participated in the elk killing. The subject also provided detailed information regarding two illegal bear and a deer killed by a person Officer James has made a career out of arresting for poaching.

Wildlife Investigation Turned Narcotics Bust Results in Huge Forfeiture of Cash

Sergeant Makoviney, along with Officer Klein, met with Shelton Police Chief Terry Davenport to begin the process of purchasing two new deer decoys. Chief Davenport agreed to purchase these decoys out of some \$30,000 of cash seized from a poaching/drug dealing case developed by Officer Klein in 2008. Chief Davenport commended us for continuing to work so cohesively with all other law enforcement in the Mason County area. The total cost for the two decoys will cost in excess on \$3,000.

Goose Poachers Caught

Officers received a call regarding two subjects shooting geese with a .22 rifle near the Columbia Basin Fish Hatchery north of Moses Lake. The season was closed, and the use of a rifle for waterfowl hunting is illegal. An Officer then contacted the Grant County Sheriff's Office and requested assistance with the goose poachers. Deputies caught one of them, seizing the geese and one of the firearms used. Officers followed up with the suspect and were able to obtain a written statement which led to the

name of the other subject involved. The suspect had previously given a false name of his accomplice to protect his cousin who was the actual culprit. The second violator was contacted by phone and quickly obtained an attorney.

Nez Perce Tribal Member Convicted of Hunting Violations

A Nez Perce Tribal member charged with poaching two deer on private property and trespassing was found guilty in Klickitat County District and Superior Court. Officers had stopped the suspect on the highway based on a tip of illegal hunting. They found two closed season deer in the bed of the truck driven by the suspect, whose driving privileges were suspended. He is a convicted felon and had three warrants for his arrest. A jury found the suspect guilty of being a convicted felon in possession of firearms as well as two counts of deer closed season, trespass, and driving while license suspended 2nd degree.

The jury took approximately 20 minutes to find him guilty on all charges. He was sentenced to 400 days in jail that will run consecutive with the sentence for the felon in possession charge (about 24 months in prison). He was also fined \$9,231, plus attorney fees in addition to any fine amount that will be imposed for the felon in possession of firearms case. The firearm and pickup truck that he used in this case are currently pending Department forfeiture proceedings.

Wrong Sex Turkeys

Officer Hart and Sergeant Webb followed up on a closed season turkey harvest report from Officer Bolton that had occurred in Klickitat County. The subject eventually surrendered two hen turkeys from his freezer after some excellent interrogation work by the more experienced Officers.



Antler Hunters Contacted

While Officer Caton was conducting surveillance on the Oak Creek Wildlife Area closure, he observed two subjects hiking in the closed area. With the assistance of Officer Myers, Sergeant Grant, and the Yakima County Sheriffs Office, the two subjects were located and Officers seized nine shed antlers. One of the subjects was arrested and booked in 2007 for attempting to elude Officer Caton in the closure while antler hunting. Both subjects claim they weren't in the closure, which is aimed at ensuring minimum disturbance during elk breeding and calving season.

Illegal Trapper Snared

Officer Schroeder completed a trapping investigation stemming from an incident where a bald eagle got caught in an illegally set leg-hold trap. The eagle was eventually euthanized due to its injuries. Officer Schroeder was able to discover two separate subjects trapping in the same area. Through the use of informants and good interview skills, Officer Schroeder was able to obtain confessions from both subjects.



Drive-by Elk Poaching

A Wahkiakum County man poached an elk near a Cathlamet golf course and hung it at another subject's house. Officer Wickersham contacted Wahkiakum Sheriff's Office and found that the same subject,

who had reportedly poached the elk, was being sought in connection with stolen firearms. Multiple subjects were interviewed regarding the firearm theft and admitted to poaching the crimes. According to the bad guys, the group of five subjects went to the Grays River area to look for a cell phone. While en route, one of the men had stolen some pistols from a residence and wanted to do some target practice.

Target practice involved shooting at a large herd of elk from the car they were driving in. Multiple elk were wounded and one was run down on foot and shot multiple times with a 9 mm and .45 caliber handgun. Pistol rounds were recovered from the meat, which had been dumped by another subject's parents after finding out the animal was poached. One of the suspects said he saw at least two other animals limping away after the pistol barrage.

Hound Hunter Investigation

Officer James completed an investigation of a hound hunter who had been hunting with a revoked license. Officer James has arrested the subject several times in the past and developed information resulting in probable cause to obtain and install a tracking device on his vehicle. Detachment 2 (Grays Harbor County) has a great working relationship with the Grays Harbor drug task force who was extremely helpful in allowing Officer James to use their tracking equipment. Officer James installed the device and tracked the subject engaged in hound hunting activities consistent with the methods they customarily use. The subject was arrested and booked into jail, and his entire dog tracking equipment and truck were forfeited.

Running Down Shorebirds

Officer Hopkins was on the beach typing a report when he observed a small Subaru travelling north on the beach at about 35 MPH (the speed limit is 25). Both occupants of the car looked straight ahead, body language which we have learned long ago means that



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they were “hoping” no one noticed them. Officer Hopkins followed the cars tracks about ¼ mile down the beach and he found 24 dead shore birds in the car’s tracks. Officer Hopkins then began hunting down the car.

After five hours of looking for the car, Officer Hopkins finally found it parked at one of the beach horse outfitters. One look at the car and he knew it was the right one due to the feathers stuck to the hood and grill. Upon contact, the driver was the same person Officer Hopkins had seen driving earlier. The convicted felon was not forthcoming on admitting to his wrongdoing. The same could not be said of the passenger who was all too willing to give a written statement implicating him. Charges will be filed with the prosecutor’s office.



Hardcore Poacher Chronicles Hopefully End

In October 2008, Sergeant Henry received information from a local hunter who overheard a person bragging about poaching deer. Armed with a name and a cell phone number, Sergeant Henry discovered that the suspect was a U.S. Navy sailor who was stationed at Sub Base Bangor, near Silverdale.

The following day, Sergeant Henry and Officers Czebotar and Langbehn met with the suspect at Bangor and interviewed him about his involvement in the incident. The suspect admitted to shooting a deer a few nights earlier. Over the course of several weeks, Officer Czebotar and Sergeant Henry followed up on a long list of names and partial names of fellow hunters, girlfriends, and partygoers who were witnesses to the incident.

As the case developed, it became apparent that more than one deer had been killed. The dates, locations, and circumstances of the incidents were different with each witness. Ultimately, it was determined the suspect had killed, and left to rot, three deer.

In early November 2008, a search warrant was served at the Marine Barracks at Bangor. The suspect’s 2007 Chevy pickup and a .223 caliber rifle were seized for civil forfeiture. In that same week, the suspect was charged with 12 criminal violations involving big game.

During a four-month period of pre-trial hearings, the prosecutor’s office and his defense counsel had reached a tentative agreement. The plea agreement involved reducing the twelve charges to three (take/possess big game closed season). It would include the assessment of the criminal fines, court costs, suspended jail time, revocation of hunting privileges, and a \$6,000 Criminal Penalty Assessment.

In March 2009, Officer Czebotar received a call from a reporting party who resided in the same barracks at Bangor with the suspect.

A few days later the reporting party contacted Officer Czebotar and informed him that the meat from a recently poached deer was in a freezer at the residence of a U.S. Navy sailor who lived on Sub Base Bangor. Officer Czebotar and Sergeant Henry and NCIS Special Agent Hauck met with a seaman who allegedly possessed the deer meat. The seaman readily admitted to having the deer meat at his house and explained how it got there. In February 2009, the same seaman convicted of the previous charges had spotlighted, shot and killed two more deer, dragging one of them back to camp. The following morning he cut up portions of both deer and brought them to the residence on Sub Base Bangor.

In April 2009, Officer Czebotar, Sergeant Henry, and Special Agent Hauck served a search warrant on the suspect, and re-seized his 2007 Chevy pickup, .22-caliber rifle, spotlight, and hunting knives. After the truck was towed away, the suspect was interviewed



once again. In his written statement, he admitted to killing the two deer and essentially confirmed all of the witness statements.

Based upon the suspect statement, witness statements, and physical evidence, the suspect was charged with 16 new criminal charges involving big game. On April 15, 2009, the suspect was arraigned in Jefferson County District Court on the new criminal charges. His attorney entered a plea of not guilty. Immediately after the arraignment on those charges, a Show Cause hearing was brought forward to determine whether he violated the Conditions of Release on the original arraignment in November 2008. District Court Judge Jill Landis found that there was sufficient probable cause, and had Mr. Butler arrested on \$9,000 bail. He was booked into the Jefferson County jail that afternoon.

Currently, the suspect is out on bond, and is awaiting trial. He is confined to the base at Bangor, and is escorted anywhere outside his company area.





HUMAN/WILDLIFE CONFLICTS

Officer responses to human-dangerous wildlife conflicts are a constant as human encroachment on habitat provides for increased encounters. Many folks believe that wildlife utopias exist where captured problem animals can be relocated, resolving the issue. Finding wild places where human interactions will be minimal is an increasing challenge. The reality is any releases would likely result in establishing a potentially dangerous or nuisance animal in another geographic location. Many animals do not stay put when released, migrating back to areas where conflicts with humans will continue. Sure, Officers are trained in animal removal, have assigned immobilization equipment and have access to traps and transport cages. The Enforcement Program also has a K-9 program where a special breed of dog, the Karelian Bear Dog, assists with locating and hazing dangerous wildlife (this same dog has the ability to find poached wildlife and is used for investigative purposes). But because of the challenges stated above, some animals must be euthanized.

KBD Press Conference

Captain Hebner, Officers Jorg and Richards, Carol Powers, and Martha Jordan collaborated and hosted a “press conference” at the Mill Creek Office to introduce the Karelian Bear Dog (KBD) program and our newest addition, a KBD puppy named Colter, and his handler Officer Jorg. The resulting coverage ran on Television Channels 4 and 5 for a couple of days. The Everett Herald also did an outstanding job with some great photos. Martha Jordan and Officers Jorg and Richards (along with Colter and Mishka) were also the featured guests on the Martha Norwalk Radio Talk Show. The Seattle Times will be doing a large feature. This has all been very positive coverage for the agency, just in time for the spring bear complaint season. After the press conference, Officer Jorg and Colter were called to action with one of our first Snohomish County bear complaint.





Methow Cougar Captured

Officers responded to a cougar kill in the Libby Creek area. An alpaca was killed, partially consumed, and buried. The live trap was set using the alpaca for bait. The cougar was caught, immobilized, radio collared, and relocated. The cougar will be part of Biologist Beausoleil's cougar study in Methow.

Sea Lion Trapping Sparks Debate

In December 2006, the states of Washington, Oregon, and Idaho applied to the U. S. Secretary of Commerce for authorization under Section 120 of the Marine Mammal Protection Act (MMPA) to lethally take California sea lions in the Columbia River that are having a significant negative impact on recovery of ESA-listed salmon in the Columbia River basin. The National Oceanic and Atmospheric Administration (NOAA-Fisheries) reviewed the States' application, and in 2008, NOAA-Fisheries granted the States authority to lethally remove California sea lions in the Columbia River basin including Bonneville Dam. Emotions on both sides of this issue run very high when this topic is discussed. Organized opposition from the Humane Society and, most recently, In Defense of Animals, In Defense of Sea Lions, and the Sea Lion Defense Brigade have protested and made multiple legal challenges to this authorization. All legal challenges have so far been found in favor of the States, but appeals are pending.

The Bonneville Project is a federal dam that expands into the States of Washington and Oregon, and encompasses multiple City, County, State, and Federal, jurisdictions. In 2008, a multi-agency security force was used during trapping operations. As many as 52 Officers from 17 different agencies participated in supplying security to this effort. An incident command system has been utilized to direct security operations. For 2009, law enforcement Officers from the Washington Department of Fish and Wildlife and Oregon State Police have been the primary security force to ensure activities are not interfered with.

The States have been conducting trapping at Bonneville Dam since March. Live capture and transport of sea lions to a private holding facility have been used as orders for live animals come in from aquaria across the nation. The States have removed animals that have been found unfit for live captivity through the use of lethal injection. The States are presently authorized to remove 85 animals annually. This includes the potential for lethal removal of specifically identifiable predatory sea lions.

Animal rights activists have been on site to protest and take video footage of the operation. They have continued their efforts through legal challenges and will most likely continue with appeals to existing court rulings, campaigns through web-based information, and visits to elementary schools.



Alleged Cougar More Likely a Pitbull

Sergeant Lambert set a bear trap in hopes of capturing the bear that had been seen in the median of I-5 near Stanwood. One night the bear rattled the trap door shut trying to get in. Officer Maurstad re-opened the door and then was called out a short time later when the bear finally went in. The next morning, Sergeant Lambert and Officer Maurstad were greeted by the media who were eagerly awaiting filming the release. The bear was eventually darted and, with the assistance of Officers Jones and Valentine, released near the Middle Fork Nooksack. All local channels and several radio stations covered the event. Thanks to the Stillaguamish Tribe for monitoring the trap and assisting with tranquilizing.

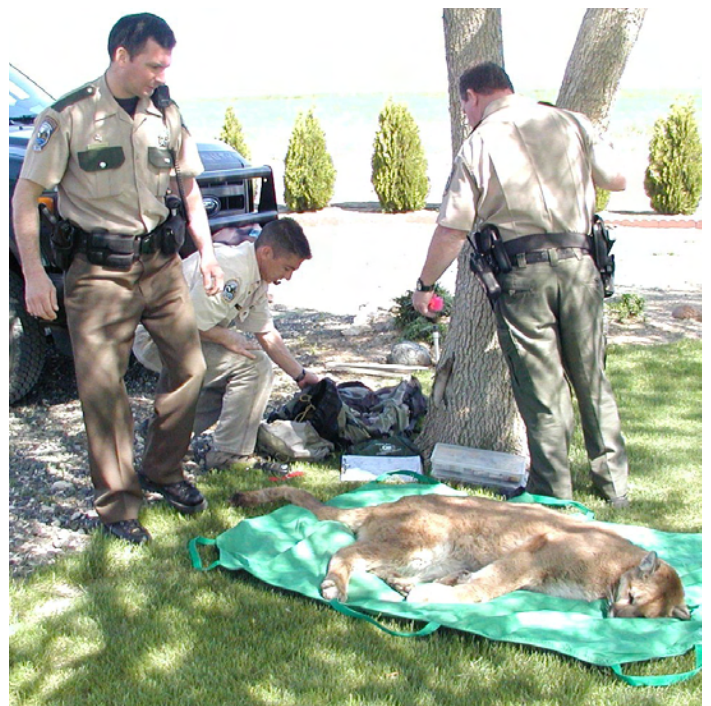


HUMAN/WILDLIFE CONFLICTS

Officer Awakes Cougar From “Cat Nap”

On a Monday morning in May, Officer Zuchlewski received a call from a gentleman that there was a cougar napping on the cement patio of a residence on Road U SW near George. The man had gotten out of bed and opened the blinds, spotting the cat fast asleep on the deck. Sergeant Ward, Officer Grant, and Cougar/Bear Biologist Rich Beausoleil responded to assist Officer Zuchlewski. When the Officers arrived a short time later, the cat was still napping on the patio. Biologist Beausoleil was able to get close enough to the cat to dart it with a tranquilizer gun. Within a few minutes the cat was fast asleep.

The cougar was outfitted with a radio collar and tagged with an ear tag. The cat had numerous porcupine quills stuck in its face and front paws that were later removed by Officer Zuchlewski while the cat was tranquilized. It appeared to be a two year old male cat, weighing 113 pounds. The animal seemed to be in pretty decent shape despite the painful quills stuck in its paws and face. The animal was later released in an undisclosed location, and will be tracked to ensure it does not become a problem again.





Fish and Wildlife Officers have thousands of miles of rivers, creeks, lakes, marine waters, and beaches to patrol. The popularity of Washington's great outdoors has led to an increase in use, and a decrease in available natural resources available for harvest. Our Officers work hard to provide for a fair playing field and to protect management strategies meant to provide for sustainable natural resources for everyone's enjoyment.

Closed Season Lakes

Officer Alexander observed three subjects fishing at one end of Lake Sylvia, closed season. Upon seeing the Officer, two ran off down a wooded trail. Officer Alexander quickly located one of them as he emerged from his hiding spot. He stated that it would be stupid to run for not having a license and just wanted his ticket. His buddy was not so easy and was finally located hiding in the brush 30 minutes later. Both were cited for no license and the tougher one for obstruction. Officer Alexander issued several other citations on the closed waters of Vance Creek Ponds and Chehalis Potholes.

Over Limit Clams

Officer Wickersham checked a secluded clam harvesting area on Willapa Bay on his way to Cathlamet. A vehicle, Oregon licensed, came speeding down the road and almost hit Officer Wickersham's patrol vehicle. The vehicle was stopped and a conversation ensued. The driver said she and her child had been clam digging, but two other subjects in the car were "just along for the ride." When asked if they had their limits, the driver said she hoped so, but didn't know what the limit was. After inspecting and counting the four buckets of clams, the final tally was 308 clams. The limit is 40 clams per day per license holder. The two male subjects in the car finally admitted to digging hard shell clams without licenses. The group was 228 over the limit.

Fishing Was Too Good

Officer Baird and Captain Mann encountered three people fishing the Yakima River catch and release waters in the Yakima River Canyon. All three were fishing with illegal gear and were very successful

catching (and illegally keeping) trout. They had eleven trout proudly lined up on a stick when they were contacted. The trout ranged in size from 11" to 18". Tickets were issued for unlawful recreational fishing, unlawful use of a license, and selective gear violations.



ESA Steelhead Investigation

WDFW Officers received a tip that people were shooting out of a moving vehicle near the Methow River. Officers responded to the area and located the vehicle. All three occupants were intoxicated and multiple firearms were discovered in the back of the vehicle. Back up units arrived from other law enforcement agencies and, after investigating the incident, the driver was arrested for DUI. Located in a cooler in the back were two wild (ESA listed) steelhead and one bull trout. No one would claim any of the fish, and the investigation is continuing. NOAA fisheries enforcement has been contacted to assist with the ESA investigation.



RECREATIONAL FISHING

Is That a Cod In Your Pocket?

Officers Stephenson and Willette each spent several hours watching three men fishing from two inflatable rafts just off the Des Moines Pier. Officer Stephenson began surveillance at about 10:00 AM, then called Officer Willette when she had to leave. Officer Willette took over and watched them fish until 3:00 PM. She contacted them as they approached shore. Immediately, the men began to ignore all of Officer Willette's orders, until she stomped out into the Sound to pull them to shore. They initially handed her three small containers with legal amounts of flounder in them; but as the inspection continued, Officer Willette found more fish hidden under the gunwales of the rubber rafts, a closed season lingcod stuffed inside a rubber boot and pacific cod stuffed in their pockets. All told; 76 flounder were seized, as were eight pacific cod and the one lingcod. Citations were issued for first-degree over limit, second-degree over limit, fail to submit, and closed season for the pacific cod and lingcod. Monetary penalties were close to \$3,000. All the fish were donated to the Auburn Food Bank. The three men are well known to Officers in the area and Officer Willette has cited one before.

Illegal Setline

Officer Hart checked on information that a subject had been fishing Salmon Creek during closure. After a couple of previous checks, Officer Hart was able to locate the suspect's vehicle. When the suspect was located, he was not fishing and did not have a fishing pole. He did have a unique setline arrangement at his vehicle and denied fishing. After photographs were taken and the subject was released, Officer Hart checked for tracks and found where the suspect had been. At each location he found the exact same setline arrangement placed about a foot under the surface. Three setlines were found with several chub that had been taken by the set. The subject was contacted at his residence and cited for closed season, multiple lines, unattended gear, and no license.

We've Got Crab Legs

Officer Olson and Officer Rosenberger contacted six subjects crabbing off the pier at Golden Gardens Park in Ballard. The Officers observed two subjects sneak out to the end of the pier and pull their pots multiple times. The subjects would crouch down anytime a vehicle drove by and appeared to take great strides to avoid detection. Before the subjects returned to their vehicle, crab were then hidden in a box under the pier. Later on, the two subjects packed up their gear and proceeded to return to their vehicle at a quick jog.

The Officers emerged from the shadows as the subject that was carrying the box of crab shouted, "Start the car! GO GO GO!" Officer Olson replied with "Fish and Wildlife. How's the crabbing?" The subject carrying the crab placed the box on the ground and immediately threw his hands in the air. Since very few of the subjects possessed identification, a lengthy investigation ensued, due to the fact that the two subjects provided false names and dates of birth. Eventually, the identity of both subjects was confirmed.

A closer look at the box containing the crab found that it contained a total of 29 crab. Their catch consisted of three female Dungeness, two undersize Dungeness males and 23 red rock crab (12 of which were significantly undersized). In all, the two subjects were issued citations totaling approximately \$1,500 in fines. Charges will be filed with the King County Prosecutor's Office for providing false information to a public servant.

Bubba Gump Would Be Proud

One of our biggest events was the recreational shrimp opener. Officer Stephenson organized and executed a shrimp emphasis involving all marine and most available land-based Officers. Most fishermen came in with limits and obeyed shrimping regulations. As for some others.....Officer Cook checked four shrimpers who were cooking and eating shrimp aboard their vessel. She was notified that they should



come in with no more than 290 shrimp total. As luck would have it, she was able to later pick the boat out of the hordes of participants. The subjects possessed 392 shrimp upon reaching shore, a total of 100 over-limit. As Officer Capelli, Officer Kim and Officer Scherzinger approached another vessel where the occupant confessed early, and asked if he could throw his overlimit overboard. He was denied his request and found to be in possession of 518 spot shrimp, 438 over his limit. His pots, which he had re-deployed, had another 300. The subject's gear was seized and charges will be filed.

Just Fishing With the Wife, Minding Our Own Business

Officer Hughes checked a husband and wife fishing and found neither had a fishing license. A background check found they had felony arrest warrants out of California for Possession of a Controlled Substance for the Missus, and Inflicting Corporal Injury for the husband. Unfortunately there was no extradition out of Washington. However, information received later revealed there was also a court order restraining the husband from being in contact with the wife. Citations were issued and Officer Hughes arrested and booked the male into the Clark County Jail on the protection order violation.

Cold Water Pursuit

Officer Meyers responded to a report of a closed season fisherman on the Wind River at High Bridge after getting information from Biologist Cochran. Officer Meyers found the subject who admitted to fishing. It seemed all was going well until Skamania County Radio advised of an arrest warrant out for the subject. The dispatcher did not hear the officers response, which was "wait a minute." The suspect was within earshot of the wanted person information and the race was on to the Wind River, where he dove in. Officer Meyers reports he thought about it for a second, but did not dive in, and the subject got away for the time being. Meanwhile, a bystander who happened to observe the chase and thinking

Officer Meyers might need help, called for assistance for Officer Meyers. So now everyone knows he got away. The guy turned out to also have a felony arrest warrant out of Wisconsin. Sheriff's Deputies later collared him, but now he had more charges to worry about. It's rumored, that "fast water pursuits" will be on the agenda for a future defensive tactics training event to be conducted on the Wind River. *Brrrrr.*





COMMERCIAL ENFORCEMENT

Commercial Fisheries Enforcement is by far the most complex area of our Officers' jobs. Fisheries resources are highly sought after, with millions of dollars in harvests, and exports/imports occurring each year. When people are asked to describe typical Fish and Wildlife Officer responsibilities, many do not realize that this includes everything from patrolling far offshore waters, border protection against illegal foreign fishing, keeping polluted shellfish out of the market, and checking cargo at the airport and at border crossings.

Gross Clam Overlimit

While patrolling the Hood Canal low tides, Officers noticed three individuals harvesting at the Triton Cove Tidelands. The individuals were harvesting Manila clams, which were closed to harvest until May 1. Officers contacted the individuals at their vehicle as they were leaving. Two hundred twenty pounds of Manila clams were seized. Charges included eleven gross misdemeanors, two class C felonies, and six tribal referrals. Later a Mason County deputy stopped the same three individuals for not having a license plate light. Port Gamble Tribal authorities responded and found that the group decided to make up for their lost profit from earlier in the day and has harvested an additional 150 pounds of Manila clams. They were en route to sell the illegal product in the Shelton area.

Commercial Crab Case

Officer Beauchene, Officer Anderson and Sergeant Mullins conducted a marine patrol the day after the non-tribal commercial crab closure. Due to rough weather on the closing day, several fishers reported not being able to safely get all their gear out of the water. Case by case allowances were made to retrieve the gear the day after the closure on the condition all crab were released. Officers located a crabber who was stacking gear from Bellingham Bay. The fisherman initially lied about having crab aboard. Officer Anderson found the day's catch hidden in the bottom of a garbage can with bait jars and hooks dumped on top. At \$5/lb, the temptation was just too great. The fisherman was cited for commercial crabbing closed season. The crab were seized and sold to a wholesale dealer.

Commercial Urchin Investigation

Officer Maschhoff filed over 120 charges in an investigation into a commercial dealer of urchins. Maschhoff will continue to work with the prosecutor to provide any necessary follow-up to get the case filed.

Closed Area Gillnetting on Columbia River

Officer Hopkins and Anderson worked the Deep River select area gillnet opener. One fisherman was discovered fishing in a closed area above the SR4 Bridge. The Officers conducted surveillance on the boat for several hours in the early morning. The season closed at 0700 hours. At 0657 hours, the fisherman finally awoke and began picking his net. He concluded well after 0700 hours. The boat was boarded and escorted to the dock. The fisherman's spring Chinook were seized and charges will be forthcoming for fishing in a closed area during a closed season.

Search Warrant Served at Local Taxidermy Shop

Officer Rogers planned and conducted a taxidermy emphasis patrol at a taxidermy business near Ellensburg. The owner has been avoiding Officers for nearly two years after a previous inspection when numerous violations were found. At that time the owner was given some time to clean up his operation pending a follow-up inspection. Eventually, the owner was found at home and an inspection ensued. When Officer Rogers found a violation he called other Officers and froze the scene for application of a search warrant, which was later granted. Officers Hobbs, Baird, and Day and Sergeant Sprecher assisted with serving the warrant. They seized 66 sets of



undocumented antlers and four ledger books. Big-game animals must be associated with valid tags and hunter information so that seasons and limits can be enforced. More follow-up with regard to whether the animals were taken legitimately or poached is being done.



Marketplace Inspections

Officer Klump assisted Officer Anderson with market inspections on the Long Beach peninsula. At the first business Officers inspected, a sturgeon head was observed in the garbage can and a whole fresh sturgeon was observed in a tote. The business was unable to provide any documentation for the fish and upon interview, the owner stated she had bought the sturgeon from a commercial fishermen and never filled out a fish ticket.

Fish receiving tickets are mandatory documents that account for commercial harvests. Fisheries managers rely on them in order to assure harvest sustainability. The owner's fish tickets were inspected and approximately 30 fish tickets were discovered to have never been reported to the state dating back over a year. In other words, the department was never aware of the harvest because of this lack of reporting. A search warrant was later served with numerous catch accounting violations being discovered.

Groundfish Case Adjudicated

The commercial whiting fishery on the West Coast is constrained by caps on incidentally caught rockfish designated as overfished. NOAA and West Coast States' emphasized enforcement presence at landing sites to ensure full catch accounting, and discovered a number of violations associated with attempts by some to avoid those caps.

One such case adjudicated in April involved a 3:00 A.M. visit by a WDFW Officer when he caught a fish plant supervisor in the process of grinding up rockfish so they would not count toward fishery closure. The delivering vessel left the dock with fish still onboard, but was directed back to the offload site. Once all the vessel's catch was accounted for (about 10,000 pounds of restricted rockfish), the whiting fishery was closed since the widow rockfish by-catch cap was attained, leaving millions of dollars of Pacific whiting on the fishing grounds. Originally referred to NOAA General Council, a determination was made that no federal prohibition existed for attempting to destroy fish. The case was given back to WDFW and criminal charges were filed. The subject pled guilty to a Gross Misdemeanor Crime and was ordered to pay \$2,000 and placed on probation.





HABITAT ENFORCEMENT

Illegal Mining

Sergeant Chandler contacted an individual who was using a motorized sluice box in the Raging River. The river is closed until July 1 for anything other than panning. The miner stated that he was under the impression that it was acceptable to use this type of box because it was all self-contained.



“Ax Men” TV Show Airs a Big Blooper

Officers assisted the Department of Natural Resources (DNR) with the service of a search warrant regarding a subject illegally harvesting submerged old-growth logs in the Hoquiam River. The subject was part of the “Ax Men” program on the History Channel and did not obtain any permits from DNR to harvest the logs or obtain an HPA from WDFW for work in the river.

Shooting Sites on WDFW Lands

Officers implemented an emphasis patrol in the south L.t. Murray Wildlife Area to target litter violations in the shooting areas. Officers, along with two Kittitas County Sheriff’s deputies, assisted. Two Officers were in plain clothes posing as shooters on both the north and south end shooting areas. The plain-clothes officers observed individuals shooting everything from full shaken cans of beer to small propane bottles strategically placed near lit road flares. Most of the stuff, which was shot, was left.

The plain-clothes officers would call out violations to the patrol vehicles, staged off site, as the shooters left the areas. The officers in the patrol vehicles would stop the violators and take appropriate enforcement actions. A total of about 40 enforcement contacts were made which resulted in 20 arrests and 5 warnings. The following is a breakdown of the arrests: 14-Littering, 2-Operating ORVs without helmets, 2-Driving while license suspended, 1-Felon in possession of a firearm, and 1-Open container of alcohol.

WDFW Access Areas Take a Beating

Sergeant Jackson responded to a fire at the Rapjohn Lake Access. Upon arrival, the firemen had just put out a fire to one of the outhouses. Sergeant Jackson spoke to the neighbors who said they had observed an older Ford F-150 leaving the access in a hurry. No license plate was given. The fire completely destroyed one of the two outhouses.

Tractor and Excavator Seized

In April 2009, during a second search warrant, Officers came back and seized a CAT ski-steer tractor and a CAT mini excavator that were used in HPA violations.





Owner of Coweeman River Paddle Device Found Guilty

Tuesday, April 21, 2009 5:28 PM PDT

By Tom Paulu

The owner of a paddle wheel device anchored in the Coweeman River was found guilty of violating state hydraulics laws Monday during a Cowlitz County District Court trial.

A jury of five women and one man found that Brian L. Carr, 48, violated state regulations when he didn't get permits for placing a concrete block and the paddle wheel device in the river. Judge David Koss fined Carr \$1,286 and ordered him to get the paddle wheel out of the Coweeman.

Carr also faces two new charges relating to the water wheel.

Last week, the Cowlitz County Prosecutor's Office charged Carr with fourth-degree assault and obstructing an Officer stemming from a Feb. 15 encounter between him and Department of Fish and Wildlife Officer Tammy Conklin.

In her report, Conklin wrote that she was taking pictures of the water wheel when Carr swore at her, tried to knock the camera out of her hand and struck her hand.

Carr is one of a handful of permanent residents in Elk Meadows, a cluster of homes about 13 miles up Rose Valley Road. There's no phone service or public utilities there, so residents use generators or solar power to generate electricity.

Carr first placed the concrete block and paddle wheel in the river last July. The paddle wheel looks like a miniature version of an old river steamer, but floats on pontoons.

Steve West, a DFW habitat biologist, testified that he checked out the concrete block and paddle wheel last summer after getting several phone calls about it. The

block could change the river's flow, damaging habitat for juvenile fish, West said. The paddle wheel could smack juvenile and adult fish, or scare them away, West said.

West said that Carr wasn't cooperative about applying for permits, so he turned the matter over to Conklin. She testified that she first wrote Carr a warning letter, but issued a citation after the paddle wheel wasn't removed.

Testifying in his defense, Carr said someone else put the concrete block in the water -- though he wouldn't say who. Carr eventually took the block out of the river.

Much of the testimony centered on Carr's contention that the paddle wheel is a boat that doesn't need a hydraulics permit.

Carr said batteries drive the paddle wheel and he uses oars for steering. He produced a photo of the device floating on Kress Lake, and a state boat registration certificate.

But Deputy Prosecutor Sean Brittain questioned whether Carr's invention could be called a boat. He noted it doesn't have a floor or steering mechanism and it's anchored in mid-river. Brittain pointed out that Carr only got the boat registration in January, after he'd been charged by the DFW.

Carr said that he planned to put solar panels on the paddle wheel eventually, but it can generate very little power now. "It's not even enough to run a blender," said Carr's public defender, John Eaton.

Carr said he uses a wind turbine atop a 100-foot-tall tower, solar panels and a generator to provide electricity at his house.

However, several of Carr's neighbors testified that he called the craft a hydropower device and even offered to share electricity generated by it.

Eaton tried to portray Carr as a victim of a



HABITAT ENFORCEMENT

neighborhood feud. In interviews before the trial, several neighbors said Carr doesn't pay his dues in a neighborhood association and doesn't have permission to anchor the paddle wheel to a tree on land owned by the Elk Meadows homeowners association.

Carr said he'll appeal the convictions.

Brian Carr calls his craft a boat, but the Department of Fish and Wildlife says he needs a permit to anchor it in the Coweeman River. Bill Wagner / Daily News file



Salmon Creek HPA Violation

Officers received a call from an informant about a large HPA violation in Salmon Creek in Okanogan County. Upon arrival they met a man, who would later be identified as the property owner, and observed a large HPA violation with equipment still on site. The subject would not cooperate with the case nor even identify himself. Officers prepared a search warrant and maintained surveillance of the site. Once Officers served the search warrant for evidence in the case, they discovered the suspect was an attorney, but still would not cooperate nor identify ownership of the machines.

A camera was seized and the site was assessed and photographed with the assistance of the Habitat Program. About 300 feet of the site was severely impacted with gabion basket placement, all filled with the bed of the creek for rock, including fine material,

a bridge had been constructed of creosoted timbers and decking, and a wet crossing installed for use by equipment. The equipment was not seized at that time as we had no keys nor did we know ownership. The next day, Officers analyzed the camera and found numerous deleted photos that showed the same equipment and attorney working on the site. Also, the prior equipment owner was contacted and found to have sold the equipment to the suspect.

WDFW obtained keys from the CAT that would work in the machines. A new warrant was served for the equipment, and it was hauled away by Wildlife Program personnel who readily brought a truck and trailer from Scotch Creek Wildlife Area. The Colville Tribe, NOAA Fisheries, EPA, Okanogan County, and the U.S. Army Corps of Engineers have all been contacted and are assisting with the case as there is ESA listed steelhead in the creek. Colville Tribal biologists are the lead in restoring steelhead in this creek and are assisting with biological assessment data about the creek for our investigation.



Washington Fish and Wildlife Officers at Work





BOATING SAFETY

WDFW Officers spend a significant amount of time patrolling Washington's waterways in an effort to protect marine and freshwater species. Always alert to an equally important Public Safety Mission, officers enforce boater safety laws and provide life-saving services at the same time.

Boat Fire

Upon completion of a commercial patrol on the Columbia River, Officers Hart and Moats picked up Officer Hughes at the Camas-Washougal Marina to go check a bonfire on Lady Island. A juvenile was running down the dock yelling that his dad's boat was on fire. Officer Moats maneuvered the vessel into position for Officers Hart and Hughes to exit and attempt to put the fire out with the fire extinguishers on board WDFW 32. The gillnet boat's cabin was starting to glow orange on the inside and flames were coming out the back door. Officer Moats called for fire to respond. Officers Hart and Hughes were able to extinguish the fire but the fire department continued their response to check. After extinguishing the vessel fire, officers continued to the bonfire on the bank of Lady Island. Five subjects were contacted sturgeon fishing well after hours. Two juveniles were warned on the violation and two adults were cited.

Poor Judgement

On Sunday, Officer Moats spent a majority of the day patrolling the Camas/Washougal area near Round and Lacamas Lake. The warm weather brought dozens of people out to enjoy the outdoors. Officer Moats observed several boating safety issues and performed some inspections as well as citing subjects for PFD and fishing violations. One subject was motoring around the lake with three small children up in the bow of a Smokercraft with a 50hp motor. None of the children, ranging in age from 4-9, was wearing a PFD. When the vessel was finally contacted, Officer Moats asked the subject if there was any reason for the children to not be wearing their PFDs. The subject replied, "They can swim." Consequently, an inspection form was completed and the subject was cited for a couple of boating violations.

Boating Accident

Officer Baird responded to a report of an injury boating accident at Clear Lake on White Pass. In the initial report of the incident, it was advised there were two subjects that had been in the water for over one hour and were suffering from hypothermia. Officer Baird was the first law enforcement officer to arrive on scene, and assisted Naches Fire/Rescue personnel with treating the two patients. Both patients were hypothermic, one serious and one in critical condition. After ALS medical personnel arrived on scene Officer Baird then assisted YSO Deputies with their investigation until he was requested to locate and establish a landing zone for the Med Star air ambulance that had been requested to transport the critical patient to a trauma center in Yakima. He located a landing zone at Silver Beach at Rimrock Lake, and assisted in transferring the patient from the ground ambulance to the Med Star helicopter.

Capsized Boat

Officer Snyder contacted two young men in a boat on Downs Lake. He asked them to row in to the dock so he could check their licenses. After rowing a while, the young men were not making much progress, so Snyder suggested they pull in their anchor. In doing so, the two managed to capsize their boat. Snyder boarded a private boat and with the help of two citizens, pulled one angler in. The other swam to shore. Officer Hahn launched his boat to assist. As he was preparing to help with gear pick up, he contacted another boat with two anglers in it. These two anglers had managed to keep 10 largemouth bass between 12 and 17 inches. When the pandemonium subsided, the initial two anglers were sent home to warm up, and the other two were cited for closed season bass violations.

SPECIAL INVESTIGATIVE UNIT



Operation Shortstick

Surveillance by detectives was conducted over a period of four months. During that time, the movements of a suspect who was reported to be violating State and Federal laws were monitored. SIU Detectives watched as he loaded about 1,000 salmon into his boat, which he transported to Lakeland,

Florida. SIU Detectives, in conjunction with NOAA OLE Agents, twice flew to Florida, worked with NOAA OLE and Florida Fish & Game Detectives where they executed search warrants related to Lacey Act and ESA violations. Suspects are facing prosecution in Washington State for 27 felony/gross misdemeanor charges and felon in possession of a firearm (Washington or Florida).

GENERAL LAW ENFORCEMENT



WDFW Officers are general authority police officers, which means that they are able to provide the same policing services that would be expected of Sheriffs Deputies and City Police. Our officers have the ability to enforce all state laws while protecting your natural resources. Often times general crimes and poaching are integrated.

“Occupied” - But Not For Long

Officer Hopkins saw an individual driving through Long Beach. He recognized the individual as one that he had arrested in February for Driving While Revoked 2nd and he had multiple felony warrants. He had told Officer Hopkins at the time of the arrest that he wasn't going to change, he was going to keep driving. He had been lodged in the Pacific County Jail for the last 30 days. Officer Hopkins turned on the car and attempted to find him. He located the vehicle, now unattended, parked at a gas station in Seaview.

Officer Hopkins went inside and talked to the clerk, who said that an individual matching the suspect's description had just come in, bought two cigarettes, and had left. Officer Hopkins was in the process of obtaining security camera footage from the store when the PCSO dispatch called. They said that they had received a call from the suspect's mother a few minutes ago. She had said that her son had texted her on the cell phone stating he was in the bathroom at the gas station where the police were after him. He wanted his mother to come get him. She thought that it was just an April Fool's joke and she called PCSO to see if they were after him. Officer Hopkins had LBPD come back him up and he went out to the portable outhouse. He could see that it was

“Occupied.” Officer Hopkins knocked and told the suspect that he was under arrest and needed to come out now. The door opened briefly and then he tried to close it. After a brief struggle, the man was taken into custody. He was booked into jail for driving while license revoked, first degree. The judge was not very impressed with him at arraignment and ordered him held on \$25,000 bail.

A “Routine” Patrol

Officer Moszeter was on patrol along the North Fork County road this week and was headed out when he observed a camouflage jeep with its hood up parked off the road on a section of private property that no one should be on. Officer Moszeter snuck in to investigate and observed a shady individual under the hood of the camouflage jeep, and a second expensively set up jeep rolled over at the bottom of the hill, with another individual crawling on it.

Officer Moszeter thought at first that the individual at the bottom of the hill was having a very bad day and then realized that there were no tire tracks leading down to the rolled jeep (meaning it had been there for some time). Officer Moszeter contacted the first individual and scared the heck out of him. When he realized Officer Moszeter was a Police officer, he said, “Ah @#\$%,\” which told Officer Moszeter



GENERAL LAW ENFORCEMENT

he either had dope or warrants. Turned out he had several warrants.

Officer Moszeter placed him in his patrol vehicle and went back to contact the second individual who still had no clue Officer Moszeter was there. Officer Moszeter yelled down to the individual and asked what he was up to. The individual still had no clue he was a Police Officer and answered back, "Well there is still all kinds of good gear to take off this thing." Officer Moszeter identified himself and the individual quickly stated, "I mean it looks like someone lost a bunch of stuff on this thing."

Officer Moszeter notified King County Sheriff's office of the possible stolen and asked for assistance. The VIN came back as clear out of Bellevue, but this was way too suspicious and expensive of a vehicle to just be abandoned. When county arrived, they sent a deputy to the residence and found that it was indeed an unreported stolen and the owner thought it was at a repair shop in Totem Lake. The first individual Officer Moszeter arrested was booked into jail and the second individual was taken by county for questioning about the items missing from the jeep and his possible involvement in the theft. The jeep was recovered and hopefully the missing

items will be recovered shortly.

Wood Theft

While investigating a possible elk poaching in the Johns River area, Officers James and Alexander came across a wood theft in progress on Weyerhaeuser lands. Officer James immediately recognized the subject as someone he had arrested last year for the same violation. The subject was a popular person among the local cities as he had five warrants out of Montesano, Aberdeen, and Hoquiam, all of which were confirmed and were served at the jail.

Warrant Arrest

Two men were smoking marijuana on the banks of the Cedar River. When Officer Willette approached to see if they were fishing, she smelled the drug and took them into custody. A driver's check revealed a \$30,000 warrant for failing to register as a sex offender for one of the subjects. He was booked on the warrant and more charges for the marijuana are pending.



AQUATIC INVASIVE SPECIES

Invasive species pose an environmental and economic threat to Washington's citizens and its natural resources. Currently, Washington spends millions of dollars each year trying to control invasive species that have already made it into the state and have established a foothold. It has been proven time and time again that preventing the introduction of new species is far more cost effective and less environmentally damaging than trying to control or eradicate one that has become established. Enforcement of our state invasive species laws is one of the cornerstones upon which prevention of invasive species introductions is built.

Mute Swans

Officer Valentine received a phone call from Scientific Technician Brad Otto on Friday saying that he had hazed two free-ranging mute swans off of Wiser Lake, and that they were in a field just west of the lake. Martha Jordan of the Trumpeter Swan society

has complained profusely about these two free flying mute swans that frequent Wiser Lake and the effects these deleterious exotic species pose to our native wildlife. Officer Valentine responded immediately to the report and found that the two mute swans were in a field with an ideal shooting background. After conferring with Sergeant Heinck, Officer Valentine



shot both birds without incident. It effectively removed the two deleterious birds from reproducing and starting a free flying population of mute swans in Northern Whatcom County where they would compete with native migratory waterfowl. This is one of several successful actions by enforcement Officers in our ongoing efforts in Region 4 to prevent these species from becoming established in Washington.

The blue ringed octopus is a small Cephalopod with a very dangerous poison that can cause death to an adult human in minutes if the bite is not treated correctly. There is no known antidote for the poison.

Infected Sport Boat Intercepted

Pet Store Inspection

Officer Olson and Officer Rosenberger conducted an inspection of a local pet store in the Seattle area. The pet store was found to be in possession of several crayfish. These particular crayfish were classified as a prohibited species in Washington State, making them illegal to possess. The crayfish were being sold as “bronze lobster.” When the store owner was questioned about the bronze lobster, he provided the officers with several statements, all of which turned out to be lies.

The crayfish were seized and the store owner was informed that a citation would be issued for possession of a prohibited aquatic species.

A concerned citizen informed us that someone they knew that worked in the pet trade possessed a blue ringed octopus. When advised of the serious dangers these animals posed, the citizen delivered the animal to headquarters, thankfully in a tub of bleach. While Department biologists were fascinated with it, enforcement officers kept their distance. Hey—why take chances?

Headline news for AIS issues evolved around the seizure of a 24 foot sport boat brought up from Lake Mead to Spokane that was infested with quagga mussels. Officer Mosman spent the better part of three days dealing with the infested boat. (Officers Spurbeck and Mosman initially responded to the boat after a multi-state alert out of Utah because a Spokane resident just happened to notice the same boat sitting in her neighbor’s driveway in the Spokane area.)

The officers found the boat heavily encrusted with the mussels had only been pulled from Lake Mead three days prior and was seized and taken to a secure site for decontamination. Sergeant Eric Anderson and the AIS team arrived and conducted a news brief for which all three local TV stations and the Spokesman Review were present. In addition, an Idaho State Representative, who has been pushing for tougher inspections and AIS laws in Idaho, also participated in the steam cleaning and news brief. Eastside WDFW outreach representative MaDonna Luers and Captain Whorton coordinated media coverage. Overall, positive feedback from several states and numerous media inquiries has resulted from this case.



COMMUNITY SERVICE

Helping Kids Fish

Officers Olson and Rosenberger participated in the C.A.S.T. for Kids event at Seward Park in Seattle. The event was very popular, with hundreds of young children and their parents taking part in the event. In all, approximately 800 people attended the event. The officers gave an introductory talk about the importance of wearing a lifejacket when around the water, as well as being good sportsmen and sportswomen when fishing or hunting. The Seattle Police Department Harbor Patrol Unit also assisted in the presentation. Once the kids began to fish, the officers helped bait hooks, cast the poles and offer advice to the young anglers. Officer Olson brought a variety of skulls from predators found in Washington, as well as a mounted bald eagle, which was a hit with the kids. The officers fielded a number of questions about the artifacts from both the young and old.



Chief for a Day

By Sarah Kehoe
Herald staff writer

The kids are chosen by the police department and meet with a chief representative a month before the event takes place so that they will be comfortable with each other when the day occurs. The representative learns about their chosen child's issues, likes and dislikes and aspirations. This year the Ephrata Fire Department joined Grant County Sheriff's Office, Moses Lake, Ephrata, Soap Lake, Quincy, Washington State Patrol and state Fish and Wildlife Department, in hosting the children.

Officers took their little chiefs on a parade-like ride to the Grant County Courthouse, where honor guards stood in place waiting for them. The children got a taste of stardom as they exited the car with applause, cheers and flashes from many cameras. They then were led on-stage.

"My child, DJ, was real quiet and very fun to work with and to be around," said Washington Department of Fish and Wildlife Chief Bruce Bjork.

Full story at: <http://www.columbiabasinherald.com>





Hunter Education Update

Hunter education training activities continue to pick up as we move from early spring turkey season to the forthcoming application deadline for hunting permits. Instructors statewide are generally reporting a lot of interest in early-season classes, despite the continuing news about declines in consumer economic activity.

In-Service Training Program

The new regional in-service training (IST) program, designed in part to promote greater communication between instructors and Fish and Wildlife Officers, has been well-received by instructors. Although total instructor IST participation is below the levels seen in previous years, the convenience factor and the concentrated agenda provide instructors and hunter education division staff an important opportunity to deliver timely information and exchange new ideas. Instructors particularly appreciate the presentations by Fish and Wildlife Officers.