

OFFICE OF THE
DISTRICT ATTORNEY
COUNTY OF SANTA BARBARA

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***** PRESS RELEASE *****

RE: People v. Southern California Edison Company
Case Nos. 20CR08284, 20CV04002

Southern California Edison Company Pleads to Criminal Violation of the California Water Code and Agrees to Pay \$3.5 Million in Civil Penalties for Environmental Violations occurring in Mission Canyon

District Attorney Joyce E. Dudley announced today that the Santa Barbara County District Attorney's Consumer and Environmental Protection Unit reached a global settlement with Southern California Edison Company ("SCE") to resolve civil and criminal actions stemming from a December 2019 grading project that caused significant environmental harm to the Mission Canyon area of Santa Barbara County.

With the criminal and civil complaints, the People allege that between December 4 and December 16, 2019, SCE engaged in an unpermitted road maintenance and widening project along 1.6 miles of Spyglass Ridge Road, starting at the base of the Inspiration Point trailhead. This project involved using large construction equipment to scale substantial portions of rock on the uphill side of Spyglass Ridge Road, grade the road surface, remove vegetation, and grade berms on the downhill side of the Road.

SCE's work generated a substantial amount of rock, sediment, and debris ("sidecast") that SCE discharged down the slopes into Mission Creek and its tributaries. In total, SCE discharged approximately 965,113 gallons of sidecast over the edge of Spyglass Ridge Road into Mission Canyon. Of that, approximately 74,044 gallons were discharged into the Waters of the United States, and approximately 521,756 gallons were discharged into the Waters of the State of California.

SCE's unlawful conduct permanently impacted Mission Creek by altering the streambed and obstructing water flows, and it made lasting changes to the natural environment by carving rock and vegetation from the mountainside. SCE also caused the permanent loss of some native trees and vegetation, and degraded the habitat for some fish, wildlife, and rare plant communities. Further, SCE's actions impacted the entire Santa Barbara community by forcing multiple closures of one of the County's most popular recreation areas.

Since the incident, SCE has cooperated with regulators. At the direction of the Santa Barbara County Planning and Development Department, SCE engaged in extensive work to improve the safety and stability of the area. Additionally, it is currently working with the California Department of Fish and Wildlife ("CDFW") and the County Planning and Development Department to remediate the damage it caused to Mission Canyon and Mission Creek.

As a result of its conduct, SCE pled to a misdemeanor violation of California Water Code section 13387(b) for discharging a pollutant into Mission Creek, a waterway of the United States. Any future violations of this code section can, as a matter of law, be charged as a felony. SCE will also pay a \$10,000 criminal fine to the State Water Quality Control Board for deposit in the State Water Pollution Cleanup and Abatement Account.

SCE also admitted civil liability to several violations of the California Fish and Game Code and the California Business and Professions Code. As part of the civil judgment, SCE must continue working with regulators to ensure the damage it caused in Mission Canyon is remediated.

Further, SCE will pay a \$3.5 million civil penalty, \$875,000 of which is devoted to funding supplemental environmental projects (SEPs) in the community. These SEPs, which are identified in the civil judgment, are in addition to the remediation work SCE itself will be undertaking in Mission Canyon. Some of the SEPs include maintaining the Jesusita and Tunnel trails, revegetating Mission Canyon and Mission Creek with native plants, researching and monitoring the health of Mission Creek, and funding efforts to clean Santa Barbara's front country trails and creeks.

Of the remaining penalty money, \$1,312,500 will be paid to the County of Santa Barbara, \$656,250 to CDFW for deposit in the Fish and Game Preservation Fund, and \$656,250 to the County of Santa Barbara's Fish and Wildlife Propagation Fund. SCE will also reimburse the Santa Barbara District Attorney's Office for \$25,000 and CDFW for \$15,000 for investigation and prosecution costs.

The case was handled by Deputy District Attorneys Morgan Lucas, Christopher Dalbey and was supervised by Senior Deputy District Attorney Brian Cota.

District Attorney Dudley said, "The Santa Barbara County District Attorney's Office is committed to prosecuting violations of California's Environmental laws. While the decision to charge a corporation criminally is not one that prosecutors take lightly, our office will do so when the underlying conduct warrants such action. We believe the resolution in this case reflects the seriousness of SCE's impact on our environment. We commend the company for accepting responsibility and committing to remediate the damage it caused and appreciate the company's cooperation throughout the investigation."

Copies of the criminal and civil complaints, along with the judgment can be found [here](#).

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