



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

May 11, 2020

Nico Coetzee
Golden Dakota Farms, LLC
48188 221st Street
Elkton, SD 57026

RE: Golden Dakota Farms, LLC – State General Permit Application and
Revised Approval Letter

Dear Mr. Coetzee:

The Department of Environment and Natural Resources received your request to terminate the approval of the plans and specification for your proposed fourth holding pond and your request to add the fields listed in the following table to your previously approved nutrient management plan (NMP). On September 19, 2019, the department approved plans and specifications for your proposed fourth holding pond with your state permit application for coverage under the 2017 *General Water Pollution Control Permit for Concentrated Animal Feeding Operations* (general permit), **permit application number SDG-100211**.

Fields Being Added to NMP					
Field #	County	Legal Description	Available Acres	Soil Sampling Requirements	
				0-2 feet	Additional
F56	Brookings	S 1/2, Sec. 19, T109N, R47W	289.2	Yes	No
F57	Brookings	NW 1/4, Sec. 30, T109N, R47W	153.8	Yes	No
F59	Brookings	S 1/2, Sec. 26, T109N, R48W	270.3	Yes	No

The existing manure management system is currently permitted under the 2003 general permit and is located in the Southeast ¼ of Section 3, Township 108 North, Range 48 West in Moody County, South Dakota. Your existing manure management system is for a housed lot feeding a maximum of 4,000-head of mature dairy cattle and 75 dairy calves. Your existing system consists of a flume system in each of the eight freestall barns, piping, diversion dikes or channels, a calf hut area between the north freestall barns, a concrete sand settling lane, an open exercise lot, four settling ponds, three holding ponds, and 5.71 acres of drainage area. The existing holding pond system meets the requirements of the general permit and has at least 365 days of liquid storage capacity.

Based on your request, we are terminating the approval of the plans and specifications for your dairy's fourth holding pond. We are also approving the modifications to your NMP and are including *Fields 56, 57, and 59* in your approved NMP. Requirements you must implement are listed on the attached pages.

One copy of the submitted permit application is being retained for our files. If you plan to increase

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your maximum number of animals or make any modifications to your manure management system, you must obtain department approval prior to increasing your animal numbers or beginning any new construction. If you plan to make any modifications to your nutrient management plan that include a change in manure application method, the addition of land application fields, or a change in crop rotation, you must obtain department approval prior to making the change.

Continued compliance is dependent upon you performing proper operation and maintenance activities. You will be liable for any noncompliance with applicable South Dakota environmental laws or regulations.

If you have any questions regarding the content of this letter, please feel free to contact Fey Ayadi, Feedlot Permit Program at (605) 773-3351. Thank you for your cooperation.

Sincerely,



Kent R. Woodmansey, PE, Engineering Manager
Feedlot Permit Program
Phone: (605) 773-3351

cc: Brian Friedrichsen, PE, DEC, Huron, SD
Kevin Banken, Centrol, Brookings, SD
Moody County Commissioners
Brookings County Commissioners
Luke Muller, F.D.A.L.G., Watertown, SD
Randy Hukriede, MPCA, 504 Fairgrounds Rd., Suite 200, Marshall, MN 56258
Pete Doyscher, Lincoln County, County Feedlot Officer, 221 N Wallace Avenue, PO Box 66,
Ivanhoe, MN 56142
Kyle Krier, Pipestone County, County Feedlot Officer, 119 2nd Avenue SW, Suite 13,
Pipestone, MN 56164

REQUIREMENTS

The following requirements must be implemented. Failure to implement these requirements will invalidate this approval.

State General Permit

You will be required to operate your feeding operation and manure management system in accordance with the requirements in the general permit.

1. Environmental Training

Donovan Coetzee is your on-site representative and he attended the environmental training session on December 5, 2018. If the person or persons who attended training no longer work at the operation, you or your new on-site representative will need to attend the training for the operation within one year.

2. Ground Water Monitoring

Based on the system design, soil boring logs, and other published reports and information, this system does not appear to overlie a shallow aquifer and should not impact ground water. Therefore, a Ground Water Discharge Permit and groundwater monitoring were not required. Should the design or operation of the facility change appreciably, new hydrogeological information become available, or any contamination problems be reported, the department reserves the right to reassess the need for possible remediation, monitoring of ground water, or a Ground Water Discharge Permit. For additional information concerning ground water monitoring, please contact Troy Roth at (605) 773-3351.

3. Composting of Animal Mortalities

The general permit requires that animal mortalities shall be handled to prevent the discharge of pollutants to surface waters. Proper disposal of animal mortalities, including composting, is regulated by the South Dakota Animal Industry Board. If you plan to compost animal mortalities at your operation, you must contact the Animal Industry Board at (605) 773-3321 for information on their composting requirements. If manure or process wastewater is used in the composting process, plans and specifications are required to be approved for the composting structure. There can be no discharge of process wastewater from the composting area.

4. Notification

Other Government - You are responsible for contacting your local planning and zoning office to determine if there are any local ordinances or requirements with which you need to comply. If a stream, lake, or wetland will be dredged or filled during the construction of the feeding operation, you need to contact the United States Army Corps of Engineers' South Dakota Regulatory Office at (605) 224-8531 prior to beginning construction of the manure management system.

REQUIREMENTS CONTINUED

5. Initial Nutrient Management Plan (NMP)

Your submitted NMP indicates that manure and wastewater will be applied in the spring, summer, and fall, and that the methods of manure application will include injection and broadcast with incorporation. If solid manure or process wastewater is applied to fields other than cropped fields, grass, alfalfa, pasture land, or no-till cropland, liquid manure and process wastewater must be incorporated within 24 hours and solid or semi-solid manure must be incorporated within 5 days. Additional requirements pertaining to your NMP are listed on the following pages.

A. Endangered Species Action Plan

An Endangered Species Action Plan was included with your NMP and the plan includes best management practices to follow when manure or process wastewater are land applied to fields that are within $\frac{1}{4}$ mile of a stream where Topeka shiners have been observed or have potentially occupied according to the U.S. Fish and Wildlife Service. Based on your submitted NMP, a portion of the fields listed on *lines 8, 46, 47, 47 and 53* are within $\frac{1}{4}$ mile of a stream where Topeka shiners have been observed or have potentially occupied. You need to review your Endangered Species Action Plan prior to land applying to any of these fields.

B. Annual Soil Testing

Annual soil samples from 0 to 2 feet are required on all manure land application fields prior to manure application. The fields identified as being located over a shallow aquifer are shaded in Table 1 and have additional soil testing requirements. For these fields, soil tests are required from 0 to 2 feet **and** 2 to 4 feet prior to manure application.

For fields that require additional soil testing from 2 to 4 feet, you have the option to either conduct the initial 0 to 2-foot and the 2 to 4-foot soil test prior to land application or the alternative option to conduct the initial 0 to 2-foot soil test prior to land application and a second 0 to 2-foot soil test within four weeks of harvesting the crop. Please refer to section 1.4.4.3., beginning on page 35, of the 2017 general permit, for the annual nutrient management requirements. **You must notify the department in writing if you plan to use the alternative post-harvest soil sampling option instead of the 2 to 4-foot soil sampling requirement.**

If you have not elected to conduct the alternative post-harvest soil sampling and the department determines you are not conducting the required 2 to 4-foot soil sampling prior to manure application, you will be required to conduct the alternative post-harvest soil sampling on all fields requiring the additional 2 to 4-foot soil sampling and no longer have the option of taking the additional 2 to 4-foot soil samples prior to land application.

REQUIREMENTS CONTINUED

C. Approved Land Application Fields

The fields listed in Table 1 below are approved under the 2017 general permit for the land application of manure or process wastewater. **Once 2017 permit coverage has been issued and before manure or wastewater can be applied to these fields, you must obtain a current soil test and use the table on page 34 of the 2017 general permit to determine whether the field fits into a nitrogen need, one-year phosphorus crop removal, five-year phosphorus crop removal, or no application category based on the current phosphorus level of the field and the predicted annual erosion.** Please refer to the table on page 34 and the annual nutrient management requirements beginning on page 35 of the 2017 general permit prior to the land application of manure to determine the proper procedure for calculating the appropriate application rate for each specific field.

Table 1: Golden Dakota Farms, LLC – Approved Land Application Fields

CPA-63 Line #	Field ID	County	Legal Description	Available Acres	Soil Sampling Requirements 0-2 feet Additional	
					Yes	No
1	1	Moody	NW ¼, Section 2, T108N, R48W	76.6	Yes	No
2	2	Moody	NE ¼, Section 3, T108N, R48W	110.3	Yes	No
3	3	Moody	NE ¼, Section 4, T108N, R48W	147.7	Yes	No
4	4	Moody	SW ¼, Section 4, T108N, R48W	141.0	Yes	No
5	5	Brookings	SW ¼, Section 33, T109N, R48W	153.3	Yes	No
6	6	Moody	NW ¼, Section 9, T108N, R48W	153.8	Yes	No
7	7	Moody	E ½ of SE ¼, Section 16, T108N, R48W	36.6	Yes	Yes
8	8	Moody	SE ¼, Section 12, T108N, R48W	145.6	Yes	No
9	9	Moody	NE ¼, Section 9, T108N, R48W	150.0	Yes	No
10	10	Brookings	S ½ of the SE ¼ and S ¼ of SW ¼, Section 36, T109N, R48W	122.0	Yes	No
11	11	Moody	S ½ of the NE ¼ and N ½ of the SE ¼, Section 15, T108N, R48W	144.3	Yes	Yes
12	12	Moody	W ½, Section 3, T108N, R48W	247.9	Yes	No
13	13	Moody	SE ¼, Section 4, T108N, R48W	122.8	Yes	No
14	14	Moody	NW ¼, Sec. 17, T108N, R48W	143.9	Yes	No
15	15	Brookings	NE ¼, Section 36, T109N, R48W	134.8	Yes	No
17	17	Moody	SE ¼, Section 7, T108N, R48W	145.7	Yes	No
20	20	Brookings	E ½, Section 33, T109N, R48W	278.9	Yes	No
21	21	Brookings	NW ¼, Section 34, T109N, R48W	151.6	Yes	No
23	23	Moody	E ½ of the NE ¼, Section 16, T108N, R48W	58.3	Yes	Yes
24	24	Moody	NW ¼, Section 15, T108N, R48W	121.1	Yes	Yes
25	25	Brookings	W ½, Section 20, T109N, R48W	271.6	Yes	No
27	27	Moody	SE ¼, Section 9, T108N, R48W	116.7	Yes	No
28	28	Moody	E ½ of the SW ¼ and W ½ of the SE ¼, Sec. 16, T108N, R48W	190.6	Yes	No

REQUIREMENTS CONTINUED

CPA-63 Line #	Field ID	County	Legal Description	Available Acres	Soil Sampling Requirements 0-2 feet Additional	
					Yes	No
30	30	Brookings	SE ¼ & E ½ of the SW ¼, Section 32, T109N, R48W	208.9	Yes	No
31	31	Brookings	SE ¼, Sec. 29, T109N, R48W	134.0	Yes	No
32	32	Brookings	N ½ of the SE ¼, Section 36, T109N, R48W	78.2	Yes	No
35	35	Brookings	E ½, Section 8, T108N, R48W	265.3	Yes	No
36	36	Brookings	NW ¼, Section 27, T109N, R48W	145.8	Yes	No
37	37	Brookings	NE ¼, Section 27, T109N, R48W	146.2	Yes	No
38	38	Brookings	SW ¼, Section 27, T109N, R48W	141.0	Yes	No
39	39	Brookings	N ½ of the NW ¼, Section 35, T109N, R48W	73.9	Yes	No
40	40	Moody	NW ¼, Section 4, T108N, R48W	122.7	Yes	No
41	41	Moody	NW ¼, Section 5, T108N, R48W	137.6	Yes	Yes
42	42	Moody	SE ¼, Section 10, T108N, R48W	151.9	Yes	No
43	43	Brookings	W ½, Section 31, T109N, R47W	287.9	Yes	No
44	44	Moody	E ½ of the SE ¼, Section 3, T108N, R48W	36.0	Yes	No
45	45	Moody	SW ¼, Section 9, T108N, R48W	117.7	Yes	No
46	46	Brookings	SE ¼, Sec. 33, T109N, R47W	76.0	Yes	Yes
47	47-A	Brookings	S ½, Sec. 34, T109N, R47W	177.1	Yes	Yes
48	48-A	Moody	N ½, Sec. 3, T108N, R47W	213.8	Yes	Yes
51	51	Moody	NE ¼, Section 14, T108N, R48W	105.7	Yes	Yes
52	52	Moody	SE ¼ and N ½ of the SW ¼, Section 14, T108N, R48W	134.7	Yes	Yes
53	53	Moody	SW ¼, Section 13, T108N, R48W	107.5	Yes	Yes
54	54	Moody	S ½ of the SW ¼, Section 12, T108N, R48W	75.4	Yes	No
55	55	Moody	NW ¼, Section 13, T108N, R48W	150.3	Yes	No
56	56	Brookings	S ½, Sec. 19, T109N, R47W	289.2	Yes	No
57	57	Brookings	NW 1/4, Sec. 30, T109N, R47W	153.8	Yes	No
59	59	Brookings	S 1/2, Sec. 26, T109N, R48W	270.3	Yes	No
Total Available Acres				7,166.0		

Please note in your initial NMP the estimated time it will take to build your listed fields up to 50 ppm (Olsen test) or 75 ppm (Bray-1 test) of phosphorus. You may need additional land in order to apply to your fields based on phosphorus removal at that time.

D. Additional Land Application Fields Located in Minnesota

Your permit application indicates the fields listed in Table 2 below are located in Minnesota and may be used for the application of manure from your facility. You need to contact the Lincoln County Feedlot Officer in Ivanhoe, the Pipestone County Feedlot Officer

REQUIREMENTS CONTINUED

in Pipestone, and the Minnesota Pollution Control Agency (state agency) for information on their requirements pertaining to the land application of manure.

For the fields located in Minnesota, you are required to annually provide each landowner with the manure or process wastewater sample results for total nitrogen, inorganic nitrogen, and total phosphorus. You must maintain records documenting the manure and litter transferred including the date of transfer, nutrient content, and the quantity transferred. These records will be reviewed during your operation and maintenance inspections.

Table 2: Land Application Fields Located in Minnesota

CPA-63 Line #	Field ID or #	County	Legal Description	Acres
33	47-B	Lincoln	S ½, Sec. 36, T109N, R47W	120.1
34	48-B	Pipestone	Sec. 2, T108N, R47W	132.9
49	49	Pipestone	Sec. 1, T108N, R47W	551.4

E. Land Application to Saturated, Snow-Covered, or Frozen Soil

The fields identified on lines 44 and 53 of your submitted NMP are designated as winter or emergency application areas. The winter application maps identify the appropriate setbacks that need to be excluded from land application when the soil is saturated, snow-covered, or frozen and land application is absolutely necessary. You should notify the department and review the winter field map prior to land applying during these soil conditions.

Incorporation to non-vegetated crop ground is required for winter application. If incorporation is not possible, winter application may only be to cropped fields, grass, alfalfa, pasture land, or no-till cropland. The general permit requires manure or process wastewater applied to non-vegetated cropland to be incorporated; liquid manure and process wastewater must be incorporated within 24 hours and solid or semi-solid manure must be incorporated within 5 days.

F. Modification to Crop Rotation

Your initial NMP identifies a specific crop rotation for each field and includes a list of alternative crops that may be substituted into the rotation. If for any reason an alternative crop that is not included in the list of alternative crops is planned to be grown, that change would be considered a major modification and would require a revised alternative crop list to be submitted to the department for review and approval.

G. Certified Soil and Manure Testing Laboratories

As part of your annual nutrient management planning requirements, soil and manure tests must be analyzed by certified soil testing and manure testing labs. The laboratory analyzing the soil

REQUIREMENTS CONTINUED

samples must participate in the **North American Proficiency Testing Programs' Proficiency Assessment Program** and the labs that are currently certified are listed on the following website: <http://www.naptprogram.org/pap>. The laboratory analyzing the manure or process wastewater must be certified by the **Manure Testing Laboratory Certification Program** and the manure testing labs that are currently certified are listed on the following website: <http://www2.mda.state.mn.us/webapp/lis/manurelabs.jsp>.

If you or your crop consultant sends your soil or manure samples to a lab that is not listed on either of these websites, you and/or crop consultant may want to tell them that you need to use a certified lab so they can become certified.

H. Field Addition Requirements

To add fields to your approved NMP, you must submit the required information for each additional field to the department for our review and approval. Information on adding fields to your approved NMP may be obtained from your local Natural Resources Conservation Service (NRCS) office. You may also contact us for assistance at (605) 773-3351, or visit our website at <http://denr.sd.gov/des/fp/FieldAdditions.aspx> for instructions on adding fields to your NMP. **You cannot apply manure to any fields not included in your approved NMP.**

I. Mobile Land Application Systems

If a mobile land application system using temporary piping will be used for the land application of liquid manure or process wastewater, the equipment must be equipped with an on-board radio controller and flow meter that can be overseen by the applicator. See Section 1.4.4.1.m. on page 30 of the 2017 general permit for more information on this requirement.

6. Other Permits That Will or May Be Required

Emission Reporting - Depending on the estimated quantity of emissions of hazardous substance from your facility, you may be required to submit a continuous release report to the State Emergency Response Commission and Local Emergency Planning Commission. Information regarding emission reporting and how to determine if you need to submit a report can be found on the department's website at http://denr.sd.gov/des/gw/SARATitleIII/Emissions_from_Animal_Waste.aspx or by contacting Trish Kindt with the department at 1-800-433-2288.

Emergency Power Generator - The department has observed that emergency power generators have been installed at similar sized operations. If an emergency power generator will be installed at your operation it may require that you obtain an air quality permit. Please contact Kristen Hendricks with the department's Air Quality Program at (605) 773-3151, to determine whether an air quality permit is required. If an air quality permit is required, you must have that permit prior to using the generator.

Permit to Occupy Right of Way - If manure application will involve placing hoses or other equipment in a state highway right of way (for example, in a road ditch or through a culvert), you

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REQUIREMENTS CONTINUED

must first obtain a Permit to Occupy Right of Way. Application for this permit may be made through the local South Dakota Department of Transportation area office. Contact your local SD DOT area office for more information on this permit. In addition, please contact your county highway superintendent to determine if your county has similar requirements.