

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA,

*Plaintiff,*

and

SIERRA CLUB,

*Intervener,*

v.

WALNUTDALE FAMILY FARMS, LLC,

and

KEVIN LETTINGA,

*Defendants.*

Civil Action No. 1-20-cv-397

Hon. Paul L. Maloney

Hon. Phillip J. Green

**CONSENT DECREE - APPENDIX C**

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY  
WATER RESOURCES DIVISION  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

*Authorized by Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451,  
as Amended*

**CERTIFICATE OF COVERAGE (COC)**

Under General Permit No. MIG010000  
CAFO General Permit

CERTIFICATE OF COVERAGE NO.: MIG010063  
DESIGNATED NAME: Walnutdale Farms Dorr Twp-CAFO  
PERMITTEE: Walnutdale Farms LLC  
MAILING ADDRESS: 4309 14th Street  
Wayland, MI 49348

This COC requires the Walnutdale Farms LLC to operate facilities in accordance with the conditions set forth in General Permit MIG010000. The Walnutdale Farms Dorr TWP facility is located at 4309 14th Street, Wayland, Michigan 49348.

References in the General Permit to the Department of Environmental Quality (DEQ) shall be defined as the Kalamazoo District Office of the Water Resources Division and is located at: 7953 Adobe Road, Kalamazoo, Michigan, 49009-5025, Telephone: 269-567-3500; Fax: 269-567-9440.

The magnitude of the 25-year, 24-hour storm at the Walnutdale Farms Dorr TWP facility is 4.45 inches of rain.

Land application rates for additional crops grown at the Walnutdale Farms Dorr TWP facility are shown in the table below. The information shown in the table shall be considered an enforceable part of Part I.A.4.b.7)c) of General Permit No. MIG010000.

Crop	Harvest Form	Unit of Realistic Yield Goal Per Acre	P	P <sub>2</sub> O <sub>5</sub>
			--lb/unit of yield--	
Triticale	Silage	Ton	3.08	7.0

The permittee's production area or land application areas are located within a watershed(s) covered by the following approved *E. coli*, biota, or dissolved oxygen Total Maximum Daily Loads (TMDL) and the permittee is thereby required to comply with Part I.C.10. of General Permit No. MIG010000.

Name of TMDL	Pollutant of Concern
Buck Creek	E. coli

Any person who is aggrieved by this COC may file a sworn petition with the Michigan Administrative Hearing System within the Michigan Department of Licensing and Regulatory Affairs, c/o the Michigan Department of Environmental Quality (MDEQ), setting forth the conditions of the COC that are being challenged and specifying the grounds for the challenge. The Michigan Department of Licensing and Regulatory Affairs may reject any petition filed more than 60 days after issuance as being untimely.

This COC is based on a complete application received by the MDEQ on April 7, 2016. The permittee is subject to all conditions specified in General Permit No. MIG010000 issued April 30, 2015, expiring April 1, 2020. This COC may be modified, terminated, reissued, or revoked as allowed for in General Permit No. MIG010000. On its effective date, this COC shall supersede COC No. MIG010063 (expiring April 1, 2015).

This COC takes effect on the date of issuance.

December 23, 2016  
Date Issued

Original signed by Sylvia Heaton  
Sylvia Heaton, Chief  
Lakes Michigan & Superior Permits Unit  
Permits Section  
Water Resources Division