



# Friends of Maha'ulepu

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## Friends of Maha'ulepu Files Clean Water Act Complaint in Federal Court to Protect Maha'ulepu from Mega-Dairy's Pollution without Required Permits

*Ongoing Clean Water Act violations spur Kaua'i community group to file complaint against Hawaii Dairy Farms and billionaire-backed Ulupono Initiative*

**KAUA'I, HI—June 2 2015**—The community group [Friends of Maha'ulepu](http://friendsofmahaulepu.org) ("FOM") has filed a Complaint in the Federal District Court for the District of Hawaii against the proposed Hawaii Dairy Farms mega-dairy for failure to obtain a required stormwater construction permit before beginning ground disturbing activities that will further degrade Waiopili Stream and the area of Gillin's Beach. FOM President, Bridget Hammerquist, stated that "FOM is committed to protecting Maha'ulepu, a true Kaua'i treasure steeped in archeological and cultural significance that is home to many endangered and threatened species, not to mention the fact that its known for its magnificent beauty." Hawaii Dairy Farms ("HDF") has filed its Plan with the State Department of Health (DOH), proposing to operate a 2,000 cow industrial dairy at Maha'ulepu. To date, the State has not issued an approval of HDF's proposed operation or granted a stormwater construction permit, a requirement of the federal Clean Water Act.

Despite public statements that HDF will not start construction until completion of an Environmental Impact Statement (EIS), many acres of ground disturbing activities such as installing irrigation systems, wells and water troughs, and grubbing and grading, all parts of the proposed dairy plan development, are continuing in violation of federal and state laws by operating without the permit required from DOH. FOM has filed its Complaint, naming Maha'ulepu Farm LLC, Ulupono Initiative and HDF.

"FOM is supportive of safe agriculture that does not risk the public's health or threaten the environment, but this proposal not only threatens the Maha'ulepu area, but is operating in disregard for the law already," added Ms. Hammerquist. "The harm and further degradation of one of Kauai's most revered locations must be stopped."

HDF and its co-Defendants are subject to civil penalties of up to \$37,500 per day per violation, a period which dates back over a year of illegal construction related activities. FOM is represented by the Law Offices of Charles M. Tebbutt, P.C., a law firm that has extensive experience with the Clean Water Act and pollution from industrial dairies. FOM's local representation is Tom Pierce, Attorney at Law LLLC.

A copy of FOM's Complaint is available online at <http://friendsofmahaulepu.org/wp-content/uploads/2014/04/FOM-stormwater-complaint-NOI.pdf>.