
Wisconsin Legislative Council



Anne Sappenfield
Director

TO: MEMBERS, JOINT COMMITTEE ON FINANCE

FROM: Anne Sappenfield, Director

RE: Department of Justice Settlements and Proposed Plan of Settlement

DATE: April 13, 2022

This memorandum summarizes two proposed settlements for cases that the Department of Justice (DOJ) submitted to the Joint Committee on Finance (JCF) pursuant to s. 165.08 (1), Stats., in letters dated September 2 and October 11, 2021. In addition, the memorandum summarizes a proposed plan of settlement that DOJ submitted to the JCF in a letter dated April 4, 2022. DOJ seeks approval of its proposed settlements and proposed plan of settlement.

WISCONSIN V. LANDL FARMS—AGENDA ITEM 1

The allegations relate to improper manure spreading, leading to unauthorized discharges into waters of the state; improper storage of manure; failure to submit annual nutrient management plans and annual CAFO reports; failure to properly enclose feed storage areas and waste storage facilities.

The total monetary penalty proposed is \$25,000 and includes \$16,920.07 in forfeitures. In addition, the defendant must comply with several terms set forth in the stipulated settlement and may be subject to further monetary penalties for failure to do so.

WISCONSIN V. KNUTSON—AGENDA ITEM 2

State of Wisconsin v. Robert Knutson (Eau Claire County Case no. 19-CX-0001 and 19-CX-0003) is a prosecution related to straightening a navigable stream and filling wetlands adjacent to the stream without required authorization.

The total monetary penalty proposed is \$30,000 and includes \$17,056.13 in forfeitures. In addition, the defendant must comply with several terms set forth in the stipulated settlement and may be subject to further monetary penalties for failure to do so.

WAKKER PROPOSED PLAN OF SETTLEMENT—AGENDA ITEM 3

DOJ and Johannes Wakker have reached a pre-suit settlement for violations relating to a large CAFO. The allegations relate to improper manure spreading and application, failure to submit a nutrient management plan, failure to minimize or prevent adverse impacts of manure discharges on waters of the state, and failure to report to DNR after a discharge of manure on waters of the state.

The total monetary penalty proposed is \$225,000 and includes \$157,974.49 in forfeitures.

Please let me know if I can provide any further assistance.

AS:ksm