

Permit Fact Sheet

General Information

Permit Number:	WI-0061395-06-0
Permittee Name:	Five Star Dairy LLC
Address:	E9817 590 th Avenue, Elk Mound, WI 54739
Permit Term:	October 01, 2026 – September 30, 2031
Discharge Location:	Main Farm: E9817 590 th Avenue, Elk Mound, WI 54739 (<i>SE ¼ of the NW ¼, Sec. 24, T28N, R11W</i>) Heifer Farm: 2907 County Highway N, Colfax, WI 54730 (<i>NE ¼ of the SE ¼, Sec. 32, T29N, R10W</i>)
Receiving Water:	Elk Creek within the Muddy & Elk Creek Watershed, and groundwaters of the state
Stream Classification:	Elk Creek – 303(d) Listed Impaired Water

Animal Units					
Animal Type	Current AU		Proposed AU (Potential Expansion Proposed)		
	Mixed	Individual	Mixed	Individual	Date of Potential Expansion
Dairy Calves (under 400 lbs.)	48	0	50	0	2028
Milking and Dry Cows	1540	1573	1890	1931	2028
Heifers (800 lbs. to 1200 lbs.)	253	230	283	257	2028
Heifers 400 lbs to 800 lbs)	60	100	60	100	2028
TOTAL	1901	1573	2283	1931	-

Facility Description

Five Star Dairy LLC is an existing Concentrated Animal Feeding Operation (CAFO) owned and operated by Lee Jensen. Five Star Dairy has a current herd size of approximately 1,901 animal units (1,100 milking and dry cows, 310 heifers, and 240 calves) and has planned for a potential increase to a proposed herd size of approximately 2,283 animal units (1,350 milking and dry cows, 357 heifers, and 249 calves) by 2028. Based on the current herd size, Five Star Dairy has approximately 246 days of liquid manure storage capacity with their existing waste storage facilities and are estimated to have approximately 215 days of liquid manure storage capacity if the proposed increase in herd size occurs. Five Star Dairy has approximately 3,620 acres included in their nutrient management plan (NMP) that are available for land application of manure and process wastewater, of which 3,606 are considerable spreadable acres. Of the total acreage, approximately 1,065 are owned and approximately 2,555 are controlled through contracts, rental agreements, or are under manure agreements.

Substantial Compliance Determination

FIVE STAR DAIRY LLC IS IN SUBSTANTIAL COMPLIANCE WITH THE CURRENT PERMIT

Compliance determination entered by Clare Freix, Agricultural Runoff Management Specialist on May 20, 2026
(a summary of permit violations/noncompliance from the current permit term are outlined below)

1. Notice of Noncompliance: July 28, 2021

Permit Section 2.2 Monitoring & Inspection Program: *The permittee shall update and submit a proposed monitoring and inspection program by March 2, 2021.*

- The operation had not submitted an updated monitoring and inspection program by the deadline specified under permit section 2.2.

Permit Section 2.3 Manure Storage Facility – Maintain/Installation of 180 Day Liquid Manure Storage: *Submit calculation and supporting documentation by May 1, 2021 showing that 180 days of liquid manure storage will be maintained given the maximum number of animal units expected to be on site by the end of 2021. Otherwise, plans and specifications for additional liquid manure storage shall be submitted instead.*

- The operation did not submit 180 day liquid manure storage calculations, nor did the operation submit plans and specifications for additional liquid manure storage, by the deadline specified under permit section 2.3.

Permit Section 2.4 Feed Storage – Engineering Evaluation: *Submit an engineering evaluation of the existing feed storage area by June 1, 2021. Submit plans and specifications to permanently correct any adverse conditions identified as part of the evaluation by June 1, 2022 and complete construction by January 1, 2023. Submit post construction documentation within 60 days of completion.*

- The operation did not submit an engineering evaluation of the existing feed storage area by the deadline specified under permit sections 2.4.

Permit Section 2.5 Runoff Control System – Engineering Evaluation: *Submit an engineering evaluation of the existing feed storage area by June 1, 2021. Submit plans and specifications to permanently correct any adverse conditions identified as part of the evaluation by June 1, 2022 and complete construction by January 1, 2023. Submit post construction documentation within 60 days of completion.*

- The operation did not submit an engineering evaluation of the existing feed storage runoff control system by the deadline specified under permit sections 2.5.

Close Out Date: May 20, 2026

Compliance Demonstrated –

- **Permit Section 2.2:** An updated monitoring and inspection program was submitted to the Department on October 21, 2021 to address noncompliance with permit section 2.2.
- **Permit Section 2.3:** 180 day liquid manure storage calculations and supporting documentation have since been submitted to the Department on numerous occasions to address the requirements under permit section 2.3 and to demonstrate that the operation has maintained a minimum of 180 days liquid manure storage capacity.
- **Permit Section 2.4 & 2.5:** Engineering evaluations of the existing feed storage area and the associated runoff control system were submitted on November 11, 2022 to address noncompliance with permit section 2.4 and permit section 2.5. Plans and specifications for upgrades to the existing feed storage runoff control system were submitted on November 30, 2022 (with revisions submitted on February 17, 2023) and were approved by the Department on February 27, 2023. Updated plans and specifications for upgrades to the existing feed storage runoff control system were later resubmitted on October 2, 2024 and were approved by the Department on November 13, 2024.

On June 2, 2025, the Department completed its review of the engineering evaluation of the existing feed storage area and associated runoff control system that was submitted on November 11, 2022 and determined the following actions are required:

- Complete construction of the proposed upgrades to the feed storage runoff control system as approved by the Department on November 13, 2024 and submit post construction documentation within 60 days of completion.
- Submit a revised engineering evaluation of the feed storage area that includes a soils analysis of the soils below the asphalt liner and if necessary complete construction of the improvements needed to

correct any adverse conditions identified with the feed storage liner in accordance with Department approved plans and specifications.

Construction of the proposed feed storage runoff control system upgrades was completed in 2025, and post construction documentation was submitted on October 14, 2025. The revised engineering evaluation of the feed storage area and the associated soils analysis for the asphalt liner, along with construction of the improvements needed to correct any adverse conditions identified with the feed storage liner in accordance with Department approved plans and specifications, have been included as requirements in the schedules section of the proposed permit (permit section 2.3).

2. Notice of Noncompliance: October 26, 2022

Permit Section 1.3.2 Discharge Prevention: *A permittee shall operate and maintain storage and containment facilities to prevent overflows and discharges to waters of the state.*

- On October 7, 2022 the Department conducted an inspection of the operation to investigate a potential discharge in response to a complaint, at which point the Department concluded that the HDPE cover for the operation's liquid manure storage facility had been torn, allowing significant amounts of liquid manure to leak out onto the top of the cover. The operation routinely pumps storm water that accumulates on top of the manure storage cover into one of the production area storm water conveyance systems. The contents accumulating on top of the cover, which contained a significant amount of liquid manure due to the leak, had recently been pumped into an adjacent storm water culvert. Consequently, all the liquid manure that had leaked out onto the top of the cover that was pumped into the culvert had proceeded through the production area, discharging into a neighboring field where it entered a grassed waterway which eventually outlets toward an unnamed stream. The Department did not document evidence that a pollutant discharge into the unnamed stream had occurred as a result of the manure laden material released from the production area, and immediate clean up actions were taken by the operation to address remaining discharge concerns.

Close Out Date: November 8, 2023

Compliance Demonstrated: On October 12, 2023 the Department verified on site that the operation had completed all the remaining necessary corrective actions as requested by the Department to adequately address the production area manure discharge identified on October 7, 2022.

3. Notice of Noncompliance: November 8, 2023

Permit Section 3.2.9 Record Keeping and Retention: *The permittee shall keep records associated with production area and land application activities in accordance with s. NR 243.19(2).*

- Based on findings during the Department's review of the operation's 2022 Annual Report and 2022 NMP Update, it was determined that the operation has not been maintaining adequate records associated with land application activities. During a site inspection completed by the Department on October 12, 2023, the operation confirmed that they have not been routinely maintaining land application records in accordance with the permit.

Close Out Date: June 19, 2025

Compliance Demonstrated: On May 21, 2025, the Department completed a site inspection of the operation, at which point the operation demonstrated that adequate land application records have been maintained on site for the current land application activities applicable at that time.

4. Notice of Noncompliance: June 19, 2025

Permit Section 1.4 Solid Manure Stacking: *A permittee may not stack manure on a site unless the permittee has obtained Department approval to stack.*

Permit Section 1.6.6 Frozen or Snow Covered Ground – Solid Manure (12% solids or more): *Solid manure may not be surface applied from February 1 through March 31 on areas of fields where an inch or more of snow is present or where the ground is frozen.*

- In February of 2025, the Department received a complaint regarding an application of solid manure that had occurred during the month of February on landspreading acreage included in Five Star Dairy's NMP, where a stack of solid manure was also present within a portion of the field that was not a Department approved headland stacking site. The Department was informed at that time that the solid manure that was both applied and stacked on the field in question was generated by Jim & Lee Jensen Heifer Farm (Heifer Farm) located at 2907 County Highway N, Colfax, WI 54730, of which is an unpermitted animal feeding operation that shares common ownership with Five Star Dairy. To the Department's knowledge, the solid manure stacking and land application activities that had occurred on Five Star Dairy's landspreading acreage in February of 2025 were the responsibility of a nonpermitted operation. Therefore, the Department did not take enforcement action toward Five Star Dairy for noncompliance associated with permit section 1.4 or permit section 1.6 at this time.
- On May 21, 2025, the Department completed a site inspection of the operation, at which point the events related to the February 2025 solid manure stacking and land application activities on Five Star Dairy's landspreading acreage were discussed. At this time, the operation informed the Department that the solid manure that was both stacked and land applied to Five Star Dairy landspreading acreage in February of 2025 was in fact generated by the Five Star Dairy operation, not the Heifer Farm operation. Based on the operation's acknowledgment of these events, the operation was then issued a notice of noncompliance for noncompliance with permit sections 1.4 and 1.6.

Close Out Date: June 19, 2025

Compliance Demonstrated: A direct close out was issued along with the notice of noncompliance as any actions needed to address the events which had resulted in noncompliance with permit section 1.4 and permit section 1.6 were no longer relevant at the time.

Sample Point Descriptions

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 one (WSF 1) at the main farm. WSF 1 is a HDPE lined waste storage facility with a HDPE cover and has an approximate maximum operating level capacity of 8,147,200 gallons. Liquid manure and process wastewater generated within the freestall barns and milking parlor that has been processed within the digester facility (sample point 003) is transferred to the solid manure separation building (sample point 004) where manure solids are separated out and remaining digested liquids are transferred to WSF 1. Liquid manure and process wastewater generated within the freestall barns and milking parlor may also bypass the digester facility (sample point 003) as needed and can either be transferred directly into WSF 1 or to the solid manure separation building (sample point 004) where manure solids can still be separated out and the remaining undigested liquids are transferred to WSF 1. Plans and specifications for WSF 1 were approved by the Department in 2000 and construction was completed the same year.
002	WSF 2 - Sample point 002 is for liquid waste storage facility two (WSF 2) at the main farm. WSF 2 is a concrete lined waste storage facility and has an approximate maximum operating level capacity of 2,411,534 gallons. This waste storage accepts leachate and contaminated feed storage area runoff captured by the feed storage runoff control system (sample point 008). Plans and specifications for WSF 2 were approved by the Department in 2024 and construction was completed in 2025.
003	Digester - Sample point 003 is for the digester facility and the associated holding tank at the main farm that is used to process liquid manure and process wastewater generated within the freestall barns and milking parlor. Liquid manure that has been processed within the digester facility is transferred to the solid manure separation building (sample point 004) where manure solids are separated out and the remaining digested liquids are

Sample Point Designation For Animal Waste	
Sample Point Number	Sample Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)
	transferred to WSF 1 (sample point 001). Plans and specifications for the digester facility and the associated holding tank were approved by the Department in 2004 and construction was completed the same year.
004	Solid Separation Building - Sample point 004 is for the solid manure separation building at the main farm and the associated separated manure solids. The solid separation building accepts liquid manure and process wastewater generated within the freestall barns and milking parlor after it has been processed within the digester facility (sample point 003). Liquid manure and process wastewater generated within the freestall barns and milking parlor may also bypass the digester facility (sample point 003) and can be transferred directly to the solid manure separation building as needed. Separated manure solids processed through the separation system are staged within the separation building before they are returned to the freestall barns to be reused for bedding and the remaining liquids are transferred to WSF 1 (sample point 001). Representative samples shall be taken for separated manure solids that are directly land applied from the solid manure separation building.
005	Solid Manure Storage Facility - Sample point 005 is for a proposed solid manure storage facility at the main farm intended to store various sources of solid manure generated by the operation. Plans and specifications shall be submitted to the Department for approval prior to construction in accordance with permit section 3.1.12 and permit section 3.2.7. Construction shall be completed in concurrence with and approval by the Department and post construction documentation shall be submitted within 60 days of completion of the project.
006	Misc. Solid Manure - Sample point 006 is for solid manure generated by the operation at the main farm and includes all other miscellaneous sources of solid manure/waste which are directly land applied (calf barn manure, calf hutch manure, manure bedding solids and other contaminated bedding material, manure compost material, waste feed, etc.) Representative samples shall be taken for each source that is directly land applied.
007	Headland Stacking Sites - Sample point 007 is for solid manure land applied from approved headland stacking sites. Representative samples shall be taken from each stacking site prior to land application. Stacking sites are defined as part of the production area and therefore are subject to the Production Area Discharge Limitations section of the permit. Weekly inspections of the stacking sites are required and shall be recorded according to the Monitoring and Inspection Program.
008	Feed Storage Area & Runoff Controls - Sample point 008 is for visual monitoring and inspection of the feed storage area and the associated runoff control system at the main farm. The asphalt lined feed storage area and the initial feed storage runoff control system were constructed in 2000, and an engineering evaluation was completed in 2022. Plans and specifications for upgrades to the feed storage runoff control system were approved by the Department in 2024 and construction was completed the same year. The runoff control system includes a runoff collection basin which directs leachate and contaminated feed storage area runoff directly into WSF 2 (sample point 002) and is designed for total containment of leachate and contaminated feed storage runoff for up to a 25 year 24 hour storm event (or greater). Proper operation and maintenance are required to ensure discharges meet permit requirements. Weekly inspections are required and shall be recorded according to the Monitoring and Inspection Program. An engineering evaluation that includes a soils analysis for the existing asphalt lined feed storage area shall be completed in accordance with the Schedules section of the permit (permit section 2.3).
009	Calf Hutch Area & Runoff Controls - Sample point 009 is for visual monitoring and inspection of each calf hutch area and the associated runoff control systems at the main farm. Proper operation and maintenance are required to ensure discharges meet permit requirements. Weekly inspections are required and shall be recorded

Sample Point Designation For Animal Waste	
Sample Point Number	Sample Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)
	according to the Monitoring and Inspection Program. An engineering evaluation of the production area runoff controls associated with each calf hutch area shall be completed in accordance with the Schedules section of the permit (permit section 2.4).
010	Storm Water Runoff Control Systems - Sample point 010 is for visual monitoring and inspection of all production site storm water conveyance systems. This includes roof gutters and downspout structures, drainage systems, storm water ponds, grassed waterways and any other diversion systems which transport uncontaminated storm water. Proper operation and maintenance are 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 and Inspection Program.
011	Heifer Farm Solid Manure - Sample point 011 is for solid manure that is directly land applied from the outdoor feedlot areas at the Heifer Farm (sample point 012) as well as all other miscellaneous sources of solid manure/waste generated at the Heifer Farm which are directly land applied. Representative samples shall be taken for each source that is directly land applied.
012	Heifer Farm Feedlots - Sample point 012 is for visual monitoring and inspection of each outdoor feedlot area and the associated runoff control systems at the Heifer Farm. Proper operation and maintenance are required to ensure discharges meet permit requirements. At a minimum, weekly inspections are required and shall be recorded according to the Monitoring and Inspection Program. Interim runoff control measures for all existing outdoor feedlot areas shall be installed/implemented in accordance with the Schedules section of the permit (permit section 2.8). For each of the existing outdoor feedlot areas at the Heifer Farm, an engineering evaluation of the feedlot and the associated runoff control system shall also be completed in accordance with the Schedules section of the permit (permit section 2.10), unless the feedlot is otherwise permanently abandoned in accordance with the Schedules section of the permit (permit section 2.9).
013	Feed Storage Area (Heifer Farm) - Sample point 013 is for visual monitoring and inspection of the feed storage and the associated runoff control system at the Heifer Farm. Proper operation and maintenance are required to ensure discharges meet permit requirements. Weekly inspections are required and shall be recorded according to the Monitoring and Inspection Program. Interim runoff control measures shall be installed/implemented in accordance with the Schedules section of the permit (permit section 2.8). An engineering evaluation of the feed storage area and associated runoff control system shall also be completed in accordance with the Schedules section of the permit (permit section 2.10), unless otherwise permanently abandoned in accordance with the Schedules section of the permit (permit section 2.9).
014	Heifer Farm Outdoor Vegetated Areas - Sample point 014 is for visual monitoring and inspection of all the CAFO outdoor vegetated areas (or vegetated exercise areas) that are used by livestock and are connected or adjacent to the Heifer Farm production area. Proper operation and maintenance are required to ensure sufficient vegetative cover is sustained across these areas. Quarterly inspections are required and shall be recorded according to the Monitoring and Inspection Program. Outdoor vegetated areas that are not managed to sustain sufficient vegetative cover are not authorized for use and shall be discontinued until sufficient vegetative cover has been established or shall otherwise be properly abandoned.

Permit Requirements

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 246 days of storage for liquid manure given their current herd size, and they are estimated to have approximately 215 days of storage for liquid manure if a proposed increase in herd size occurs. 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 1,901 animal units (1,100 milking and dry cows, 210 heifers, and 240 calves), it is estimated that approximately 15,626,178 gallons and 5,228 tons of manure and process wastewater will be produced per year. If a proposed increase to a herd size of 2,283 animal units (1,350 milking and dry cows, 357 heifers, and 249 calves) occurs, then it is estimated that approximately 17,863,257 gallons and 5,228 tons of manure and process wastewater will be produced per year. The permittee owns *approximately* 1,065 acres of cropland and rents about 2,555 acres. Given the rotation commonly used by the permittee, approximately 2,300 to 3,400 acres are planned 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 during 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 of 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.

1.1 Liquid Sample Points

Sample Point Number: 001- WSF 1; 002- WSF 2; 003- Digester

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	

1.2 Solid Sample Points

Sample Point Number: 004- Solid Separation Building; 005- Solid Manure Storage Facility; 006- Solid Manure (Misc.); 007- Headland Stacking Sites; 011-Heifer Farm Solid Manure

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	

1.3 Runoff Control Sample Points (No Sampling Required)

Sample Point Number: 008- Feed Storage & Runoff Controls; 009- Calf Hutch Runoff Controls, and 010- Storm Water Runoff Controls; 012- Heifer Farm Feedlots; 013- Heifer Farm Feed Storage Area; and 014- Heifer Farm Vegetated Areas

1.4 Changes from Previous Permit

Five Star Dairy LLC shares common ownership with Jim & Lee Jensen Heifer Farm (Heifer Farm), of which is currently an unpermitted animal feeding operation located at 2907 County Highway N, Colfax, WI 54730. The Five Star Dairy operation and the Heifer Farm operation are not adjacent to one another, and to the Department's knowledge, the operations have not historically commingled manure, barnyard runoff or other wastes into a common storage prior to landspreading. However, the Department has received information indicating that the Five Star Dairy operation and the Heifer Farm operation have utilized common landspreading systems to some extent during the previous permit term; in which case Five Star Dairy and the Heifer Farm would be a single operation under **s. NR 243.03(4) Wis. Adm. Code** and therefore the Heifer Farm requires WPDES permit coverage as a satellite operation under Five Star Dairy's permit. Thus, the Heifer Farm has been added as a satellite operation to be covered under the proposed WPDES permit.

Since the Heifer Farm is to be covered under the proposed WPDES permit, sample points 011, 012, 013 & 014 have been added to the proposed permit for all applicable Heifer Farm facilities and associated waste (see sample point descriptions outlined above).

s. NR 243.03(4) Wis. Adm. Code: "...two or more animal feeding operations under common ownership or common management are a single operation if at least one of the following is true:

- The operations are adjacent*
- The operations utilize common systems for the landspreading of manure or other wastes, including a nutrient management plan or landspreading acreage*
Note: while it is not the sole factor used to determine whether operations have a common system for landspreading, use of common land application equipment is one of the factors the department considers when determining if operations have a common system for landspreading.
- Manure, barnyard runoff or other wastes are commingled in a common storage facility prior to landspreading."*

Note: If multiple animal feeding operations are a *single operation* under **NR 243.03(4)**, and the operation is also a CAFO, then WPDES permit coverage is required for each of the animal feeding operations which meet the definition under **NR 243.03(4)**.

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.	10/31/2026

2.2 Monitoring & Inspection Program

Required Action	Due Date
Proposed Monitoring and Inspection Program: Consistent with the Monitoring and Sampling Requirements subsection, the permittee shall submit a proposed monitoring and inspection program within 60 days of the effective date of this permit.	11/30/2026

2.3 Feed Storage Area - Engineering Evaluation

Applicable to the feed storage area (sample point 008)

Required Action	Due Date
Engineering Evaluation & Soils Analysis: Submit a written report evaluating the existing feed storage area and its adequacy to meet the conditions found in the Production Area Discharge Limitations subsection and NR 243.15, Wis. Adm. Code. A soils analysis evaluating whether the site soil characteristics beneath the existing feed storage area are sufficient to constitute a soil liner shall also be included.	06/01/2027
Plans and Specifications: Submit plans and specifications for Department review and approval to permanently correct any adverse conditions identified as part of the engineering evaluation for the feed storage area and/or as part of the soils analysis of the site soils beneath the feed storage area in accordance with Chapter 281.41, Wis. Stats., and Chapter NR 243, Wis. Adm. Code.	01/01/2028
Corrections and Post Construction Documentation: Complete construction of the improvements to permanently correct any adverse conditions in concurrence with and approval by the Department, by the specified Date Due. Submit post construction documentation within 60 days of completion of the project.	11/01/2029

Explanation of Schedules (2.3)

An engineering evaluation of the existing feed storage area and associated feed storage runoff control system was submitted to the Department on November 11, 2022. On June 2, 2025 the Department completed its review of the engineering evaluation of the existing feed storage area and determined that the operation must submit a revised evaluation that includes a soils analysis of the soils below the asphalt liner, and if necessary, must also complete construction of the improvements needed to correct any adverse conditions identified with the feed storage liner in accordance with Department approved plans and specifications. Therefore, an engineering evaluation and the associated soils analysis has been included within the schedules section of the proposed permit.

2.4 Runoff Control System - Engineering Evaluation

Applicable to the production area runoff controls associated with the calf hutch areas (sample point 009)

Required Action	Due Date
Engineering Evaluation: Submit a written report evaluating the existing production area runoff control system(s) associated with the calf hutch areas and their adequacy to permanently meet the	06/01/2027

conditions in the Production Area Discharge Limitations and Runoff Control subsections and s. NR 243.15, Wis. Adm. Code. (See Standard Requirements for report details.)	
Plans and Specifications: Submit plans and specifications for Department review and approval to permanently correct any adverse runoff control conditions in accordance with Chapter 281.41, Wis. Stats., and Chapter NR 243, Wis. Adm. Code.	01/01/2028
Corrections and Post Construction Documentation: Complete construction of the improvements needed to permanently correct any adverse runoff control conditions in concurrence with and approval by the Department, by the specified Date Due. Submit post construction documentation within 60 days of completion of the project.	11/01/2029

Explanation of Schedules (2.4)

Based on the Department's on site observations of the existing runoff controls; an engineering evaluation of the production area runoff controls associated with the calf hutch areas that are utilized by the operation has been included in the schedules section of the proposed permit. Furthermore, the calf hutch areas do not specifically have a designated Department approved runoff control system in place, nor has an engineering evaluation of the existing production area runoff controls associated with the calf hutch areas been completed to date.

2.5 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.	01/31/2027
Submit Annual Report #2: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2028
Submit Annual Report #3: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2029
Submit Annual Report #4: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2030
Submit Annual Report #5: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/30/2031
Ongoing Annual Reports: Continue to submit Annual Reports until permit reissuance has been completed.	

2.6 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
Submit NMP 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.	03/31/2027
Submit NMP 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.	03/31/2028

Submit NMP 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.	03/31/2029
Submit NMP 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.	03/31/2030
Submit NMP 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.	03/31/2031
Ongoing NMP Annual Updates: Continue to submit Annual Updates to the Nutrient Management Plan until permit reissuance has been completed.	

2.7 Submit Permit Reissuance Application

Required Action	Due Date
Reissuance Application: Submit a complete permit reissuance application 180 days prior to permit expiration.	04/03/2031

2.8 Heifer Farm - Interim Runoff Control Measures

Applicable to all outdoor feedlot areas (sample point 012) and the feed storage area (sample point 013) at the Heifer Farm.

Required Action	Due Date
Complete Installation: Complete installation and implementation of all interim runoff control measures as agreed upon by the Department by the specified date due, unless the exemption under this permit section applies. Submit documentation that all agreed upon interim runoff control measures have been installed and effectively implemented within 60 days of completion.	06/01/2027
Exemption: The permittee does not share common ownership or common management with the Heifer Farm by the specified date due.	

2.9 Heifer Farm - Abandonment of Reviewable Facilities & Systems

Applicable to all existing reviewable facilities and systems at the Heifer Farm which meet the definition under ss. NR 243.03(56), Wis. Adm. Code that are not otherwise evaluated, with adverse conditions addressed, in accordance with permit section 2.10 (sample point 012 & sample point 013).

Required Action	Due Date
Abandonment Plans: Submit plans and specifications to permanently abandon all existing reviewable facilities and systems for Department review and approval, unless the exemption listed under this permit section applies.	09/01/2030
Complete Abandonment: Complete abandonment of all existing reviewable facilities and systems in accordance with Department approved plans by the specified date due, unless the exemption listed under this permit section applies. Submit post abandonment documentation within 60 days of completion if applicable.	08/01/2031
Exemption: The permittee does not share common ownership or common management with the Heifer Farm by the specified date due.	

2.10 Heifer Farm - Abandonment of Reviewable Facilities & Systems

Applicable to all existing reviewable facilities and systems at the Heifer Farm which meet the definition under ss. NR 243.03(56), Wis. Adm. Code that are not otherwise permanently abandoned in accordance with permit section 2.9 (sample point 012 & sample point 013).

Required Action	Due Date
Engineering Evaluation: Submit a written report evaluating each of the existing reviewable facilities and systems and their adequacy to meet the conditions in the Production Area Discharge Limitations, Runoff Control, and Manure and Process Wastewater Storage subsections and s. NR 243.15, Wis. Adm. Code, unless the exemption listed under this permit section applies. (See Standard Requirements for report details.)	09/01/2030
Plans and Specifications: Submit plans and specifications for Department review and approval to permanently correct any adverse conditions identified as part of the engineering evaluations of the existing reviewable facilities and systems in accordance with Chapter 281.41, Wis. Stats., and Chapter NR 243, Wis. Adm. Code, unless the exemption listed under this permit section applies.	01/01/2031
Corrections and Post Construction Documentation: Complete construction of the improvements to permanently correct any adverse conditions in concurrence with and approval by the Department, by the specified Date Due, unless the exemption listed under this permit section applies. Submit post construction documentation within 60 days of completion of the project if applicable.	08/01/2031
Exemption: The permittee does not share common ownership or common management with the Heifer Farm by the specified date due.	

Explanation of Schedules (2.8 - 2.10)

Since the Heifer Farm is to be covered under the proposed WPDES permit for the first time (see section 1.4 above), engineering evaluations of all existing reviewable facilities will be required to be completed (with any adverse conditions permanently addressed), in accordance with the schedules outlined under permit section 2.10 of the proposed permit, unless a reviewable facility (or facilities) are otherwise permanently abandoned in accordance with the schedules under permit section 2.9 of the proposed permit instead. Furthermore, based on the Department's on site observations of the Heifer Farm, permit section 2.8 of the proposed permit requires that interim runoff control measures (of which have been agreed upon with the Department) be installed/implemented to temporarily address adverse runoff concerns until any necessary permanent corrective actions have been completed in accordance with the schedules under either permit section 2.9 and/or permit section 2.10 of the proposed permit.

Attachments:

- Sample Point Maps
- Reissuance Inspection Report
- Five Year NMP Conditional Approval Letter
- 180 Day Liquid Manure Storage Review Letter
- Headland Stacking Site Conditional Approval Letter (August 17, 2026)
- Public Notice

PERMIT APPLICATION: (links provided – or search at the following webpage using the codes listed below <https://permits.dnr.wi.gov/water/SitePages/Permit%20Search.aspx>)

- **WPDES Permit Application:** [AG-APP-WC-2025-17-X06-30T12-43-07](#)
- **Five-Year Nutrient Management Plan:** [AG-NMP-WC-2025-17-X06-30T12-43-07](#)
- **180 Day Liquid Manure Storage Calculations:** [AG-PNS-WC-2025-17-X06-30T12-43-07](#)

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Date: August 17, 2026