



Department of Justice

**Acting United States Attorney Brian J. Stretch
Northern District of California**

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FOR IMMEDIATE RELEASE
March 25, 2016

WHITETHORN WOMAN ADMITS TO CAUSING OVER \$100,000 IN ENVIRONMENTAL DAMAGE TO FEDERAL LAND

**Guilty Plea Related to King Range National Conservation Area Environmental Damage Caused
by Illegal Marijuana Cultivation Operation**

SAN FRANCISCO – Melinda Van Horne pleaded guilty in federal court in San Francisco on Wednesday, March 23, 2016, to depredation against the property of the United States, announced Acting United States Attorney Brian Stretch and Nathan Mendes, Bureau of Land Management Assistant Special Agent-in-Charge.

In pleading guilty, Van Horne admitted to causing over \$100,000 in environmental damage to federal lands in the King Range National Conservation Area through her marijuana cultivation operation. As described in the factual basis for the plea agreement, in October 2007, Van Horne purchased a house next to Paradise Ridge in Humboldt County, California. Paradise Ridge is part of a congressionally designated National Conservation Area administered by the Bureau of Land Management. Commercial activity and development are prohibited on the land, which is to be preserved for the enjoyment of future generations. In 2008, Van Horne proposed to trade portions of her private property for the federal conservation land, but the Bureau of Land Management rejected the trade based on the national conservation status of the land. Van Horne nonetheless decided to proceed with her marijuana cultivation operation.

Van Horne admitted that, with her consent and knowledge, and later at her direction, vegetation was stripped from portions of the federally managed conservation area, land was

excavated and graded, and eleven greenhouses and other structures were constructed on federal lands. The work was done in order to grow marijuana plants for sale. Van Horne also used facilities that diverted water from the nearby Bridge Creek to water the marijuana plants.

Van Horne further admitted that, in September 2013, when law enforcement executed a search on the property, agents found 1,654 marijuana plants that she had been growing on federal land and in the adjoining garage in the house. Van Horne admitted that she was continuing to use the land although it had been foreclosed upon by the bank. Agents also executed a search warrant at Van Horne's residence, where she had moved after the foreclosure, and found over 17 kilograms of marijuana at that location.

Van Horne further admitted that the bulldozing and excavation of federal land she orchestrated caused that land to become unstable and to erode into two rivers that provide crucial spawning and rearing habitats for threatened and federally protected salmon and steelhead. Bureau of Land Management engineers estimate the cost to repair the damage at \$107,754.01, which Van Horne has agreed to pay as restitution in connection with her guilty plea.

Van Horne, 43, of Whitethorn, Calif., was indicted by a federal Grand Jury on November 17, 2015. She was charged with conspiracy to distribute marijuana, in violation of 21 U.S.C. Section 846; possession with intent to distribute 1,000 or more marijuana plants, in violation of 21 U.S.C. Section 841(a)(1) and 841(b)(1)(A)(vii); possession with intent to distribute marijuana, in violation of 21 U.S.C. Section 841(a)(1) and 841(b)(1)(C); maintaining a place for manufacturing marijuana, in violation of 21 U.S.C. Section 856(a); and depredation against property of the United States, in violation of 18 U.S.C. Section 1361. Under the plea agreement, Van Horne pleaded guilty to the depredation against property of the United States.

Van Horne is currently released on bond. Bail was set at \$130,000.

Van Horne's sentencing hearing is scheduled for June 29, 2016, at 10:00 a.m., before The Honorable Charles R. Breyer, U.S. District Court Judge, in San Francisco. The maximum statutory penalty for depredation against property of the United States in violation of 18 U.S.C. Section 1361 is ten years in prison and a fine of \$250,000, or twice the gross gain or loss generated from the operation, plus restitution if appropriate. However, any sentence will be imposed by the court only after consideration of the U.S. Sentencing Guidelines and the federal statute governing the imposition of a sentence, 18 U.S.C. Section 3553.

Rita F. Lin is the Assistant U.S. Attorney who is prosecuting the case with the assistance of Theresa Benitez, Rawaty Yim, and Marina Ponomarchuk. The prosecution is the result of a two-year investigation by the Bureau of Land Management and Drug Enforcement Administration.

Further Information:

Case #: 15-534 CRB

A copy of this press release will be placed on the U.S. Attorney's Office's website at www.usdoj.gov/usao/can.

Electronic court filings and further procedural and docket information are available at <https://ecf.cand.uscourts.gov/cgi-bin/login.pl>.

Judges' calendars with schedules for upcoming court hearings can be viewed on the court's website at www.cand.uscourts.gov.

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