

Midwest Environmental Advocates: Clean water groups intervene in dairy business lawsuit

Posted on Tuesday, Oct 3, 2017

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Green Bay, Wisconsin- On Monday, October 2, Midwest Environmental Advocates filed a joint motion on behalf of the Clean Water Action Council of Northeast Wisconsin, Milwaukee Riverkeeper and the Wisconsin Wildlife Federation to intervene in a lawsuit brought by the Dairy Business Association against the Wisconsin Department of Natural Resources.

Midwest Environmental Advocates filed the motion jointly with Clean Wisconsin and the Friends of the Central Sands in Brown County Circuit Court.

In the *DBA v. DNR* case, the state's largest dairy business lobby is in essence attempting to abolish state rules that allow the DNR to issue water pollution permits to Wisconsin's largest concentrated livestock feeding operations. These pollution permits include environmental protections that limit CAFO runoff to groundwater, streams and lakes, and the drinking water of families who depend on private wells.

The DBA's lawsuit also targets two DNR guidance documents that were created to prevent pollution to state waters from feed storage and calf hutch areas. Despite

legal actions by DBA and some of its members, the DNR has clear authority under existing state law to use objective, science-based standards to protect the health of people and our environment from agricultural pollution.

“We’ve seen the DNR bend to the wishes of big agriculture in other cases,” said Midwest Environmental Advocates staff attorney Sarah Geers. “We’re intervening on behalf of these organizations and people across the state to ensure that it doesn’t happen here, especially when we’ve worked hard to hold the line on agricultural pollution. Wisconsin’s environmental protections in state pollution permitting must be zealously defended.”

The groups moved to intervene in the suit because they work with people all over the state who depend on clean water for drinking, fishing and recreation. People across Wisconsin – from Milwaukee to Kewaunee County – already face threats to their health, their lakes and streams, and cannot drink from private water wells. The DNR is in danger of taking a major step backward in environmental law enforcement in order to give in to dairy business lobbyists.

George Meyer, Executive Director of the Wisconsin Wildlife Federation, stated “strong protections against polluting agricultural discharges is critical to retain water quality in our lakes and streams so that we can retain a strong fishery for Wisconsin citizens.”

Cheryl Nenn of Milwaukee Riverkeeper said “that the DBA’s lawsuit, if successful, would set up a “catch me if you can” scenario, which would make it incredibly difficult if not impossible for Riverkeeper and our partners to evaluate the impact of manure runoff because we wouldn’t know where manure was being spread or by whom.”

“The DBA’s lawsuit contradicts their statements in DNR groundwater protection workgroups that their members are partners in protecting the waters of Wisconsin,” said President and Executive Director of the Clean Water Action Council of Northeast Wisconsin, Dean Hoegger. “Their lawsuit is disappointing in light of their efforts to convince the public they are a good partner in protecting Wisconsin waters.”

Midwest Environmental Advocates is a public interest organization that uses the power of the law to support communities fighting for environmental accountability. Learn more about the Midwest Environmental Advocates on the web



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