

Friends of Maha`ulepu (FOM) Key Accomplishments Since 4/2014, friendsofmahaulepu.org

FOM is a grassroots community based organization dedicated to protecting the environment of Maha`ulepu and its coastal ecosystem while preserving the economy and quality of life on the South Shore of Kaua`i. Since its formation, FOM has educated the public and responsible agencies on the devastation that would follow the start of HDF's proposed industrial dairy at Maha`ulepu. Some of our key accomplishments are:

- Hawaii Dairy Farms (HDF) announced their Plan 2/2014 to commence operation 6/2014 with a full herd of 1880 milking cows in production by 1/2015. FOM kept that from happening through meetings with responsible State officials, research exposing the damage certain to occur, broadcasts via radio and televised interviews and news.
- With Surfrider's Water Quality Test results, FOM persuaded the EPA to direct Hawaii Department of Health (DOH) to post warning signs of water contamination where the Waiopili Stream drains water from HDF's site onto Maha`ulepu beach and into the ocean. FOM's research and findings forced HDF to admit their operation would not be "zero discharge" as claimed for 2.5 years. HDF now hopes to retain "nearly 98%" of pollutants on site. HDF does not explain why only 2% will runoff. Any manure runoff violates the Clean Water Act. Posting the stream and connecting it to the dairy site is a huge step toward stopping the dairy.
- FOM exposed major misrepresentations by HDF to the public, State and Federal agencies. The truth revealed forced HDF to modify their Plan, causing HDF, among other things, to abandon use of the "New Zealand Model" and no longer claim to be a "zero discharge" dairy. See attached - HDF's Material Misrepresentations.
- FOM met with Hawaii Governor, David Y. Ige. After presenting a petition signed by 3,600 who strongly oppose an industrial dairy at Maha`ulepu, FOM exposed the conflict of interest by HDF's Plan developer, Group 70 International, who is also conducting the Environmental Impact Study (EIS). Governor Ige promised an independent review of HDF's project before any State permit would be issued.
- FOM is a large part of HDF claim that they would do an EIS in response to public opposition to their Plan.
- FOM hired one of the best attorneys in the nation, Law Offices of Charles Tebbutt, specializing in environmental law. For 18 years, Mr. Tebbutt has successfully litigated Clean Water Act cases across the U.S. where industrial dairies have damaged communities by ignoring Federal and State regulations. His success in Federal District Court has resulted in national recognition. He has only had one other opportunity to stop a proposed dairy before it was operational and prior to damage. He has reduced his hourly rate and that of his associates.
- FOM received several favorable rulings from the Federal District Court thus far. An Order requiring HDF and Grove Farm to allow FOM and its experts access to HDF's site, exposed information critical to FOM's response to HDF's EIS which also provides compelling data to oppose any permit for an Animal Feed Operation (AFO) at Maha`ulepu.
- FOM successfully applied for and received 501(c)(3) charitable tax status.
- FOM's Site inspection has also provided key evidence for the Clean Water Act trial, set for 2/2017. Most compelling was the discovery that HDF had ongoing construction activities despite sworn permit applications filed with DOH denying the very construction activities for which they sought permits. HDF, despite three applications, still does not have the required General Stormwater Construction Permit. Construction without a permit is grounds for a Federal or State Environmental Court Judge to deny or vacate any State dairy operating permit.
- FOM secured a directive from Governor Ige requiring Scott Enright, Department of Agriculture Chair, to meet with FOM on Kaua`i to collect FOM's data and hear scientific and economic concerns.
- FOM has had numerous meetings with Federal, State and County officials to share its concerns, site inspection data, and research. All officials have kept in contact and have been updated. FOM created a website and has grown to more than 750 active members.