

# Permit Fact Sheet

## General Information

Permit Number	WI-0062243-04-0
Permittee Name and Address	Clark County Cattle Company W4733 County Rd C Neillsville Unity WI 54488
Permitted Facility Name and Address	Clark County Cattle Company W4733 County Rd C Neillsville 54488
Permit Term	May 01, 2025 to April 30, 2030
Discharge Location	Same as facility address
Receiving Water	Unnamed Stream (WBIC 5016292) and Unnamed Stream (WBIC 5016193) within the O’Neill and Cunningham Creeks Watershed of the Black River Basin, and groundwaters of the state
Discharge Type	Existing

Animal Units					
Animal Type	Current AU		Proposed AU (Note: If all zeroes, expansions are not expected during permit term)		
	Mixed	Individual	Mixed	Individual	Date of Proposed Expansion
Heifers (400 lbs. to 800 lbs.)	1200	2000	0	0	
Milking and Dry Cows (1400 lbs)	1760	1600	0	0	
Total	2960	3600	0	0	

## Facility Description

Clark County Cattle Company is an existing Concentrated Animal Feeding Operation (CAFO) located in the Township of Grant, Clark County. The Clark County Cattle Company consists of two production sites: the 4C Farm site located at W4733 County Road C, Neillsville WI 54456; and the FS Farm site located at W4445 County Road C, Neillsville WI 54456. The operation is operated by Terry Brost with a current herd size of 2,960 animal units. No large expansion is planned during the permit term. This herd size is projected to produce approximately 11.8 million gallons of liquid manure/process wastewater and 9,700 tons of solid manure. Liquid manure and process wastewater is currently stored in one (1) liquid waste storage facility at the 4C Farm Site and one (1) at the FS Farm Site. The current total usable storage capacity is approximately 8.2 million gallons or 255 days of storage capacity for liquid manure and at least 59 days for solid manure. A second liquid storage facility at the 4C Farm Site is planned for repair and eventual use during the permit term. A second liquid storage facility for feed pad runoff at the FS Farm Site is planned to be constructed during the permit term. Currently, Clark County Cattle Company has manure agreements with Four Star Ag LLC for 3,997 acres of cropland; of which 3,900 acres are available for manure applications.

# Substantial Compliance Determination

## Enforcement During Last Permit:

1. Notice of Violation (NOV) issued to C Dairy LLC on 5/29/2019 for a manure storage structure exceeding the Margin of Safety (MOS) level and an unlawful discharge of silage leachate from a different storage structure. The farm stopped using both structures and were abandoned. NOV closeout letter issued February 2, 2023 to MS Farming LLC.

**The facility has completed all required actions as part of the enforcement process.**

## Compliance During Last Permit:

- The facility submitted all Annual Reports that are due by January 31.
- The facility submitted most Annual NMP Updates that are due by March 31.
- One production site inspection (September 14, 2021) did not find permit violations.
- One land application inspection (November 8, 2024) did not find permit violations.

**This facility is considered in substantial compliance with their current permit.**

**Compliance determination made by Todd Prill on March 4, 2025.**

Sample Point Designation For Animal Waste	
Sample Point Number	Sample Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)
001	Sample Point 001 is for liquids from the 4C Farm Site waste storage facility #2 (4C - WSF 2, 2025 DNR WSF #2). The facility is in the southeastern portion of the 4C Farm. It was constructed in 2013 in a rectangular shape with top dimensions of 220 feet wide by 300 feet long by 14 feet deep and an estimated Maximum Operating Limit (MOL) capacity of 5,231,509 gallons (2025 DNR calculation). The facility is an earthen berm, concrete lined in-ground storage with a concrete ramp in the northern portion. Plans and specifications were designed by the Clark County Land Conservation Department. MSA Professional Services submitted engineering evaluation information in 2017 and 2018. On July 23, 2018; a DNR letter stated this structure was “assessed to meet the requirements of ch. NR243 Wis. Adm. Code”. This storage facility receives liquid waste from the 4C Confinement Area 1, 4C Confinement Area 2, and 4C Feed Storage Area 1. The structure is emptied in the spring, summer, and fall with a drop in agitator mixing solids and liquids prior to emptying.
002	Sample Point 002 is for liquids from the 4C Farm Site waste storage facility #1 (4C - WSF 1, 2025 DNR WSF #1). The facility is in the northwestern portion of the 4C Farm. It was constructed in 1998 in an irregular shape with a depth of 12 feet deep and an estimated MOL capacity of 2,281,442 gallons (2019 calculation). The facility is an earthen berm, HDPE lined/earthen sub-liner in-ground storage. Original construction plans and specifications were approved by the Clark County Land Conservation Department. Submission of new plans and specifications to meet regulatory construction standards are scheduled for the proposed permit term. This storage facility will receive processed wastewater from the 4C Feed

<b>Sample Point Designation For Animal Waste</b>	
<b>Sample Point Number</b>	<b>Sample Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)</b>
	Storage Area 1 collection system. The structure is emptied in the spring, summer, and fall with a drop in pump.
003	Sample Point 003 is for miscellaneous manure solids generated at the 4C Farm Site that are land applied.
004	Sample point 004 is for visual monitoring and inspection of 4C Feed Storage 1 and associated runoff control system. The facility is in the northeastern portion of the 4C Farm Site. This structure stores haylage and corn silage in several concrete feed bunkers (construction date unknown) with an overall estimated size of 47,000 square feet. Floors consist of 6- to 8-inch-thick concrete with precast concrete walls. Leachate and runoff flow to the northeast into a collection system. The current runoff control system has been determined to not contain a 24-hour, 25-year precipitation event. Submission of new plans and specifications to meet regulatory construction standards are scheduled for the proposed permit term. Liquids leaving the future 4C Feed Storage 1 runoff collection are planned to be pumped into either 4C – WSF 2 or 4C – WSF 1 after structural improvements are completed.
005	Sample Point 005 is for solids from the FS Farm Site waste storage facility #1 (FS - WSF 1, 2025 DNR WSF #3). The facility is in the northeastern portion of the FS Farm. It was constructed in 2010 as a component of a watertight sand separation system. The facility is a cast-in-place concrete pad with an opening in the floor to collect liquids in a 20,000-gallon Weiser pre-cast concrete tank. It is not known if plans and specifications were used during construction. An engineering evaluation to verify or submission of plans and specifications to meet regulatory construction standards are scheduled for the proposed permit term. This storage facility will be used to temporarily stack solids from the nearby barns. The structure will be emptied periodically when solid manure is transferred to the 4C Farm Site.
006	Sample Point 006 is for liquids from the FS Farm Site waste storage facility #2 (FS - WSF 2, 2025 DNR WSF #4). The facility is in the northern portion of the FS Farm. It was originally constructed in 1998 in a kidney shape as an earthen berm, earthen lined sidewalls, and cast-in-place concrete bottom in-ground storage. Original construction plans and specifications were approved by the Clark County Land Conservation Department. In 2024, the structure was reshaped and relined with top dimensions of 200 feet wide by 385 feet long by 11.5 feet deep and an estimated Maximum Operating Limit (MOL) capacity of 3,046,539 gallons (2025 DNR calculation). The facility is now an earthen berm, clay lined sidewalls and cast-in-place concrete bottom in-ground storage with a concrete ramp in the southwest portion. The structure was redesigned by Point of Beginning Inc. with plans and specifications approved by the DNR on November 19, 2024. This storage facility receives liquid manure from the FS Confinement Area 1 and FS Confinement Area 2. The structure is emptied in the spring, summer, and fall with a drop in agitator mixing solids and liquids prior to emptying.
007	Sample point 007 is for liquids from the New Pit. The facility is planned for installation in the northwest portion of the FS Farm Site. It is anticipated construction will occur in 2025 with an estimated maximum operating level (MOL) of 2 to 3 million gallons. The New Pit is projected to be an in-ground, earthen berm, concrete-lined pit. This facility will be designed by Point of Beginning Inc. and built according to plans and specifications approved by the DNR. As-built documentation should be submitted to the DNR within 6 months after construction. This facility is projected to receive process wastewater from the FS Feed Storage Area 1 runoff control system (Sample Point 009) through an underground pipe. Liquids are expected to be mixed with a drop in agitation and pump for direct land application in the spring, summer, and fall.
008	Sample Point 008 is for miscellaneous manure solids generated at the FS Farm Site that are land applied.

<b>Sample Point Designation For Animal Waste</b>	
<b>Sample Point Number</b>	<b>Sample Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)</b>
009	Sample point 009 is for visual monitoring and inspection of FS Feed Storage Area 1 and associated runoff control system. The facility is in the western portion of the FS Farm Site. It was originally constructed in 1997 and rebuilt in 2013. This structure stores haylage and corn silage on an estimated area of 58,000 square feet with 6- to 8-inch-thick concrete floors and precast concrete panel exterior walls. Leachate and runoff flow to the northwest into a collection system. The current runoff control system has been determined to not contain a 24-hour, 25-year precipitation event. Submission of new plans and specifications to meet regulatory construction standards are scheduled for the proposed permit term. Liquids leaving the future FS Feed Storage Area 1 runoff collection are planned to be pumped into a dedicated storage structure (Sample Point 007).

# **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. 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 255 days of storage for liquid manure based on 2,960 animal units. The permittee must maintain 180 days of storage, unless temporary reductions in required storage are approved by the Department.

### **Ancillary Service and Storage Areas**

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

### **Nutrient Management**

With 2,960 animal units from dairy animals, it is estimated that approximately 11,848,196 gallons of manure and process wastewater will be produced per year. The permittee owns 1,350 acres of cropland and rents about 2,650 acres. Of this acreage, 3,900 is spreadable. 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.

### **Monitoring and Sampling Requirements**

The permittee must submit a monitoring and inspection program that outlines how the permittee will conduct self-inspections to determine compliance with permit conditions. These self-inspections include visual inspections of water lines, diversion devices, storage and containment structures and other parts of the production area. The permit requires periodic inspections and calibrations of landspreading equipment. The permittee must take corrective actions to problems identified inspections or otherwise notify the Department. Samples of manure, process wastewater and soils receiving land applied materials from the operation must also be collected and analyzed.

### **Sampling Points**

The permit identifies the different sources of land applied materials (e.g., manure storage facilities, milking centers, egg-washing facilities) as "Sampling Points." For these Sampling Points, the permittee is required to sample and analyze the different sources for nutrients and other parameters which serve as the basis for determining rates of application for these materials. Other areas are also identified as Sampling Points as a means of identifying them as areas requiring action by

the permittee, such as an upgrade or evaluation of a certain system or structure (e.g., runoff control systems), even though sampling is not actually required.

**1.1 Sample Point Number: 001- 4C - WSF 2; 002- 4C - WSF 1; 006- FS - WSF 2; 007- FS - New Pit**

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**

- Sample point 001 language was updated to describe the existing facility more accurately.
- Sample point 012 was swapped to sample point 002 and language updated to describe the existing facility more accurately.
- Sample point 014 was swapped to sample point 006 and language updated to describe the existing facility more accurately.
- Sample point 007 was changed from manure solids to the planned construction of a new storage structure for feed pad runoff at the FS farm.
- Sample points 013 and 015 were abandoned.

**1.2 Sample Point Number: 003- 4C Farm solid manure; 005- FS - WSF 1; 008- FS Farm solid manure**

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	

Monitoring Requirements and Limitations					
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Notes
Solids, Total		Percent	Quarterly	Grab	

### 1.2.1 Changes from Previous Permit

- Sample point 005 was swapped to sample point 003 and language updated.
- Sample point 011 was swapped to sample point 005 and language updated to describe the existing facility more accurately.
- Sample point 006 was swapped to sample point 008 and language updated.

### 1.3 Sample Point Number: 004- 4C Feed Storage 1 and 009- FS Feed Storage Area 1

#### 1.3.1 Changes from Previous Permit

- Sample point 009 was swapped to sample point 004 and language updated to describe the existing facility more accurately.
- Sample point 009 was added to account for the continued use of the FS Feed Storage Area 1.
- Sample point 010 was discontinued.

## 2 Schedules

### 2.1 Emergency Response Plan

Required Action	Due Date
Develop Emergency Response Plan: Develop a written Emergency Response Plan within 60 days of permit coverage, available to the Department upon request.	06/30/2025

### 2.2 Monitoring & Inspection Program

Use of the department’s monitoring and inspection program template is encouraged, but optional.

Required Action	Due Date
Proposed Monitoring and Inspection Program: Consistent with the Monitoring and Sampling Requirements subsection, the permittee shall update and submit a proposed monitoring and inspection program within 60 days of the effective date of this permit.	06/30/2025

## 2.3 Annual Reports

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

Required Action	Due Date
Submit Annual Report #1: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2026
Submit Annual Report #2: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2027
Submit Annual Report #3: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2028
Submit Annual Report #4: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2029
Submit Annual Report #5: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2030
Ongoing Annual Reports: Continue to submit Annual Reports until permit reissuance has been completed.	

## 2.4 Nutrient Management Plan

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

Required Action	Due Date
Management Plan Annual Update #1: To include actual cropping, tillage, and nutrient application data from the previous calendar or crop year, consistent with the requirements of department for 3400-025D.	03/31/2026
Management Plan Annual Update #2: To include actual cropping, tillage, and nutrient application data from the previous calendar or crop year, consistent with the requirements of department for 3400-025D.	03/31/2027
Management Plan Annual Update #3: To include actual cropping, tillage, and nutrient application data from the previous calendar or crop year, consistent with the requirements of department for 3400-025D.	03/31/2028
Management Plan Annual Update #4: To include actual cropping, tillage, and nutrient application data from the previous calendar or crop year, consistent with the requirements of department for 3400-025D.	03/31/2029



Management Plan Annual Update #5: To include actual cropping, tillage, and nutrient application data from the previous calendar or crop year, consistent with the requirements of department for 3400-025D.	03/31/2030
Ongoing Management Plan Annual Updates: Continue to submit Annual Updates to the Nutrient Management Plan until permit reissuance has been completed.	

## 2.5 Runoff Control System - Installation

For FS Feed Storage Area 1 runoff controls and FS - New Pit.

Required Action	Due Date
Plans and Specifications: Submit plans and specifications for a permanent FS Feed Storage Area 1 runoff control system for Department review and approval in accordance with Chapter 281.41, Wis. Stats., and Chapter NR 243, Wis. Adm. Code. See Standard Requirements for plan content information.	03/30/2026
Complete Installation: Complete construction of runoff control system. System shall be functional and in operation by the specified Date Due. Post construction documentation shall be submitted within 6 months of completion of the project.	11/30/2026

## 2.6 Runoff Control System - Installation

For 4C Feed Storage 1 runoff system. Plans and specifications for repairs to meet regulatory construction standards.

Required Action	Due Date
Written Description of Existing System: Submit a written description of the existing runoff control system and its adequacy to permanently meet the conditions in the Production Area Discharge Limitations and Runoff Control subsections and s. NR 243.15, Wis. Adm. Code. (See Standard Requirements for report details.)	03/30/2027
Plans and Specifications: Submit plans and specifications for Department review and approval to permanently correct any adverse runoff control conditions in accordance with Chapter 281.41, Wis. Stats., and Chapter NR 243, Wis. Adm. Code.	03/30/2027
Corrections and Post Construction Documentation: Complete construction of runoff controls that permanently correct any adverse runoff control conditions in concurrence with and approval by the Department, by the specified Date Due. Submit post construction documentation within 6 months of completion of the project.	11/30/2027

## 2.7 Manure Storage Facility - Installation

For improvements to 4C - WSF 1.

Required Action	Due Date
Plans and Specifications: Submit plans and specifications for improvements to 4C - WSF 1 for Department review and approval in accordance with Chapter 281.41, Wis. Stats., and Chapter NR 243, Wis. Adm. Code. See Standard Requirements for plan content information.	03/30/2027
Complete Installation: Complete improvements to the manure storage facility. The facility shall be functional and in operation by the specified Date Due. Post construction documentation shall be submitted within 6 months of completion of the project.	11/30/2027

## 2.8 Manure Storage Facility - Engineering Evaluation

For FS - WSF 1. Provide an engineering evaluation to verify structure meets regulatory construction standards for solid stacking pad or plans and specifications for repairs to meet regulatory construction standards.

Required Action	Due Date
Written Report: Submit a written report evaluating the existing manure storage facility's ability to meet the conditions in the Production Area Discharge Limitations and Manure and Process Wastewater Storage subsections and s. NR 243.15, Wis. Adm. Code. (See Standard Requirements for report details.)	03/30/2028
Plans and Specifications: Submit plans and specifications for Department review and approval in accordance with Chapter 281.41, Wis. Stats., and Chapter NR 243, Wis. Adm. Code, to permanently correct any adverse manure storage conditions.	03/30/2028
Corrections and Post Construction Documentation: Complete construction on the manure storage facility that permanently corrects any adverse conditions in concurrence with and approval by the Department, by the specified Date Due. Submit post construction documentation within 6 months of completion of the project.	11/30/2028

## 2.9 Submit Permit Reissuance Application

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

## Attachments

- Nutrient Management Plan Approval Letter (May 22, 2024)
- Days of Storage Approval Letter (February 19, 2025)
- Sample Point Map (February 2025)
- Public Notice (March 2025)

## **Proposed Expiration Date:**

**April 30, 2030**

**Prepared By: Todd Prill      Agricultural Runoff Management Specialist**

**Date: March 4, 2025**

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-0062243-04-0

Permittee: Clark County Cattle Company, 216770 Bridgewater Ave., Unity, WI, 54488

Receiving Water And Location: Surface water and groundwater within the O'Neill and Cunningham Creeks Watershed of the Black River Basin.

Brief Facility Description : Clark County Cattle Company is an existing Concentrated Animal Feeding Operation (CAFO) located in the Township of Grant, Clark County. The Clark County Cattle Company consists of two production sites: the 4C Farm site located at W4733 County Road C, Neillsville WI 54456; and the FS Farm site located at W4445 County Road C, Neillsville WI 54456. The operation is operated by Terry Brost with a current herd size of 2,960 animal units. No large expansion is planned during the permit term. This herd size is projected to produce approximately 11.8 million gallons of liquid manure/process wastewater and 9,700 tons of solid manure. Liquid manure and process wastewater is currently stored in one (1) liquid waste storage facility at the 4C Farm Site and one (1) at the FS Farm Site. The current total usable storage capacity is approximately 8.2 million gallons or 255 days of storage capacity for liquid manure and at least 59 days for solid manure. A second liquid storage facility at the 4C Farm Site is planned for repair and eventual use during the permit term. A second liquid storage facility for feed pad runoff at the FS Farm Site is planned to be constructed during the permit term. Currently, Clark County Cattle Company has manure agreements with Four Star Ag LLC for 3,997 acres of cropland; of which 3,900 acres are available for manure applications.

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

Permit Drafter's Name, Address, Phone and Email: Todd Prill, DNR, 1300 W Clairemont Ave, Eau Claire, WI, 54701, (715) 214-8576, Todd.Prill@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 (715) 214-8576 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.

NAME OF PUBLISHING NEWSPAPER: **Enter Name of Publishing Newspaper**

ADDRESS OF PUBLISHING NEWSPAPER: **Enter Address of Publishing Newspaper**

Date Notice Issued: **Enter Date Notice Issued**

# Clark County Cattle Company Sample Points



4C Farm Site

Sample Points –  
4C and FS Sites

001	4C – WSF 2	005	FS – WSF 1
002	4C – WSF 1	006	FS – WSF 2
003	4C Farm Solid Manure	007	FS – New Pit
004	4C Feed Storage 1	008	FS Farm Solid Manure
		009	FS Feed Storage Area 1



FS Farm Site

Aerial Photo and sample points accurate as of Feb. 2025



May 22, 2024

Terry Brost  
Clark County Cattle Company  
216770 Bridgewater Ave.  
Unity, WI 54488

Clark County  
Approval

SUBJECT: Conditional Approval of Clark County Cattle Company Nutrient Management Plan,  
WPDES Permit No. 0062243-04-0

Dear Mr. Brost:

After completing a review of the Clark County Cattle Company 2024-2028 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 Clark County Cattle Company review the NMP with individuals involved with manure applications to ensure all are familiar with the approved manure spreading practices, spreading map restrictions, required field verifications, record keeping requirements, and conditions of this approval. Specifically, some fields in the Clark County Cattle Company NMP may have:

- Soils with bedrock or seasonal perched water conditions within 24 inches of surface,
- Setback requirements due to streams, conduits to streams (such as man-made channels or road ditches), grassed waterways, wetlands, or wells,
- Evidence of soil erosion/flow channels.

Reviewing the NMP and checking fields for these features and soil conditions prior to manure applications will help Clark County Cattle Company maintain compliance with their WPDES permit and Ch. NR 243 requirements.

**CLARK COUNTY CATTLE COMPANY CAFO PERMIT NMP REMARKS SUMMARY**

- Good plan overall. Easy to understand with an excellent narrative and consistent information.
- The Clark County Cattle Company LLC 5-year NMP meets permit requirements for managing nitrogen, however, a few first-year corn fields and/or corn fields with manure applications had additional commercial fertilizers (16-13-0, 28-0-0) recommended resulting in planned nitrogen applications of 200 pounds per acre. University of Wisconsin and Wisconsin Discovery Farms research has shown greater nitrate-nitrogen losses and reduced profitability when approaching this application rate. Consider reducing fertilizer nitrogen content or cutting commercial nitrogen applications in these situations.
- Good start on manure sampling frequency to establish a nutrient “baseline” for different manure sources. As you take more manure samples, be sure to update changes in SnapPlus manure values.

## FINDINGS OF FACT

The Department confirms that:

1. The farm has a current dairy herd size of 1,760 animal units (1,600 heifers). An expansion of 1,200 animal units (increase of 67%) to a total of 2,960 animal units (3,600 heifers) is planned during the permit term.
2. Engineering firm Point of Beginning estimates total annual liquid waste volume from Days of Storage calculations of approximately 3,153,600 gallons of manure/process wastewater for 2024 and 6,175,800 gallons of manure/process wastewater after the expansion (2025 to 2028). The reissuance NMP plans for an annual application of 1,850,000 gallons in 2024 and a minimum of 6,300,000 gallons during the remainder of the permit term. The difference in 2024 numbers is not a concern as either estimate requires far fewer acres for applications than acreage required after the proposed expansion. The reissuance NMP plans for an annual application of 9,700 tons in 2024 and 33,500 tons during the remainder of the permit term.
3. Surface water quality management areas (SWQMA) will be managed by the farm using application restriction option 1 (no manure within 25 feet of SWQMA or conduit, incorporate within remaining SWQMA area) and 5 (no application within 100 feet of navigable water or conduit when surface applied).
4. The phosphorus management method to minimize field losses is the P Index.
5. Clark Count Cattle Company currently has 3,997 acres (1,350 owned and 2,650 controlled through contracts, rental agreements, or leases, or under manure agreements) in the NMP, of which 3,900 acres are available for spreading after various restricted areas have been accounted for.
6. Some fields included in the NMP are directly adjacent to or have high potential to deliver nutrients and sediment to a 303(d) impaired water (North Branch O'Neill Creek – WBIC 1749600 – total phosphorus – 2014, Middle Branch O'Neill Creek – WBIC 1747970 – total phosphorus – 2014, South Branch O'Neill Creek – WBIC 1749300 – total phosphorus – 2012, O'Neill Creek – WBIC 1748800 – total phosphorus – 2014, Cawley Creek – WBIC 1750100 – total phosphorus - 2018).
7. No fields included in the NMP are directly adjacent to or have high potential to deliver nutrients and sediment to streams classified as an outstanding/exceptional water resource.
8. No fields included in the NMP are located within a well head protection area.
9. No fields included in the NMP are identified as containing drain tile.
10. All fields will be checked for the following features prior to/during manure or process wastewater applications:
  - soil areas with possible perched water conditions within 24 inches of surface (“W” soils) at the time of manure application.
  - required setbacks associated with wells, navigable waters, conduits to navigable waters, grassed waterways, and wetlands.
  - soil erosion/flow channels.
11. 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 2024-2028 Clark County Cattle Company 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 in Snap Plus (or comparable software), evaluated for nutrient needs, and approved by the Department (a.k.a. Substantial NMP Revisions).
2. No fields have been approved to also receive industrial, municipal, or septage waste.
3. The following fields are prohibited from receiving **mechanical** applications of manure or process wastewater, unless the condition listed is corrected prior to proposed applications:
  - **Soil test phosphorus levels equal to or above 200 ppm (as of March 29, 2024)**

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If Clark County Cattle Company wishes to use these fields for mechanical 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. During the permit term, if field soil test phosphorus levels should become equal to or above 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. At a minimum, all liquid manure samples collected should be analyzed for percent dry matter, total nitrogen, percent NH<sub>4</sub>-N, percent NO<sub>3</sub>-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<sub>4</sub><sup>+</sup>) is greater than 75% of the total N, Clark County Cattle Company 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. Clark County Cattle Company shall record daily manure applications by using form 3200-123A or other documentation with equivalent information. This information shall be retained at the farm and provided to the department upon request.
8. Clark County Cattle Company shall annually submit a spreading report that summarizes the land application activities listed under NR 243.19(3)(c)5., Wis. Adm. Code and contained in form 3200-123.



WINTER SPREADING

- 9. **Liquid** manure applications during winter conditions, as defined by NR 243.14(7), Wis. Adm. Code, are prohibited except for emergency applications.
- 10. The following fields have areas determined to have a low risk of runoff and are approved for winter spreading solid manure, emergency applications of liquid manure and frozen liquid manure:

225	228	605	629	632	659	
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- 11. Winter applications of liquid manure shall only occur under emergency situations, after notifying the Department and receiving verbal approval.
- 12. 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.
- 13. No **liquid or solid** manure applications may occur during the “high risk runoff period” of February 1 to March 31 pursuant to information in s. NR 243.14(6)(c) and NR 243.14(7)(c), respectively.

HEADLAND STACKING

- 14. No headland stacking sites are approved for non-winter and winter headland stacking.

MANURE & PROCESS WASTEWATER IRRIGATION

- 15. No fields were requested for approval to receive manure or process wastewater from irrigation.

This conditional approval does not limit the Department's regulatory authority to require NMP revisions based upon new information or request additional information 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 715-214-8576 or [Todd.Prill@Wisconsin.gov](mailto:Todd.Prill@Wisconsin.gov)

Sincerely,

A handwritten signature in cursive script that reads "Todd M. Prill".

Todd Prill  
Certified Crop Advisor (CCA)  
WDNR Agricultural Runoff Specialist

cc: Dani Johnson, crop consultant ([dani.johnson@agsource.com](mailto:dani.johnson@agsource.com))  
Jim Arch, Clark County LCD ([james.arch@co.clark.wi.us](mailto:james.arch@co.clark.wi.us))  
Aaron O'Rourke, WDNR Nutrient Management Program Coordinator ([Aaron.Orourke@Wisconsin.gov](mailto:Aaron.Orourke@Wisconsin.gov))  
File



February 19, 2025

FILE REF: R-2024-0246a  
 WPDES Permit #: WI-0062243

Terry Brost  
 Clark County Cattle Company  
 216770 Bridgewater Ave.  
 Unity, WI 54488

Subject: Days of Storage Review for Clark County Cattle Company, (former FS site) at T25N, R1W, Section 32 in York Township, Clark County – NO ADDITIONAL ACTION REQUIRED

Dear Mr. Brost:

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 Dan St. Pierre, P.E., Point of Beginning and received on October 13, 2024 with revisions received on October 24, November 14, 2024, and January 27, 2025. The final revision was submitted to address the Department’s plan approval conditions stipulated in the Department’s plan approval letter dated November 19, 2024 for project # R-2024-0246. This current review letter completes the review for that project.

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 Clark County Cattle Company has 255 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 projected number of animal units provided for the calculation is 2,960. All of the animals are heifers. The liquid waste volumes are based on the NRCS spreadsheet and other estimated or calculated values for a collection period of 365 days. The calculations assume that the annual runoff volume from the two feed storage areas and the proposed solid manure stacking area (the old sand lane) is collected in permanent waste storage. Plans for updated runoff collections systems for these area have not yet been submitted so the 25-year, 24-hour runoff volumes from those areas were not included in the calculations.

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						0
#2	6,404,851	324,958	242,234	0	606,150	5,231,509
#3						0
#4	4,330,428	576,888	202,004	0	504,997	3,046,539

					Total MOL Vol:	8,278,048
					Days of Storage:	255
					Meets Days of Storage Criteria:	YES

Total Annual Liquid Waste Volume (NRCS Table Values)	
Liquids Collected/Stored	Annual Gallons
Manure and Bedding	6,175,800
Parlor Wastewater	
Feed Storage Leachate	127,169
Feed Storage Runoff Collected *	2,224,662
Feedlot Runoff*	
Net Precipitation on Storage Surface(s) **	3,009,428
Stacking Pad Runoff Collected*	
Offsite Waste	
FS-WSF1 Runoff Collected	311,137
<b>TOTAL:</b>	<b>11,848,196</b>

**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  
For the Secretary



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

Enclosures: Wisconsin DNR Engineering Report

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