

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

NOTICE OF FINAL DETERMINATION TO REISSUE A WISCONSIN POLLUTANT DISCHARGE  
ELIMINATION SYSTEM (WPDES) PERMIT No. WI-0062863-03-0

Permittee: S & S Jerseyland Dairy LLC, 7900 Old Elm Rd, Sturgeon Bay, WI, 54235

Facility Where Discharge Occurs: S & S Jerseyland Dairy LLC, 7900 Old Elm Road, Sturgeon Bay, WI 54235

Receiving Water And Location: Unnamed tributary within the Lake Michigan Basin Ahnapee River Watershed, and groundwaters of the state.

Brief Facility Description: S & S Ag Enterprises LLC is a proposed Concentrated Animal Feeding Operation (CAFO). S & S Ag Enterprises LLC is owned and operated by Randy & Dena Schmidt. S&S Ag Enterprises LLC is an existing permitted dairy farm located on Old Elm Road, SE ¼ SE ¼ S7 T26N R25E in the Town of Forestville, Door County. The farm consists of animal housing, feed storage, manure storage, and an anaerobic digester. A satellite milking operation (Peninsula Dairy, Dane Road, NW ¼ NW ¼ S31 T26N R26N, Town of Clay Banks, Door County) and a calf facility (7971 CTH H, NEQ E1/2 Sec 7 T26N R25E, Town of Forestville, Door County) are included in this permit for coverage. S & S Ag Enterprises LLC currently has 6395 animal units and may propose to expand to 10177 animal units by April 30, 2022. S & S Ag Enterprises LLC has a total of 11403 acres available for land application of manure and process wastewater. Of this acreage, 871.5 acres are owned and 10531.5 acres are rented.

Permit Drafter's Name, Address and Phone: Brad Holtz, 2984 Shawano Ave, Green Bay, WI, 54313-6727, (920) 662-5407

Date Permit Signed/Issued: April 3, 2017

Date of Effectiveness: April 1, 2017

Date of Expiration: March 31, 2022

Public Informational Hearing Held On: March 2, 2017

Following the public informational hearing the Department has made a final determination to reissue the WPDES permit for the above-named permittee for this existing discharge. The permit application information from the WPDES permit file, comments received on the proposed permit and applicable Wis. Adm. Codes were used as a basis for this final determination.

The Department has the authority to issue, modify, suspend, revoke and reissue or terminate WPDES permits and to establish effluent limitations and permit conditions under ch. 283, Stats.

Following is a summary of significant comments and any significant changes which have been made in the terms and conditions set forth in the draft permit:

Comments Received from the Applicant, Individuals or Groups and Any Permit Changes as Applicable

103 people submitted attendance forms, 31 people made oral comments (25 against & 6 in favor) and 6 written comments (opposing) were received, 14 written comments were received via USPS (1 supporting and 13 opposing) and 84 e-mail comments were received (30 supporting and 54 opposed).

Comments Received from EPA or Other Government Agencies and Any Permit Changes as Applicable

No comments received

As provided by s. 283.63, Stats., and ch. 203, Wis. Adm. Code, persons desiring further adjudicative review of this final determination may request a public adjudicatory hearing. A request shall be made by filing a verified petition for review with the Secretary of the Department of Natural Resources within 60 days of the date the permit was signed (see permit signature date above). Further information regarding the conduct and nature of public adjudicatory hearings may be found by reviewing ch. NR 203, Wis. Adm. Code, s. 283.63 Stats., and other applicable law, including s. 227.42, Stats.

Information on file for this permit action may be inspected and copied at either the above named permit drafter's address or the above named basin engineer's address, Monday through Friday (except holidays), between 9:00 a.m. and 3:30 p.m. Information on this permit action may also be obtained by calling the permit drafter at (920) 662-5407 or by writing to the Department. Reasonable costs (usually 20 cents per page) will be charged for copies of information in the file other than the public notice and fact sheet. Pursuant to the Americans with Disabilities Act, reasonable accommodation, including the provision of informational material in an alternative format, will be made to qualified individuals upon request.