Permit Fact Sheet

General Information

Permit Number	WI-0059536-05-0
Permittee Name and Address	Kinnard Farms Inc E2675 County Hwy S, Casco, WI 54205
Permitted Facility Name and Address	Kinnard Farms Inc E2675 County Road S Casco
Permit Term	May 01, 2025 to April 30, 2030
Discharge Location	E2675 County Road S, Casco, WI E ½ of NW ¼ S30 T25N R24E, Township of Lincoln (Site One) E2669 County Road S, Casco, WI N ½ SE ¼ S19 and W ½ SW ¼ S20; T25N R24E, Township of Lincoln (Site Two)
Receiving Water	groundwater in Kewaunee River of Twin-Kewaunee River in Kewaunee County
Discharge Type	Existing

Animal Units					
	Current AU		**Proposed AU** **(Note: If all zeroes, expansions are not expected during permit term)**		
Animal Type	**Mixed**	**Individual**	**Mixed**	**Individual**	**Date of Proposed Expansion**
Dairy Calves (under 400 lbs.)	0	0	0	0	N/A
Milking and Dry Cows	12840	12840	0	0	N/A
Total	12840	12840	0	0	

Facility Description

Kinnard Farms LLC is an existing Concentrated Animal Feeding Operation in Kewaunee, WI. Kinnard Farms is owned and operated by Lee Kinnard. As of January of 2025, Kinnard Farms has 9,150 milking and dry cows (12,840 animal units) Kinnard Farms generates 131,834,950 gallons of manure and process wastewater and 287 tons of solid waste each year. As of April 2023, Kinnard Farms has greater than the required minimum of 180 days of manure storage. Kinnard Farms has 15,838.8 acres in its approved nutrient management plan, of which 13,755 acres are rented or in agreements and 2,083.8 acres are owned. 14,621 acres are available for land application on an annual basis.

Substantial Compliance Determination.

Enforcement During Last Permit: During the previous permit term, Kinnard Farms Inc. was referred to the Wisconsin DOJ for violations of its WPDES permit. The violations included land application runoff, land application setback

violations, and failure to adhere to permit compliance schedules. Kinnard Farms Inc has completed all actions necessary to return to compliance with its WPDES permit.

After a desk top review of all compliance schedule items, and a site visit on November 3, 2021, this facility has been found to be in substantial compliance with their current permit.

Compliance determination made by James Salscheider, CAFO Compliance and Enforcement Coordinator on March 7, 2025.

Sample Point Designation For Animal Waste		
Sample Point Number	**Sample Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)**	
001	Sample point 001is for separated manure solids (sand or fiber). This solid manure is typically reused as bedding and stored under roof in a designed storage structure (Site One and Two both have these sources). If land applied and not reused, representative samples shall be taken for each manure source type.	
002	Sample point 002 is for liquid waste storage facility 002 (WSF 2) located at Site One. WSF 2 is an earthen storage located at Site One. The facility has a capacity of about 1 million gallons and was constructed in 1999. WSF 2 was evaluated in 2022 and met permit requirements.	
003	Sample point 003 is for liquid waste storage facility 003 (WSF 3) located at Site One. WSF 3 is an earthen storage located at Site One. The facility has a capacity of about 20 million gallons and was constructed in 1999. WSF 3 was evaluated in 2022 and met permit requirements.	
004	Sample point 004 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 (Site One and Two).	
005	Sample point 005 is for liquid waste storage facility 005 (WSF 5) located at Site Two. WSF 5 is the southwestern concrete storage that has a capacity of about 30 million gallons and was constructed in 2016. WSF 5 was last evaluated at the time of construction and met permit requirements.	
006	Sample point 006 is for liquid waste storage facility 006 (WSF 6) located at Site Two. WSF 6 is the northwestern concrete storage that has a capacity of about 18 million gallons and was constructed in 2015. This storage accepts manure and process wastewater from Site Two barn and process wastewater from the feed storage area at Site Two.	
007	Sample point 007 is for liquid waste storage facility 007 (WSF 7) located at Site Two. WSF 7 is the eastern concrete storage that has a capacity of about 30 million gallons and was constructed in 2015. This storage accepts manure and process wastewater from Site Two barn.	
008	Sample point 008 is for any manure solids removed from bottom of liquid waste storage facilities and anaerobic digesters. This includes manure-laden sand solids, manure fiber solids, etc. Representative samples shall be taken from each waste storage facility.	
009	Sample point 009 is for visual monitoring and inspection of the feed storage area and associated runoff control system located at Site One. Area is also being utilized as a manure stacking pad. Proper operation and maintenance is required to ensure discharges of manure and process wastewater meet permit conditions. Weekly inspections are required and shall be recorded according to monitoring program.	
010	Sample point 010 is for visual monitoring and inspection of the feed storage area and associated runoff control system located at Site Two. Proper operation and maintenance is required to ensure discharges of	

Sample Point Designation For Animal Waste		
Sample Point Number	**Sample Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)**	
	process wastewater meet permit conditions. Weekly inspections are required and shall be recorded according to monitoring program. All runoff from this area is currently collected into WSF 6.	
011	Sample point 011 is for visual monitoring and inspection of all production site storm water conveyance systems (Site One and Two). This includes roof gutter and downspout structures, drainage tile 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 monitoring program.	
015	Sample Point 015 is for Anaerobic Digesters (AD) 1 and 2. This sample point addresses all digested liquids located within the proposed digester cells AD 1 and AD 2. Manure will be piped from the existing manure processing buildings (after sand removal) to the digesters and then returned to the manure processing buildings to be transferred to existing on-site waste storage facilities after the digestion is completed. Sampling from within the digester cell(s) for nutrient content is only required if the liquids are to be manually pumped from the cell(s) and directly land applied. The plans and specifications for the digesters that were installed in 2020 have been approved by the Department and meet permit requirements.	
016	Sample Point 016 is for Anaerobic Digesters (AD) 3 and 4. This sample point addresses all digested liquids located within the proposed digester cells AD 3 and AD 4. Manure will be piped from the existing manure processing buildings (after sand removal) to the digesters and then returned to the manure processing buildings to be transferred to existing on-site waste storage facilities after the digestion is completed. Sampling from within the digester cell(s) for nutrient content is only required if the liquids are to be manually pumped from the cell(s) and directly land applied. The plans and specifications for the digesters that were installed in 2020 have been approved by the Department and meet permit requirements.	

Sample Point Designation For Groundwater Monitoring Systems			
System	**Sample Pt Number**	**Well Name**	**Comments**
Kinnard Site Two Production Area	801	MW-1 (801)	
	802	MW-2 (802)	
	803	MW-3 (803)	
	804	MW-4 (804)	
	805	MW-5R (805)	
	806	MW-6R (806)	
Land Application Sites	807	To be determined	

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 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 submitted to the Department for approval.

The permittee currently has approximately 8 ½ months of storage for liquid manure. The permittee must maintain 180 days of storage, unless temporary reductions in required storage are approved by the Department.

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 9,150 milking and dry cows, it is estimated that approximately 131,834,950 gallons of manure and process wastewater will be produced per year. The permittee owns *approximately* 2,083 acres of cropland and rents about 13,755 acres. Given the rotation commonly used by the permittee, 14,621 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 or 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 permitee 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 (≥12% solids) on frozen or snow-covered ground during February and March. Beginning May 1, 2025, 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.

1.1 Sample Point Number: 001- Solids 001; 004- Solids 004; 008- Solids 008

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	

1.1.1 Changes from Previous Permit

No changes from previous permit.

1.1.2 Explanation of Operation and Management Requirements

Solid manure sources must be properly sampled, and land applied according to the permit and nutrient management plan.

1.2 Sample Point Number: 002- WSF 002; 003- WSF 003; 005- WSF 005; 006- WSF 006; 007- WSF 007; 015- Digested Liquids, and 016- Digested Liquids

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	

1.2.1 Changes from Previous Permit

No changes from previous permit.

1.2.2 Explanation of Operation and Management Requirements

Liquid Waste must be properly stored, and land applied according to the permit and nutrient management plan

1.3 Sample Point Number: 009- Feed Storage Area Site One; 010- Feed Storage Area Site Two, and 011- Storm Water Runoff

1.3.1 Changes from Previous Permit

No changes from previous permit.

1.3.2 Explanation of Operation and Management Requirements

Proper operation and maintenance is required to ensure unlawful discharges to waters of the state do not occur. Weekly or quarterly inspections are required and shall be recorded according to the monitoring plan

2 Groundwater – Monitoring and Limitations

2.1 Groundwater Monitoring System for Land Application Sites

Location of Monitoring system: Land Application Sites

Groundwater Monitoring Well(s) to be Sampled: To be determined

Groundwater Monitoring Well(s) Used to Evaluate Background Groundwater Quality:

Groundwater Monitoring Well(s) Used for Point of Standards Application:

Parameter	Units	Preventative Action Limit	Enforcement Standard	Frequency
Nitrogen, Ammonia Dissolved	mg/L	0.97	9.7	Monthly
Depth To Groundwater	feet	N/A	N/A	Monthly
Groundwater Elevation	feet MSL	N/A	N/A	Monthly
Temperature	deg F	N/A	N/A	Monthly
Specific Conductance Field	umhos/cm	N/A	N/A	Monthly
Carbon, Total Organic	mg/L	N/A	N/A	Monthly
Chloride Dissolved	mg/L	125	250	Monthly
COD, Filtered	mg/L	N/A	N/A	Monthly
Nitrogen, Nitrite + Nitrate (as N) Dissolved	mg/L	2.0	10	Monthly
Nitrogen, Total Kjeldahl Dissolved	mg/L	N/A	N/A	Monthly
Potassium Dissolved	mg/L	N/A	N/A	Monthly
Solids, Total Dissolved	mg/L	N/A	N/A	Monthly
pH Lab	su	N/A	N/A	Monthly
E. coli	#/100 ml	0	0	Monthly
Total Coliform General	#/100 ml	N/A	N/A	Monthly

2.1.1 Changes from Previous Permit:

Off-site groundwater monitoring was added to the permit in accordance with the Contest Case Hearing Settlement Agreement made between the Department and Kinnard Farms Inc, which is attached to this fact sheet. Consistent with Section 4.1.1 of the May 11, 2023 CCH Settlement Agreement, this will only be applicable to fields where liquid manure, other than clean-out manure, is land applied.

2.1.2 Explanation of Limits and Monitoring Requirements

Groundwater limits and requirements are determined in accordance with ch. NR 140, Wis. Adm. Code. Indicator parameter Preventive Action Limit (PAL) values are established per s. NR 140.20, Wis. Adm. Code. Alternative Concentration Limits as allowed under s. NR 140.28, Wis. Adm. Code, are established on a case-by-case basis.

For more information, please refer to the hydrogeological review.

2.2 Groundwater Monitoring System for Kinnard Site Two Production Area

Location of Monitoring system: Perimeter of Site Two Production Area

Groundwater Monitoring Well(s) to be Sampled: MW-2 (802), MW-3 (803), MW-4 (804), MW-5R (805), MW-1 (801), MW-6R (806)

Groundwater Monitoring Well(s) Used to Evaluate Background Groundwater Quality:

Groundwater Monitoring Well(s) Used for Point of Standards Application:

Parameter	Units	Preventative Action Limit	Enforcement Standard	Frequency
Depth To Groundwater	feet	N/A	N/A	Quarterly
Groundwater Elevation	feet MSL	N/A	N/A	Quarterly
E. coli	#/100 ml	0	0	Quarterly
Potassium Dissolved	mg/L	N/A	N/A	Quarterly
Solids, Total Dissolved	mg/L	N/A	N/A	Quarterly
Nitrogen, Ammonia Dissolved	mg/L	0.97	9.7	Quarterly
Nitrogen, Total Kjeldahl Dissolved	mg/L	N/A	N/A	Quarterly
Carbon, Total Organic	mg/L	N/A	N/A	Quarterly
COD	mg/L	N/A	N/A	Quarterly
pH Field	su	N/A	N/A	Quarterly
Chloride Dissolved	mg/L	125	250	Quarterly
Nitrogen, Nitrite + Nitrate (as N) Dissolved	mg/L	2.0	10	Quarterly
Temperature	deg F	N/A	N/A	Quarterly

2.2.1 Changes from Previous Permit:

No changes were made from the previous permit.

2.2.2 Explanation of Limits and Monitoring Requirements

Groundwater limits and requirements are determined in accordance with ch. NR 140, Wis. Adm. Code. Indicator parameter Preventive Action Limit (PAL) values are established per s. NR 140.20, Wis. Adm. Code. Alternative Concentration Limits as allowed under s. NR 140.28, Wis. Adm. Code, are established on a case-by-case basis.

3 Schedules

3.1 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.	05/31/2025

Explanation of Schedule

Permit Schedule 3.1 was included to develop an emergency response plan and is a general permit requirement.

3.2 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 submit a proposed monitoring and inspection program within 60 days of the effective date of this permit.	06/30/2025

Explanation of Schedule

Permit Schedule 3.2 was included to develop a monitoring and inspection program to comply with the monitoring permit requirements.

3.3 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.	01/31/2026
Submit Annual Report #2: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2027
Submit Annual Report #3: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2028
Submit Annual Report #4: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2029
Submit Annual Report #5: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2030
Ongoing Annual Reports: Continue to submit Annual Reports until permit reissuance has been completed.	

Explanation of Schedules

Permit Schedule 3.3 is included to require submittal of annual reports and is a general permit requirement.

3.4 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 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.	
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.	03/31/2026
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.	03/31/2027
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.	03/31/2028
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.	03/31/2029
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.	03/31/2030
Ongoing Management Plan Annual Updates: Continue to submit Annual Updates to the Nutrient Management Plan until permit reissuance has been completed.	

Explanation of Schedules

Permit Schedule 3.4 is included to require submittal of nutrient management plan updates and is a general permit requirement.

3.5 Submit Permit Reissuance Application

Required Action	Due Date

Reissuance Application: Submit a complete permit reissuance application 180 days prior to permit expiration.	10/31/2029

Explanation of Schedules

Permit Schedule 3.5 is included to require submittal of a WPDES permit reissuance application.

3.6 Groundwater Monitoring System - Reporting

Required Action	Due Date
Quarterly Reporting to the Department: Quarterly reporting of tabulated groundwater monitoring data and water level contour maps is required. Quarterly reports shall be submitted to the regional contact via email or mail within 45 days of the last sample event for that quarter. Online reporting is also required via groundwater monitoring forms.	
Annual Reporting to the Department: An annual report that summarizes the groundwater monitoring data shall be submitted by January 31st each year. Any updates to the groundwater monitoring workplan shall also be included in this report.	

Explanation of Schedules

Permit Schedule 3.6 is included to require submittal of groundwater monitoring reports.

3.7 Groundwater Monitoring System - Plan

Applicable to Land Application Sites

Required Action	Due Date
Phase 1 - Groundwater Monitoring Plan: Submit a Phase 1 groundwater monitoring plan consistent with the Groundwater Requirements section of the permit for the initial monitoring wells for Department review and approval. The plan shall outline the permittee's design for monitoring at least two land application sites. At least one site shall be west of the Site 2 production area and at least one site shall be south of the Site 2 production area. Each proposed site's tillage, cropping, and nutrient application practices must be typical for Kinnard Farms. The Phase 1 plan must include installation of a sufficient number of groundwater monitoring wells to establish site groundwater quality and groundwater flow direction, at least three wells per site are required. The Phase 1 plan shall be appropriate for the geology and hydrogeology of the site. The Phase 1 plan shall include a procedure for identifying recharge events to initiate recharge-triggered sampling. Sites selected shall have a shallow depth to bedrock. The Phase 1 plan shall outline the permittee's design for monitoring land application site(s). The submittal shall include plans and specifications for installation of monitoring wells to be constructed in accordance with the requirements of ch. NR 141, Wis. Adm. Code.	05/01/2029
Phase 2 - Groundwater Monitoring Plan: Submit a Phase 2 groundwater monitoring plan for Department review and approval for installation of additional recommended groundwater monitoring	

wells to be constructed in accordance with the requirements of ch. NR 141, Wis. Adm. Code. The Phase 2 plan shall include the following: a detailed site characterization based on data collected during Phase 1, a summary of groundwater flow direction and seasonal variability, recommendations for the number and location of additional sites and/or groundwater monitoring wells, and a list of proposed sampling parameters and frequency. The plan shall be appropriate for the geology and hydrogeology of the site. Sites selected shall have a shallow depth to bedrock. The Phase 2 plan shall include a procedure for identifying recharge events to initiate recharge-triggered sampling. The department may require additional sites, wells, or sampling parameters to ensure compliance with nutrient management plan effluent limitations and groundwater quality standards. The Phase 2 plans and specifications shall be submitted to the department within 60 days of collecting the 8th monthly sample associated with the Phase 1 plan.	
Well Installation: Complete well installation in accordance with ch. NR 141, Wis Adm. Code, within 90 days following approval by the Department of the Final Groundwater Monitoring Plan. (Note: Documentation of well construction must be submitted to the Department within 60 days of well installation).	

Explanation of Schedules

Permit Schedule 3.7 is included to require submittal of a groundwater monitoring plan for land application sites.

Other Comments

N/A

Attachments

November 3, 2021 Permit Reissuance Inspection Report

May 15, 2024 Conditional NMP Approval

April 27, 2023 Days of Storage Review Letter

Site Maps

May 11, 2023 Contested Case Hearing Settlement Letter

Justification Of Any Waivers From Permit Application Requirements

No waivers requested or granted as part of this permit reissuance

Prepared By: James Salscheider CAFO Compliance and Enforcement Coordinator Date: 3/24/2025

CAFO Compliance Report (1/12/2022)

Inspection Date: November 3, 2021

Inspection Type: Permit Reissuance

Operation Name: Kinnard Farms Inc.

WPDES Permit No. 0059536-04-1

Operation Address: E2675 County Rd S, Casco, WI 54205

On-Site Representative(s): Lee Kinnard, Owner

DNR Staff / Report Writer: James Salscheider, Agricultural Runoff Specialist

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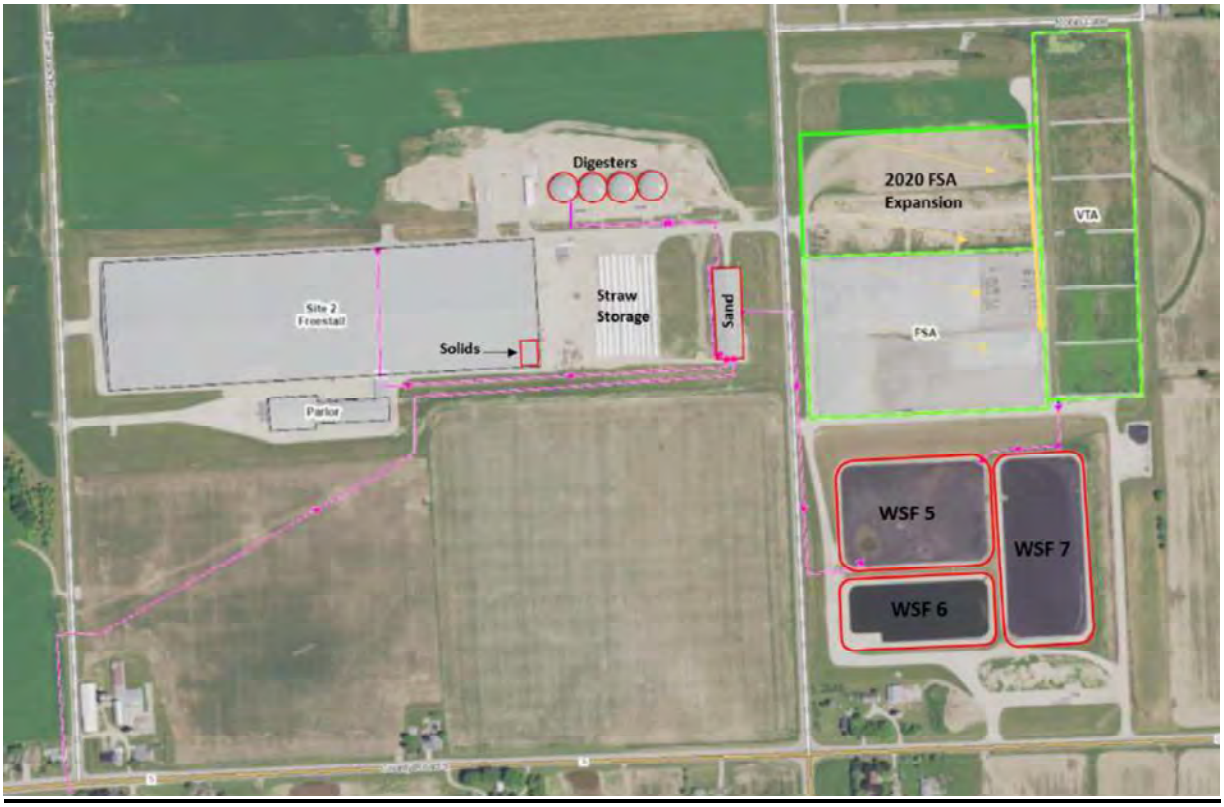
On November 3, 2021, James Salscheider (Salscheider), Agricultural Runoff Management Specialist, and Ian Anderson, Hydrogeologist, with the Wisconsin Department of Natural Resources met with Lee Kinnard (Kinnard), owner of Kinnard Farms Inc. (KF), to conduct a complete site inspection as part of the WPDES Permit reissuance process. Kinnard was joined by Nathen Nysse, Tilth Agronomy, and Bob Nauta, RJN Environmental Services, LLC. KF is currently operating under WPDES Permit No. 0059536-04-1. KF is comprised of two production sites. Site 1 is located at E2675 County Rd S, Casco, WI 54205. Legal description is E ½ of the NW ¼ of S20 T25N R24E, Township of Lincoln, Kewaunee County. Site 2 is located at N8200 Tamarack Rd, Casco, WI 54205. Legal description is N ½ of the SE ¼ of S19 T25N R24E and the W ½ of SW ¼ of S20 T25N R24E, Township of Lincoln, Kewaunee County. KF current permit is set to expire on January 31, 2023. The weather during the inspection was dry and approximately 40° F.



Aerial Map 1. The aerial map above illustrates the production site at Site 2 at Kinnard Farms Inc. Site 2 consists of a large freestall barn, one milking parlor, a sand separation building, four anaerobic digesters three liquid waste storage facilities, one feed storage area, one vegetated treatment area, and five monitoring wells. The pink arrows represent manure transfer lines. The yellow arrows represent the flow path of process wastewater from the feed storage area.

Aerial Map 2. The aerial map above illustrates the production site at Site 1 at Kinnard Farms Inc. Site 1 consists of five freestall barns, one calf barn, one sand separation building, two liquid waste storage facilities, two feed storage areas, and one commodity feed storage building. The pink lines represent manure transfer lines.

Aerial Map 3. The aerial map above illustrates the depth to bedrock and direct conduits to groundwater in relation to the production sites at Kinnard Farms Inc. The aerial image was obtained from SnapMaps.

SITE OBSERVATIONS

Feedlot Runoff

KF does not utilize outdoor feedlots. All animals are housed under roof.

Calf Hutch Areas

KF does not utilize calf hutch areas. All calves are housed under roof until they are transported off-site to be raised. Once a calf is born, it is transferred to a room in the large freestall barn at Site 2 where the calf is dried by warm air. Then the calf is transferred to the calf barn at Site 1, where the calf is housed until it is transported off-site.

Photo 1. The room that calves are placed to dry after birth. Warm air is blown into the room to air-dry the calves.

Photo 2. The maternity pens located on the east end of the freestall barn at Site 2.

Photo 3. The calf barn at Site 1. Calves are housed here until they are transported off-site to be raised.

Photo 4. A calf being housed in the calf barn at Site 1. Calves are housed here until they are transferred off-site where they will be raised.

Waste Storage Facilities

Solid and liquid waste storage facilities are managed to not have current or past indicators of discharges (includes headland stacking sites).
Solid and liquid waste storage structures are well-maintained, in good repair, and in compliance with permit requirements.
Liquid waste storage facilities have permanent markers installed.

All manure produced in the freestall barns at both Site 1 and Site 2 run through a sand separation process to remove sand bedding from the liquid manure. There is a sand separation building at both Site 1 and Site 2. The sand separation building at Site 1 is located south of the freestall barns and north of the southern feed storage area. The sand separation building at Site 2 is located east of the freestall barn and straw storage area. Sand is removed from the manure, washed, and reused as bedding. The clean sand is stored in the sand separation buildings until it is used as bedding. The sand separation buildings are identified as WSF 1 in KF's WPDES Permit (Sample Point 001). After sand separation, the liquid manure is transferred from the sand separation buildings to the four anaerobic digesters located on the north side of Site 2. All manure generated in the freestall barns and process wastewater generated in the milking parlors at both Site 1 and Site 2 are digested. Each digester has a capacity of 1,381,849 gallons. After digestion, the digestate is returned to the sand separation building and then transferred to either WSF 5 or 6 at Site 2, where manure is stored until it can be land applied.

At Site 1, KF utilizes two liquid waste storage facilities (WSF). WSF 2 is a concrete bottom, clay lined liquid WSF that was constructed in 1999. WSF 2 has a capacity of 1 million gallons. Excess bed pack and liquid manure gets stored in WSF 2. WSF 2 operates as the first stage of a two-stage system and is located south of the sand separation building and north of WSF 3. WSF 3 is the second stage of the two-stage system at Site 1 and located south of WSF 2. WSF 3 is a clay lined liquid storage that has a usable capacity of 20 million gallons. WSF 3 was constructed in 1999 and had the permanent markers present during the inspection. Several areas of animal burrowing were present around WSF 2. Better management will prevent degradation to the clay lined WSF. Both WSF 2 and 3 were designed by Kewaunee County.

At Site 2, KF utilizes three liquid WSFs, located on the southeast corner of Site 2. WSF 5, 6, and 7 are all connected by transfer pipes that allow manure and process wastewater to be moved between the WSFs. WSF 5 is located north of WSF 6 and west of WSF 7. WSF 5 is a concrete liquid WSF with a usable capacity of 30 million gallons. WSF 5 was constructed in 2013 and accepts manure and process wastewater from the sand separation building and the feed storage area. WSF 6 is located south of WSF 5 and west of WSF 7. WSF 6 is a concrete liquid WSF with a useable capacity of 18 million gallons. WSF 6 accepts manure and process wastewater from WSF 5. WSF 6 was constructed in 2015. WSF 7 is a concrete liquid WSF located east of WSF 5 and 6. WSF 7 was constructed in 2015 and has a usable capacity of 30 million gallons. WSF 7 accepts

manure and process wastewater form WSF 5 and 6. Animal burrowing was present along WSF 7, but the liner is concrete and had no signs of degradation. Permanent markers were present within each WSF. Maximum operating level (MOL) was approximately 4.3 inches below the margin of safety. Salscheider questioned whether the MOL elevation was taking into count the 25-year, 24-hour rain event that falls on the feed storage area, which is completely captured and stored within WSF 5, 6, and 7. Kinnard stated that he would consult with his engineer to ensure that the MOL is at the accurate elevation.

Solid manure and bedding that is produced in the maternity pen, calf room, and calf barn are either stored in the southeast corner of the freestall barn at Site 2 or in WSF 2 at Site 1. The farm has enough solid manure storage to not need to land apply solid manure during winter months.

Photo 5. WSF 1, located at Site 1. WSF 1 is located north of WSF 2 on the south side of Site 1. This photo was taken facing west.

Photo 6. WSF 1, located at Site 1. WSF 1 is located north of WSF 2 on the south side of Site 1. This photo was taken facing west.

Photo 7. WSF 1, located at Site 1. WSF 1 is located north of WSF 2 on the south side of Site 1. This photo was taken facing southwest.

Photo 8. The concrete ramp leading into WSF 1. This photo was taken facing east.

Photo 9. The weir that allows waste from WSF 1 to move to WSF 2, which is located directly south of WSF 1. The red arrow represents the flow path of manure from WSF 1 to WSF 2. This photo was taken facing southeast.

Photo 10. The weir that allows waste from WSF 1 to move to WSF 2, which is located directly south of WSF 1. This photo was taken facing southeast.

Photo 11. WSF 2, located on the southside of Site 1. WSF 2 is located south of WSF 1. This photo was taken facing north.

Photo 12. WSF 2, located on the southside of Site 1. WSF 2 is located south of WSF 1. This photo was taken facing north.

Photo 13. WSF 2, located on the southside of Site 1. WSF 2 is located south of WSF 1. This photo was taken facing northwest.

Photo 14. WSF 2, located on the southside of Site 1. WSF 2 is located south of WSF 1. This photo was taken facing southwest.

Photo 15. WSF 2, located on the southside of Site 1. WSF 2 is located south of WSF 1. This photo was taken facing south.

Photo 16. The earthen berm between WSF 1 and WSF 2 at Site 1. The berm was in good condition. This photo was taken facing west.

Photo 17. Animal burrowing present in the berm around WSF 2.

Photo 18. Animal burrowing present in the berm around WSF 2.

Photo 19. Permanent markers present within WSF 2.

Photo 20. WSF 5, located at the southeast corner of Site 2. WSF 5 is located north of WSF 6 and west of WSF 7. This photo was taken facing east.

Photo 21. WSF 5, located at the southeast corner of Site 2. WSF 5 is located north of WSF 6 and west of WSF 7. This photo was taken facing north.

Photo 22. WSF 5, located at the southeast corner of Site 2. WSF 5 is located north of WSF 6 and west of WSF 7. This photo was taken facing east.

Photo 23. WSF 5, located at the southeast corner of Site 2. WSF 5 is located north of WSF 6 and west of WSF 7. This photo was taken facing northeast.

Photo 24. WSF 5, located at the southeast corner of Site 2. WSF 5 is located north of WSF 6 and west of WSF 7. This photo was taken facing north.

Photo 25. The outlets that discharges digested manure into WSF 5 for long-term storage. This photo was taken facing northwest.

Photo 26. One transfer pipe that allows waste to be transferred from WSF 6 to WSF 5. This photo was taken facing north.

Photo 27. The permanent markers present within WSF 5 at Site 2. The markers do not account for the 25-year, 24-hour runoff collected from the feed storage area.

Photo 28. WSF 6 located at the southeast corner of Site 2. WSF 6 is located south of WSF 5 and west of WSF 7. This photo was taken facing west.

Photo 29. WSF 6 located at the southeast corner of Site 2. WSF 6 is located south of WSF 5 and west of WSF 7. The measuring pole that is used to take weekly measurements can be seen in the middle of the storage. This photo was taken facing southwest.

Photo 30. The outlets that discharge runoff into WSF 6 for long term storage. These outlets are located in the northeast corner of WSF 6. This photo was taken facing south.

Photo 31. WSF 6 located at the southeast corner of Site 2. WSF 6 is located south of WSF 5 and west of WSF 7. This photo was taken facing southwest.

Photo 32. One transfer pipe that allows waste to be transferred from WSF 5 to WSF 6. This photo was taken facing southwest.

Photo 33. The permanent markers present within WSF 6 at Site 2. The markers do not account for the 25-year, 24-hour runoff collected from the feed storage area.

Photo 34. The berm between WSF 5 and WSF 6. This photo was taken facing west.

Photo 35. The concrete weir that connects WSF 5 and WSF 6. The weir is used as an emergency transfer system to allow manure to be transferred between the two WSFs. This photo was taken from WSF 5.

Photo 36. The concrete weir that connects WSF 5 and WSF 6. The weir is used as an emergency transfer system to allow manure to be transferred between the two WSFs. This photo was taken from WSF 6.

Photo 37. WSF 7 located at the southeast corner of Site 2. WSF 7 is located west of WSF 5 and WSF 6. This photo was taken facing southwest.

Photo 38. WSF 7 located at the southeast corner of Site 2. WSF 7 is located west of WSF 5 and WSF 6. This photo was taken facing west.

Photo 39. WSF 7 located at the southeast corner of Site 2. WSF 7 is located west of WSF 5 and WSF 6. This photo was taken facing west.

Photo 40. WSF 7 located at the southeast corner of Site 2. WSF 7 is located west of WSF 5 and WSF 6. This photo was taken facing north.

Photo 41. The measuring device located within WSF 7 that is used to take weekly measurements.

Photo 42. WSF 7 located at the southeast corner of Site 2. WSF 7 is located west of WSF 5 and WSF 6. This photo was taken facing north.

Photo 43. The permanent markers present within WSF 7 at Site 2.

Photo 44. The basin that accepts digested manure from Site 2 prior to transferring the manure to either WSF 5 or WSF 6. The basin is located between the two WSFs.

Photo 45. One of the locations where semi-tankers are loaded during manure hauling practices. This photo was taken west of WSF 5, facing north.

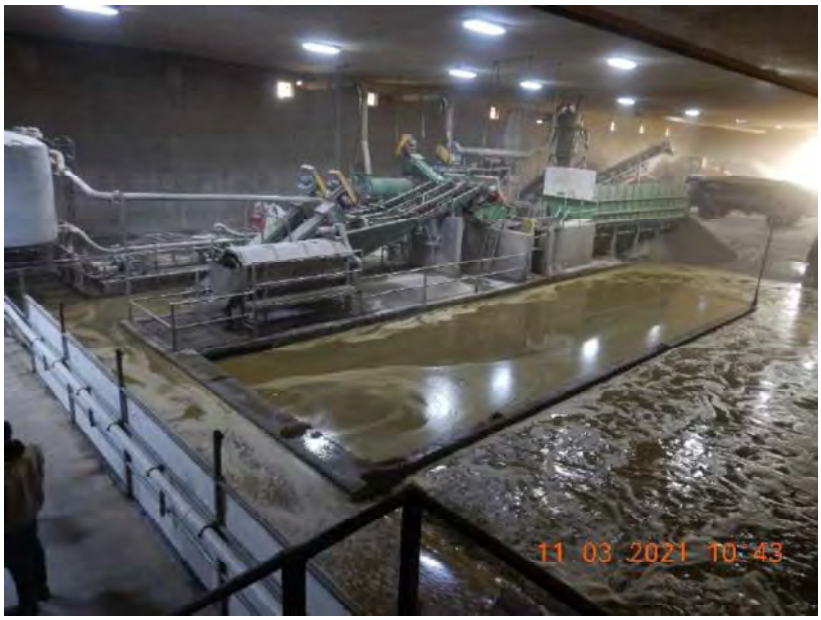


Photo 46. The sand separation building at Site 2. Sand bedding that enters the manure transfer system in the freestall barn at Site 2 is removed from the manure, cleaned, and stored in this location until it is reused for bedding.

Photo 47. The sand separation building at Site 2. Sand bedding that enters the manure transfer system in the freestall barn at Site 2 is removed from the manure, cleaned, and stored in this location until it is reused for bedding.

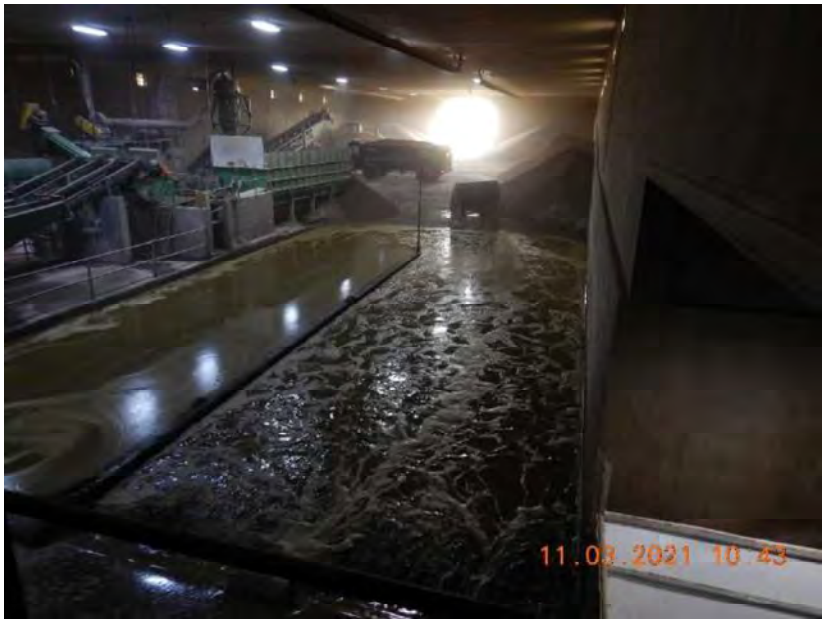


Photo 48. The sand separation building at Site 2. Sand bedding that enters the manure transfer system in the freestall barn at Site 2 is removed from the manure, cleaned, and stored in this location until it is reused for bedding.

Photo 49. An area where sand is partially removed from manure so that the liquid manure can be flushed back through the manure transfer system and flumes in the freestall barn at Site 2.

Photo 50. An area where sand is partially removed from manure so that the liquid manure can be flushed back through the manure transfer system and flumes in the freestall barn at Site 2.

Photo 51. Pumps that transfer liquid manure through the flume system in the freestall barn at Site 2 to flush the flumes while pens are being cleaned.

Photo 52. Conveyers that collect sand and convey the bedding material to the cleaning equipment.

Photo 53. The flow path of manure within the sand separation building, represented by the red arrow.

Photo 54. The flow path of manure within the sand separation building, represented by the red arrow.

Photo 55. The location where manure enters the sand separation building from the freestall barn at Site 2.

Photo 56. The infrastructure within the sand separation building at Site 2.

Photo 57. The infrastructure within the sand separation building at Site 2.

Photo 58. The end of the sand separation process where clean sand is placed after being separated from the liquid manure prior to digestion.

Photo 59. The sand separation building at Site 2. Sand bedding that enters the manure transfer system in the freestall barn at Site 2 is removed from the manure, cleaned, and stored in this location until it is reused for bedding.

Photo 60. The location where clean sand is stored until it is used for bedding in the freestall barn at Site 2.

Photo 61. The sand separation building at Site 1. Sand bedding that enters the manure transfer system in the freestall barns at Site 1 is removed, cleaned, and stored in this building, which is located south of the freestall barns.

Photo 62. The sand separation building at Site 1. Sand bedding that enters the manure transfer system in the freestall barns at Site 1 is removed, cleaned, and stored in this building, which is located south of the freestall barns.

Photo 63. Spilled manure within the sand separation building at Site 1. Any spilled manure gravity flows back into the manure system.

Photo 64. Pumps that transfer liquid manure through the flume system in the freestall barn at Site 1 to flush the flumes while pens are being cleaned.

Photo 65. The flow path of manure through the sand separation building at Site 1, represented by the red arrows.

Photo 66. The flow path of manure through the sand separation building at Site 1, represented by the red arrows.

Photo 67. The flow path of manure through the sand separation building at Site 1, represented by the red arrows.

Photo 68. The flow path of manure through the sand separation building at Site 1, represented by the red arrows.

Photo 69. The infrastructure within the sand separation building at Site 1.

Photo 70. The end of the sand separation process where clean sand is placed after being separated from the liquid manure prior to the liquid manure being transferred to Site 2.

Photo 71. The location where sand is stored at Site 1 until it is reused for bedding in the freestall barns at Site 1. Runoff from the sand piles gravity flows directly to the manure transfer system.

Photo 72. The flow path of runoff from the sand piles directly towards the manure transfer system. The flow path is represented by the red arrows.

Photo 73. The location where sand is stored at Site 1 until it is reused for bedding in the freestall barns at Site 1. Runoff from the sand piles gravity flows directly to the manure transfer system.

Photo 74. The four anaerobic digesters that are used to digest all manure generated at both sites at Kinnard Farms. The digesters are located on the north side of Site 2. This photo was taken facing north.

Photo 75. The four anaerobic digesters that are used to digest all manure generated at both sites at Kinnard Farms. The digesters are located on the north side of Site 2. This photo was taken facing west.

Photo 76. The four anaerobic digesters that are used to digest all manure generated at both sites at Kinnard Farms. The digesters are located on the north side of Site 2. This photo was taken facing west.

Photo 77. The four anaerobic digesters that are used to digest all manure generated at both sites at Kinnard Farms. The digesters are located on the north side of Site 2. This photo was taken facing south.

Photo 78. Infrastructure associated with the natural gas generation process, located west of the anaerobic digesters.

Photo 79. Semi-trailers being loaded with natural gas which will transport the gas off-site.

Photo 80. Semi-trailers being loaded with natural gas which will transport the gas off-site.

Photo 81. Infrastructure associated with the natural gas generation process, located west of the anaerobic digesters.

Process Wastewater (other than feed storage area leachate/runoff)
Process wastewater sources (milking center, wash water, etc.) are managed to not have current or past indicators of discharges.

All process wastewater produced in the two milking parlors are captured and comingled with the manure transfer system. All process wastewater produced from the machine-washing area is captured and comingled with the manure transfer system. All process wastewater produced in the sand washing areas gravity flows back to the manure transfer system and are managed to not have discharges.

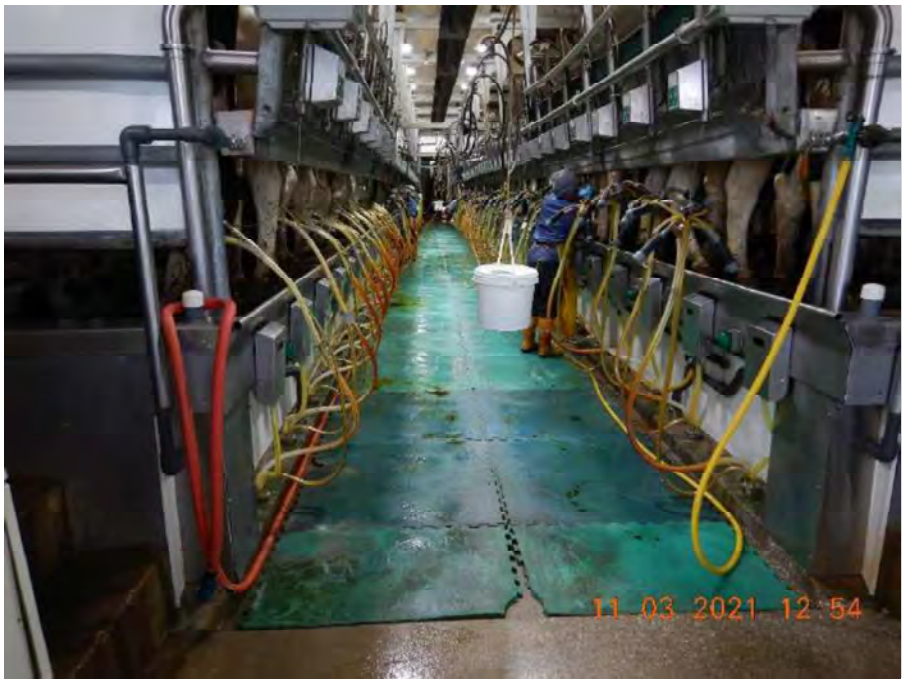


Photo 82. The milking parlor at Site 1. All process wastewater generated is captured and comingled in the manure transfer system.

Photo 83. The milking parlor at Site 2. All process wastewater generated is captured and comingled in the manure transfer system.

Photo 84. The milking parlor at Site 2. All process wastewater is captured by a flume system underneath the rotary milking parlor.

Photo 85. The machine-washing area within a shed at Site 1. All process wastewater generated is captured and comingled in the manure transfer system.

Photo 86. The flume system that captures process wastewater from the machine-washing area.

Photo 87. The pump that transfers process wastewater from the machine-washing area to the manure transfer system.

Feed Storage Area Runoff

Feed storage areas and associated process wastewater (leachate, runoff) are managed to not have current or past indicators of discharges.

Feed storage areas and runoff control systems are well-maintained, in good repair and in compliance with permit requirements.

Kinnard Farms utilizes three feed storage areas. At Site 1, there are two feed pads. One feed pad is located adjacent to the commodity shed and calf barn on the north side of the production site. There are two collection inlets associated with this FSA. Both inlets were covered to prevent stormwater collection. The second feed pad is located south of the freestall barns and west of WSF 2 and 3. There is one collection inlet associated with the southern feed storage area, located at the northeast corner of the FSA. Both of these feed pads are used to store dry feed commodity. At the time of the inspection, both feed pads had a pile of crushed corn covered in plastic. Both feed pads have a complete collection system. All process wastewater is collected and transferred to the manure transfer system. At Site 2, there is one large feed pad located at the northeast corner of the production site at Site 2. Corn silage and haylage are stored in large piles, covered in plastic. All “wet” feed is stored on the feed pad at Site 2. Runoff from the feed pad flows northwest to southeast, where the runoff enters a concrete swale on the east edge of the FSA that conveys runoff south towards a concrete spreader bar. The spreader bar does not allow runoff to enter the VTA unless the rain event is greater than the 25-year, 24-hour rain event. The 25-year, 24-hour rain event is captured and transferred to WSF 5, where the process wastewater is stored until it can be land applied.

Photo 88. The feed storage area at Site 2, which is located east of the sand separation building and north of the liquid waste storage facilities. This photo was taken facing west.

Photo 89. The feed storage area at Site 2, which is located east of the sand separation building and north of the liquid waste storage facilities. This photo was taken facing north.

Photo 90. The feed storage area at Site 2, which is located east of the sand separation building and north of the liquid waste storage facilities. This photo was taken facing southwest.

Photo 91. Concrete curbing that prevents runoff from leaving the south side of the feed storage area.

Photo 92. The west side of the feed storage area at Site 2. The concrete slab pitches northwest to southeast. This photo was taken facing north.

Photo 93. The feed storage area at Site 2, which is located east of the sand separation building and north of the liquid waste storage facilities. This photo was taken facing east.

Photo 94. The feed storage area at Site 2, which is located east of the sand separation building and north of the liquid waste storage facilities. This photo was taken facing north.

Photo 95. The feed storage area at Site 2, which is located east of the sand separation building and north of the liquid waste storage facilities. This photo was taken facing north.

Photo 96. The north side of the feed storage area at Site 2. The concrete pad is pitched from northwest to southeast. This photo was taken facing east.

Photo 97. The north side of the feed storage area at Site 2. The pitch in the concrete prevents runoff from leaving the north side of the feed storage area. This photo was taken facing east.

Photo 98. The north side of the feed storage area at Site 2. The pitch in the concrete prevents runoff from leaving the north side of the feed storage area. This photo was taken facing west.

Photo 99. The concrete channel that captures runoff from the feed storage area and conveys it to the runoff collection system. This photo was taken facing south.

Photo 100. The concrete channel that captures runoff from the feed storage area and conveys it to the runoff collection system. This photo was taken facing east.

Photo 101. The concrete channel that captures runoff from the feed storage area and conveys it to the runoff collection system. This photo was taken facing south.

Photo 102. The feed storage area at Site 2, which is located east of the sand separation building and north of the liquid waste storage facilities. The flow path of runoff is represented by the yellow arrows. This photo was taken facing west.

Photo 103. The feed storage area at Site 2, which is located east of the sand separation building and north of the liquid waste storage facilities. The flow path of runoff is represented by the yellow arrows. This photo was taken facing west.

Photo 104. The concrete channel that captures runoff from the feed storage area and conveys it to the runoff collection system. The flow path of runoff is represented by the yellow arrow. This photo was taken facing north.

Photo 105. The concrete channel that captures runoff from the feed storage area and conveys it to the runoff collection system. The flow path of runoff is represented by the yellow arrow. This photo was taken facing southeast.

Photo 106. The concrete channel that captures runoff from the feed storage area and conveys it to the runoff collection system. The flow path of runoff is represented by the yellow arrow. This photo was taken facing north.

Photo 107. The metal grate that captures solids and prevents the solids from entering the collection system. The flow path of runoff is represented by the yellow arrow.

Photo 108. The concrete spreader bar that evenly distributes runoff across the VTA. The VTA is currently not being used to treat runoff. This photo was taken facing east.

Photo 109. The vegetated treatment area located east of the feed storage area. The VTA is currently not being used to treat runoff. This photo was taken facing north.

Photo 110. Slots in the concrete spreader bar that are blocked to prevent runoff from entering the VTA.

Photo 111. The area where runoff enters the collection inlet. The flow path of runoff is represented by the yellow arrows.

Photo 112. The pumps that transfer runoff from the collection inlet to the liquid waste storage facilities at Site 2, where the runoff is stored until it can be land applied.

Photo 113. The reception basin where runoff from the feed storage area is collected and transferred to on-site WSFs. This photo was taken facing northwest.

Photo 114. The VTA located east of the feed storage area at Site 2. The VTA is not being used to treat runoff from the feed storage area. This photo was taken facing north.

Photo 115. The earthen berm located on the west side of the VTA, which prevents runoff from leaving the VTA.

Photo 116. The VTA located east of the feed storage area at Site 2. The VTA is not being used to treat runoff from the feed storage area. This photo was taken facing east.

Photo 117. The VTA located east of the feed storage area at Site 2. The VTA is not being used to treat runoff from the feed storage area. This photo was taken facing northeast.

Photo 118. The VTA located east of the feed storage area at Site 2. The VTA is not being used to treat runoff from the feed storage area. This photo was taken facing north.

Photo 119. The VTA located east of the feed storage area at Site 2. The VTA is not being used to treat runoff from the feed storage area. This photo was taken facing northwest.

Photo 120. An earthen berm located on the east side of the VTA. The berm prevents runoff from leaving the VTA. This photo was taken facing north.

Photo 121. The southern feed storage area at Site 1, located south of the separated solids building and west of WSF 2. This photo was taken facing south.

Photo 122. The southern feed storage area at Site 1, located south of the separated solids building and west of WSF 2. This photo was taken facing north.

Photo 123. Crushed corn being stored on the feed storage area at Site 1. Only bulk commodity feed is being stored on the feed storage areas at Site 1.

Photo 124. The southern feed storage area at Site 1, located south of the separated solids building and west of WSF 2. This photo was taken facing north.

Photo 125. The west side of the southern feed storage area at Site 1. This photo was taken facing south.

Photo 126. The south side of the southern feed storage area at Site 1. This photo was taken facing east.

Photo 127. The south side of the southern feed storage area at Site 1. This photo was taken facing east.

Photo 128. Crushed corn that has been blown off the southern feed pad at Site 1. This photo was taken facing west.

Photo 129. The east side of the southern feed storage area at Site 1. This photo was taken facing north.

Photo 130. The collection inlet for the southern feed storage area at Site 1. The inlet is located at the northeast corner of the FSA. This photo was taken facing west.

Photo 131. The collection inlet for the southern feed storage area at Site 1. The inlet is located at the northeast corner of the FSA.

Photo 132. One of two collection inlets for the northern feed storage area at Site 1. This inlet is located at the southeast corner of the storage area. This photo was taken facing west. The inlet was covered to prevent stormwater collection.

Photo 133. The east half of the northern feed storage area at Site 1. There is currently no feed being stored in this location. This photo was taken facing west.

Photo 134. The east half of the northern feed storage area at Site 1. There is currently no feed being stored in this location. This photo was taken facing north.

Photo 135. Bulk commodity feed being stored on the west half of the northern feed storage area at Site 1. This photo was taken facing northwest.

Photo 136. The second collection inlet for the northern feed storage area at Site 1. This photo was taken facing northwest. The inlet was covered to prevent stormwater collection.

Photo 137. The west half of the northern feed storage area at Site 1. This photo was taken facing east.

Photo 138. Bulk commodity feed being stored on the west half of the northern feed storage area at Site 1. This photo was taken facing north.

Photo 139. The second collection inlet for the northern feed storage area at Site 1. This photo was taken facing northwest. The inlet was covered to prevent stormwater collection.

Animal Mortality Disposal

Animal mortalities are managed to not have current or past indicators of discharges.

Kinnard Farms utilizes Sandy Bay Mink Ranch to handle animal mortalities. Animal mortalities are placed at the southeast corner of the freestall barn at Site 2 until they are picked up by Sandy Bay Mink Ranch.

Photo 140. The location where animal mortalities are kept until they are taken by Sandy Bay Mink Ranch, located on the east end of the freestall barn at Site 2.

Ancillary Service Areas

Preventative maintenance actions and visual inspections are occurring to minimize pollutant discharges from ancillary service and storage areas (i.e. storm water conveyance systems, driveways, etc.).

KF utilizes series of stormwater inlets and grassed swales to convey clean stormwater and prevent stormwater from coming into contact with contaminants. Site 2 has two areas where stormwater collects and slowly drains from the production site. One area is west of the sand separator building, where the grassed swales from the north side and south side of the large freestall barn drain to. The area then drains to the west road ditch along Spruce Rd. The second collection area is located north of the feed storage area at Site 2. At Site 1, the stormwater is handled by grassed swales and culverts that convey stormwater off-site.

The driveways at Kinnard Farms are managed to not cause discharges. There was manure present outside of the southernmost freestall barn at Site 1. Liquid manure was leaving the barn on the east end due to a broken board at the base of the east wall. Kinnard stated that the farm will fix the board as soon as possible.

Commodity feed storage is present within a building at Site 1. All feed is mixed on the northern feed storage area at Site 1. Kinnard stated that they plan to construct a commodity storage area at the feed storage area at Site 2. During the inspection, Salscheider observed bulk dry feed commodity being stored at both feed storage areas at Site 1. Kinnard stated that the dry feed is stored here until it is moved into the commodity storage shed all at once. The bulk feed was completely covered in plastic. One commodity feed pile on the south feed storage area at Site 1 had an open working face.

Photo 141. A grassed swale on the south side of the freestall barn at Site 2 that is used to convey stormwater through the production site.

Photo 142. A grassed swale on the south side of the freestall barn at Site 2 that is used to convey stormwater through the production site.

Photo 143. A stormwater detention basin located east of the sand separation building at Site 2. Stormwater drains to this location and slowly drains to the adjacent road ditch. This photo was taken facing north.

Photo 144. Stormwater culverts that discharge stormwater to the detention basin pictured in Photo 143.

Photo 145. A grassed swale on the north side of the freestall barn at Site 2 that is used to convey stormwater through the production site.

Photo 146. A grassed swale on the north side of the freestall barn at Site 2 that is used to convey stormwater through the production site.

Photo 147. A gravel area located north of the feed storage area at Site 2 that is used to store equipment. This photo was taken facing east.

Photo 148. A stormwater detention basin located north of the feed storage area at Site 2. This photo was taken facing east.

Photo 149. A gravel area located north of the feed storage area at Site 2 that is used to store equipment. This photo was taken facing south.

Photo 150. A stormwater detention basin located north of the feed storage area at Site 2. This photo was taken facing east.

Photo 151. A stormwater culvert that discharges clean water to the detention pond pictured in Photo 150. This photo was taken facing west.

Photo 152. A grassed swale located east of the VTA at Site 2 that conveys stormwater away from the production site. This photo was taken facing north.

Photo 153. Stormwater culverts that convey stormwater around the liquid waste storage facilities at Site 2. This photo was taken facing west.

Photo 154. A gravel area located east of the liquid waste storage facilities at Site 2 that is used to store equipment. This photo was taken facing southeast.

Photo 155. A location where vegetation is being reestablished after a semi-tractor was pulled down the hillside. This photo was taken near the manure loading location facing west.

Photo 156. A grassed swale located between the southern feed storage area and WSF 2 at Site 1. The swale conveys stormwater through the production site.

Photo 157. The feed commodity storage building located north of the northern feed storage area at Site 1.

Photo 158. A storage bay in the feed commodity storage building located north of the northern feed storage area at Site 1.

Photo 159. A storage bay in the feed commodity storage building located north of the northern feed storage area at Site 1.

Photo 160. A storage bay in the feed commodity storage building located north of the northern feed storage area at Site 1.

Photo 161. Commodity feed storage bins located in the middle of the northern feed storage area at Site 1. This photo was taken facing south.

Photo 162. Fuel storage at Site 1, located adjacent to the northern feed storage area.

Photo 163. Fuel storage at Site 2, located south of the liquid waste storage facilities.

On-Site Groundwater Monitoring

Kinnard Farms utilizes five wells around the production site to monitor groundwater quality per WPDES Permit requirements. Kinnard Farms collects quarterly water samples from each well and submits the sample results to the department. Well One (MW-1) is located southeast of WSF 7. Well Two (MW-2) is located southwest of WSF 6. Well Three (MW-3) is located northeast of WSF 7. Well Four (MW-4) is located northwest of the feed storage area. Well Five (MW-5) is located west of Site 2 and is no longer being monitored due to lack of water in the well. Kinnard Farms is currently working with Hanson to develop Phase II of the groundwater monitoring plan, which is required by their WPDES Permit.

Photo 164. Monitoring Well 4 (MW-4), located northwest of the feed storage area at Site 2.

Photo 165. Monitoring Well 3 (MW-3), located south of the vegetated treatment area at Site 2.

Photo 166. Monitoring Well 1 (MW-1) located on the southeast corner of the production site at Site 2. This photo was taken facing southeast.

RECORDS REVIEW

The permittee has current WPDES Permit and Nutrient Management Plan onsite.
The permittee provided complete production site inspection records that are required to be retained.
The permittee provided adequate documentation that the facility has a minimum of 180 days of liquid manure storage capacity.
The permittee provided land application records to demonstrate compliance with nutrient management plan requirements.
The permittee has copies of their emergency response and monitoring and inspection plans onsite.
The permittee is not up to date on required reporting and actions as specified in the Schedules section of permit.

- Kinnard Farms failed to submit a complete engineering evaluation for the feed storage areas at Site 1, which were required by the WPDES Permit, Permit Section 3.7.

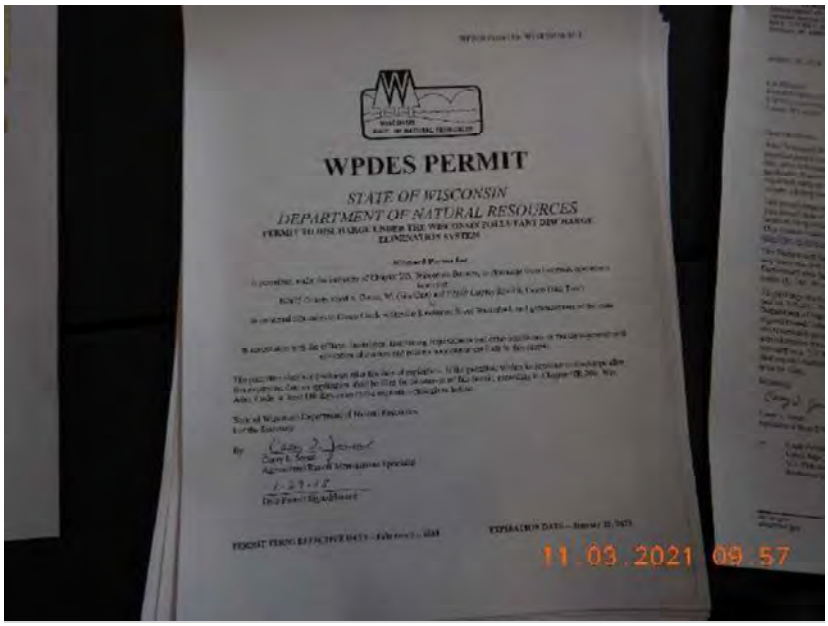


Photo 167. Kinnard Farms previous WPDES Permit, which was readily available during the inspection. Kinnard Farms' current permit is a modification of the permit in the photo.

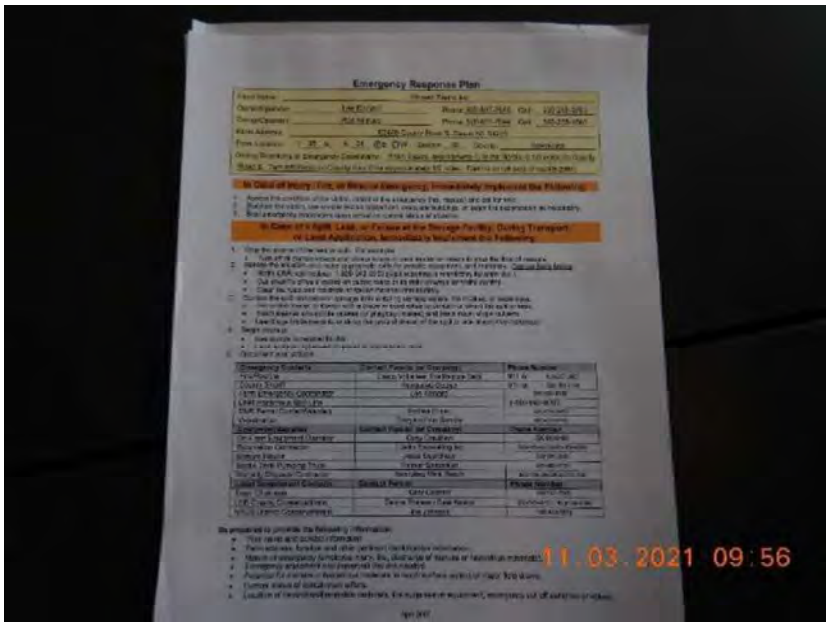
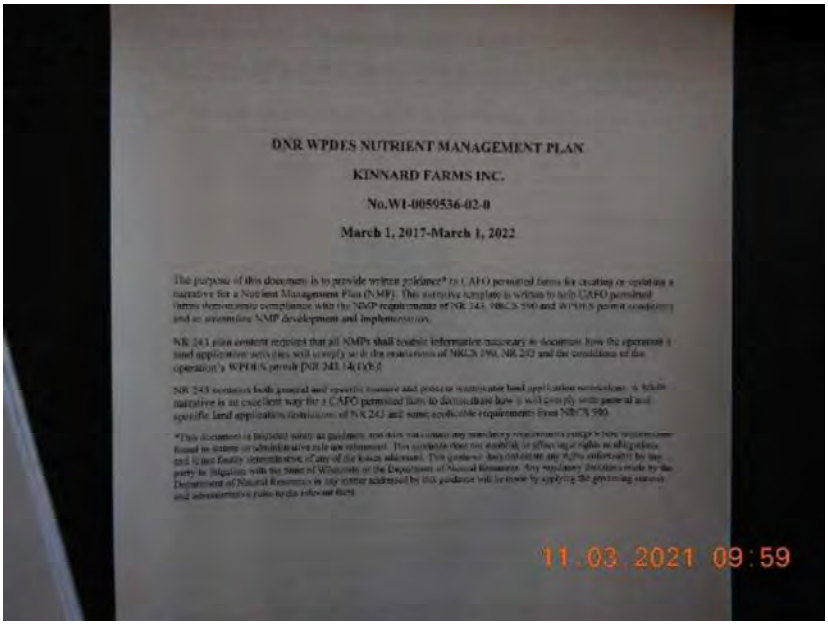


Photo 168. Kinnard Farms' emergency response plan. The plan needs to be updated to include the correct DNR CAFO contact.

Photo 169. Kinnard Farms' current nutrient management plan.



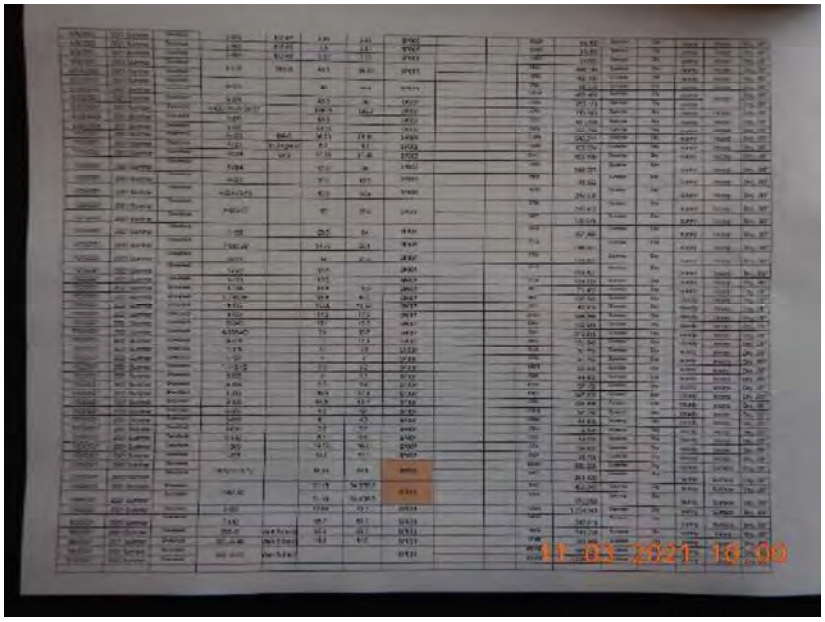


Photo 170. Kinnard Farms' manure hauling log.

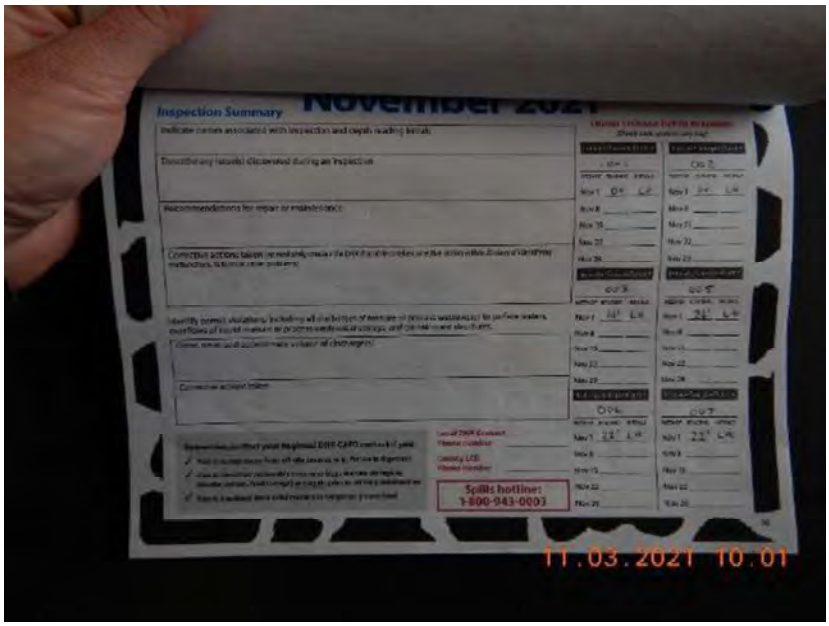


Photo 171. Kinnard Farms' CAFO Calendar, which is used to record daily, weekly, and quarterly inspections, including the weekly WSF measurements.

Photo 172. Kinnard Farms' CAFO Calendar, which is used to record daily, weekly, and quarterly inspections, including the weekly WSF measurements. The 180-days of storage marker was reached on November 21, 2021.

SUMMARY

Substantial Compliance
The permittee is not in substantial compliance with the permit.

Areas of Concern
Liquid manure leaving the east side of the southernmost freestall barn at Site 1
Maximum Operating Levels at Site 2 do not take into account the runoff collected from the feed storage area at Site 2
Animal burrowing adjacent to WSF 7
Animal burrowing in the berm along WSF 2

Permit Violations
No permit violations were observed during the site inspection

Action Items
Repair the animal burrows present around the WSFs
Repair the board in the southernmost freestall barn at Site 1 to prevent liquid manure from leaving the barn

Determine the appropriate elevation for the maximum operating level in WSF 5 to account for the 25-year, 24-hour rain event

Items for Next Permit Term
There are currently no forecasted items for the next permit.

Materials Required as part of the Permit Application
Required materials must be submitted together as a complete permit application through the ePermitting System: http://dnr.wi.gov/permits/water/. The system will not allow you to electronically sign and submit your application until all of the following are included:

- 3400-025 form (Livestock/Poultry Operation WPDES Permit Application)
- 3400-025A form (Animal Units Calculation Worksheet)
- 3400-025G form (Evaluated Facilities of Systems Checklist)
- 3400-025C form (Reviewable Facilities of Systems Checklist)
- A soil survey map of the dairy's production area
- A labeled aerial map showing the existing and proposed features and structures of the dairy's production area
- Calculations documenting days liquid manure and process wastewater storage
- Supporting documentation for days storage calculations
- A complete 5-year Nutrient Management Plan (NMP). If necessary, include a description of permanent spray irrigation systems and any other land spreading or treatment systems (proposed or active)
- Plans and specifications for any proposed facilities

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
1300 W. Clairemont Ave.
Eau Claire WI 54701

Tony Evers, Governor
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711

May 15, 2024

Kewaunee County
Approval

Lee Kinnard
Kinnard Farms Inc
W7684 Hillwood Court
Hortonville, WI 54944

SUBJECT: Conditional Approval of Kinnard Farms Inc Nutrient Management Plan, WPDES Permit No. 0059536-05-0

Dear Mr. Kinnard:

After completing a review of Kinnard Farms Inc 2023-2027 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 Kinnard Farms 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 Kinnard Farms 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 Kinnard Farms 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 11,130 animal units (7,200 milking & dry cows, 750 heifers, and 0 calves). A planned herd size of 12,840 animal units (8,400 milking & dry cows, 750 heifers, and 150 calves) by 2025.
2. Manure generation and spreading records indicate your herd will annually generate approximately 116,695,792 gallons of manure and process wastewater and 0 tons of solid manure in the first year of the permit term. After the proposed expansion your herd will annually generate approximately 131,834,950 gallons of manure and process wastewater and 287 tons of solid manure.
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 Kinnard Farms Inc currently has 15,838.8 acres (2,083.8 owned and 13,755 controlled through contracts, rental agreements or leases, or under manure agreements) of which 14,621.2 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 School Creek (listed 303(d) impaired water by 'Total Phosphorus and Total Suspended Solids'), Luxemburg Creek (listed 303(d) impaired water by 'Total Phosphorus'), Kewaunee River (listed 303(d) impaired water by 'Total Phosphorus, PCBs, Arsenic, Unspecified Metals '), Rio Creek (listed 303(d) impaired water by 'Total Phosphorus'), Red River (listed 303(d) impaired water by 'Total Phosphorus'), Sugar Creek (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 the following fields included in the NMP are located within the well head protection area for the Village of Luxemburg: 002-P-1
9. This NMP has fields that are tiled. For a list of the fields that are tiled, please see the *NM3: Field Data and 590 Assessment Plan report contained within the NMP document set*.
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 2023-2027 Kinnard Farms 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. The following fields have also been approved to receive industrial, municipal, or septage waste:

Field Name	Other Permittee Name	Other Permittee Field Name	DNR #
029-K-1	ROSEWOOD DAIRY INC	K1	114478
029-CL-3	ROSEWOOD DAIRY INC	CL3	114468
057-Arwed-5	ROSEWOOD DAIRY INC	13	113411
029-CL-4	ROSEWOOD DAIRY INC	CL4	114469
057-Renards	ROSEWOOD DAIRY INC	1	114132
029-CL-5	ROSEWOOD DAIRY INC	CL5	114483
050-20	NLC ENERGY DENMARK LLC	3	46929
057-Home-2	ROSEWOOD DAIRY INC	3	113371
050-21	NLC ENERGY DENMARK LLC	4	100873
029-CL-6	ROSEWOOD DAIRY INC	CL6	114471
029-LU-1	ROSEWOOD DAIRY INC	LU1	114488

057-Arwed-2	ROSEWOOD DAIRY INC	10	113409
057-Arwed-4	ROSEWOOD DAIRY INC	12	10610
057-Grovogel	ROSEWOOD DAIRY INC	6	10620
057-Shannons	ROSEWOOD DAIRY INC	7	113375
057-Arwed-3	ROSEWOOD DAIRY INC	11	113410
057-Caris South	ROSEWOOD DAIRY INC	5	113373
057-Arwed-1	ROSEWOOD DAIRY INC	9	10585
029-LU-2	ROSEWOOD DAIRY INC	LU2	114481
4-020	CASCO WASTEWATER TREATMENT FACILITY	2	66803
029-LU-3	ROSEWOOD DAIRY INC	LU3	114482
057-Johns	ROSEWOOD DAIRY INC	4	113372
050-18	NLC ENERGY DENMARK LLC	6	81280
057-Home-1	ROSEWOOD DAIRY INC	2	113370
050-19	NLC ENERGY DENMARK LLC	2	100872
4-019	CASCO WASTEWATER TREATMENT FACILITY	1	14383

Prior to any manure applications on these fields Kinnard Farms 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 Kinnard Farms 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: Kinnard Farms Inc is responsible for obtaining nutrient content values for all other wastes spread on any field in their NMP.

3. The following fields are prohibited from receiving applications of manure or process wastewater due to soil test P being 200ppm or greater:

7-041 (>200ppm P)	012-H-11 (>200ppm P)	012-H12N (>200ppm P)
057-Pasture (>200ppm P)		

4. The following fields are prohibited form receiving applications of manure or process wastewater due to the use of default soil test values:

005-JSW	019-Pasture	056-Sams Home W
1-213	020-E	057- Renards
005-AJ3	021-D-1	058- Kruegers
005-BN-1	021-D-2	058-11
005-EVE	021-D-3	058-11A
005-JN	021-D-4	058-Wery
005-LUKE	021-K-20	059-02
005-OSE	021-M-1	059-11
005-OSW	021-M-2	059-11A
005-SNY	021-M-3	059-12

005-UW	021-M-4	059-13
009-01	023-50	059-14-15
010-CC-1	023-54	059-16
010-CC-2	023-SWAN-1	059-18
010-CC-3	023-SWAN-2	059-19
010-CC-4	023-Woods	059-20
011-CW-3-4	024-DT-5	062-01
011-EL-1	029-06	062-02
011-EL-2	029-07	062-06
011-EL-3	029-08	062-07
011-EL-4	029-CL-1	062-08
011-H-1	029-CL-3	062-09
011-KG-1	030-01	062-11
011-KG-2	030-02	063-01
011-LD-1	030-03	065-Hill Road
013-J-2	030-04	1-041
018-3	030-05	1-139
018-4	030-06	1-144
018-JN-1	030-07	6-011
018-JN-2	030-08	6-012
019-1	050-19	6-069
019-2	050-20	6-120
019-3	054-11	7-001
019-4	054-12-13	
019-5	056-Sams Home E	

If Kinnard Farms 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.

5. 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.

6. All liquid manure samples collected may be analyzed, at a minimum, for percent dry matter, total nitrogen, percent NH_4-N, percent NO_3-N, phosphorus, potassium, and sulfur.

7. If manure sample results have a dry matter (DM) content less than 2.0% and the percent ammonium (NH_4^+) is greater than 75% of the total N, Kinnard Farms Inc may use the following equation to adjust the first year available nitrogen when applications are injected or incorporated within 1 hour:

$$\text{First-Year Available N} = NH_4\text{-N} + [0.25 \times (\text{Total N} - NH_4\text{-N})]$$

8. Kinnard Farms Inc shall record daily manure applications by using form 3200-123A. These forms shall be retained at the farm and provided to the department upon request.

9. Kinnard Farms 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 3200-123.

WINTER SPREADING

10. Liquid manure applications during winter conditions, as defined by NR 243.14(7), Wis. Adm. Code, are prohibited with the exception of emergency applications.

11. The following field(s) are approved for winter spreading solid manure, emergency applications of liquid manure and frozen liquid manure:

- 1-135
- 1-138
- 1-139
- 1-195
- 1-198
- 1-199
- 1-202
- 5-004
- 6-099
- 6-101
- 1-122
- 1-075
- 1-065
- 1-066
- 1-074
- 4-024
- 4-025
- 4-027

12. The following field(s) are denied for winter spreading solid manure, emergency applications of liquid manure and frozen liquid manure:

- 1-022 (no maps)
- 1-023 (no maps)
- 4-002 (no maps)
- 4-037 (no maps)

13. 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.

14. Winter applications of liquid manure shall only occur under emergency situations, after notifying the Department and receiving verbal approval.

15. 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

16. The following sites are approved for non-winter and winter headland stacking: 1-118

MANURE & PROCESS WASTEWATER IRRIGATION

17. Irrigation of manure or process wastewater is prohibited.

NR243.143/151.075 SILURIAN BEDROCK PERFORMANCE STANDARDS

18. Manure generated by Kinnard Farms Inc that is mechanically applied to the following approved fields meet planning requirements under NR243.143/151.075, Silurian bedrock performance standards. The following fields are required to meet all requirements under NR243.143/151.075, Silurian bedrock performance. Any fields not on this list that are identified as <20ft to Silurian bedrock must abide by the same rules:
    SEE APPENDIX A FOR FULL LIST OF SILURIAN BEDROCK FIELDS

SUBMITAL AND RECORDKEEPING REQUIREMENTS

19. 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 locate permits, zoning and regulatory requirements.

If you have any questions regarding this approval I can be reached at 715-214-5503 or Aaron.Orourke@Wisconsin.gov.

Sincerely,

Aaron O'Rourke
WDNR Nutrient Management Program Coordinator
Wisconsin Department of Natural Resources

cc: James Salscheider, WDNR Enforcement Coordinator (James.Salscheider@Wisconsin.gov)
Joe Baeten, WDNR Watershed Field Supervisor (Joseph.Baeten@Wisconsin.gov)
Chris Clayton, WDNR Ag Runoff Section Chief (Christopherr.Clayton@Wisconsin.gov)
Ashley Scheel, WDNR CAFO NMP Reviewer (Ashley.Scheel@Wisconsin.gov)
Falon French, WDNR Intake Specialist (Falon.French@Wisconsin.gov)
Davina Bonness, Kewaunee County (bonness.davina@kewauneeco.org)
Nathen Nysse, Tilth Agronomy (Nathen@tilthag.com)
File

APPENDIX A: SILURIAN BEDROCK FIELDS

002-P-1	058-1	1-169
002-P-2	058-10	1-170
002-P-3	058-11	1-171
003-02	058-11A	1-172
003-03-05	058-2	1-173
003-06-11	058-3	1-174
003-07	058-3A	1-200
003-08	058-4	1-201
003-16	058-5	1-202
003-17	058-6	1-203
003-18	058-7	1-204
003-9/10	058-8	1-205
003-PH	058-9	1-206
004-BE-1	058-Kruegers	1-207
004-BE-2	058-Wery	1-208
004-BE-3	059-02	1-209
004-BE-4	059-11	1-210
004-BE-5	059-11A	1-211
004-BE-6	059-13	1-212
004-BE-7	059-14-15	1-213
010-CC-1	059-16	1-216
010-CC-2	059-18	1-217
010-CC-3	059-19	1-218
010-CC-4	059-20	1-219
011-CW-3-4	060-MZ-3	1-231
011-DD	060-MZ-4	4-019
011-DL-2	061-OK-1W	4-020
011-EL-1	061-PV-01	4-033
011-EL-2	062-01	5-014
011-EL-3	062-02	5-016
011-EL-4	062-06	5-017
011-H-1	062-07	5-018
011-LD-1	062-08	6-012
012 -M-01	062-09	6-013
012 -M-02	062-11	6-015
012 -M-03	064-01	6-016
012 -M-04	064-02	6-017
012- M-05	064-03	6-018
012 -M-06	1-002	6-020
012-DB-1	1-003	6-022
012-H-01	1-014	6-023

012-H-02	1-015	6-024
012-H-03	1-016	6-025
012-H-04	1-017	6-026
012-H-05	1-018	6-027
012-H-12	1-019	6-028
012-H-13	1-021	6-030
012-H-14	1-022	6-031
012-H-15	1-023	6-032
012-H-16	1-024	6-033
012-H-17	1-025	6-034
012-J-01	1-026	6-035
012-J-02	1-027	6-036
012-J-03	1-028	6-037
012-J-04	1-029	6-038
012-J-05	1-030	6-039
012-J-06	1-031	6-040
012-J-07	1-032	6-041
012-J-08	1-033	6-042
012-J-09	1-035	6-043
012-J-10	1-036	6-044
012-J-11	1-037	6-045
012-J-12	1-038	6-046
012-J-13	1-039	6-047
012-J-14	1-041	6-048
012-J-15	1-042	6-049
012-J-16	1-043	6-050
012-J-17	1-044	6-051
012-J-18	1-045	6-052
012-J-19	1-046	6-053
012-J-20	1-047	6-054
012-J-21	1-048	6-055
012-L-01	1-053	6-056
012-L-14	1-054	6-058
012-M-07	1-055	6-059
012-M-08	1-056	6-060
012-M-10	1-057	6-061
012-M-11	1-058	6-063
012-M-12	1-059	6-064
012-M-13	1-060	6-065
012-M-14	1-061	6-066
012-T-1N	1-062	6-067
012-T-1S	1-063	6-068
013-G-1	1-064	6-069

013-G-2	1-065	6-072
013-J-1	1-066	6-073
013-J-2	1-067	6-074
013-J-3	1-068	6-077
013-K-1	1-069	6-078
013-K-2	1-070	6-079
013-K-3	1-071	6-080
013-N-1	1-072	6-081
013-R-1	1-073	6-082
013-R-2	1-074	6-083
013-R-3	1-075	6-084
017-B-1	1-076	6-120
017-B-2	1-077	6-121
017-B-3	1-078	6-122
017-B-4	1-079	7-001
018-3	1-080	7-002
018-4	1-081	7-004
018-JN-1	1-082	7-016
018-JN-2	1-083	7-018
019-SD-1	1-084	7-019
021-K-20	11-001	7-021
024-13-14	11-002	7-022
024-16-17	11-003	7-023
024-25	11-005	7-024
024-27	1-105	7-025
024-28	1-106	7-037
024-AC-1	1-107	7-038
024-AC-2	1-108	7-039
024-AF-1	1-109	7-040
024-AF-2	1-110	7-041
024-BB-1	1-111	7-056
024-BB-2	1-112	8-001
024-BD-1-2	1-135	8-003
024-BD-3	1-139	8-004
024-BN-1	1-140	8-005
024-DT-2	1-141	8-006
024-DT-3	1-143	8-007
024-DT-4	1-144	8-008
024-DT-5	1-145	8-010
024-EJ-2	1-146	8-011
024-GK-1	1-149	8-012
024-JD-2-3	1-150	8-013
024-JM-02	1-151	8-019

024-JM-02A	1-152	8-020
024-JM-04	1-153	8-021
024-JM-05	1-154	8-026
024-JM-08	1-155	8-030
024-JM-09	1-156	8-031
024-JM-10	1-157	8-032
024-JM-11	1-158	8-033
024-KR-1	1-159	8-034
024-MD-1	1-160	8-035
024-MD-2	1-161	8-045
024-MD-3	1-162	8-046
024-MD-4	1-163	8-060
024-MZ-1	1-164	8-061
031-10	1-165	8-062
031-43	1-166	8-063
051-08	1-167	
056-Bretl West	1-168	

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
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April 27, 2023

FILE REF: R-2022-0255
WPDES Permit #: WI-0059536

Lee Kinnard
Kinnard Farms Inc
E2675 County Hwy S
Casco, WI 54205

Subject: Days of Storage Review for Kinnard Farms Inc of T25N, R24E, Section 19, 20, & 30 in Lincoln Township, Kewaunee County – NO ADDITIONAL ACTION REQUIRED

Dear Lee Kinnard:

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 Doug Gatrell, GHD on August 1, 2022 with revisions received on December 5, 2022 on behalf of Kinnard Farms 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 Kinnard Farms Inc has 258 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. Site 1 WSF 1 currently requires an evaluation (Project Ref: R-2023-0008) and the number of days of storage is subject to change once evaluations for the waste storage facility require no further action. The current and proposed number of animal units provided for the calculation is 11,130 and 12,840 respectively. The liquid waste volumes are based on the NRCS spreadsheet and other estimated or calculated values for a collection period of 365 days. All runoff, up to the 25yr – 24hr storm, from the Site 2 feed storage area is captured and contained in permanent storage. The bagged feed storage area at Site 1 has no runoff controls and is currently under evaluation (R-2022-0222).

Waste Storage	Total Vol. from Settled Top to Bottom	Solids Storage	25-yr, 24-hr Precip. on Storage	25-yr, 24-hr Collected Runoff	Freeboard Vol.	Max. Operating Level (MOL) Vol.
Site 1 – Cell 1	847,020	0	40,141	0	107,872	699,007
Site 1 – Cell 2	16,987,060	1,727,960	464,609	0	1,281,304	13,513,187
Site 2 – Cell 1	32,789,160	0	611,813	0	1,689,327	30,488,020
Site 2 – Cell 2	19,977,631	0	408,885	0	1,125,522	18,443,224
Site 2 – Cell 3	32,179,888	0	612,478	2,084,629	1,690,174	27,792,607
					Total MOL Vol:	90,936,045
					Days of Storage:	**258**

Liquids Collected/Stored	Annual Gallons
Manure, Bedding, and Wastewater	101,684,438
Feed Storage Leachate	785,400
Site 2 Feed Storage Runoff Collected	15,857,726
Site 1 Feed Storage Runoff Collected	0
Net Precipitation on Storage Surfaces	10,112,886
TOTAL:	**128,440,450**

Should you have any questions, please contact Tony Salituro, DNR Madison 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

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

Anthony Salituro

Tony Salituro, E.I.T.
CAFO Review Engineer
Watershed Management Program

Email:
Lee Kinnard; Kinnard Farms Inc
(920) 837-7644; lee@kinnardfarms.com

Doug Gatrell; GHD Services Inc
(734) 645-4851; Doug.Gatrell@ghd.com

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

Davina Bonness; Kewaunee County LCD
(920) 845-9743; bonness.davina@kewauneeco.org

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

James Salscheider; DNR-Northeast Region
(920) 367-3007; james.salscheider@wisconsin.gov

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

Ashley Scheel; DNR, Central Office
(608) 261-6419; ashley.scheel@wisconsin.gov

Tony Salituro; DNR-Central Office
(608) 444-2869; anthony.salituro@wisconsin.gov

Agricultural Runoff Viewer

Legend

- CAFO Facilities
  - Dairy
  - Beef
  - Swine
  - Chickens
  - Turkeys
  - Ducks
  - Other
- CAFO Satellite Facilities
- Buildings
- Runoff Flow
- Waste Transfer
- Waste Storage
- Other Production Areas
- Storm Water Inlets
  - Storm Water Inlet
  - Tile Inlet
  - Tile Outlet
- Storm Water Flow
  - Surface
  - Tile Drainage
  - Underground
- Municipality
- State Boundaries
- County Boundaries
- Major Roads
  - Interstate Highway
  - State Highway
  - US Highway
- County and Local Roads
  - County HWY
  - Local Road
- Railroads
- Tribal Lands
- Rivers and Streams
- Intermittent Streams
- Lakes and Open water
- Index to EN_Image_Basemap_

0.1 0 Distance / 2 0.1 Miles

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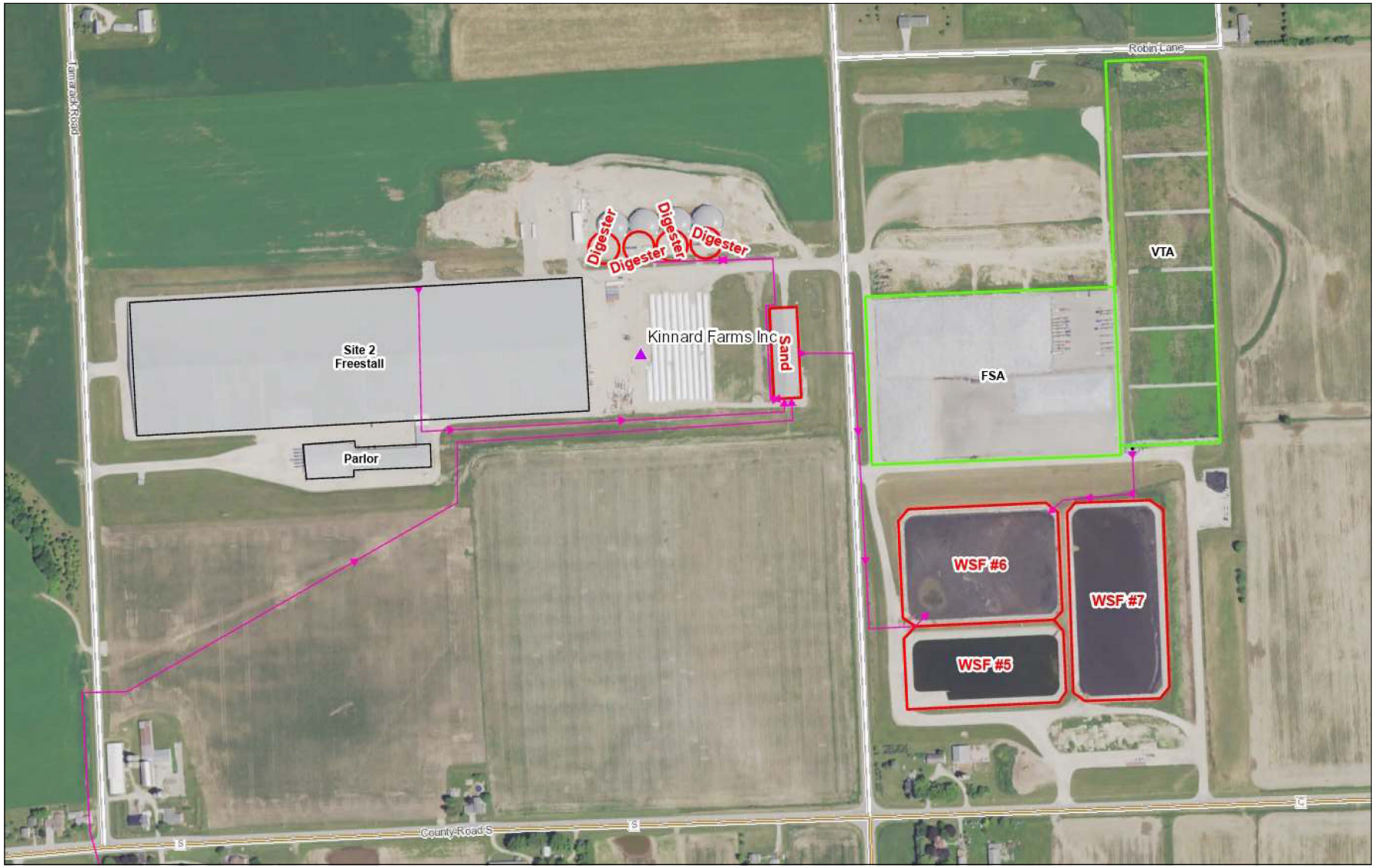
1: 3,960

Notes

DNR Legal Notices web page: http://dnr.wi.gov/legal/

Agricultural Runoff Viewer



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Notes

0.1 0 0.06 0.1 Miles

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Execution Version

SETTLEMENT AGREEMENT

This Settlement Agreement (this "**Agreement**") is made effective this 11th day of May, 2023 (the "**Effective Date**"), by and among Clean Wisconsin, Inc., a Wisconsin non-stock corporation ("**Clean Wisconsin**"), Sue Owen, Marilyn Sagrillo, Suzie Vania, Jodi Parins, Denise Skarvan and Sandra Winnemueller (each, an "**Intervenor**" and together with Clean Wisconsin, the "**Intervenors**"), Kinnard Farms, Inc., a Wisconsin corporation ("**Kinnard Farms**"), and the Wisconsin Department of Natural Resources, an agency of the State of Wisconsin ("**Department**"). Each of the Intervenors, Kinnard Farms and the Department are a "**Party**" and collectively, the "**Parties**".

This Agreement sets forth the terms and conditions for resolving the following contested case proceedings currently pending before the Wisconsin Department of Administration, Division of Hearings and Appeals ("**DHA**"):

> DHA Case No. DNR-22-0002; In the Matter of Wisconsin Pollutant Discharge Elimination System Permit No. WI-0059536-04-2, Issued to Kinnard Farms, Inc. (the "**Contested Case**").

RECITALS

WHEREAS, Kinnard Farms operates a Concentrated Animal Feeding Operation ("**CAFO**") having production areas in Casco, Kewaunee County, Wisconsin ("**Production Areas**");

WHEREAS, the Department modified Kinnard Farms' Wisconsin Pollutant Discharge Elimination System Permit ("**WPDES**") Permit on March 25, 2022, with the modified permit designated as WPDES Permit No. WI-0059536-04-2 (the "**Current Permit**");

WHEREAS, Kinnard Farms timely petitioned for review of Sections 1.1.1, 2.1.2, and 3.10 of the Current Permit pursuant to Wis. Stat. § 283.63;

WHEREAS, on April 29, 2022, the Department granted a contested case hearing to address five issues:

1. Whether the animal unit maximum of 11,369 provided in Section 1.1.1 of the Current Permit is reasonable;
2. Whether the requirement to conduct groundwater monitoring at land application sites provided for in Section 2.1.2 of the Current Permit is reasonable;
3. Whether the frequency for groundwater monitoring at land application sites provided for in Section 2.1.2 of the Current Permit is reasonable or necessary;
4. Whether monitoring at least two land application sites as provided for in Section 3.10 of the Current Permit is reasonable or necessary; and

5. Whether the deadlines for submitting Phase 1 and Phase 2 groundwater monitoring plans provided for in Section 3.10 of the Current Permit are reasonable or necessary (collectively, the "**Challenged Permit Terms**");

WHEREAS, as a result of Kinnard Farms' petition for review, the Challenged Permit Terms are not currently in effect pursuant to Wis. Stat. § 283.63(1)(am).

WHEREAS, Intervenors appeared by counsel in the Contested Case during a pre-hearing conference held on September 9, 2022 and pursuant to Notices of Appearances filed with DHA;

WHEREAS, the Current Permit expired, by its terms, on January 31, 2023;

WHEREAS, Kinnard Farms timely applied for reissuance of the Current Permit, and as a result, the Current Permit is administratively continued pursuant to Wis. Stat. § 283.53(3).

WHEREAS, the Department anticipates that it will reissue Kinnard Farms' WPDES permit in 2023;

WHEREAS, the reissued permit will be designated Permit No. WI-0059536-05 (the "**Reissued Permit**") and will have a term of five (5) years;

WHEREAS, Kinnard Farms is currently planning a commercial arrangement by which Kinnard Farms will transfer all of the Liquid Manure produced at its Production Areas to a third party (the "**Varcor Operator**"), who will install, own, operate, and maintain a Varcor System developed by Sedron Technologies to process the Liquid Manure (hereinafter referred to as the "**Varcor System**"); and

WHEREAS, once the Varcor System is fully operational following initial start-up, system shakedown, and testing, Kinnard Farms intends to land apply only Liquid Manure that is derived from flushing the Varcor System in connection with planned or unplanned maintenance or facility wash down ("**Clean-Out Manure**"), though it intends to continue to land apply Solid Manure and Process Wastewater; and

WHEREAS, the Parties hereto wish to fully and finally resolve the Contested Case upon the terms and conditions set forth herein.

NOW THEREFORE, in consideration of the mutual covenants and agreements set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

AGREEMENT

1. Recitals. The recitals and definitions set forth above are incorporated into this Agreement as if set forth fully herein.

2. Technical Terms. Unless otherwise defined herein, all capitalized terms used in this Agreement shall have the definition provided in ch. NR 243, Wis. Admin. Code, as it existed on the Effective Date.

3. Current Permit. Notwithstanding the resolution and withdrawal of the Contested Case contemplated by this Agreement, the Department shall not enforce the Challenged Permit Terms during any period in which the Current Permit, or any term or condition thereof, remains in effect due to an administrative continuation of the Current Permit or review of a term or condition of the Reissued Permit pursuant to Wis. Stat. § 283.63(1)(am). Intervenors shall take no action to oppose the Department's agreement not to enforce the Challenged Permit Terms under this Section 3 or to otherwise seek enforcement of the Challenged Permit Terms.

4. Reissued Permit Terms.

4.1 The Department shall include terms and conditions relating to groundwater monitoring of land application sites in the Reissued Permit. Such terms and conditions shall be the same, in form and substance, to those included in Sections 2.1.2 and 3.10 of the Current Permit, with all of the following exceptions:

4.1.1 Sections 2.1.2 and 3.10 of the Reissued Permit will only be applicable to fields identified in Kinnard Farms' Nutrient Management Plan ("**NMP**") where Liquid Manure, other than Clean-Out Manure, is land applied by Kinnard Farms under the Reissued Permit after the due date for submitting a Phase 1 Groundwater Monitoring Plan for Kinnard Farms' land application sites.

4.1.2 The Department shall include the fourth anniversary of the issuance of the Reissued Permit as the schedule due date for Kinnard Farms to submit a Phase 1 Groundwater Monitoring Plan for Kinnard Farms' land application sites.

4.1.3 The condition in the Reissued Permit which specifies, "Monthly samples shall be collected from all wells, unless a different frequency is agreed upon in the Phase 2 Groundwater Monitoring Plan" shall be removed and replaced with the following:

> "Monthly samples shall be collected from all wells in Phase 1. Groundwater monitoring in Phase 2 shall be conducted quarterly, unless a different frequency is agreed upon in the Phase 2 Groundwater Monitoring Plan."

4.1.4 The condition in the Reissued Permit which specifies, "Sampling of all off-site wells shall be conducted within 24 hours of a recharge event if a recharge event actually occurs during the month. If a recharge event does not occur in a particular month, then sampling

for that month is still required" shall be removed and replaced with the following permit condition:

> "The permittee's Phase 1 and Phase 2 Groundwater Monitoring Plans shall include a procedure for identifying groundwater recharge events and completing recharge-triggered sampling."

4.2 Upon issuance of the Reissued Permit, Kinnard Farms shall not seek judicial review under Wis. Stat. §§ 227.52 and 227.53 or contested case review under Wis. Stat. §§ 283.63 or 227.42 of the Department's decision to include terms and conditions relating to groundwater monitoring of land application sites in the Reissued Permit, provided such terms and conditions are consistent with Section 4.1 hereof.

4.3 Upon issuance of the Reissued Permit, Intervenors, individually or collectively, shall not seek judicial review under Wis. Stat. §§ 227.52 and 227.53 or contested case review under Wis. Stat. §§ 283.63 or 227.42 of terms and conditions of the Reissued Permit related to groundwater monitoring of land application sites, provided such terms and conditions are consistent with Section 4.1 hereof.

4.4 Nothing contained herein shall limit the ability of any Party to seek judicial review under Wis. Stat. §§ 227.52 and 227.53 or contested case review under Wis. Stat. §§ 283.63 or 227.42 of any permit term or condition establishing an animal unit maximum for Kinnard Farms in the Reissued Permit.

4.5 For clarity and avoidance of all doubt, nothing in this Agreement requires Kinnard Farms to modify its NMP to limit or prohibit land application of Solid Manure, Process Wastewater, or other nutrient sources.

5. Non-Permit Terms

5.1 Varcor Project Milestones.

5.1.1 Kinnard Farms shall make commercially reasonable efforts to cause construction of the Varcor System to be commenced within 180 days of the Varcor Approval Date;

5.1.2 Within 545 days of the Effective Date, Kinnard Farms or the Varcor Operator shall cause an application for a WPDES permit authorizing a discharge of effluent from the Varcor System to a surface water of the state to be filed with the Department;

5.1.3 Kinnard Farms shall make commercially reasonable efforts to cause construction of the Varcor System to be completed within 30 months of the Effective Date; and

5.1.4 No later than the fourth anniversary of the Effective Date of the Reissued Permit, Kinnard Farms shall submit to the Department a substantial revision of its NMP which does not include land application of Liquid Manure, other than Clean-Out Manure.

5.1.5 As used in this Agreement, "**Varcor Approval Date**" means the date on which Kinnard Farms or the Varcor Operator has received all of the following material approvals in connection with the Varcor System: (1) a building permit issued by the Town of Lincoln; (2) a conditional use permit issued by the Town of Lincoln and Kewaunee County, if required; (3) approval of plans and specifications for the Varcor System under Wis. Stat. § 281.41; (4) a Type A Registration Construction and Operation (ROP-A) Air Permit or any other required construction air permit or construction waiver issued by the Department; (5) an animal waste storage permit issued by Kewaunee County, if required; (6) any required construction site stormwater or erosion control permits; (7) a wetland delineation; and (8) any applicable wetland permit or exemption, if required.

5.2 If Kinnard Farms fails to achieve, or anticipates that it will fail to achieve, the project milestones identified in Section 5.1, above, due to factors substantially beyond the reasonable control of Kinnard Farms, including, without limitation, delays in receiving required governmental approvals or permits or delays in delivery of construction materials, the Parties may modify this Agreement to revise the schedule of project milestones. In the event a revision of the schedule of project milestones includes a delay in transfer of all of Kinnard Farms' Liquid Manure, other than Clean-Out Manure, produced at its Production Areas to the Varcor Operator beyond the fourth anniversary of the issuance of the Reissued Permit, the Department may modify the Reissued Permit to extend the schedule for Kinnard Farms to submit a Phase 1 Groundwater Monitoring Plan.

5.3 If Kinnard Farms breaches any obligation it has under Section 5.1 hereof, as may be modified by the Parties pursuant to Section 5.2, or if at any time prior to the fourth anniversary of issuance of the Reissued Permit, Kinnard Farms determines that it will no longer pursue the transfer of all of the Liquid Manure, other than Clean-Out Manure, produced at its Production Areas to the Varcor Operator, it shall notify the Parties of such determination. Within sixty (60) days of such notification or breach, Kinnard Farms shall submit a Phase 1 Groundwater Monitoring Plan meeting the requirements of the Reissued Permit for review and approval by the Department. Within ninety (90) days of approval of the Phase 1 Groundwater Monitoring Plan by the Department, Kinnard Farms shall install the monitoring wells identified in the Phase 1 Groundwater Monitoring Plan in accordance with ch. NR 141, Wis. Admin. Code.

5.4 Kinnard Farms shall submit semi-annual progress reports to the Parties until the occurrence of the project milestone described in Section 5.1.4 or the fourth anniversary of the issuance of the Reissued Permit, whichever comes first. The first progress report shall be due on June 30, 2023, and subsequent reports shall be due each June 30 and December 31 thereafter. The progress reports shall provide an overview of the current status of the development, construction and commercial operation of the Varcor System and describe major project milestones achieved since the last progress report.

6. Termination of Contested Case. From and after the Effective Date, the Parties will cease all activity in the Contested Case. Within seven (7) days of the Effective Date, Kinnard Farms shall submit to the Department a letter formally withdrawing, with prejudice, its petition giving rise to the Contested Case. Within seven (7) days of receipt of Kinnard Farms' letter withdrawing its petition, the Department shall submit to DHA a letter withdrawing its request for DHA to

conduct a contested case hearing on the Current Permit, and none of the Intervenors or Kinnard Farms shall oppose such request.

7. General.

7.1 The Parties acknowledge and agree that the terms of this Agreement bind only the Parties and are not intended to limit any rights of any other person with respect to the Current Permit or a future modification or reissuance thereof.

7.2 Each Party represents and warrants that the person executing this Agreement on behalf of the Party has been duly authorized to do so and that no further approvals of any kind are needed.

7.3 This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall be deemed to be one and the same agreement.

SIGNATURE PAGE FOLLOWS

SUE OWEN

Susan Owen

JODI PARINS

_____

MARILYN SAGRILLO

_____

DENISE SKARVAN

_____

SUZIE VANIA

_____

SANDRA WINNEMUELLER

_____

MIDWEST ENVIRONMENTAL ADVOCATES, INC.

As counsel for Intervenors SUE OWEN, MARILYN SAGRILLO, SUZIE VANIA, JODI PARINS, DENISE SKARVAN and SANDRA WINNEMUELLER

By: _____

Name: _____

Title: _____

CLEAN WISCONSIN, INC.

By: _____

Name: _____

Title: _____

WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By: _____

Name: _____

Title: _____

KINNARD FARMS, INC.

By: _____

Name: Lee H. Kinnard

Title: President

SUE OWEN

JODI PARINS

MARILYN SAGRILLO

Marilyn Sagrillo

DENISE SKARVAN

SUZIE VANIA

SANDRA WINNEMUELLER

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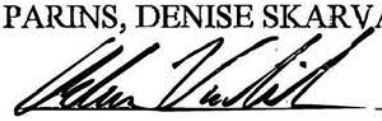
By: 

Name: Adam Voskuil

Title: Staff Attorney

CLEAN WISCONSIN, INC.

By: _____

Name: _____

Title: _____

WISCONSIN DEPARTMENT OF NATURAL RESOURCES

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By: _____

Name: _____

Title: _____

CLEAN WISCONSIN, INC.

By: Mark Redsten

Name: Mark Redsten

Title: President & CEO

WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By: _____

Name: _____

Title: _____

KINNARD FARMS, INC.

By: _____

Name: Lee H. Kinnard

Title: President

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Name: _____

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CLEAN WISCONSIN, INC.

By: _____

Name: _____

Title: _____

WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By: _____

Name: STEVEN LITTLE

Title: DEPUTY SECRETARY

KINNARD FARMS, INC.

By: _____

Name: Lee H. Kinnard

Title: President

[Signature Page to Settlement Agreement]

SUE OWEN

_____

JODI PARINS

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MARILYN SAGRILLO

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Title: _____

KINNARD FARMS, INC.

By: Lee H Kinnard

Name: Lee H. Kinnard

Title: President