



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Director's Office
1416 Ninth Street, 12th Floor
Sacramento, CA 95814
www.wildlife.ca.gov
January 3, 2019

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



Julia Di Sieno
Animal Rescue Team
875 Carriage Avenue
Solvang, CA 93462

Re: Revocation of Wildlife Rehabilitation Privileges

Dear Ms. Di Sieno:

This letter is to inform you that the California Department of Fish and Wildlife ("Department") is revoking your Wildlife Rehabilitation Permit ("Permit") and Memorandum of Understanding ("MOU"; collectively, the Permit and MOU shall be called "Permit/MOU"). This revocation will become effective on January 18, 2019.

Violations

Pursuant to your MOU, "The Department may immediately suspend or revoke this MOU if the Department determines that the Permittee (including any representative, staff, volunteer, or satellite of the Permittee) has not complied with a term or condition of this MOU, any provision of the Fish and Game Code, or any regulation adopted pursuant to the Fish and Game Code." (MOU, p. 7.) The Department notes that it renewed your Permit/MOU on July 5, 2017 after adding several restrictions because of numerous previous violations. These previous violations include, but are not limited to, violations of your Permit/MOU described in warning letters sent by the Department on March 22, 2010 for rescuing, possessing, and rehabilitating two mountain lions and on January 5, 2012 for initiating rescue efforts on a bear and a deer. In both letters, the Department warned you that it might revoke your Permit/MOU if you commit additional violations. In addition, the Department warned you in an email sent from me on September 12, 2017 about possessing a coyote in violation of your MOU.

Thus, because of violations that it discovered during an inspection on November 4, 2018, the Department is revoking your Permit/MOU. These violations include:

1. **Possession of prohibited animals.** MOU, p. 1 and Condition 23 prohibit you from possessing and/or rehabilitating bobcats, badgers, coyotes, and foxes. In violation of your MOU, you possessed the following animals:
 - a. One male gray fox.
 - b. One female gray fox. Animal Rescue Team ("ART") rehabilitation records seized on November 4, 2018 show that you possessed and/or rehabilitated a gray fox on June 17, 2018.
 - c. One coyote (sex unknown). ART rehabilitation records seized on November 4, 2018 show that you possessed and/or rehabilitated a coyote on September 11, 2017.
2. **Failure to maintain wild animals separate from domestic animals and allowing dogs to intermingle with and contact wildlife undergoing rehabilitation.** California Code of Regulations, title 14, section 679 ("Section 679"), subdivision (f)(3) states, "Wildlife temporarily held for rehabilitation must be maintained separate from domestic animals and shall not be displayed to the public." MOU, Condition 3 further states, "No domestic animals shall be allowed to intermingle or come into

contact with wildlife undergoing rehabilitation. This prohibition includes, but is not limited to...allowing domestic dogs or cats to live or intermingle with wildlife being rehabilitated inside residences, garages, or other structures.” Wildlife Officers observed the following instances where you failed to maintain wild animals separate from domestic animals, and allowed domestic animals to intermingle with and contact wildlife undergoing rehabilitation:

- a. Four large dogs were loose in your yard in an area where a scrub jay and woodpecker were housed.
 - a. A bird cage with two parakeets was placed atop a small, blanket-covered animal crate containing a great horned owl. The cage and crate were located inside your garage.
 - b. A large cage that housed a wild scrub jay, one wild woodpecker, and two wild passerine birds also contained domesticated birds, including ring necked doves, one hen pheasant, cockatiels, and other tropical birds.
 - c. Two dog puppies were roaming the rear of your property where a turkey vulture, gray squirrel, hawk, chipmunk, two long-tailed weasels, and six raccoons were housed.
 - d. Your yard contained a complex of cages that contained another dog and the gray fox described above.
- 3. Failure to provide visual barriers between species.** Your MOU, Condition 2, states in part, “The Permittee shall construct, and at all times maintain, visual barriers between different species...” You failed to provide visual barriers between the following species:
- a. Four large dogs that were loose in the backyard in sight of a cage containing a scrub jay and woodpecker.
 - b. Two dog puppies roaming the rear of the property in sight of a turkey vulture, gray squirrel, hawk, chipmunk, two long-tailed weasels, and six raccoons.
 - c. Another dog in view of a male gray fox.
- 4. Incomplete rehabilitation records.** Section 679, subdivision (f)(7) states in part, “The operator of a wildlife rehabilitation facility shall maintain a written record for each animal being cared for.” Records seized on November 4, 2018 show that you have failed to maintain written rehabilitation records for the following animals:
- a. The male gray fox described above.
 - b. The long-tailed weasels described above.
 - c. The chipmunk described above.
 - d. The gray squirrel described above. There was a record for a gray squirrel dated March 15, 2018. If that record was created for this gray squirrel, then alternatively, you violated MOU Condition 18 by keeping wildlife longer than 180 days without obtaining permission from the Department’s Wildlife Rehabilitation Coordinator.
 - e. At least five of the six raccoons described above. There is a record dated June 9, 2018, for a raccoon named “Coonie” which might or might not pertain to one of the six raccoons.

In addition, hundreds of rehabilitation records from 2013, 2017, and 2018 omitted 1575 required items. These required items are described in Section 679, subdivision (f)(7); MOU, Condition 12; and “Minimum Standards for Wildlife Rehabilitation Third Edition, 2000” (“Minimum Standards”), Section 1.3. The Minimum Standards were made a part of California Code of Regulations, Title 14, pursuant to Section 679, subdivision (e)(2)(A).

These 1575 omissions in your 2013, 2017, and 2018 records are summarized in the table below:

Summary of information omitted in ART’s 2013, 2017, and 2018 rehabilitation records

Required Record Information for Each Animal	2013 (Total # Animals listed in records = 231)		2017 (Total # Animals listed in records = 150)		2018 (Total # Animals listed in records as of 11/4/2018 = 176)	
	# of Animals with Omitted Information	% of Animals with Omitted Information	# of Animals with Omitted Information	% of Animals with Omitted Information	# of Animals with Omitted Information	% of Animals with Omitted Information
Name of person finding animal ^{x,z}	36	16%	25	17%	76	43%
Address of person finding animal ^{x,z}	51	22%	62	41%	89	51%
Description of animal’s condition ^{x,y,z}	78	34%	61	41%	123	70%
Description of animal’s treatment ^x	77	33%	70	47%	134	76%
Date animal was received ^{x,y,z}	0	0%	2	1%	2	1%
Date animal was transferred ^x	27	12%	51	34%	99	56%
Location of final disposition ^{x,z}	15	6%	38	25%	99	56%
Species ^z	0	0%	1	1%	1	1%
Initial weight of the animal ^z	108	47%	109	73%	141	80%
Total # omissions per year (1575 total omissions)	392		419		764	

^x = Required pursuant to Section 679, subdivision (f)(7).

^y = Required pursuant to MOU, Condition 12.

^z = Required pursuant to Minimum Standards, Condition 1.3.

The table above shows that ART’s records have become more incomplete each year. In 2013, the average number of omitted items per animal (i.e., total # omissions in 2013 divided by the total number of animals in 2013, or in other words, 392 divided by 231) was 1.70 omissions/animal. In 2017, ART’s records averaged 2.79 omissions/animal. In 2018, this average rose to 4.34 omissions/animal. Thus, ART’s recordkeeping problems are becoming much worse.

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Disposition of Animals and Public Outreach

Before the revocation takes effect on January 18, 2019, you must transfer, release, or surrender any wild animals in your possession. You may not rehabilitate or possess any wildlife on or after January 18, 2019. Please note that if you still possess wild animals on or after January 18, 2019, you could be charged with a criminal violation of the Fish and Game Code and/or regulations adopted pursuant to the Fish and Game Code.

In addition, please remove any instructions on any signs on your property and on the ART website and social media informing the public how to drop off wildlife at ART or referring to ART's ability to rehabilitate wildlife. If you receive any public inquiries regarding injured, diseased, or orphaned wildlife, please direct the public to the closest wildlife rehabilitation facility.

Appeal

You may appeal this revocation by filing a written request for an appeal to the Fish and Game Commission no later than 30 days after receipt of this letter. You may submit a written appeal request by mail to the Fish and Game Commission at P.O. Box 944209, Sacramento, CA 94244-2090, or by e-mail at fgc@fgc.ca.gov.

If you have any questions regarding the above violations, please contact me by email at Nicole.Carion@wildlife.ca.gov or by telephone at (530) 357-3986.

Thank you,



Nicole Carion
Statewide Wildlife Rehabilitation Coordinator
California Department of Fish and Wildlife