

Permit Fact Sheet

General Information

Permit Number:	WI-0065226-03-0
Permittee Name:	Fitz Pine Dairy Farm Inc
Address:	11405 County Rd F
City/State/Zip:	Newton, WI 53063
Discharge Location:	11405 County Rd F; Newton, WI 53063 (T17N, R22E, Sec. 02)
Receiving Water:	Fischer Creek within the Sevenmile and Silver Creeks Watershed, and groundwaters of the state
Discharge Type:	Existing

Animal Units					
	Current AU		Proposed AU (Note: If all zeroes, expansions are not expected during permit term)		
	Mixed	Individual	Mixed	Individual	Date of Proposed Expansion
Milking and Dry Cows	2030	2073.5	0	0	
Heifers (400 lbs. to 800 lbs.)	165		0	0	
Heifers (800 lbs. to 1200 lbs.)	165		0	0	
Total	2360	2073.5	0	0	

Facility Description

Fitz Pine Dairy Farm Inc is an existing Concentrated Animal Feeding Operation (CAFO). Fitz Pine Dairy Farm Inc is owned and operated by the Fitzgerald family. The current dairy herd size is 2,360 animal units (1,450 milking & dry cows, and 425 heifers). There are no planned expansions in the next permit term. The herd annually generates approximately 19,891,061 gallons of manure and process wastewater. Fitz Pine Dairy Farm Inc has 371 days of liquid waste storage onsite. Fitz Pine Dairy Farm Inc currently has 2,711.6 acres (619.8 owned and 2,091.8 controlled through contracts, rental agreements or leases, or under manure agreements) of which 2,584.5 are spreadable acres.

Substantial Compliance Determination

After a desk top review of all discharge monitoring reports, land application reports, compliance schedule items, and a site visit on 6/9/2023, this facility has been found to be in substantial compliance with their current permit.

Sample Point Designation For Animal Waste	
Sample Point Number	Sample Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)
001	WSF 1 -Sample point 001 is for liquid waste storage facility 1 (WSF 1). WSF 1 is an in-place earthen storage located on the north side of the feed storage area. The facility has a maximum operating capacity of approximately 4.2 million gallons and was constructed in 1983. This storage accepts manure and process wastewater from the adjacent heifer barns and the solid stacking area (WSF 5). WSF 1 was evaluated in 2020 and met permit requirements.
003	Sample point 003 is for and manure solids removed from bottom of liquid waste storage facilities. This includes manure-laden sand solids, manure fiber solids, etc. Representative samples shall be taken from each waste storage facility.
005	Miscellaneous Solid Manure – Sample point 005 is for solid manure sources that are directly land applied and not stored in a waste storage facility. This includes solid sources such as calf hutch manure, maternity pen bedpack, heifer bedpack, steer manure, etc. Representative samples shall be taken for each manure source type.
007	Headland Stacking Sites – Sample point 007 is for solid manure stacked in approved headland stacking locations. Representative samples shall be taken of this manure prior to land application. Note: Headland stacking sites are subject to production site discharge limitations; weekly visual monitoring is required during use of stacking sites to ensure discharges meet permit requirements.
008	Feed Storage & Runoff Controls - Sample point 008 is for visual monitoring and inspection of the feed storage area and associated runoff control system. Proper operation and maintenance is required to ensure discharges of process wastewater to waters of the state do not occur. Weekly inspections are required and shall be recorded according to the monitoring program.
009	WSF 2 -Sample point 009 is for liquid waste storage facility 2 (WSF 2). WSF 2 is an in-place earthen storage with a concrete floor located north of WSF 3 and is the first stage in a three-stage storage system. This facility was constructed in 2002 and has a maximum operating capacity of approximately 70,000 gallons. This storage accepts manure and process wastewater from the freestall barns, sand separation building, and the leachate basin.
010	WSF 3 -Sample point 010 is for liquid waste storage facility 3 (WSF 3). WSF 3 is an in-place earthen storage located between WSFs 2 and 4 and is the second stage in a three-stage storage system. This facility was constructed in 2002 and has a maximum operating capacity of approximately 7.6 million gallons. This storage accepts manure and process wastewater from WSF 2 and the sand separation building.
011	WSF 4 -Sample point 009 is for liquid waste storage facility 4 (WSF 4). WSF 4 is an in-place earthen storage with a concrete floor located south of WSF 3 and is the third stage in a three-stage storage system. This facility was constructed in 2013 and has a maximum operating capacity of approximately 8.3 million gallons. This storage accepts manure and process wastewater from WSF 3.
012	WSF 5 Solid Manure Storage - Sample point 012 is for solid waste storage facility 5 (WSF 5). WSF 5 is a concrete storage located north of WSF 1 that was constructed in 2015.
013	WSF 6 Separated Sand Area - Sample point 013 is for solid waste storage facility 6 (WSF 6). This storage is located east of the sand separation building. WSF 6 is a concrete storage that was constructed in 2015 and is used to stack reclaimed sand from the sand separator system.
014	Storm Water Runoff Controls - Sample point 014 is for visual monitoring and inspection of all production site storm water conveyance systems. This includes roof gutter and downspout structures, drainage tile

Sample Point Designation For Animal Waste	
Sample Point Number	Sample Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)
	systems, grassed waterways and other diversion systems that transport uncontaminated storm water. Proper operation and maintenance is required to keep uncontaminated runoff diverted away from manure and process wastewater handling systems. Weekly inspections are required and shall be recorded according to the monitoring program.

1 Livestock Operations - Proposed Operation and Management

Production Area Discharge Limitations

Beginning on the effective date of the permit, the permittee may not discharge pollutants from the operation’s production area (e.g., manure storage areas, outdoor animal lots, composting and leachate containment systems, milking center wastewater treatment/containment systems, raw material storage areas) to navigable waters, except in the event a 25-year, 24-hour rainfall event (or greater) causes the discharge from a structure which is properly designed and maintained to contain a 25-year, 24-hour rainfall event for this location as determined under s. NR 243.04. If an allowable discharge occurs from the production area, state water quality standards may not be exceeded.

Runoff Control

The permit requires control of contaminated runoff from all elements of the production area to prevent a discharge of pollutants to navigable waters in accordance with the Production Area Discharge Limitations and to comply with surface water quality standards and groundwater standards. Beginning on the effective date of this permit, (if needed) interim measures shall be implemented to prevent discharges of pollutants to navigable waters. In addition, permanent runoff control system(s) shall be designed, operated and maintained in accordance with the requirements found in USDA Natural Resources Conservation Service standards and ch. NR 243, Wis. Adm. Code. If any upgrading or modifications to runoff controls are necessary, formal engineering plans and specifications must be submitted to the Department for approval.

Manure and Process Wastewater Storage

The permit requires the operation to have adequate storage for manure and process wastewater and that storage or containment facilities are designed, operated and maintained to prevent overflows and discharges to waters of the state. In order to prevent overflows, the permittee must maintain levels of materials in liquid storage or containment facilities at or below certain levels including a one-foot margin of safety that can never be exceeded. If any upgrading or modifications to the storage facilities are necessary, formal engineering plans and specifications must be submitted to the Department for approval.

The permittee currently has approximately 371 days of storage for liquid manure. The permittee must maintain 180 days of storage, unless temporary reductions in required storage are approved by the Department.

Solid Manure Stacking

The operation has proposed to stack solid manure. All stacking of solid manure shall be done in accordance ch. NR 243, Wis. Adm. Code, which includes restrictions from NRCS Standard 313. Stacking of manure is considered to be part of the production area and is subject to the Production Area Discharge Limitations.

Ancillary Service and Storage Areas

The permittee shall take preventative maintenance actions and conduct visual inspections to minimize pollutant discharges from areas of the operation that are not part of the production area or land application areas. These areas are called ancillary service and storage areas and include access roads, shipping and receiving areas, maintenance areas, refuse piles and CAFO outdoor vegetated areas.

Nutrient Management

With 2,360 animal units, it is estimated that approximately 19,891,061 gallons of manure and process wastewater will be produced per year. The permittee owns *approximately* 620 acres of cropland and rents about 2,092 acres. Given the rotation commonly used by the permittee, 2,584.5 acres are available (or open) to receive manure and process wastewater on an annual basis. The permit requires all landspreading of manure and process wastewater be completed in accordance with an approved nutrient management plan. The permit will require sampling and analysis of manure and process wastewater that will be landspread. Landspreading rates must be adjusted based on sample analysis. The permit requires the permittee to maintain a daily log that documents landspreading activities. The permit also requires the submittal of an annual report that summarizes all landspreading activities. Plans must be updated annually to reflect cropping plans and other operational changes. Among the requirements, the plans must include detailed landspreading information including field by field nutrient budgets.

The permittee is required to implement a number of practices to address potential water quality impacts associated with the land application of manure and process wastewater. Among the permit conditions are restrictions on manure ponding, restrictions on runoff of manure and process wastewater from cropped fields, and setbacks from wells and direct conduits to groundwater (e.g., sinkholes, fractured bedrock at the surface). In addition, the permittee must implement a phosphorus based nutrient management plan that addresses phosphorus delivery to surface waters by basing manure and process wastewater applications on soil test phosphorus levels or the Wisconsin Phosphorus index. Additional phosphorus application restrictions apply to fields that are high in soil test phosphorus (>100 ppm).

The permittee must also implement conservation practices when applying manure near navigable waters and their conduits, referred to as the Surface Water Quality Management Area (SWQMA). These practices include a 100-foot setback from navigable waters and their conduits, a 35-foot vegetated buffer adjacent to the navigable water or conduit, or a practice that provides equivalent pollutant reductions equivalent to or better than the 100-foot setback.

In addition, the permittee must comply with restrictions on land application of manure and process wastewater on frozen or snow-covered ground. Included in these restrictions is a prohibition on surface applications of solid manure ($\geq 12\%$ solids) on frozen or snow-covered ground during February and March. Non-emergency surface applications of liquid manure (<12%) on frozen or snow-covered ground are prohibited.

Monitoring and Sampling Requirements

The permittee must submit a monitoring and inspection program that outlines how the permittee will conduct self-inspections to determine compliance with permit conditions. These self-inspections include visual inspections of water lines, diversion devices, storage and containment structures and other parts of the production area. The permit requires periodic inspections and calibrations of landspreading equipment. The permittee must take corrective actions to problems identified inspections or otherwise notify the Department. Samples of manure, process wastewater and soils receiving land applied materials from the operation must also be collected and analyzed.

Sampling Points

The permit identifies the different sources of land applied materials (e.g., manure storage facilities, milking centers, egg-washing facilities) as "Sampling Points." For these Sampling Points, the permittee is required to sample and analyze the different sources for nutrients and other parameters which serve as the basis for determining rates of application for these materials. Other areas are also identified as Sampling Points as a means of identifying them as areas requiring action by

the permittee, such as an upgrade or evaluation of a certain system or structure (e.g., runoff control systems), even though sampling is not actually required.

Sample Point Number: 001- WSF 1; 009- WSF 2; 010- WSF 3; 011- WSF 4

Monitoring Requirements and Limitations					
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Notes
Nitrogen, Total		lb/1000gal	2/Month	Grab	
Nitrogen, Available		lb/1000gal	2/Month	Calculated	
Phosphorus, Total		lb/1000gal	2/Month	Grab	
Phosphorus, Available		lb/1000gal	2/Month	Calculated	
Solids, Total		Percent	2/Month	Grab	

1.1.1 Changes from Previous Permit

No changes were made to Sample Point 001, 009, 010, or 011.

1.1.2 Explanation of Operation and Management Requirements

Liquid manure and process wastewater is required to be sampled twice per month that land application occurs. Samples are to be analyzed for the parameters listed in the table above. Land application shall occur in accordance with the operation’s approved nutrient management plan. Liquid manure storage structures shall be inspected according to the operation’s monitoring and inspection program. Inspection findings shall be submitted to the department annually on January 31.

Sample Point Number: 003- Settled Solid Manure; 005- Miscellaneous Solid Manure; 007- Headland Stacking Sites; 012- WSF 5 - Solid Manure Storage; 013- WSF 6 Separated Sand Area

Monitoring Requirements and Limitations					
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Notes
Nitrogen, Total		lbs/ton	Quarterly	Grab	
Nitrogen, Available		lbs/ton	Quarterly	Calculated	
Phosphorus, Total		lbs/ton	Quarterly	Grab	
Phosphorus, Available		lbs/ton	Quarterly	Calculated	
Solids, Total		Percent	Quarterly	Grab	

1.1.3 Changes from Previous Permit

No changes were made to Sample Point 003, 005, 007, 012 or 013.

1.1.4 Explanation of Operation and Management Requirements

Solid manure is required to be sampled once per quarter that land application occurs. Samples are to be analyzed for the parameters listed in the table above. Land application shall occur in accordance with the operation's approved nutrient management plan. Solid manure storage structures shall be inspected according to the operation's monitoring and inspection program. Inspection findings shall be submitted to the department annually on January 31.

Sample Point Number: 008- Feed Storage & Runoff Controls and 014- Storm Water Runoff Controls

1.1.5 Changes from Previous Permit

No changes were made to Sample Point 008 or 014.

1.1.6 Explanation of Operation and Management Requirements

Sample Points 008 and 014 are required to be inspected in accordance with the operation's monitoring and inspection program. Results shall be submitted to the department annually on January 31.

2 Schedules

2.1 Emergency Response Plan

Required Action	Due Date
Develop Emergency Response Plan: Develop a written Emergency Response Plan within 30 days of permit coverage, available to the Department upon request.	06/01/2024

2.2 Monitoring & Inspection Program

Use of the department's monitoring and inspection program template is encouraged, but optional.

Required Action	Due Date
Proposed Monitoring and Inspection Program: Consistent with the Monitoring and Sampling Requirements subsection, the permittee shall update and submit a proposed monitoring and inspection program within 60 days of the effective date of this permit.	07/01/2024

2.3 Annual Reports

Submit Annual Reports by January 31st of each year in accordance with the Annual Reports subsection in Standard Requirements.

Required Action	Due Date
Submit Annual Report #1: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2025
Submit Annual Report #2: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2026
Submit Annual Report #3: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2027

Submit Annual Report #4: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2028
Submit Annual Report #5: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2029
Ongoing Annual Reports: Continue to submit Annual Reports until permit reissuance has been completed.	

2.4 Nutrient Management Plan

Submit annual nutrient management plan (NMP) updates by March 31 of each year. Note, in addition to annual NMP updates, submit NMP amendments and substantial revisions to the department for written approval prior to implementation of any changes to the NMP.

Required Action	Due Date
Management Plan Submittal: Submit any necessary updates to the Nutrient Management Plan to meet the conditions outlined in this permit (see conditions in the Livestock Operational and Sampling Requirements section).	
Management Plan Annual Update #1: To include actual cropping, tillage, and nutrient application data from the previous calendar or crop year, consistent with the requirements of department for 3400-025D.	03/31/2025
Management Plan Annual Update #2: To include actual cropping, tillage, and nutrient application data from the previous calendar or crop year, consistent with the requirements of department for 3400-025D.	03/31/2026
Management Plan Annual Update #3: To include actual cropping, tillage, and nutrient application data from the previous calendar or crop year, consistent with the requirements of department for 3400-025D.	03/31/2027
Management Plan Annual Update #4: To include actual cropping, tillage, and nutrient application data from the previous calendar or crop year, consistent with the requirements of department for 3400-025D.	03/31/2028
Management Plan Annual Update #5: To include actual cropping, tillage, and nutrient application data from the previous calendar or crop year, consistent with the requirements of department for 3400-025D.	03/31/2029
Ongoing Management Plan Annual Updates: Continue to submit Annual Updates to the Nutrient Management Plan until permit reissuance has been completed.	

2.5 Submit Permit Reissuance Application

Required Action	Due Date
Reissuance Application: Submit a complete permit reissuance application 180 days prior to permit expiration.	10/31/2028

2.6 Explanation of Schedules

Schedule items 2.1, 2.2, 2.3, 2.4, and 2.5 are typical and required for all CAFO permittees.

Attachments:

Map(s)

Plan Approval Letter(s)

Expiration Date: 4/30/2029

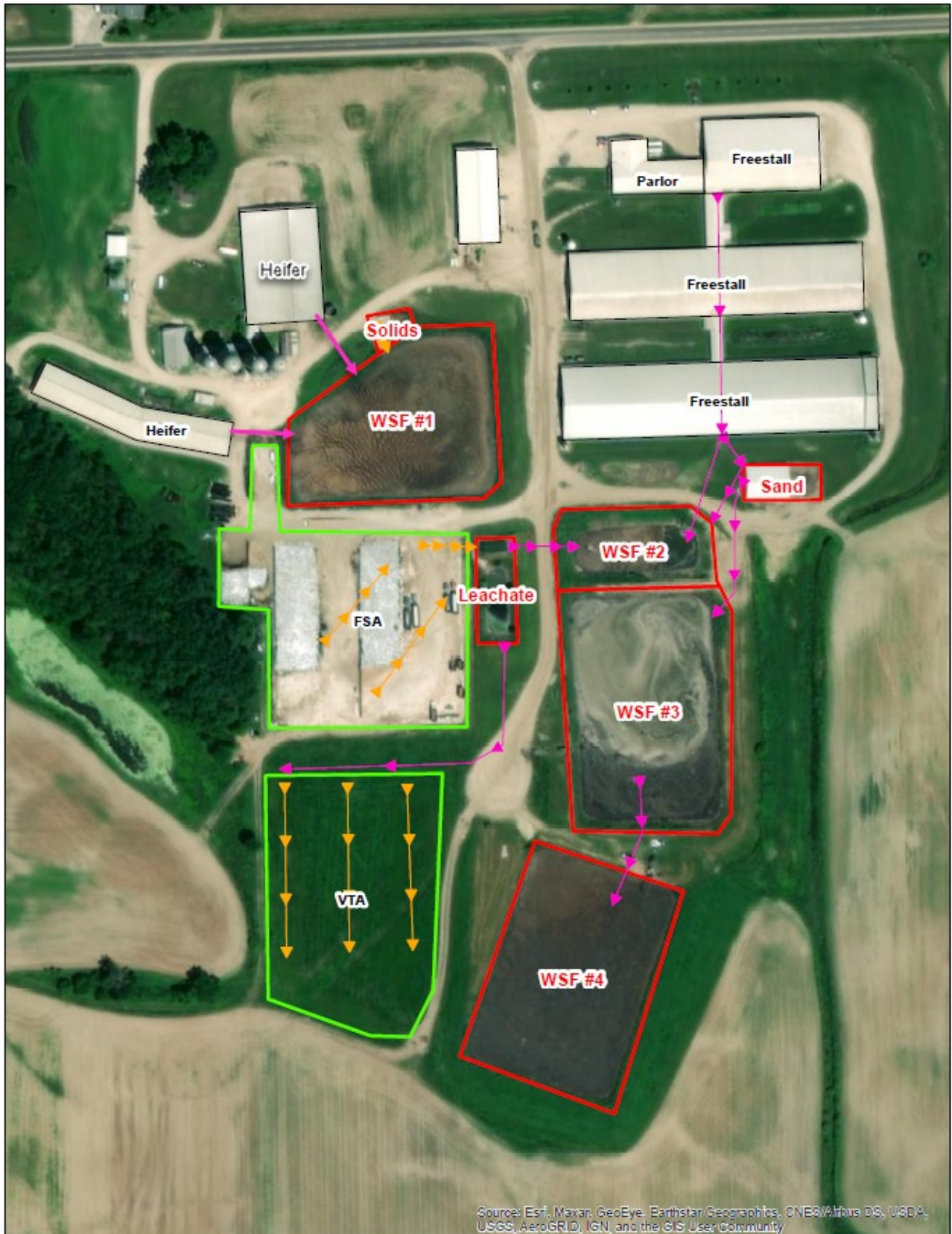


Prepared By: Trent Brenny

Agricultural Runoff Management Specialist

Date: 3/18/2024

Fitz Pine Dairy Farm Inc





March 18th, 2024

Manitowoc County
Approval

Matt Salm
Fitz Pine Dairy Farm Inc
11405 County Rd F
Newton, WI 53063

SUBJECT: Conditional Approval of Fitz Pine Dairy Farm Inc Nutrient Management Plan, WPDES Permit No. 0065226-03-0

Dear Matt Salm:

After completing a review of Fitz Pine Dairy Farm Inc 2024-2028 Nutrient Management Plan (NMP) the Wisconsin Department of Natural Resources (Department) is providing conditional approval that it is consistent with Nutrient Management Requirements in s. NR 243, Wis. Adm. Code. This part of your WPDES permit application is now ready for the public notice and comment process as required by Ch. 283 Stats.

Before applying manure onto approved fields each season, the Department recommends Fitz Pine Dairy Farm Inc review the NMP with those individuals involved with manure applications to ensure all remain familiar with the approved manure spreading protocol, spreading maps, field and map verification, record keeping requirements, and all the conditions of this approval. Specifically, some fields in Fitz Pine Dairy Farm Inc may have:

- Soils that may have bedrock or groundwater within 24 inches of surface,
- Multiple setback areas due to streams, conduits to streams, grassed waterways, wetlands, or wells, and
- Evidence of possible soil erosion/flow channels. Note: road ditches or other man-made channels may be considered flow channels or conduits to navigable water and may be subject to a SWQMA and setback.

Reviewing the NMP and checking fields for these features and soil conditions prior to manure applications will help Fitz Pine Dairy Farm Inc maintain compliance with their WPDES permit and Ch. NR 243 requirements.

FINDINGS OF FACT

The Department confirms that:

1. A current dairy herd size of 2,360 animal units (1,450 milking & dry cows, and 425 heifers). Currently there are no planned expansions in the next permit term.
2. Manure generation and spreading records indicate your herd will annually generate approximately 19,891,061 gallons of manure and process wastewater in the first year of the permit term. Any solids generated are placed into WSF 1 and are not separately land applied.
3. The use of application restriction options 1 and 5 within surface water quality management areas.
4. The use of phosphorus delivery method P Index.
5. That Fitz Pine Dairy Farm Inc currently has 2,711.6 acres (619.8 owned and 2,091.8 controlled through contracts, rental agreements or leases, or under manure agreements) of which 2,584.5 are spreadable acres.

6. That some fields included in the NMP are directly adjacent to or have high potential to deliver nutrients and sediment to Manitowoc River (listed 303(d) impaired water by ‘total phosphorus’ & ‘PCB’s), Silver Creek, Point Creek, Fischer Creek, Meeme River, Pigeon River (listed 303(d) impaired water by ‘total phosphorus’). (listed 303(d) impaired water by ‘impairment’).
7. That no fields are directly adjacent to or have high potential to deliver nutrients and sediment to outstanding/exceptional waters.
8. That 98 fields are tiled.

- 5_7_8	- 9	- 13_14_15	- 16
- 17-H17	- AB	- B C_D	- BA
- CSAB	- CSC	- CSE	- CSGH
- D1	- D2	- D3	- D4
- D5_6	- DAIRYLAND-45	- DW DK1	- DW DK3
- DW EW 1_2	- DW JL	- DW PW	- DW RS 2_3
- DW RS1	- DW WF1	- DW WF2	- DW WF3
- DW WG3_4	- EDWARDS-32	- G	- H-I
- HOME-14	- HOME-62	- JK	- KAB
- KC	- KW FREE	- KW N1	- KW N2
- KW W2	- KW W3	- KW W4	- LLD-JA4
- LLD-JA5	- LLD-JA6	- LLD-JA7	- LLD-JA2
- LLD-JA3	- LLD-JA1	- MG 1	- MG 2
- MG 3	- MG 4A	- MG 4B	- O
- PN AA	- PN AB	- PN BB_GG	- PN DW
- PN FF	- PN HH	- PN HH1	- PN JJ
- PN KK	- PN LL	- PN PW	- PN WE
- PN WS	- PQ	- RB-NK	- RE
- RH1	- RH2	- RH3	- RH4
- RW 1	- RW 2	- RW 3	- RW 4_5
- RW 6	- RW 7	- RW 8_9	- RW 16_18 E
- RW 16_18 W	- RW 20_21	- RW HV	- S1
- SALM A	- SALM B	- SALM CD	- SALM E
- SALM FG	- SALM H	- SALM K	- SS1
- WAB	- WCD		

9. That all fields will be checked for the following features prior to/during manure or process wastewater applications: soil areas with possible shallow groundwater (i.e., within 24 inches of surface) at the time of manure application; required setbacks associated with wells, navigable waters, conduits to navigable waters, grassed waterways, wetlands, possible soil erosion/flow channels.
10. That surface applications of manure will not be completed when precipitation capable of producing runoff is forecasted within 24 hours of the time of planned application.

CONDITIONAL NUTRIENT MANAGEMENT PLAN APPROVAL

The Department hereby approves the 2024-2028 Fitz Pine Dairy Farm Inc Nutrient Management Plan subject to the following conditions and the applicable requirements of Ch. NR 243, Wis. Adm. Code:

FIELD AND MANURE MANAGEMENT

- Fields not included in the NMP and new fields shall not receive manure or process wastewater applications until they have been properly soil sampled, entered into Snap Plus, evaluated for their nutrient needs, and approved by the Department.
- The following fields have also been approved to receive industrial, municipal, or septage waste:

Field Name	Other Permittee Name	Other Permittee Site Name/Field Name	DNR #
DW-WF1	Manitowoc Wastewater Treatment Facility	MA 131 / B	46656
DW-WF2	Manitowoc Wastewater Treatment Facility	MA / 129	39852
KW-W2	Manitowoc Wastewater Treatment Facility	MA / 131	39855
RW-HV	Maritime Liquid Waste Transport LLC	1 / 1	32928

Prior to any manure applications on these fields Fitz Pine Dairy Farm Inc shall contact the entities listed above to obtain recent spreading records and make the necessary adjustments to the planned manure application rates. At the end of each year Fitz Pine Dairy Farm Inc shall contact each entity listed above to obtain spreading records from the previous year so that they can be properly tracked in the NMP. Please Note: Fitz Pine Dairy Farm Inc is responsible for obtaining nutrient content values for all other wastes spread on any field in their NMP.

- The following fields are prohibited from receiving applications of manure or process wastewater:

- DW WG3_4 (expired)
- RK 1 (expired)
- ABC (insufficient soil sample density)

If Fitz Pine Dairy Farm Inc wishes to use these fields for applications of manure or process wastewater all necessary information shall be submitted to the Department prior to application to demonstrate compliance with NR 243 and other applicable codes. Written Department approval amending this condition approval must be received prior to application.

- If existing fields yield a soil test results equal to or greater than 200 ppm P, those fields would be prohibited from receiving manure or process wastewater applications, unless you obtain Department approval in accordance with NR 243.14(5)(b)2., Wis. Adm. Code.
- All liquid manure samples collected may be analyzed, at a minimum, for percent dry matter, total nitrogen, percent NH₄-N, percent NO₃-N, phosphorus, potassium, and sulfur.
- If manure sample results have a dry matter (DM) content less than 2.0% and the percent ammonium (NH₄⁺) is greater than 75% of the total N, Fitz Pine Dairy Farm Inc may use the following equation to adjust the first-year available nitrogen when applications are injected or incorporated within 1 hour:

$$\text{First-Year Available N} = \text{NH}_4\text{-N} + [0.25 \times (\text{Total N} - \text{NH}_4\text{-N})]$$

- Pine Dairy Farm Inc shall record daily manure applications by using form 'WPDES Manure Record of Application.' These forms shall be retained at the farm and provided to the department upon request.

8. Fitz Pine Dairy Farm Inc shall annually submit a spreading report that summarizes the land application activities listed under NR 243.19(3)(c)5., Wis. Adm. Code by using form 'CAFO Annual Spreading Report' as generated by SNAP Plus.

WINTER SPREADING

9. Liquid manure applications during winter conditions, as defined by NR 243.14(7), Wis. Adm. Code, are prohibited with the exception of emergency applications.
10. The following field(s) are approved for winter spreading solid manure, emergency applications of liquid manure and frozen liquid manure:
 - 13_14_15
 - CSGH
11. Winter spreading of solid and liquid manure may not occur during the "high risk runoff period" pursuant to s. NR 243.14(6)(c) and NR 243.14(7)(c), respectively.
12. Winter applications of liquid manure shall only occur under emergency situations, after notifying the Department and receiving verbal approval.
13. Liquid applications shall be limited to 3,500 gallons per acre or 30 lbs. P per acre, whichever is less, on slopes 2-6% and 7,000 gallons per acre or 60 lbs. P per acre, whichever is less, on slopes 0-2%. Winter applications of solid manure shall be limited to 60 lbs. P per acre.

HEADLAND STACKING

14. No headland stacking sites are approved.

MANURE & PROCESS WASTEWATER IRRIGATION

15. Irrigation of manure or process wastewater is prohibited.

SUBMITAL AND RECORDKEEPING REQUIREMENTS

16. A copy of this conditional approval shall be included in all future annual Nutrient Management Plan Updates in addition to the NR 243 and NRCS 590 checklists.

This conditional approval does not limit the Department's regulatory authority to require NMP revisions (based upon new information or manure irrigation research findings) or request additional information in order to confirm or ensure your farm operation remains in compliance with NR 243 and your WPDES permit conditions. If additional information, project changes or other circumstances indicate a possible need to modify this approval, the Department may ask you to provide further information relating to this activity.

Please keep in mind that approval by the Department of Natural Resources – Runoff Management Program does not relieve you of obligations to meet all other applicable federal, state or local permits, zoning, and regulatory requirements.

If you have any questions regarding this approval, I can be reached at 920-360-9010 or McKenna.Arnoldi@Wisconsin.gov.

Sincerely,



McKenna Arnoldi
Nutrient Management Specialist - LTE
Wisconsin Department of Natural Resources

Cc: Trent Brenny, WDNR Agricultural Runoff Specialist (Trenton.Brenny@Wisconsin.gov)
Joe Baeten, WDNR Watershed Field Supervisor (Joseph.Baeten@Wisconsin.gov)
Christopher Clayton, WDNR Runoff Management Section Chief (Christopherr.Clayton@Wisconsin.gov)
Tyler Dix, WDNR CAFO Program Coordinator (Tyler.Dix@Wisconsin.gov)
Aaron O'Rourke, WDNR Nutrient Management Program Coordinator (Aaron.Orourke@Wisconsin.gov)
Ashley Scheel, WDNR NMP Reviewer (Ashley.Scheel@Wisconsin.gov)
Brian Hanson, WDNR DOS Reviewer (Brian.Hanson@Wisconsin.gov)
Falon French, WDNR Intake Specialist (Falon.French@Wisconsin.gov)
Dave Wetenkamp, Manitowoc County LCD (DavidWetenkamp@manitowoccountywi.gov)
Tyler Betry, Sheboygan County LCD (tyler.betry@sheboygancounty.com)
Steve Hoffman, InDepth Agronomy (steve.hoffman@indepthagronomy.com)



March 8, 2024

FILE REF: R-2023-0167
 WPDES Permit #: WI-0065226

Matt Salm
 Fitz Pine Dairy Farm Inc
 11405 County Road F
 Newton, WI 53063

Subject: Days of Storage Review for Fitz Pine Dairy Farm Inc, NE ¼ Town 17N, Range 122E, Section 02 in Meeme Township, Manitowoc County – NO ADDITIONAL ACTION REQUIRED

Dear Mr. Salm:

This letter is to inform you that the Wisconsin Department of Natural Resources (Department) has completed its review of the calculation of days of storage submitted under certification by Andy Dexheimer, Miller Engineers & Scientists on July 7, 2023 & with revisions on 2/29/2024 on behalf of Fitz Pine Dairy Farm Inc.

The Department reviewed the submitted calculations in accordance with ss. NR 243.14(9) and NR 243.15(3)(i) to (k), Wis. Adm. Code. Under s. NR 243.17(3)(c), Wis. Adm. Code, the permittee shall demonstrate compliance with the 180-day design storage capacity requirement at specified times. For the following liquid manure storage calculations, the Department has determined **no additional actions** on your part are required.

Days of Available Liquid Waste Storage: The submitted information states that Fitz Pine Dairy Farm Inc has 371 days of liquid waste storage based on the volumes listed in the table below with respect to s. NR 243.15(3)(i) to (k), Wis. Adm. Code. The current number of animal units provided for the calculation is 2,031. An expansion to 2,360 Animal Units is proposed during the permit term. The liquid waste volumes are based on 5 years manure hauling logs & a collection period of 365 days. First flush feedpad runoff (0.05”) is collected in the leachate basin prior to being pumped to WSF #2. Collected 25-yr, 24 hr Runoff volumes were based off 5,990 sq ft sand separator building emergency containment area, 10,000 sq ft tributary area to WSF #2, & 5,848 sq ft solid stacking bunker.

Waste Storage	Total Vol. from Settled Top to Bottom	Solids Storage	25-yr, 24hr Precip. On Storage	25-yr, 24-hr Collected Runoff	Freeboard Volume	Max. Operating Level (MOL) Vol.
#1	5,646,856	682,176	200,400	15,507	534,401	4,214,372
#2	771,442	433,840	108,793	42,135	117,026	69,648
#3	8,992,649	417,384	263,655		703,079	7,608,531
#4	9,583,276	306,843	256,590		684,240	8,335,603
Total MOL Vol:						20,228,154
Days of Storage:						371

Note: Volumes calculated for WSF #2 are controlled by a pump system used to transfer waste to WSF #3 & keep waste levels in WSF #2 from backflowing through a gravity transfer system to the sand separation building.

Year	Gallons Applied	Avg. Yearly AUs	Gallons/AU
2018	17,490,129	1,989	8,793
2019	16,342,475	1,996	8,188
2020	20,667,568	2,070	9,984
2021	18,244,203	2,099	8,692
2022	13,449,578	2,074	6,485
Average Volume/AU			8,428
Average Annual Volume for Current AUs			19,891,061

Should you have any questions, please contact Brian Hanson, DNR Shawano office or your regional CAFO Specialist.

NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to WIS. STAT. §§ 227.52 and 227.53, you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to WIS. STAT. § 227.42, you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. All requests for contested case hearings must be made in accordance with WIS. ADMIN. CODE § NR 2.05(5), and served on the Secretary in accordance with WIS. ADMIN. CODE § NR 2.03. The filing of a request for a contested case hearing does not extend the 30-day period for filing a petition for judicial review.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES



Bernie Michaud, P.E.
CAFO Engineer Supervisor
Watershed Management Program



Brian Hanson
Ag Runoff Management Specialist
Watershed Management Program

Email: Matt Salm; Fitz Pine Dairy Farm Inc
(920) 207-3527; rlfitzgerald@lakefield.net

Andrew Dexheimer; Miller Engineers & Scientists
(920) 458-6164; adexheimer@startwithmiller.com

Aaron O'Rourke; DNR, Eau Claire
(715) 839-3775; aaron.orourke@wisconsin.gov

Matt Woodrow; DATCP
(920) 427-8505; matthew.woodrow@wisconsin.gov

Trent G Brenny; DNR-Northeast Region
(608) 573-2350; Trenton.Brenny@wisconsin.gov

Joe B Baeten; DNR-Northeast Region
(920) 662-5196; Joseph.Baeten@wisconsin.gov

David Wetenkamp; Manitowoc Soil & Water
Department (920) 683-4183;
davidwetenkamp@manitowoccountywi.gov