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REPEAT OFFENDER LANDOWNER UNDER INVESTIGATION FOR DAMAGING SESPE CREEK

Multiple Agencies Respond to Citizen Complaints About Unpermitted Bulldozing, Road Construction, and Vegetation Removal in Critical Habitat for Endangered Steelhead

Fillmore, CA – A Ventura County landowner with a long history of permitting violations is now under investigation for allegedly bulldozing roads across and along a nearly two-mile stretch of Sespe Creek. The unpermitted work is occurring north of Fillmore, immediately downstream from the boundary of the Los Padres National Forest and a popular rock formation known as Devil's Gate.

The investigation includes law enforcement officers from local, state, and federal agencies, including the U.S. Environmental Protection Agency (EPA), the Army Corps of Engineers, the U.S. Fish & Wildlife Service, NOAA Fisheries, California Department of Fish & Wildlife, and the County of Ventura. The landowner did not receive permits from any of these agencies prior to clearing significant amounts of land and native vegetation in and along the creek bed.

The unpermitted work reported by the Environmental Defense Center (EDC) has destroyed ecologically sensitive habitat along the creek, and has adversely modified designated critical habitat for the endangered southern steelhead. The creek also provides habitat for other rare wildlife, including southwestern willow flycatchers, least Bell's vireos, arroyo toads, western pond turtles, two-striped garter snakes and California red-legged frogs. The U.S. Forest Service has classified Sespe Creek as an Area of High Ecological Significance due to the abundance of unique wildlife in the watershed.

“The Environmental Defense Center and our partners are committed to seeing that the landowner will begin complying with the Clean Water Act and Endangered Species Act and will protect Sespe Creek – one of the most important ecosystems in our region – and its wild animals including the endangered California condor and the elusive southern California steelhead,” said Brian Trautwein, EDC’s Environmental Analyst and Watershed Program Coordinator.

Court and agency records show that the landowner – James Van Trees of Beverly Hills – has a long history of performing unpermitted work on the property stretching back more than fifteen years. In 1998, he was sentenced to three years’ probation and fined \$2,500 for constructing a house on the property without a permit. In 2002, a Ventura County judge ordered Mr. Van Trees to remove a concrete driveway he had constructed across Sespe Creek without a permit. Later that same year, another judge in a criminal case found the same landowner guilty of failing to remove the concrete driveway.

In 2009 – after Los Padres ForestWatch filed a report – the U.S. Army Corps of Engineers issued a Cease and Desist Order to Mr. Van Trees, instructing him to stop constructing a road across Sespe Creek. That road crossing was so massive that it blocked streamflow and hindered upstream migration of endangered steelhead. In 2010, the EPA ordered Mr. Van Trees to stop performing unpermitted work on the property because it was harming habitat for endangered steelhead and other federally-protected wildlife species. Also in 2010, the County of Ventura investigated citizen complaints of significant bulldozing along ridgelines without permits, mining without a permit, and constructing an unpermitted road across Sespe Creek.

The groups are urging law enforcement officials to diligently pursue additional criminal or civil enforcement actions warranted by Van Trees’ recent work. “Sespe Creek is one of the last remaining undeveloped rivers in southern California, and it’s vitally important to keep it that way,” said Jeff Kuyper, executive director of Los Padres ForestWatch. “We hope that all agencies involved will hold this rogue landowner responsible for the harm he has caused. They need to do everything in their power to bring an end to these repeat violations.”

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*The **Environmental Defense Center**, a non-profit law firm, protects and enhances the local environment through education, advocacy, and legal action and works primarily within Santa Barbara, Ventura, and San Luis Obispo counties. Since 1977, EDC has empowered community based organizations to advance environmental protection. Program areas include protecting coast and ocean resources, open spaces and wildlife, and human and environmental health. Learn more about EDC at www.EnvironmentalDefenseCenter.org.*

***Los Padres Forest Watch** is a land and river conservation organization that has been working since 2008 to stop illegal bulldozing and road construction along this stretch of Sespe Creek. Learn more about Los Padres ForestWatch at www.LPFW.org.*