

U.S. Attorney's Report to the District

This month we celebrate Earth Day. That day has particular relevance in the Eastern District of California. This district is home to some of the most spectacular places on the planet, including Yosemite and Death Valley National Parks, which are among the crown jewels of the National Park System. In fact, most of California's National Parks, Forests, and Wildlife Refuges are located in our district, which is the nation's tenth largest in area. Protecting these vast lands is a challenge, but we took a number of major actions this year to preserve these resources.

In the last year, we've had recoveries worth well over \$150 million in connection with fires which damaged National Forest lands. The settlement in the Moonlight Fire case, worth at least \$122 million, was the largest recovery ever by the United States for damages caused by a forest fire. That fire ignited as a result of logging operations by industry giant Sierra Pacific Industries and its contractor, and destroyed 65,000 acres, more than two-thirds of which was National Forest land. In addition to \$55 million in cash payments which will be used to fund restoration activities, Sierra Pacific will convey 22,500 acres of land to the United States, much of which will bridge gaps in existing National Forest lands and support sensitive species and critical habitat. Our efforts to hold accountable those who carelessly damage public lands are continuing – we expect to announce another significant recovery in the near future.

Damage to our public lands takes other forms, too, some of which are more insidious. Over the last year we have indicted dozens of people for cultivating marijuana in the Sequoia, El Dorado, Mendocino and Shasta-Trinity National Forests, in Death Valley National Park, and on other public lands. Many of these operations involved the use of illegal insecticides and rat poisons, fungicides and fertilizers. These substances poison public lands, kill wildlife, and endanger people who come in contact with them. We are increasingly charging marijuana growers not only with drug crimes, but with environmental crimes, and obtaining court orders that require them to pay some of the costs of remediating the environmental harm they caused.

That brings us back to Earth Day, which started 43 years ago. Before 1970, polluters could pour tons of toxic fumes into our air and toxic wastes into our water, and there was little that could be done about it. Senator Gaylord Nelson of Wisconsin created Earth Day as a way of forcing this problem onto the national agenda, and in response, Congress passed major legislation such as the Clean Air Act and the Clean Water Act to protect the health and environment of all Americans. Today, environmental damage that once seemed unavoidable has become unthinkable – and illegal. Enforcing environmental laws is now an important part of our mission.

Last month we obtained guilty pleas from three officers of a construction contractor who violated environmental laws by using high school students to rip asbestos-containing materials out of a building in Merced without proper protective measures or equipment. Last year we brought a civil enforcement action under the Clean Air Act against a landfill in Manteca in connection with fires at the site, and obtained a settlement worth approximately \$3.8 million that required the landfill owner to improve the landfill's gas collection and control system and to replace trucks in the landfill's fleet with less polluting vehicles. We will continue to bring these cases to make sure that the people of the Eastern District – and our children – can all breathe a little easier.

If you would like to communicate with our office, contact the main number in Sacramento, or submit a suggestion by clicking the button below. Thank you.

United States Attorney

Benjamin B. Wagner