

# Midwest Environmental ADVOCATES

*pro bono publico*

**FOR IMMEDIATE RELEASE**  
**July 20, 2004**

**Contact:**

Andrew C. Hanson, Attorney  
Midwest Environmental Advocates, Inc.  
608-251-5047 ext. 2 (work)  
608-628-2429 (cell)

David Bender  
Bender Law Offices  
608-442-3585 (work)  
608-438-2560 (cell)

## **Jackson County Group Files Federal Lawsuit To Stop Pollution of Nearby Trout Streams**

**Hixton, WI**—Today a rural community group in Jackson County filed a federal lawsuit against Sedelbauer Farms, a proposed 2,800 cow livestock factory, for polluting nearby trout streams.

The community group, named the Concerned Farmers and Neighbors of the Town of Hixton (“Concerned Farmers and Neighbors”), filed their lawsuit under the federal Clean Water Act, which basically prohibits operations like Sedelbauer’s from discharging animal waste into streams.

The complaint alleges that, based on documents obtained from the Wisconsin Department of Natural Resources, Sedelbauer has been discharging animal waste to tributaries of Tank Creek and the Trempeleau River, both trout streams. Tank Creek is a state designated Exceptional Resource Water for its normally pristine water quality.

“Our goal is to permanently stop the pollution of tributaries of the Trempeleau River and Tank Creek,” said Kevin Cain, a member of Concerned Farmers and Neighbors.

The complaint alleges that Sedelbauer Farms has inadequate storage facilities for the amount of animal waste it produces, and spreads the waste almost daily during the winter months on frozen and snow-covered ground. In late February, March, and May of this year, DNR records document that Sedelbauer Farms discharged animal waste from its feedlots and waste spreading fields into a tributaries of Tank Creek and the Trempeleau River.

Concerned Farmers and Neighbors gave Sedelbauer Farms 60 days to implement corrective actions to prevent future contamination, but received no response.

“We were left with no choice but to go to court to stop the pollution of these trout streams,” said Mike Helstad, a family farmer and member of Concerned Farmers and Neighbors. “We want to make sure that future generations will be able to enjoy Tank Creek as we once did.”

The group is represented by the nonprofit environmental law center of Midwest Environmental Advocates, Inc., the law firm of Bender Law Offices, and the Law Office of Noah Golden-Krasner.

“Sedelbauer Farms has now repeatedly violated the federal Clean Water Act and will likely do so again in the future,” said Andrew Hanson, attorney with Midwest Environmental Advocates.

“Concerned Farmers and Neighbors are now doing what they can to ensure safe and clean trout streams in their neighborhood.”

###