

REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: March 6, 2018

TO: Honorable Members of the Rules, Elections, and Intergovernmental Relations
Committee

FROM: Sharon M. Tso 
Chief Legislative Analyst Council File No: 17-0002-S133
Assignment No: 18-02-0123

SUBJECT: GPS-equipped dog collars and treeing switches for hunting dogs.

CLA RECOMMENDATION: Adopt the attached revised Resolution to include in the City's 2017-2018 State Legislative Program **OPPOSITION** to the changes made to the California Code of Regulations by the California Fish and Game Commission at its December 6, 2017 meeting, that allows the use of global positioning system equipped dog collars and treeing switches for dogs used in the hunting and taking of mammals or for hunting dog training.

SUMMARY

On December 1, 2017, a Resolution (Koretz – Blumenfield – O'Farrell – Ryu) was introduced in opposition to proposed changes to the California Code of Regulations that would allow the use of global positioning system (GPS) equipped dog collars and treeing switches for dogs used in the hunting and taking of animals or for hunting dog training. The proposed changes were adopted by the California Fish and Game Commission at its December 6, 2017 meeting. The attached revised Resolution reflects that the opposed changes have already been adopted.

GPS devices and treeing switches in dog collars allow hunters to track the position of their dogs and offer them some insight on what their dogs are doing. GPS collars give hunters an exact location of their dogs and treeing switches allow them to know whether their dogs are looking up at a tree. Hunting dogs may be used for a variety of reasons, including tracking animals and retrieving their bodies.

Opponents of these technologies, along with other such technologies making hunting easier, argue that their use violates the principle of "fair chase." Fair chase entails the ethical, sportsmanlike, and lawful pursuit and taking of any free-ranging wild animal in a manner that does not give the hunter an undue advantage over the animal. In part, the California Fish and Game Commission (FGC) seeks to uphold the principle of fair chase when considering hunting regulations.

The revised Resolution requests a City position of opposition to the California Fish and Game Commission's changes to the California Code of Regulation that allow the use of global positioning system equipped collars and treeing switches for dogs aiding a hunter for the pursuit and take of mammals.

BACKGROUND

The prohibition on the use of treeing (or activity) switches and global positioning system (GPS) collars on dogs for the pursuit of mammals was implemented in July, 1994. Treeing switches are switches inside of a dog's collar that send out a signal to the hunter's telemetry device when a dog looks up. This signal

denotes to the hunter that the dog is looking at an animal in a tree (a “treed” animal). Treeing switches and GPS collars are primarily used by hunters pursuing species which typically “tree” such as bear, mountain lion, and bobcat. Proponents of the prohibition argued that the use of these collars on dogs pursuing mammals, primarily bears, violated the ethical concept of “fair-chase” by making it easier for hunters to find the animals they were pursuing. The use of hunting dogs for pursuing these mammals is currently illegal. Wild pigs and deer are the only mammals that a hunter is allowed to use dogs to hunt in California.

In April 2016, FGC adopted changes to the California Code of Regulations, to delete language restricting the use of GPS collars and treeing switches for dogs aiding a hunter. This amendment effectively authorized the use of those devices as an aid in hunting. Subsequently, a lawsuit was filed, alleging California Environmental Quality Act (CEQA) process deficiencies. FGC determined that further rulemaking may be necessary to resolve the lawsuit.

At its April 26, 2017 meeting, FGC determined that the changes to Section 265 were exempt from CEQA pursuant to the guidelines in Public Resources Code.

At its December 6, 2017 meeting, FGC adopted the proposed changes to the California Code of Regulations that would allow hunters to use GPS collars and collars with treeing switches for their dogs. Opponents to this change argued that the change to these regulations violate the concept of fair chase and will have significant environmental impact.

GPS collars allow a hunter to remotely track their dogs with greater precision and from a greater distance than with traditional radio telemetry. If hunters choose to do so, they can allow their dogs to run freely for hours until the dogs stop, at which point hunters may investigate the situation. This could lead to a number of things, including the killing of nontarget wildlife, including endangered species, or domestic pets. Further, traditionally, while hunters may have used tracking dogs, it was the responsibility of these hunters to manage and keep up with their dogs. The change to these regulations allow hunters to entirely defer the process of tracking to their dogs; some would argue that this violates the principle of fair chase, because the hunters no longer have to keep up with the animal themselves. Opponents to the change also hold that FGC did not provide sufficient evidence that the change to regulations are CEQA exempt, and that FGC is being environmentally irresponsible by failing to provide adequate environmental impact analysis.



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Attachment: Revised Resolution

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, current law prohibits hunters from equipping hunting dogs with GPS devices and with so called “treeing switches” that trigger a remote signal when a hunting dog lifts its head towards an animal it traps in a tree; and

WHEREAS, at its meeting on December 6, 2017, the California Fish and Game Commission approved changes to the California Code of Regulations that allow hunters to use GPS-equipped dog collars and treeing switches for dogs used to pursue mammals or for dog training; and

WHEREAS, allowing hunters to use this technology is contrary to fair chase and ethical hunting standards due to lack of engagement by the dog’s handlers, essentially eliminating any semblance of ‘sport’ or hunting in their activities, since hunters may now sit in their vehicles remotely tracking their unsupervised dogs, eventually driving to the GPS-identified location when one of their dogs triggers the tree switch and shoot the animal trapped in the tree; and

WHEREAS, any action by the California Fish and Game Commission authorizing the use of this equipment will inevitably increase the use of unsupervised hunting dogs in California, many of which are untrained and all of which are unable to distinguish which animals can be legally hunted at the time of their chase, thereby further endangering protected wildlife; and

WHEREAS, authorizing the use of GPS devices and tree switches could also result in increased illegal poaching of wildlife given the remote nature of wildlife hunting that will be enabled through the use of these devices;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby include in its 2017-2018 State Legislative Program OPPOSITION to the changes made to the California Code of Regulations by the Fish and Game Commission that allows the use of GPS-equipped dog collars and treeing switches for dogs in the hunting and taking of mammals for hunting dog training.