

Dept. of Justice: AG Kaul announces \$225,000 penalty against Kewaunee County concentrated animal feeding operation owner

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MADISON, Wis. – Attorney General Josh Kaul announces today that his office has obtained a civil judgment against Johannes Wakker requiring him to pay a \$225,000 monetary penalty for alleged violations of the State’s manure management laws that occurred at Wakker’s Kewaunee County concentrated animal feeding operation (CAFO).

“Mismanagement of manure can lead to water contamination and endanger public health,” said AG Kaul. “To protect safe and clean water, Wisconsin’s manure management laws must be followed.”

According to the Complaint, Wakker violated several provisions of his wastewater discharge permit between November 2017 and April 2020 for mismanaging landspread manure. For example:

- On 20 occasions, manure spread on Wakker’s farm fields either ran off the application site or discharged to waters of the state, such as a stream or a wetland, through subsurface drains.
- On 5 occasions, Wakker failed to minimize or prevent adverse impacts of discharges to waters of the state.
- On 11 occasions, manure spread on Wakker’s farm fields ponded on the application site.
- On 2 occasions, Wakker spread manure through an area that could concentrate the manure into a flow channel.

- On 2 occasions, manure spread on Wakker's fields migrated from one part of the field to another.
- On 1 occasion, Wakker spread manure within 25 feet of a conduit to navigable water.
- On 1 occasion, Wakker failed to timely submit a report to the Department of Natural Resources (DNR) describing the events that led to a manure discharge to waters of the state.

In addition, Wakker failed to submit a nutrient management plan to DNR that identified all the environmentally sensitive areas within several farm fields he sought approval to spread manure on.

Assistant Attorney General Bradley J. Motl represented the State. DOJ worked closely with DNR to obtain this result. The Order for Judgment was signed by Circuit Court Judge D. Todd Ehlers on April 18, 2022.

This settlement was approved by the legislative Joint Committee on Finance on April 13, 2022.