

Permit Fact Sheet

General Information

Permit Number	WI-0056294-08-0
Permittee Name	Back Road Beef LLC
Permitted Facility Address	W6920 Grogan Road Fort Atkinson
Permit Term	November 01, 2026 to October 31, 2031
Discharge Location	W6919 Grogan Road Fort Atkinson, WI 53538; SEQ and NEQ SEC 31; T5N; R14E; Jefferson County, WI
Receiving Water	unnamed tributaries within the Lake Koshkonong and Rock River Watershed, and groundwaters of the state
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
Steers or Cows (400 lbs. to market)	2300	2300	0	0	
Total	2300	2300	0	0	

Facility Description

Back Road Beef LLC is an existing Concentrated Animal Feeding Operation (CAFO). Back Road Beef LLC is owned and operated by the Naber Family. The farm currently has the capacity to house 2,300 animal units consisting of 2300 market steers. Back Road Beef LLC has a total of about 1,750 acres available for land application of manure and process wastewater, of which 773 acres are owned, and 1,137 acres are rented or controlled under manure contracts. Back Road Beef LLC has no planned expansion during the proposed permit term. Approximately 6 million gallons of manure and process wastewater and 5,700 tons of solid manure is estimated to be generated in the first year of the permit term. The farm has proposed 267 days of liquid manure storage and at least 59 days of solid manure storage. Back Road Beef LLC is currently working with Fort Atkinson wastewater treatment plant which receives all of the process wastewater from the Slurrystore and feed storage runoff controls.

One facility will be covered under Back Road Beef LLC WPDES Permit. The site is located at W6920 Grogan Road, Fort Atkinson WI 53538 and is composed of 11 lots and barns, one feed storage area, and three waste storage facilities.

Substantial Compliance Determination

Enforcement During Last Permit: The farm had no enforcement actions taken during the last permit term. The facility has completed all previously required actions as part of the permitting and / or enforcement process.

After a desk top review of all [compliance schedule items and permit application materials](#), and a site visit on [May November 11, 2025](#), this facility has been found to be in substantial compliance with their current permit.

Sample Point Descriptions

Sample Point Designation For Animal Waste		
Sample Point Number	Sample Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)	
003	WSF 1: Sample point 003 is for liquid waste storage facility 1 (WSF 1) located at Back Road Beef. WSF 1 is a concrete lined storage pit, located between lots 5 and 8. The facility has a MOL capacity of 3,020,426 gallons and was reconstructed in 2021. The storage accepts manure and process wastewater from lots 1-7.	
004	WSF 2: Sample point 004 is for liquid waste storage facility 2 (WSF 2) located at Back Road Beef. WSF 2 is a concrete lined storage pit, located between lots 4 and 11. The facility has a MOL capacity of 2,156,794 gallons and was constructed in 2021. This storage accepts manure and process wastewater from lot 4 and WSF 1.	
007	Miscellaneous Solid Manure- Sample point 007 is for solid manure sources that are directly land applied and not stored in a waste storage facility. This includes solid sources such as covered pen bedpack, steer manure, etc. Representative samples shall be taken for each manure source type. This sample point includes Lot 10 (formerly the front barn and sample point 008). Representative samples shall be taken for each manure source type.	
013	Harvestore Slurry Store Feed Leachate Storage: Sample point 013 is for a liquid waste storage facility for feed storage run off collection. Harvest Slurry Store is located at Back Road Beef north of the feed storage bunker area. Harvest Slurry Store is an HDPE-lined steel, above ground structure, with a 600,000-gallon capacity and was constructed in 1985. A secondary containment berm was also constructed to contain a slip. This storage accepts process wastewater from the feed storage area	
014	Feed Storage Area- Sample point 014 is for visual monitoring and inspection of the feed storage area and associated runoff control system located at Back Road Beef, north of lots 1, 8, and 9. Proper operation and maintenance is required to ensure discharges meet permit requirements. Weekly inspections are required and shall be recorded according to monitoring program.	
015	015- Underground Pipelines- Sample point 015 is for the transfer of liquid waste from WSF 1 and WSF 2 to the field for application. The pipe is pressure tested annually, and results are included with the annual report.	
016	Sample point 016 is for compost that is land applied from the approved composting site. The compost site is defined as part of the production area and therefore subject to the production area discharge limitations section of this permit. The compost site is located on the south side of lot 11. The site was selected in coordination with the departments solid waste program and NR 502. Quarterly inspections are required and shall be recorded according to monitoring programs.	

Sample Point Designation For Animal Waste		
Sample Point Number	Sample Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)	
017	Sample point 017 is for visual monitoring and inspection of all compost site storm water conveyance systems. This includes drainage tile systems, grassed waterways and other diversion systems that transport compost site runoff water. Proper operation and maintenance is required to keep runoff diverted away from compost and process wastewater handling systems. Weekly inspections are required and shall be recorded according to monitoring program.	
018	018- Sample point 018 is for visual monitoring and inspection of all production site storm water conveyance systems. 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.	

Permit Requirements

1 Livestock Operations - Proposed Operation and Management

Production Area Discharge Limitations

Beginning on the effective date of the permit, the permittee may not discharge pollutants from the operation's production area (e.g., manure storage areas, outdoor animal lots, composting and leachate containment systems, milking center wastewater treatment/containment systems, raw material storage areas) to navigable waters, except in the event a 25-year, 24-hour rainfall event (or greater) causes the discharge from a structure which is properly designed and maintained to contain a 25-year, 24-hour rainfall event for this location as determined under s. NR 243.04. If an allowable discharge occurs from the production area, state water quality standards may not be exceeded.

Runoff Control

The permit requires control of contaminated runoff from all elements of the production area to prevent a discharge of pollutants to navigable waters in accordance with the Production Area Discharge Limitations and to comply with surface water quality standards and groundwater standards. Beginning on the effective date of this permit, (if needed) interim measures shall be implemented to prevent discharges of pollutants to navigable waters. In addition, permanent runoff control system(s) shall be designed, operated and maintained in accordance with the requirements found in USDA Natural Resources Conservation Service standards and ch. NR 243, Wis. Adm. Code. If any upgrading or modifications to runoff controls are necessary, formal engineering plans and specifications must be submitted to the Department for approval.

Manure and Process Wastewater Storage

The permit requires the operation to have adequate storage for manure and process wastewater and that storage or containment facilities are designed, operated and maintained to prevent overflows and discharges to waters of the state. In order to prevent overflows, the permittee must maintain levels of materials in liquid storage or containment facilities at or below certain levels including a one foot margin of safety that can never be exceeded. If any upgrading or modifications to the storage facilities are necessary, formal engineering plans and specifications must be submitted to the Department for approval.

The permittee currently has approximately 267 days of storage for liquid manure. The permittee must maintain 180 days of storage, unless temporary reductions in required storage are approved by the Department.

Solid Manure Stacking

The operation has proposed to stack solid manure. All stacking of solid manure shall be done in accordance ch. NR 243, Wis. Adm. Code, which includes restrictions from NRCS Standard 313. Stacking of manure is considered to be part of the production area and is subject to the Production Area Discharge Limitations.

Ancillary Service and Storage Areas

The permittee shall take preventative maintenance actions and conduct visual inspections to minimize pollutant discharges from areas of the operation that are not part of the production area or land application areas. These areas are called ancillary service and storage areas and include access roads, shipping and receiving areas, maintenance areas, refuse piles and CAFO outdoor vegetated areas.

Nutrient Management

With 2,300 animal units (2,300 Steers or Cows, 400 lbs to market), it is estimated that approximately 5,991,996 gallons of manure and process wastewater and 5,700 tons of solid manure of manure and process wastewater will be produced per year. The permittee owns approximately 773 acres of cropland and rents about 1,137. Given the rotation commonly used by the permittee, 1,750 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 of practices to address potential water quality impacts associated with the land application of manure and process wastewater. Among the permit conditions are restrictions on manure ponding, restrictions on runoff of manure and process wastewater from cropped fields, and setbacks from wells and direct conduits to groundwater (e.g., sinkholes, fractured bedrock at the surface). In addition, the permittee must implement a phosphorus based nutrient management plan that addresses phosphorus delivery to surface waters by basing manure and process wastewater applications on soil test phosphorus levels or the Wisconsin Phosphorus index. Additional phosphorus application restrictions apply to fields that are high in soil test phosphorus (>100 ppm).

The permittee must also implement conservation practices when applying manure near navigable waters and their conduits, referred to as the Surface Water Quality Management Area (SWQMA). These practices include a 100-foot setback from navigable waters and their conduits, a 35-foot vegetated buffer adjacent to the navigable water or conduit, or a practice that provides equivalent pollutant reductions equivalent to or better than the 100-foot setback.

In addition, the permittee must comply with restrictions on land application of manure and process wastewater on frozen or snow-covered ground. Included in these restrictions is a prohibition on surface applications of solid manure ($\geq 12\%$ solids) on frozen or snow-covered ground during February and March. Non-emergency surface applications of liquid manure ($< 12\%$) on frozen or snow-covered ground are prohibited.

Monitoring and Sampling Requirements

The permittee must submit a monitoring and inspection program that outlines how the permittee will conduct self-inspections to determine compliance with permit conditions. These self-inspections include visual inspections of water lines, diversion devices, storage and containment structures and other parts of the production area. The permit requires periodic inspections and calibrations of landspreading equipment. The permittee must take corrective actions to problems identified 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: 003- WSF 1; 004- WSF 2 ; 013- Harvestore - Feed Leachate; 014- Feed Storage Area; 015- Pipeline-Underground Manure

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	

1.1.1 Changes from Previous Permit

No samples points were added or removed for this reissuance

1.1.2 Explanation of Operation and Management Requirements

Liquid manure and process wastewater sources must be properly stored and land applied according to the permit and nutrient management plan.

1.2 Sample Point Number: 007- Manure Storage - Solid; 016- Compost Site

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	

1.2.1 Changes from Previous Permit

Sample Point 016 was added for the compost area on the production area; site was developed with the Solid Waste Program to meet NR 502 composting requirements.

1.2.2 Explanation of Operation and Management Requirements

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

1.3 Sample Point Number: 017- Compost Site Runoff 017 and 018- Storm Water Runoff Control

1.3.1 Changes from Previous Permit

Sample Point 017 was added for the compost area on the production area; site was developed with the Solid Waste Program to meet NR 502 composting requirements.

1.3.2 Explanation of Operation and Management Requirements

The is no required nutrient sampling for the runoff control sample points. Rather, weekly or quarterly inspections are required and shall be recorded according to the monitoring plan and submitted with the Annual Report.

2 Schedules

2.1 Emergency Response Plan

The permittee shall update and submit an emergency response plan within 30 days of the effective date of this permit.

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.	12/01/2026

2.2 Explanation of Schedules

An emergency response plan is required to be developed per s. NR 243.13(6)(a) Wis. Admin. Code.

2.3 Monitoring & Inspection Program

Consistent with the monitoring and sampling requirements subsection, the permittee shall update and submit a proposed monitoring and inspection program within 30 days of the effective date of this permit.

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 30 days of the effective date of this permit.	12/01/2026

2.4 Explanation of Schedules

A monitoring and inspection program is required to be submitted per s. NR 243.19(1) Wis. Admin. Code

2.5 Annual Reports

Submit Annual Reports by January 31st of each year in accordance with the Annual Reports subsection in Standard Requirements.

Required Action	Due Date
Submit Annual Report #1: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2027
Submit Annual Report #2: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2028
Submit Annual Report #3: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2029
Submit Annual Report #4: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2030
Submit Annual Report #5: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2031
Ongoing Annual Reports: Continue to submit Annual Reports until permit reissuance has been completed.	

2.6 Explanation of Schedules

[Annual reports are required to be submitted per s. NR 243.19\(3\) Wis. Admin. Code.](#)

2.7 Nutrient Management Plan

Submit annual nutrient management plan (NMP) updates by March 31 of each year. Note, in addition to annual NMP updates, submit NMP amendments and substantial revisions to the department for written approval prior to implementation of any changes to the NMP.

Required Action	Due Date
Submit NMP Update #1: To include actual cropping, tillage, and nutrient application data from the previous calendar or crop year, consistent with the requirements of department for 3400-025D.	03/31/2027
Submit NMP Update #2: To include actual cropping, tillage, and nutrient application data from the previous calendar or crop year, consistent with the requirements of department for 3400-025D.	03/31/2028
Submit NMP Update #3: To include actual cropping, tillage, and nutrient application data from the previous calendar or crop year, consistent with the requirements of department for 3400-025D.	03/31/2029
Submit NMP Update #4: To include actual cropping, tillage, and nutrient application data from the previous calendar or crop year, consistent with the requirements of department for 3400-025D.	03/31/2030
Submit NMP Update #5: To include actual cropping, tillage, and nutrient application data from the previous calendar or crop year, consistent with the requirements of department for 3400-025D.	03/31/2031
Ongoing Management Plan Annual Updates: Continue to submit Annual Updates to the Nutrient Management Plan until permit reissuance has been completed.	

2.8 Explanation of Schedules

[Nutrient management plan updates are required to be submitted per s. NR 243.19\(3\)Wis. Admin. Code](#)

2.9 Submit Permit Reissuance Application

Required Action	Due Date
Reissuance Application: Submit a complete permit reissuance application 180 days prior to permit expiration.	05/01/2031

2.10 Explanation of Schedules

A permit reissuance application is required per s. NR 243.12(1)(d) Wis. Admin. Code.

Attachments

Inspection Report with Map(s) December 15, 2023

Nutrient Management Plan Approval Letter(s) April 6, 2025

Days of Storage Review April 29, 2025

Evaluation Review September 30, 2025

Evaluation Review July 15, 2026

Public Notice

Justification Of Any Waivers From Permit Application Requirements

No waivers requested or granted as part of this permit reissuance

Prepared By: Eric J. Struck Agricultural Runoff Management Specialist

Date: August 18, 2026



May 2, 2024

Back Road Beef LLC
W6920 Grogan Road
Fort Atkinson WI 53538

County: Jefferson
WPDES Permit #: WI-0056294

Subject: Inspection Report Summary Letter

Dear Mr. & Mrs. Naber:

On December 15, 2023 the Wisconsin Department of Natural Resources (WDNR) conducted a site inspection for Back Road Beef LLC as part of the WPDES permit reissuance process. A copy of this inspection report is attached. Based on the site visit there are several items that will be required as part of the final permit application and possibly the proposed permit.

Please review the attached site inspection report. The end of the report summarizes actions that will be necessary for the final permit application and possible schedule items for the first permit term.

The final permit application should be submitted by June 30, 2024. Permit application materials must be submitted through the ePermitting System located at <http://dnr.wi.gov/permits/water/>. The following is required for a complete permit application:

Permit Application Materials Required for All Operations:

- 3400-025 form (Livestock/Poultry Operation WPDES Permit Application)
- 3400-025A form (Animal Units Calculation Worksheet)
- 3400-025B form (Nutrient Management Plan Checklist)
- 3400-025C form (Reviewable Facilities of Systems Checklist)
- Soil survey map(s) for each site managed by your operation
- Labeled aerial map(s) showing the features and structures located at each site managed by your operation (clearly delineate what is existing and proposed)
- Calculations documenting a minimum of 180 days liquid manure (and process wastewater) storage
- Supporting documentation for 180-day storage calculations
- A complete 5-year Nutrient Management Plan (NMP). If necessary, include a description of permanent spray irrigation systems and any other landspreading or treatment systems (proposed or active)
- *Plans and specifications for reviewable facilities (if proposed)

***Note: Plans and specifications must be submitted through the ePermitting system as a separate submittal**

Permit Application Materials Required for the Back Road Beef LLC Operation:

- Update Site Map should include:
 - o Compost Area
 - o Underground Pipeline
 - o Stormwater flow paths
 - o As well as existing structures and transfers

If you have any questions regarding this letter, inspection report, or permit requirements, please contact me at (608) 422-1512 or eric.struck@wisconsin.gov. If you have any questions on the ePermitting submittal process, please contact Falon French at (608) 228-5265 or falon.french@wisconsin.gov.

Sincerely,



Eric J. Struck

Agricultural Runoff Management Specialist – Bureau of Watershed Management
Wisconsin Department of Natural Resources
3911 Fish Hatchery Road, Fitchburg, WI 53711
Cell: (608)-422-1512
eric.struck@wisconsin.gov

Attachments: Inspection report December 15, 2023

CC: Laura Bub, Falon French (WDNR)
Bob Pofahl and Ryan Nehls (REA- Engineer)
Thomas Novak (Total Crop Managing- Crop Consultant),
Joe Strupp (Jefferson County)



CAFO Compliance Report: May 2, 2024

Inspection Date: December 15, 2023

Inspection Type: Reissuance

Operation Name: Back Road Beef LLC

WPDES Permit No. WI-0056294

Operation Address: W6920 Grogan Rd, Fort Atkinson, WI 53538; SEQ and NEQ SEC 31; T5N; R14E

County: Jefferson

Watershed: Unnamed tributaries within the Lake Koshkonong and Rock River Watershed-HUC 0709000210, 303d

On-Site representatives: Adam and Kim Naber (Owners/Operators)

DNR Staff / Report Writers: Eric Struck (DNR CAFO Specialist, Writer)

On December 15, 2023, Eric Struck met with representatives of Back Road Beef LLC to conduct a complete production area inspection for the reissuance of the WPDES permit held by Back Road Beef LLC. Present at the inspection from the farm was Adam and Kim Naber. The inspection began about 1 pm and concluded at about 3:30 pm. The weather the day of the inspection was cloudy with temps in the 50's. No rain had fallen in the week prior to the inspection and no water samples were taken. The inspection covered the entire production area, a hauling audit was conducted after the inspection.

Please see the final section of the inspection report for a list of action items, areas of concern, and any addition application materials required for the final WPDES permit application. Back Road Beef LLC WPDES permit expires on December 31, 2024, with a complete reissuance application due on June 30, 2024.

Brief Facility Description

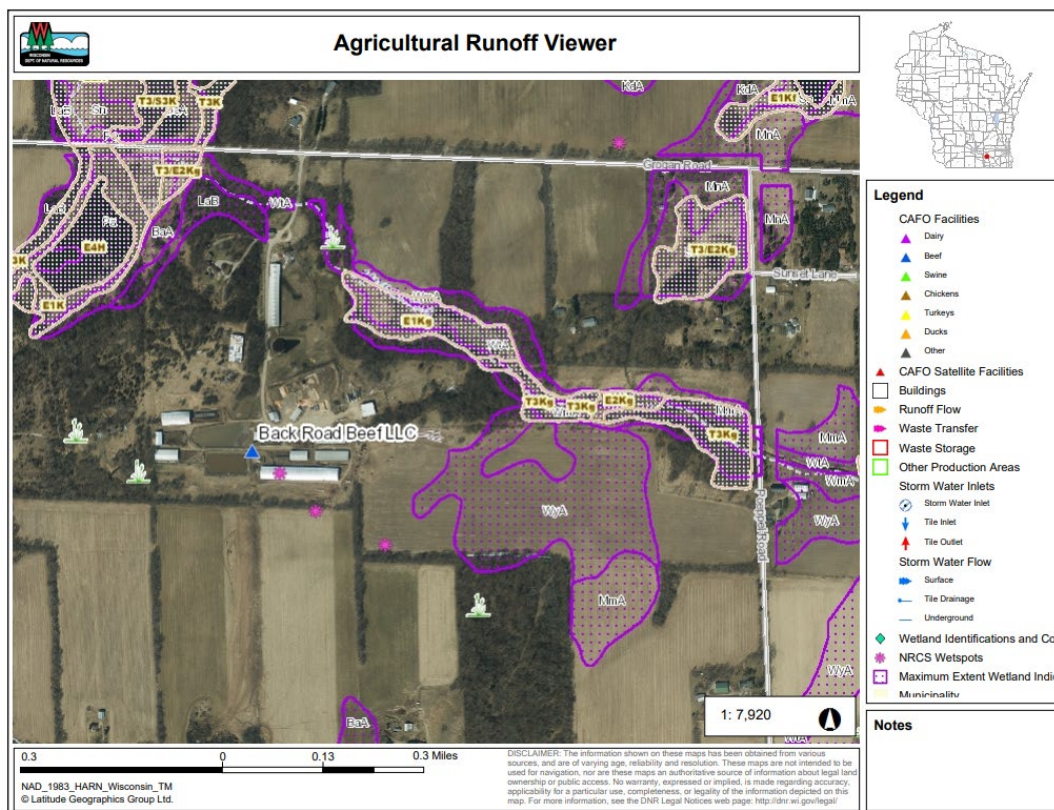
Back Road Beef LLC is an existing Concentrated Animal Feeding Operation (CAFO). Back Road Beef LLC is owned and operated by the Naber Family. The farm currently has 2,300 animal units consisting of 2300 market steers. Back Road Beef LLC has a total of about 1,646 acres available for land application of manure and process wastewater, of which 775 acres are owned and 1,022 acres are rented or controlled under manure contracts. Back Road Beef LLC has no planned expansion during the proposed permit term. Approximately 7.4 million gallons of manure and process wastewater during the last crop year. The farm has a proposed 301 days of liquid manure storage and at least 59 days of solid manure storage.

One facility will be covered under Back Road Beef LLC WPDES Permit. The site is located at W6920 Grogan Road, Fort Atkinson WI 53538 and is composed of 11 lots and barns, one feed storage area, and three waste storage facilities.

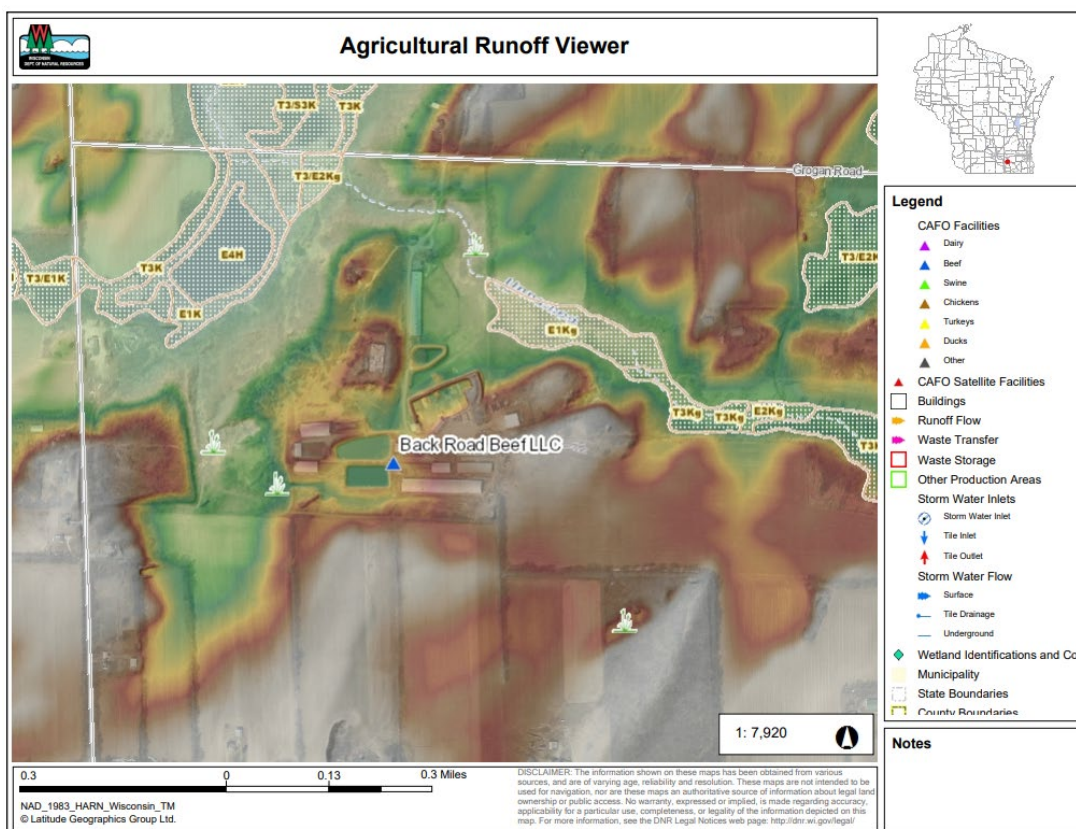
Back Road Beef LLC is currently working with Fort Atkinson WWTP and transfer some waste from the Slurrystore for the WWTP. Back Road Beef LLC is also working on a P removal method and has applied for a NSF Grant. The farm has been in communications about the project and understand the plan and specification approval process. The farm will inform the department of any changes in operation, facilities, or further transfers of waste generated at the farm.



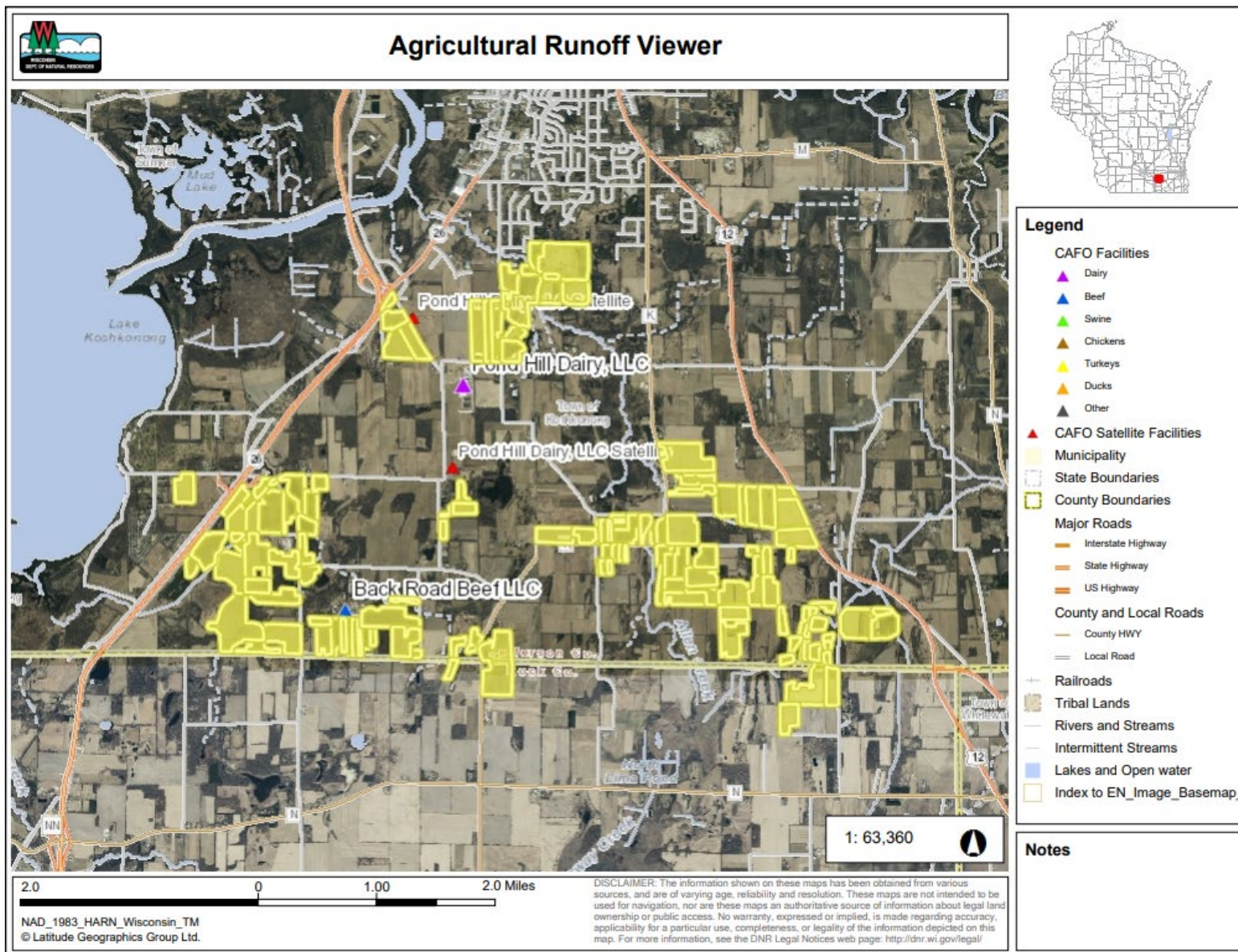
Map 1. Site map from previous inspection report dated December 12, 2018. Compost area is south of Lot 11.



Map 2. WDNR Surface Water Data Viewer Map with wetland, wetland soils, and surface water.



Map 3. WDNR Surface Water Data Viewer Map with wetlands, surface water, and elevation DEM layers.



Map 4. WDNR Surface Water Data Viewer with CAFO Field Layers on for Back Road Beef.

SITE OBSERVATIONS

Feedlot Runoff

Feedlot areas are managed to not have current or past indicators of discharges.

Feedlot runoff control systems are well-maintained, in good repair and in compliance with permit requirements. Back Road Beef LLC has eleven different lots 11 with associated barns. Lots are either covered or have runoff controls. Animals are no longer pastured. Runoff from lots 1 and 2 flow south to the south side of lot 2 and then flow west, Lots 3 and 9 also flow south to the south side of lot 3 joining the flow from lots 1 and 2, flowing west and then to the northwest to waste storage facility 1 (WSF 1). Runoff from lots 5, 6, 7, and 8 all flow directly to WSF 1. Lots 10 and 11 are covered with no runoff leaving the lots. Runoff from lot 4 flows directly to WSF 2.

Lots appeared in good condition and runoff controls appeared to be working properly, meeting permit discharge requirements. No evaluation for the lots will be required with the next permit term.



Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck
Description: Facing north at the southwest corner of Lot 1	

Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck
Description: Facing south past Lot 3 towards Lot 11. Runoff flows south.	



Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck
Description: Facing north at Lot 9. Runoff flows south to Lot 3 before entering WSF 1.	

Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck
Description: Facing north along the east end of Lot 1.	



Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck

Description: West end of WSF 2 facing north. Runoff from Lot 4 flows into WSF 2.

Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck

Description: West end of Lot 11, covered with hoops structure, animals on bed pack.



Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck
Description: Facing west at Lot 5, runoff flows east to WSF 1.	

Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck
Description: Facing west between Lots 2 and 3 on north and Lots 1, 8, and 9 on the south. Runoff flows south, then west, then northwest to WSF 2.	



Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck
Description: Facing to northwest corner of Lot 6. Wall repair is in good condition.	

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.

Back Road Beef LLC has three waste storage facilities (WSF). WSF 1 and WSF 2 were rebuilt in 2021. WSF 1 is a liquid tight concrete liquid waste storage facility with a capacity of 3,020,426 gallons measuring 345' x 170' and 11.7' deep, with 2 load out areas and an overflow weir to WSF 2. WSF 1 accepts waste and runoff from lots 1,2,3,5,7,8, and 9

WSF 2 is a liquid tight concrete waste storage facility with a capacity of 2,156,794 gallons measuring 298.5' x 168.5' x 11.7' deep, with one load out area. Each storage has a 1.5 ft soil subliner and were constructed to plans approved by the department on October 10, 2020, and post construction documentation received on September 30, 2021. WSF 2 recives runoff and waste from WSF 1 and lot 4. The storages provide the farm with 301 days of liquid manure storage. Markers were installed and visible at the time of the inspection.

Back Road Beef LLC utilizes permanent underground manure transfer lines to transfer manure from the waste storages to the application fields. The farm pressure test the lines at least once a year and findings are recorded with the Annual Report submitted to the department on January 31 each year. An updated site map should be included with the permit application showing the location of the pipelines.

The third storage located at Back Road Beef LLC is a Harvestore Slurry Store, located north of the feed storage area. It is a HDPE lined steel above ground storage with a 600,000-gallon capacity and was constructed in 1985 and HDPE lined in 2006. A secondary containment berm was also constructed to contain a spill and must be manually pumped out. The storage accepts leachate and process wastewater from the feed storage area, which is used to store sweet corn silage and other food type feeds. An engineering evaluation was submitted and is pending review. Any further actions required would be included in the proposed permit. It was noted that most poly liner (HPDE) have average 25-year life expectancy and investigation into future options should be considered incase of a failure or cracking.



Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck

Description: Facing south at the markers in WSF 2

Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck

Description: Facing east from the west end of WSF 1, runoff from Lot 5 enters here flowing east.



Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck
Description: Runoff entering WSF 1 from the lots to the east of WSF 1.	

Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck
Description: Facing north at the east side of WSF 1 at marker hoops.	



Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck
Description: Base of WSF 3 on the west side of the storage. Some spillage from used hose observed.	

Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck
Description: Secondary containment of WSF 3, rainwater needs to be pumped storage appeared to be in good	

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.

The feed storage is located north of lots 8,9, and 1. The farm takes sweet corn silage and other food types for animal feed. Runoff and leachate flow north to a collection point and is then pumped to the Slurry Store. The floor of the storage had been repaired during the permit term and appeared to be in good condition. Visible cracks and potholes were not visible compared to previous inspection. An evaluation was submitted per the permit schedule section and is pending review. Any further action required would be included in the proposed permit schedule. The evaluation was required based on age and the cracks in the floor of the feed storage area.



Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck
Description: Low spot where the two walls meet is the collection point of the feed storage area runoff collection.	

Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck
Description: Sweet corn silage is stored in the feed storage area. Pad and storage were designed for its storage.	



Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck

Description: Floor of the feed storage area was repaired during previous permit term, no potholes observed.

Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck

Description: Dry commodities shed used to store waste feed stuffs, such as candy and cookies.

Animal Mortality Disposal

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

In recent years the farm has had difficulty with rendering companies picking up mortalities. Working with the Solid Waste and CAFO Programs of the Department and the Department of Ag, Trade, and Consumer Protection (DATCP) a mortality compost plan was developed. A site inspection took place on June 20, 2024. The plan was discussed, and a review of the site conditions was done to determine its ability to meet the code requirements for composting. The compost area is located south of lot 11, the working base is the old liner material of the WSF 1 and WSF 2 reconstruction project for added groundwater protection. The area met separation requirements and well setbacks. Back Road Beef LLC had been composting mortalities for several months at the time of the inspection with several active windrows. The area was in good condition and well maintained, the farm constructed a secondary berm down the potential flow path to stop anything if it were to leave the composting area. The farm uses wood chips from local municipalities to build the compost windrows. The farm records the temperature and turning dates to maintain proper composting environment within the windrows. At the time of the inspection the piles were well managed and appear to be functioning and operating as planned. Continued monitoring and inspections is required to comply with permit requirements. An update site map should be included with the permit application.



Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck

Description: Mortality compost area facing southwest from middle east side.

Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck

Description: Facing east from the western end of the mortality compost area. puddle of rain water.



Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck
Description: facing southeast from western end of the compost area where runoff would flow from windrows.	

Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck
Description: facing east from potential flow path from compost area. No runoff observed.	



Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck

Description: Facing west from potential flow path from compost area. no runoff observed.

Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck

Description: secondary containment berm created in potential flow path incase of an emergency.

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.).

Management practices are implemented to sustain sufficient vegetative cover on CAFO outdoor vegetated areas.

Ancillary Service Areas were clear and clean of debris. Driveways were clean and stormwater paths were also clear. The wall of Lot 6 was in good condition and the repair was holding.



Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck
Description: Stormwater flow path clear of debris.	



Photo #	
Date/Time:	December 15, 2024
Location	Back Road Beef LLC
Photo taken by:	Struck
Description: Stormwater flow path clear of debris.	

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** up to date on required reporting and actions as specified in the Schedules section of permit.

SUMMARY

Areas of Concern

- None identified during the inspection.

Permit Violations Alleged Noncompliance

- None identified during the inspection.

Action Items

- Submit a complete permit application by June 30, 2024
- Any further actions identified during the review of submitted evaluation dated May 29, 2020.
- Update site map with underground pipelines, storm water, and compost area.

Items for Next Permit Term

- Any further actions identified during the review of submitted evaluation dated May 29, 2020.
- Update monitoring and inspection program to include the compost area.



April 6th, 2025

Jefferson County
Approval

Adam Naber
Back Road Beef, LLC
W6920 Grogan Rd.
Fort Atkinson, WI 53538

SUBJECT: Conditional Approval of Back Road Beef, LLC Nutrient Management Plan, WPDES
Permit No. 0056294-08-0

Dear Adam Naber:

After completing a review of Back Road Beef, LLC 2025-2029 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 Back Road Beef, LLC 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.

FINDINGS OF FACT

The Department confirms that:

1. A current beef herd size of 2,300 animal units (2,300 Steers or Cows, 400 lbs to market). Currently there are no planned expansions in the next permit term.
2. Manure generation and spreading records indicate your herd will annually generate approximately 5,991,996 gallons of manure and process wastewater and 5,700 tons of solid manure in the first year of the permit term.
3. The use of application restriction options 1, 2, & 5 within surface water quality management areas.
4. The use of phosphorus delivery method P Index.
5. That Back Road Beef, LLC currently has 1,910 acres (773 owned and 1,137 controlled through contracts, rental agreements or leases, or under manure agreements) of which 1,750 are spreadable acres.
6. 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.
7. 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 2025-2029 Back Road Beef, LLC 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 #
STA01	Fort Atkinson Wastewater Treatment Facility	L10-1	93591

Prior to any manure applications on these fields Back Road Beef, LLC 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 Back Road Beef, LLC 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: Back Road Beef, LLC 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:

- HEB04 (default soil test)	- HEB05 (default soil test)	- HEB06 (default soil test)
- HEB07 (default soil test)	- HEB08 (default soil test)	- HEB09-10 (default soil test)
- HEB11 (default soil test)	- HEB12 (default soil test)	- HOM07B (>200 ppm P)
- HOM18D1 (>200 ppm P)	- HOM18D2 (>200 ppm P)	- HOM20A (>200 ppm P)
- HOM20B (>200 ppm P)	- BER03 (>200 ppm P)	

If Back Road Beef, LLC 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.

4. 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.
5. All liquid manure samples collected may be analyzed, at a minimum, for percent dry matter, total nitrogen, percent $\text{NH}_4\text{-N}$, percent $\text{NO}_3\text{-N}$, phosphorus, potassium, and sulfur.
6. 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, Back Road Beef, LLC may use the following equation to adjust the first year available nitrogen when applications are injected or incorporated within 1 hour:

$$\text{First-Year Available N} = \text{NH}_4\text{-N} + [0.25 \times (\text{Total N} - \text{NH}_4\text{-N})]$$

7. Back Road Beef, LLC 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.
8. Back Road Beef, LLC 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

9. Liquid manure applications during winter conditions, as defined by NR 243.14(7), Wis. Adm. Code, are prohibited with the exception of emergency applications.
10. The following field(s) are approved for winter spreading solid manure, emergency applications of liquid manure and frozen liquid manure:

- BUT01	- HEB11	- ONY04
---------	---------	---------
11. 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.
12. Winter applications of liquid manure shall only occur under emergency situations, after notifying the Department and receiving verbal approval.
13. 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

14. These headland stacking sites are approved for use with the following criteria during February and March, or any period of the year when the ground is not frozen, or snow covered.
 - Solids content of manure must be >32% solids.
 - Site can be used for 1 year out of every 2 years.
 - Sites can be used to stack for a maximum period of 8 months and should not exceed 40,000 cubic feet in size. Sites must remain a minimum of 100’ apart when in active use.

- ADA0910-1	- HEB06-1	- HEB07-1
- HEB08-1	- HOG01-1	- HOM0356-1
- HOM0256-2	- LEM01A-1	- LEM02A-1
- LEM02B-1	- ONY04-1	- ONY04-2
- ONY19B-1	- ONY20-1	-

MANURE & PROCESS WASTEWATER IRRIGATION

15. Irrigation of manure or process wastewater is prohibited.

SUBMITAL AND RECORDKEEPING REQUIREMENTS

16. 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.

ALTERNATIVE DISTRIBUTION PLAN

17. Back Road Beef, LLC will be sending all process wastewater from the feed storage area to Fort Atkinson Wastewater Treatment Plant which is a WPDES permitted facility. This movement is a direct transfer of approximately 1,700,000 gallons, and the volume will not return to the farm. This volume will be tracked in the annual reports which are submitted to the department.

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 local permits, zoning and regulatory requirements.

If you have any questions regarding this approval I can be reached at 608-212-8460 or Ashley.Scheel@Wisconsin.gov.

Sincerely,



Ashley Scheel, CCA
WDNR Nutrient Management Plan Reviewer
Wisconsin Department of Natural Resources

cc: Eric Struck, WDNR Agricultural Runoff Management Specialist (Eric.Struck@Wisconsin.gov)
Josie Borgrud, WDNR Agricultural Runoff Management Specialist (josie.borgrud@wisconsin.gov)
Laura Bub, WDNR Watershed Field Supervisor (Laura.Bub@Wisconsin.gov)
Christopher Clayton, WDNR Runoff Management Section Chief (Christopherr.Clayton@Wisconsin.gov)
Aaron O'Rourke, WDNR Nutrient Management Program Coordinator (Aaron.Orourke@Wisconsin.gov)
Falon French, WDNR Intake Specialist (Falon.French@Wisconsin.gov)
Tabby Davis, WDNR CAFO Engineer (Tabatha.Davis@Wisconsin.gov)
Patricia Cicero, Jefferson County (patriciac@jeffersoncountywi.gov)
Tom Novak, Total Crop Management, LLC (totalcropmanagement@gmail.com)
File



April 29, 2025

FILE REF: R-2024-0173
WPDES Permit #: WI-0056294

Adam Naber
Back Road Beef LLC
W6920 Grogan Rd
Fort Atkinson, WI 53538

Subject: Days of Storage Review for Back Road Beef LLC, NE¼ of T05N, R14E, Section 31 in
Koshkonong Township, Jefferson County – NO ADDITIONAL ACTION REQUIRED

Dear Adam Naber:

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 Ryan Nehls, Resource Engineering Associates, Inc. on July 1, 2024 with revisions received on April 25, 2025 on behalf of Back Road Beef LLC.

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 Back Road Beef LLC has 267 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. The current number of animal units provided for the calculation is 2,300. Approximately 50% of manure is handled as solids. The farm typically operates at around 1,800 animals but the total animal units onsite fluctuate, and the farm is planning for the maximum occupancy of the outdoor lots. The liquid waste volumes are based on manure hauling logs for a collection period of 365 days. Because of the large amount of storage onsite and fluctuation in precipitation, hauling during some years was significantly lower. Outlier years were removed, and additional years of hauling logs were added to provide substantial information for an average onsite. Hauling logs exclude process wastewater and leachate. Process wastewater and leachate are handled separately from manure waste and transferred to the City of Ft. Atkinson. All runoff, up to the 25-yr, 24-hr storm, from the feedlots and adjacent surfaces is collected in permanent waste storages.

Total Liquid Waste Storage Capacity (gallons)						
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.
#1	3,349,365	299,166	155,563	0	379,745	2,514,891
#2	3,001,286	176,139	140,875	476,124	343,373	1,864,775
Total MOL Vol:						4,379,666
Days of Storage:						267

Annual Manure and Process Wastewater Application Volumes			
Year	Gallons Applied	Avg. Yearly AUs	Gallons/AU
2017	4,296,915	2,156	1,993
2018	4,289,894	1,875	2,288
2019	5,546,688	1,803	3,076
2020	4,101,474	1,759	2,332
2021	3,163,037	1,535	2,061
2023	5,781,935	1,632	3,543
2024	4,884,141	1,659	2,944
Average Volume/AU			2,605
Average Annual Volume for Current AUs			5,991,996

Should you have any questions, please contact Tabby Davis, 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, P.E.
CAFO Engineer Supervisor
Watershed Management Program



Tabby Davis
CAFO Review Engineer
Watershed Management Program

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(920) 723-5527; backroadbeef@hotmail.com

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Aaron O'Rourke; DNR, Eau Claire
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Matt Woodrow; DATCP
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Ashley Scheel; DNR, Central Office
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Tabatha A Davis; DNR-Central Office
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September 30, 2025

FILE REF: R-2020-0106
WPDES Permit #: WI-0056294

Adam Naber
Back Road Beef LLC
W6920 Grogan Rd
Fort Atkinson, WI 53538

Subject: Evaluation Review for Back Road Beef LLC, NE¼SE¼ Sec 31, T05N, R14E in Koshkonong Township, Jefferson County – FURTHER ACTIONS REQUIRED

Dear Mr. Naber:

This letter is to inform you that the Department received on May 29, 2020 the evaluation for the Waste Storage Facility 1 and 2, Feed Storage Area, and Runoff Controls, submitted under certification by Bob Pofahl, P.E., Resource Engineering Associates, Inc on behalf of Back Road Beef LLC.

Evaluated Facilities: The evaluation included the following reviewable facilities:

1. Waste Storage Facility 1 (WSF1)
2. Waste Storage Facility 2 (WSF2)
3. Feed Storage Area
4. Feed Storage Area Runoff Controls

Bob Pofahl evaluated the above referenced reviewable facilities based on applicable NRCS Standards and ch. NR 243 Wis. Adm. Code. The engineering report below summarizes the Department's review of the evaluation's findings, lists standards that apply, and provides a compliance analysis.

The Department reviewed the evaluation and agrees with the Engineer's conclusion that reviewable facilities 1 and 2 required further actions at the time of submittal to comply with ch. NR 243, Wis. Adm. Code requirements, but upgrades to the facilities have been completed since the evaluations were submitted. The Department has reviewed the evaluations and at this time is unable to concur with the engineer's conclusion that reviewable facilities 3 and 4 require no further actions to comply with ch. NR 243, Wis. Adm. Code requirements. The Department finds that additional information is required in order to demonstrate that reviewable facilities 3 and 4 require no further actions.

Required Actions: The following actions are required in accordance with s. NR 243.16(3), Wis. Adm. Code based on the Department's review of the submitted evaluation:

- Submit documentation detailing how the repairs to the feed storage area were completed with photo documentation showing the completed repairs.
- Submit updated evaluation documentation detailing how the runoff controls for the feed storage area are capable of transferring the entirety of the 25yr – 24hr storm to WSF3. Include a hydraulic calculation detailing the reception tank and current pump to verify that the volume of the reception tank and pumping rate can transfer the entirety of the storm without overtopping.

Submittal due dates are contained in your WPDES permit Schedules section(s). The DNR CAFO Specialist will contact you to discuss next steps. Questions concerning permit requirements should be directed to the DNR CAFO Specialist. Questions concerning the review may be directed to the review engineer Tony Salituro (contact information is at the end of this letter).

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



Jason Knutson, P.E.
Watershed Management Bureau Director
Watershed Management Program

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WISCONSIN DEPARTMENT OF NATURAL RESOURCES ENGINEERING REPORT**GENERAL INFORMATION****Farm Name:** Back Road Beef LLC**WPDES Permit#:** WI-0056294**Location Address:** W6920 Grogan Rd, Fort Atkinson**DNR Project #:** R-2020-0106**Engineering Certification by:** Bob Pofahl, P.E.**Evaluated Facilities:**

Waste Storage Facility 1 (WSF1): Waste Storage Facility 1 was an in-place earth waste storage facility designed in the early 1980's. The structure was emptied on April 21, 2020 for the evaluation, and the side slopes were found to have eroded back 3 to 4 feet, and the side slopes were no longer 2.5:1. A soil sample of the liner was collected and found to have a P200% of 36.7% and PI of 12. The evaluation states, "Waste Storage #1 does not appear to meet current in-place soil liner requirements found in Table 1, Column 2 of NRCS 313."

Plans and specifications to upgrade WSF1 to a concrete with waterstop liner were received on July 10, 2020 and approved on October 2, 2020. Post construction documentation confirming the construction was received on September 30, 2021.

- Assessment References: NRCS Standard 313 (10/17) and s. NR 243.15(3), Wis. Adm. Code.
- All further actions detailed in the evaluation have been completed and **no further actions are required.**

Waste Storage Facility 2 (WSF2): Waste Storage Facility 2 was an in-place earth waste storage facility designed in the early 1980's. The structure was emptied on April 21, 2020 for the evaluation and the side slopes were found to be in good condition with minimal erosion. A soil sample of the liner was collected and found to have a P200% of 35.2% and PI of 8. The evaluation states, "Waste Storage #2 does not appear to meet current in-place soil liner requirements found in Table 1, Column 2 of NRCS 313."

Plans and specifications to upgrade WSF2 to a concrete with waterstop liner were received on July 10, 2020 and approved on October 2, 2020. Post construction documentation confirming the construction was received on September 30, 2021.

- Assessment References: NRCS Standard 313 (10/17) and s. NR 243.15(3), Wis. Adm. Code.
- All further actions detailed in the evaluation have been completed and **no further actions are required.**

Feed Storage Bunker: The feed storage bunker is a bunker silo constructed in the 1980's for the storage of sweet corn silage. The bunker has concrete floors with 8 ft tall bunker walls along the north and west sides and 12 ft tall bunker walls on the east and south sides. The thickness of the concrete floor was not provided in the evaluation, but previous repairs to the concrete liner are noted to be reinforced with #4 rebar spaced at 12" o.c. each way. There is a soil subliner present beneath the concrete with no leachate drainage layer present. Soil tests of material surrounding the feed storage area found that there are at minimum 3 ft of soils with P200>20%.

A test pit excavated north of the feed storage area bunker encountered groundwater at an elevation of 839.0 ft. The lowest point of the bunker is at 848.9 ft, showing sufficient separation from groundwater and bedrock for the structure.

- Assessment References: NRCS Standard 629 (1/14) and s. NR 243.15(9), Wis. Adm. Code.
- The evaluation states, "The bunker wall is at risk for collapsing... REA recommends that the farm replace the damaged floor with steel reinforced concrete doweled into the existing floor. Soils under the repaired concrete slab should be confirmed to meet Table 3: Concrete Feed Storage Area Liner System for Concrete-Soil composite." During the facility inspection on May 2, 2024, it was noted that proposed repairs to the feed storage bunker in the evaluation were completed. Documentation detailing how repairs were completed and the extent of the repairs have not been received to date.

- Significant repairs to the concrete feed storage area liner are considered a reviewable facility and require plans and specifications be submitted for approval. Due to the repairs being completed without approval, submit evaluation documentation detailing what repairs to the concrete liner were completed. Include information about the concrete thickness and reinforcements, in-place soils, and concrete wall repairs. Indicate how the floor to wall connection is made to prevent accidental discharge of pollutants through the joint.

Feed Storage Area Runoff Controls: The feed storage bunker runoff flows to the north via gravity along the concrete surface to a 6-inch diameter PVC gravity pipeline in the concrete floor. The PVC pipeline transfers to a 16 ft diameter x 10 ft deep steel tank enclosed in a 16 ft x 16 ft x 10 ft deep concrete tank that is used for secondary containment. A permanent Houle pump in the tank is manually operated to pump the leachate to a nearby Harvestore Tank (WSF3) via a 4-inch PVC pipeline.

- Assessment References: NRCS Standard 634 (1/14) and s. NR 243.15(2) and (9), Wis. Adm. Code.
- The evaluation does not provide hydraulic calculations demonstrating that the system is capable of pumping the entirety of the 25yr – 24hr storm to WSF3 without the reception tank overtopping and how the manual pump system is operated. An updated evaluation including hydraulic calculations detailing the current pumping system is required. If the calculations find that the current pump and reception tank is incapable of transferring the full 25yr – 24hr storm to WSF3, provide proposed actions to get the runoff controls in compliance with NR 243.15(2).

DECISION RECOMMENDATION: Based on my review completed on September 30, 2025, some reviewable facilities identified above require further actions. Reviewable facilities that require **no further actions** are noted above.



Tony Salituro
Water Resources Engineer
Watershed Management Program



July 15, 2026

FILE REF: R-2026-0111
WPDES Permit #: WI-0056294

Adam Naber
Back Road Beef LLC
W6920 Grogan Rd
Fort Atkinson, WI 53538

Subject: Evaluation Review for Back Road Beef LLC, NE¼SE¼ Sec 31, T05N, R14E in Koshkonong Township, Jefferson County – NO FURTHER ACTIONS REQUIRED

Dear Mr. Naber:

This letter is to inform you that the Department received on May 19, 2026 the evaluation submitted under certification by James Hensel, The Sigma Group on behalf of Back Road Beef LLC. This evaluation was submitted in its entirety as required in the Department's Further Actions Are Required letter dated September 30, 2025 for DNR project number R-2020-0106. Revisions to the evaluation to include documents related to the completed repairs were received on July 14, 2026.

Evaluated Facilities: The evaluation included the following reviewable facilities:

1. Feed Storage Bunker and Runoff Controls

The Engineer evaluated the above referenced reviewable facility based on applicable NRCS Standards and ch. NR 243 Wis. Adm. Code. The engineering report below summarizes the evaluation's findings, lists standards that apply, and provides a compliance analysis.

The Department reviewed the evaluation and agreed with the Engineer's conclusion that the reviewable facilities required repairs to meet ch. NR 243, Wis. Adm. Code requirements at the time of the evaluation submittal. On July 14, 2026, documentation of the completed repairs to the feed storage area and runoff controls were received. With the completed repairs, no additional actions are required to meet ch. NR 243, Wis. Adm. Code requirements.

Submittal due dates are contained in your WPDES permit Schedules section(s). The DNR CAFO Specialist will contact you to discuss next steps. Questions concerning permit requirements should be directed to the DNR CAFO Specialist. Questions concerning the review may be directed to the review engineer Tony Salituro (contact information is at the end of this letter).

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



Rob Davis, P.E.
Water Resources Engineer
Watershed Management Program

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WISCONSIN DEPARTMENT OF NATURAL RESOURCES ENGINEERING REPORT

GENERAL INFORMATION

Farm Name: Back Road Beef LLC

WPDES Permit#: WI-0056294

Location Address: W6920 Grogan Rd, Fort Atkinson, WI

DNR Project #: R-2026-0111

Engineering Certification by: James Hensel, P.E.

Evaluated Facilities:

Feed Storage Bunker: The feed storage bunker is a bunker silo constructed in the 1980's for the storage of sweet corn silage. The total surface area of the feed storage area was calculated to be 80,316 sq ft. The bunker has concrete floors with 8 ft tall bunker walls along the north and west sides and 12 ft tall bunker walls on the east and south sides. The thickness of the concrete floor was not provided in the evaluation, but previous repairs to the concrete liner are noted to be reinforced with #4 rebar spaced at 12" o.c.

There is a soil subliner present beneath the concrete with no leachate drainage layer present. Soil tests of material surrounding the feed storage area found that there are at minimum 3 ft of soils with P200>20% to meet NRCS 629. A test pit excavated north of the feed storage area bunker encountered groundwater at an elevation of 839.0 ft. The lowest point of the bunker is at 848.9 ft, showing sufficient separation from groundwater and bedrock for the structure.

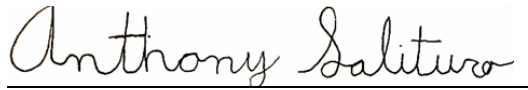
- Assessment References: NRCS Standard 629 (1/14) and s. NR 243.15(9), Wis. Adm. Code.
- The evaluation states, "There is an approximate 45' x 50' area near the pipe outlet in the feed storage bunker wall where there is displacement in the concrete floor and there is some exposed steel reinforcement. Sigma recommends that the damaged floor be replaced with steel reinforced concrete doweled into the existing floor." On June 4 and June 15, 2026, the concrete floor was repaired and was constructed over two pours to a minimum of 6-inches thick. On July 9, 2026, a representative of Sigma Group inspected the feed storage area repairs and noted it was completed in good form.
 - The feed storage bunkers meet the applicable requirements of ch. NR 243, Wis. Adm. Code. All proposed further actions are completed and no further actions are needed for the feed bunker.

Feed Storage Area Runoff Controls: The feed storage bunker runoff flows to the north via gravity along the concrete surface to a 6-inch diameter PVC gravity pipeline in the concrete floor. The PVC pipeline transfers to a 16 ft diameter x 10 ft deep steel tank enclosed in a 16 ft x 16 ft x 10 ft deep concrete tank that is used for secondary containment. The reception tanks top elevation is 853.85 ft. A Houle pump in the tank is on a float that pumps the leachate to the Harvestore Tank (WSF3) via a 4-inch PVC pipeline.

To address further actions in the previous evaluation, the feed storage area dimensions were surveyed and hydraulic calculations were ran for the reception tank and pump. During a 25yr – 24hr storm, runoff will back up onto the feed storage area to a peak elevation of 851.3 ft, representing approximately 14,512 sq ft of the feed storage area. The runoff will continue to transfer via the 6-inch gravity pipeline to the reception tank. While the reception tank pump is operating, the reception tank will reach a peak elevation of 850.0 ft. The current system, if operated correctly has sufficient capacity to transfer the 25yr – 24hr storm to permanent storage without the reception tank overtopping.

- Assessment References: NRCS Standard 634 (1/14) and s. NR 243.15(2) and (9), Wis. Adm. Code.
- The evaluation states, "the outlet pipe from the feed storage area is backed up to approximately 25% of its capacity. This is most likely due to a buildup of sediment at some point in the pipe. This pipe needs to be jetted out and cleaned to provide maximum flow quality from the feed storage area to the reception tank. The hydraulic computations are based on a clean pipe being in service." On June 23, 2026, the pipe was jetted out by Collins Sanitary, LLC. On July 9, 2026, a representative of Sigma Group inspected the runoff controls pipeline and found it was working at maximum flow capacity with photo documentation confirming this.
 - The runoff controls meet the applicable requirements of ch. NR 243, Wis. Adm. Code. All proposed further actions are completed and no further actions are needed for the runoff controls.

DECISION RECOMMENDATION: Based on my review completed on July 15, 2026, the reviewable facilities identified above require no further actions.

A handwritten signature in cursive script that reads "Anthony Salituro". The signature is written in black ink and is positioned above a horizontal line.

Tony Salituro
Water Resources Engineer
Watershed Management Program

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

PUBLIC NOTICE OF AVAILABILITY OF A NUTRIENT MANAGEMENT PLAN AND INTENT TO REISSUE
A WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT No. WI-0056294-08-0

Permittee: Back Road Beef LLC

Facility Where Discharge Occurs: Back Road Beef LLC, W6919 Grogan Road Fort Atkinson, WI 53538; SEQ and NEQ SEC 31; T5N; R14E; Jefferson County, WI

Receiving Water And Location: Surface water and groundwater within the [Lake Koshkonong and Rock River Watersheds](#)

Brief Facility Description : Back Road Beef LLC is an existing Concentrated Animal Feeding Operation (CAFO). Back Road Beef LLC is owned and operated by the Naber Family. The farm currently has the capacity to house 2,300 animal units consisting of 2300 market steers. Back Road Beef LLC has a total of about 1,750 acres available for land application of manure and process wastewater, of which 773 acres are owned, and 1,137 acres are rented or controlled under manure contracts. Back Road Beef LLC has no planned expansion during the proposed permit term. Approximately 6 million gallons of manure and process wastewater and 5,700 tons of solid manure is estimated to be generated in the first year of the permit term. The farm has proposed 267 days of liquid manure storage and at least 59 days of solid manure storage. Back Road Beef LLC is currently working with Fort Atkinson wastewater treatment plant which receives all of the process wastewater from the Slurrystore and feed storage runoff controls.

One facility will be covered under Back Road Beef LLC WPDES Permit. The site is located at W6920 Grogan Road, Fort Atkinson WI 53538 and is composed of 11 lots and barns, one feed storage area, and three waste storage facilities.

The Department has tentatively decided that the above specified WPDES permit should be reissued.

Permit Drafter's Name, Address, Phone and Email: Eric Struck, WDNR, 141 NW Barstow Street, Suite 180, Waukesha, WI, 53188-3789, (608) 422-1512, Eric.Struck@wisconsin.gov

Persons wishing to comment on or object to the proposed permit action, the terms of the nutrient management plan, or the application, or to request a public informational hearing may write to the Department of Natural Resources at the permit drafter's address. All comments or suggestions received no later than 30 days after the publication date of this public notice will be considered along with other information on file in making a final decision regarding the permit. Anyone providing comments in response to this public notice will receive a notification of the Department's final decision when the permit is re-issued. Where designated as a reviewable surface water discharge permit, the U.S. Environmental Protection Agency is allowed up to 90 days to submit comments or objections regarding this permit determination. If no comments are received on the proposed permit from anyone, including U.S. EPA, the permit will be re-issued as proposed.

The Department may schedule a public informational hearing if within 30 days of the public date of this notice, a request for a hearing is filed by any person. The Department shall schedule a public informational hearing if a petition requesting a hearing is received from USEPA or from 5 or more persons or if the Department determines there is significant public interest. Requests for a public informational hearing shall state the following: the name and address of the person(s) requesting the hearing; the interest in the proposed permit of the person(s) requesting the hearing; the reasons for the request; and the issues proposed to be considered at the hearing.

Information on file for this permit action, including the draft permit and fact sheet (if required), the operation's nutrient management plan and application may be inspected and copied at the permit drafter's office, Monday through Friday (except holidays), between 9:00 a.m. and 3:30 p.m. Please call the permit drafter for directions to their office location, if necessary. Information on this permit action may also be obtained by calling the permit drafter at (608) 422-1512 or by writing to the Department. Reasonable costs (15 cents per page for copies and 7 cents per page for scanning) will be charged for information in the file other than the public notice and fact sheet. Permit information is also available on the internet at: <http://dnr.wi.gov/topic/wastewater/PublicNotices.html>. 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.

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