



September 11th, 2020

Crawford County
Approval

Howard Roth
Roth Feeder Pig II, Inc
31961 Hummingbird Ln
Wauzeka, WI 53826

SUBJECT: Conditional Approval of Roth Feeder Pig II, Inc Nutrient Management Plan, WPDES Permit No. 0063274-01-0

Dear Mr. Roth:

After completing a review of Roth Feeder Pig II, Inc 2020-2024 Nutrient Management Plan (NMP) the Wisconsin Department of Natural Resources (Department) is providing conditional approval that it is consistent with s. NR 243.14, 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 Roth Feeder Pig II, 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 Roth Feeder Pig II, 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 Roth Feeder Pig II, Inc maintain compliance with their WPDES permit and Ch. NR 243 requirements.

FINDINGS OF FACT

The Department confirms that:

1. A planned swine herd size of 2,981 animal units (5,144 sows, 2,008 pigs 55 lbs to market, 960 pigs up to 55 lbs, and 48 boars).
2. Manure generation and spreading records indicate your herd will annually generate approximately 9,427,053 gallons of manure and process wastewater and 0 tons of solid manure. It is noted this generation would not occur until 2022 once the farm is populated and running.
3. The use of application restriction options 2 and 5 within surface water quality management areas.
4. The use of phosphorus delivery method P Index.
5. That Roth Feeder Pig II, Inc currently has 1,455.30 acres (67.40 owned and 1,387.90 controlled through contracts, rental agreements or leases, or under manure agreements) of which 1,435.40 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 Kickapoo River (listed 303(d) impaired water by ‘total phosphorus’).
7. That no fields are directly adjacent to or have high potential to deliver nutrients and sediment to outstanding/exceptional waters.
8. That Roth Feeder Pig II, Inc will have two waste storage facilities for the storage of liquid manure, process wastewater and rainfall. The Gestation Barn provides 251 days of storage, and the GDU Barn will provide 299 days of storage.

	<i>Maximum Operating Level (MOL) Volume</i>
Gestation Barn	5,441,171 gal
GDU Barn	1,240,008 gal

9. That no fields are tiled.
10. 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.
11. 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 2020-2024 Roth Feeder Pig II, Inc Nutrient Management Plan subject to the following conditions and the applicable requirements of Ch. NR 243, Wis. Adm. Code:

FIELD AND MANURE MANAGEMENT

1. 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.
2. If existing fields yield a soil test results 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.
3. 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.
4. 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, Roth Feeder Pig II, Inc may use the following equation to adjust the first year available nitrogen when applications are injected or incorporated within 1 hour:

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

5. Roth Feeder Pig II, Inc shall record daily manure applications by using the Snap Plus Daily Log template. These forms shall be retained at the farm and provided to the department upon request.
6. Roth Feeder Pig II, 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 Snap Plus Annual Reports.

WINTER SPREADING

7. Liquid manure applications during winter conditions, as defined by NR 243.14(7), Wis. Adm. Code, are prohibited with the exception of emergency applications.
8. As an emergency winter spreading strategy, the farm will utilize storage from an existing permitted operation named Roth Feeder Pig, Inc. Roth Feeder Pig, Inc and Roth Feeder Pig II, Inc will maintain at least 1,000,000 gallons of storage for a winter contingency plan, which equivalates out to 38 days of manure production. This will be evaluated on an annual basis by November 30th of each year, Roth Feeder Pig, Inc and Roth Feeder Pig II, Inc will document that there is 180 days of storage available and the additional minimum of 1,000,000 gallons of storage for an emergency winter plan. The department concurs with this plan and will review annually through the Annual Update provided from the farm.
9. 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.
10. Winter applications of liquid manure shall only occur under emergency situations, after notifying the Department and receiving verbal approval.
11. 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

12. No headland stacking sites are approved.

MANURE & PROCESS WASTEWATER IRRIGATION

13. Irrigation of manure or process wastewater is prohibited.

SUBMITAL AND RECORDKEEPING REQUIREMENTS

14. 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 608-212-8460 or Ashley.Scheel@Wisconsin.gov.

Sincerely,

Handwritten signature of Ashley Scheel in black ink.

Ashley Scheel, CCA
WDNR Nutrient Management Plan Reviewer
Wisconsin Department of Natural Resources

cc: Claire O'Connell, WDNR Agricultural Runoff Specialist (Claire.OConnell@Wisconsin.gov)
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