



Friends of Maha'ulepu

FOR IMMEDIATE RELEASE- March 12, 2015

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Friends of Maha'ulepu Step Up to Protect Maha'ulepu from Proposed Mega-Dairy

Clean Water Act violation spurs Kaua'i community group to confront billionaire-backed big ag plan

KAUA'I, HI—MARCH 11, 2015—Today, the community group [Friends of Maha'ulepu](#) ("FOM") has stepped up its efforts to protect the Maha'ulepu Valley from Hawaii Dairy Farms' ("HDF") proposed 2,000 cow industrial dairy by filing an Intent to Sue under the Clean Water Act. Financed by billionaire Pierre Omidyar's Ulupono Initiative, HDF is presently operating in violation of the federal Clean Water Act and threatens the survival of the precious and ecologically rich home of many threatened and endangered species. FOM has sent the [Notice](#) naming four entities responsible for the harm currently occurring in Maha'ulepu Valley -- Grove Farm, Maha'ulepu Farm LLC, Ulupono Initiative and HDF.

"Friends of Maha'ulepu supports sustainable agriculture compatible with the environment, but make no mistake about it -- this is not sustainable agriculture, it's a mega-dairy," said Bridget Hammerquist, President of FOM. "The massive amount of waste Hawaii Dairy Farms would generate is simply incompatible with the fragile Maha'ulepu Valley environment. Clay soils underlay the area, increasing the chance that the rainfall and storm events will lead to polluting manure runoff that will contaminate our precious streams and, eventually, the water table, itself."

The proposed industrial dairy would produce millions of pounds of bacteria-laden waste within 750 feet of the county wells that provide all the drinking water for Po'ipu and much of Koloa. If approved, HDF would be sited upslope of the Makauwahi Cave archaeological site and Maha'ulepu Beach with its live coral reefs and coastal waters that stream toward Po'ipu Beach, and the famed keiki pool.

"This is the last place on Earth that should have an industrial dairy. The Garden Island does not want to become known as Manure Island," said FOM's Jay Kechloian. "Friends of Maha'ulepu hopes HDF and Grove Farms will see the error of its ways and devote its resources to positive, sustainable agricultural operations, not one that would cause irreversible damage to Kauai's economy and fragile ecosystem."

FOM has reached out to the owners and operators of Grove Farm and HDF on numerous occasions to meet and discuss the concerns with the project, but none of the proponents has even returned a call.

FOM's Notice of Intent to Sue informs HDF that it will bring a federal court action based on the preliminary site construction activities occurring without the stormwater National Pollutant Discharge Elimination System (NPDES) permit required by law. Pursuant to federal and state law, a NPDES permit is required when an industrial site development involves the disturbance of property in excess of one acre. HDF applied for a NPDES permit, but their application was returned to them without approval. Nevertheless, HDF ignored the requirement and went ahead with construction activities. Environmental damage is already occurring at the Waiopili Stream and waters that enter the ocean at the historic Gillin House even before the environmental impact review process required by the Hawaii Environmental Protection Act has been completed.

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.

Copies of the FOM Notice of Intent to Sue are available [here](#).