



**FOR IMMEDIATE RELEASE**

**Citizens File Appeal of Rosendale Dairy Permit**  
*Concerns over DNR's Failure to Protect Water Quality*

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MADISON – Members of the grassroots organization People Empowered Protect the Land (PEPL) of Rosendale, through their attorneys Midwest Environmental Advocates and Garvey McNeil, S.C., filed a Petition yesterday with the Wisconsin Department of Natural Resources (DNR) seeking review of the Wisconsin Pollutant Discharge Elimination System (WPDES) Permit issued recently to Rosendale Dairy, a new industrial livestock facility in Fond du Lac County that plans to become Wisconsin's largest dairy.

The Petition requests that the DNR review the permit and make changes necessary to ensure full compliance with the Clean Water Act and state law for the protection of the region's surface and groundwater. The Petition alleges that DNR failed to comply with legal requirements to prevent the degradation of surface waters and to ensure that waters to which Rosendale Dairy is likely to discharge pollution will meet applicable standards for acceptable levels of pollution, known as "water quality standards." The petition also asserts that DNR improperly approved Rosendale Dairy's nutrient management plan because that plan does not go far enough to identify underground tile lines that can transport pollution to surface and groundwater or to prevent the contamination of the area's shallow groundwater reserves.

"At the end of a hasty process that ultimately leaves citizens living a Russian roulette, wondering not if but when pollution will begin, DNR issued their flawed permit," said Elaine Swanson, a member of PEPL who lives on a 50-acre wildlife sanctuary one mile from the CAFO. "Prevention – not clean-up – is the sane and reasonable approach we request."

"The presence of old underground tile lines poses an enormous threat of carrying manure to our marshes, wetlands, and private wells," states PEPL member Timothy Thiel, a landowner near the dairy and native to the Rosendale area where he has hunted, fished, and hiked for decades.

Rosendale Dairy is currently authorized by the DNR to confine approximately 4,000 head of cattle at the facility, but plans to expand to more than 8,000 in the coming year. Eventually the facility will produce over 90 million gallons of manure and wastewater annually, more than the City of Green Bay. Yet Rosendale Dairy has no state-of-the-art wastewater treatment process; instead it plans to spread the waste on nearby fields, threatening waters that are already polluted with nutrients and sediment.

"We urge the DNR to respond to the Petition swiftly and take immediate action to strengthen Rosendale Dairy's permit before the area's waters become even more polluted," said Jamie Saul, Staff Attorney with Midwest Environmental Advocates.

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## FAST FACTS

- Rosendale Dairy is a new dairy and soon to be Wisconsin's largest industrial livestock facility. Because of its size, it is regulated by the DNR as a concentrated animal feeding operation (CAFO) and therefore must hold a discharge permit (WPDES Permit) issued under the Federal Clean Water Act and related state law. The dairy is located on County M northwest of Rosendale, in Fond du Lac County.
- At full capacity, Rosendale Dairy will house 8,300 head of cattle and generate over 90 million gallons of manure and other waste per year, most of which will be stored in lagoons before being spread on local fields where impacts to surface and groundwater will not be monitored. *Only the cities of Milwaukee and Madison produce more biological waste.* Large CAFOs like Rosendale Dairy also release harmful air pollution, disturb wildlife habitat, incubate disease-carrying pathogens and put small family farms out of business.
- Rosendale Dairy's operations will potentially impact surface and groundwaters in the Fond du Lac River, Upper Fox River, Big Green Lake, and Upper Rock River watersheds. Many of the tributaries in these watersheds are already polluted with phosphorus and sediment and are unable to assimilate further pollution discharges likely to result from Rosendale Dairy's operations as allowed by its WPDES Permit.
- The Petition for Review filed with the DNR is authorized by state law, Wis. Stat. § 283.63. That statute instructs the DNR, upon receipt of a properly filed Petition, to hold a public hearing for the review of the issues raised in the Petition. At the hearing, the Petitioners and other interested parties may present evidence and arguments concerning the issues raised, and the DNR must issue a final decision within 90 days of the hearing.
- People Empowered Protect the Land (PEPL) of Rosendale is an organization of concerned citizens seeking to protect their environment and quality of life from the impacts of Rosendale Dairy. PEPL promotes sustainable agricultural practices such as pasture-based systems, the principles of which are being taught at the Wisconsin School for Dairy and Livestock Farmers at UW-Madison. PEPL urges a legislative moratorium on large-scale industrial dairies that have the capacity to cause lasting environmental harm.
- PEPL is represented by Midwest Environmental Advocates, Wisconsin's only nonprofit environmental law center ([www.midwestadvocates.org](http://www.midwestadvocates.org); contact Staff Attorney Jamie Saul at (608) 251-5047 or [jsaul@midwestadvocates.org](mailto:jsaul@midwestadvocates.org)) and the public interest law firm Garvey McNeil ([www.gmmattorneys.com](http://www.gmmattorneys.com); contact Attorney Peter McKeever at (608) 223-1275 or [mckeever@gmmattorneys.com](mailto:mckeever@gmmattorneys.com)).