



## **Dairy Operator Sentenced for Violating Clean Water Act**

FOR IMMEDIATE RELEASE

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BOISE – Mike Vierstra, 53, of Twin Falls, Idaho, was sentenced today to sixty days in jail, a \$12,000 fine, and three years of probation for violating the Clean Water Act, U.S. Attorney Wendy J. Olson announced.

Vierstra appeared before U.S. Magistrate Judge Ronald E. Bush at the federal courthouse in Boise. At sentencing, Judge Bush noted that Vierstra has a “lengthy pattern of not complying with environmental regulations as they pertain to operating a dairy.”

On March 23, 2011, a federal jury in Boise found Vierstra guilty of negligent discharge of a pollutant into waters of the United States without a permit, on or about June 1, 2009. According to testimony, Vierstra is the owner and operator of a dairy farm with approximately 1,200 animals in a concentrated animal feeding operation (CAFO). On three occasions in 2009, a Dairy Waste Inspector with the Idaho State Department of Agriculture (ISDA), received calls about discharges of wastewater from Vierstra’s dairy into the Low Line Canal. The inspector tracked the waste upstream to Vierstra Dairy where it was determined that the source of the animal waste was an open pipe on the Dairy’s property.

According to the Idaho Department of Agriculture and the EPA-Idaho Operations Office, Vierstra Dairy has a history of non-compliance relating to waste discharge violations. Some of these violations at Vierstra Dairy have resulted in administrative penalties, including fines.

“Defendant Vierstra failed time and time again to comply with the law,” said Tyler Amon, Special Agent in Charge for EPA’s Criminal Investigation Division in Seattle. “His

jury conviction and today's sentence demonstrates that there are profound consequences for polluting our nation's waters.”

The case was investigated by the U.S. Environmental Protection Agency's Criminal Division as part of EPA's National Enforcement Initiatives as it relates to “Preventing Animal Waste From contaminating Surface and Ground Waters” from CAFOs.

“Today's sentence—including a period of imprisonment—serves as a strong message to dairy operators and others whose businesses adjoin waterways that they must be vigilant in their disposal methods,” said Olson. “I commend the Environmental Protection Agency for its dedication to enforcing our environmental laws.”