

News Release

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HAGERMAN MAN SENTENCED FOR VIOLATING CLEAN WATER ACT

John Shaw, 57, of Hagerman Idaho, was sentenced on Tuesday to two years probation for a misdemeanor violation of the Clean Water Act, the United States Attorney's Office announced. Chief U.S. District Judge B. Lynn Winmill, sitting in Pocatello, also ordered Shaw to pay a fine in the amount of \$5,000, perform 100 hours of community service and remediate the site. Shaw entered a guilty plea to the charge on January 14, 2010.

Shaw owns property adjoining the Snake River in Gooding County, Idaho. Shaw admitted that he illegally cut the river bank with a bulldozer and installed "rock rip-rap" along approximately 2,000 linear feet of river bank without a permit. "Rock rip-rap" is a method used to stabilize river banks. The defendant admitted he was negligent in not obtaining a permit from the Corps of Engineers prior to performing the work. A permit to perform such work below the high water mark is required, in order to control the discharge of rock, dredge and fill material into the river. Discharges into the river may negatively affect the environment. Shaw admitted to the offense and fully accepted responsibility.

"This conviction demonstrates that if you disregard the permit system, you will be prosecuted," said Tyler C. Amon, Acting Special Agent in Charge with EPA's Office of Criminal Enforcement in Seattle, Washington. "We are pleased defendant Shaw took responsibility for his conduct, but stand committed to vigorously investigating Clean Water Act violators."

Shaw's case was investigated by the Environmental Protection Agency-Criminal Investigation Division with the assistance of the United States Army Corps of Engineers.