

# Dept. of Justice: Announces \$65,000 settlement with Emerald Sky Dairy to resolve violations of Wisconsin's wastewater laws

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MADISON, Wis. – The Wisconsin Department of Justice (DOJ) today announced a settlement with Emerald Sky Dairy, LLC (Emerald Sky Dairy) requiring it to pay \$65,000 to resolve violations in November 2019 related to a manure discharge into a creek near Emerald, Wis. The settlement was approved by the Saint Croix County Circuit Court on June 7, 2022.

“Polluting our water negatively impacts water quality and wildlife,” said Attorney General Josh Kaul. “CAFOs must ensure that manure runoff doesn’t unlawfully end up in Wisconsin waterways.”

The state alleged that Emerald Sky Dairy improperly land applied manure on an agricultural field near the dairy’s concentrated animal feeding operation (CAFO) on November 20, 2019. The state alleged that the application resulted in ponding and movement of manure on the field. The state alleged that a forecasted rainstorm occurred on the evening of November 20, 2019, and that manure ran off the field and entered Hutton Creek. An anonymous complainant reported the discharge to authorities on the evening of November 20, 2019. The state alleged that the discharge did not comply with a surface water quality standard for Hutton Creek and contributed to a kill of forage fish.

The agreement requires Emerald Sky Dairy to pay \$65,000 in forfeitures, surcharges, court costs, and attorney fees.

DOJ Public Protection Unit Assistant Attorney General Emily M. Ertel represented the State of Wisconsin. DOJ worked closely with the DNR to obtain this result.

The public can report tips anonymously to the DNR Tip Hotline at 1-800-TIP-WDNR (1-800-847-9367).

Copies of the Summons and Complaint, Stipulation for Judgment, Order for Judgment, and Judgment are available [here](#).

The Legislature's Joint Committee on Finance approved the proposed resolution on May 31, 2022.