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**FOR IMMEDIATE RELEASE**

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**Court Halts Livestock Factory Expansion,  
Cites DNR Failure to Evaluate Effects on Air and Water**

**Cleveland, WI** – The Manitowoc County Circuit Court ruled on Thursday that the Wisconsin Department of Natural Resources (“DNR”) failed to adequately review the potential negative effects on air and water in southern Manitowoc County that could be caused by the expansion of Maple Leaf Dairy, one of the largest livestock factories east of the Mississippi River.

The Court’s ruling was in response to a lawsuit by Centerville Citizens for Air, River, and Environmental Solutions (“Centerville CARES”) filed in December of 2004 challenging the DNR’s environmental review of Maple Leaf Dairy’s expansion plans.

The Court held that the DNR failed to consider significant information showing that Maple Leaf Dairy’s operation would harm streams that drain to the fragile shoreland area of Lake Michigan. The Court also noted that the DNR failed to consider air quality data indicating that Maple Leaf Dairy would pollute the air with significant levels of ammonia and hydrogen sulfide.

The Court ordered the DNR to prepare an air impacts study of Maple Leaf Dairy’s ammonia and hydrogen sulfide air pollution – the first formal study of its kind in Wisconsin.

Members of Centerville CARES have suffered the gagging air pollution caused by Maple Leaf Dairy for years and are concerned that Maple Leaf Dairy’s manure management practices are worsening the algae blooms that wash up on Lake Michigan’s shore every summer.

“We turned to everyone we could think of for help – the DNR, local officials and our State Senator, Joe Liebham. When they failed to step in, we finally turned to the court for justice.” said Russ Tooley, president of Centerville CARES. “Now the court’s decision confirmed what we already knew – the DNR has not given our community a complete accounting of the air and water pollution that will result from Maple Leaf Dairy’s expansion.”

“Even giving the DNR the benefit of the doubt, the Court reached the only reasonable conclusion that it could after reviewing the facts of this case – the DNR failed to address credible scientific data showing Maple Leaf Dairy’s past, present and future impacts on the air and water in southern Manitowoc County near Lake Michigan,” said Andrew Hanson, attorney with Midwest Environmental Advocates, a nonprofit environmental law center that provided legal representation to Centerville CARES.

“We think the DNR could have done a better job evaluating Maple Leaf Dairy’s impacts, but legislative cuts by the powerful Joint Finance Committee are preventing the DNR from fulfilling even the most basic mandates of Wisconsin’s environmental laws,” said Hanson.

Senator Joe Leibham, who represents the district in which Maple Leaf Dairy planned to expand its operation in Sheboygan and Manitowoc Counties, sits on the Joint Finance Committee, which plays a significant role in creating the DNR’s budget.

Maple Leaf Dairy currently confines 3,798 cattle at its Main Facility on County Trunk Highway X and five “satellite facilities.” In the past, Maple Leaf Dairy has submitted formal plans to the DNR to expand its operation to approximately 9,000 cattle. Although Maple Leaf Dairy claims that it only proposes to expand its cow numbers through “slow growth and reproduction,” a report submitted by Maple Leaf Dairy to the DNR shows a master plan of a major expansion of thousands cattle and up to 35.5 million gallons of animal waste. Further, Maple Leaf Dairy has already obtained the building permits necessary to expand the cattle confined and animal waste produced at its operation.

“Given the court’s decision that the DNR’s environmental review was inadequate, Maple Leaf Dairy must also halt construction of its expansion facilities immediately until the DNR has complied with its environmental review responsibilities,” concluded Hanson.

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#### **FAST FACTS:**

- Midwest Environmental Advocates is Wisconsin’s first and only non-profit, public interest environmental law center. Midwest Environmental Advocates provides legal representation and community organizing assistance to groups working for clean air, clean water and clean government. For more information, go to [www.midwestadvocates.org](http://www.midwestadvocates.org).
- Centerville CARES is an unincorporated not-for-profit membership association whose mission is to promote policies that protect clean air, clean water, and sustainable agriculture in northeastern Wisconsin.
- Of the almost 17,000 livestock farms in Wisconsin, 130 are classified by the WDNR as Concentrated Animal Feeding Operations (“CAFOs”), or dairy livestock farms that have 700 or more milk cows. There are five CAFOs in Manitowoc County.
- CAFOs can increase water and air pollution, generating liquid waste from hundreds or thousands of cows that can accumulate in large open-air manure pits. Animal waste contains bacteria and other pathogens harmful to humans, in addition to nutrients like nitrogen and phosphorus that can cause algal blooms in waterways.
- The federal Clean Water Act regulates the water pollution generated by CAFOs, requiring CAFOs to prevent discharges of animal waste to rivers and streams.