Permit Fact Sheet

General Information

Permit Number	WI-0067351-01-0
Permittee Name and Address	Clinton Farms LLC E8351 State Hwy 22, Bear Creek, WI 54922
Permitted Facility Name and Address	Clinton Farms LLC E8351 State Hwy 22, Bear Creek 54922
Permit Term	June 01, 2025 to May 31, 2030
Discharge Location	**Main Farm**: E8351 State Hwy 22 Bear Creek, WI 54922 NW ¼ of NE ¼ Section 28, T24N, R14E **Poplar Road**: N8141 Poplar Road Bear Creek, WI 54922 SW ¼ of SW ¼ Section 22, T24N, R14E
Receiving Water	Unnamed tributary within the Bear Creek-Embarrass 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**
Dairy Calves (under 400 lbs.)	60	0	0	0	
Milking and Dry Cows	1610	1645	0	0	
Heifers (400 lbs. to 800 lbs.)	240	400	0	0	
Heifers (800 lbs. to 1200 lbs.)	275	250	0	0	
Steers or Cows (400 lbs. to market)	200	200	0	0	
Total	2385	1645	0	0	

Facility Description

Brief Facility Description: Clinton Farms LLC is a proposed Concentrated Animal Feeding Operation (CAFO) that is owned & operated by the Clinton family. Clinton Farms LLC consists of 2 sites: The Main Farm is located at E8351 State Hwy 22, Bear Creek, WI and the Poplar Farm is located at N8141 Poplar Road, Bear Creek, WI. Clinton Farms LLC currently consists of 2,385 animal units (1,150 milking & dry cows, 650 heifers, 300 calves, & 200 steers) and is not proposing to expand during the upcoming permit term. Clinton Farms LLC has total of 2,197 acres available for land application of manure and process wastewater of which 2,176 are spreadable. Of this acreage, 1,486 acres are owned, and

711 acres are controlled though contracts, rental agreements, or manure agreements. For the current herd size, Clinton Farms LLC is calculated to have 224 days of liquid manure storage available.

Substantial Compliance Determination

Enforcement During Last Permit: N/A, The farm is currently not covered under a WPDES Permit.

After a desk top review of all available information and a site visit on 6/23/2023, this facility has been found to be in substantial compliance with NR 151.

The farm was issued a Notice of Non-Compliance on 3/9/2023 for operating over 1,000 animal units without a permit. Issuance of this permit will bring them back into compliance.

Compliance determination entered by Brian Hanson on 10/4/2024.

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 liquid Waste Storage Facility #1 (WSF #1). WSF #1 is an in-place earthen lined storage located at the Main Dairy east of the freestall barns & adjacent to the feed storage area. This facility has an approximate total volume of 2.26 million gallons and a maximum operating level capacity of 1.6 million gallons. This storage accepts manure and process wastewater from the adjacent concrete calf area and animal housing. This facility was constructed in 1974 and has not been evaluated since the time of construction. WSF #1 will require an engineering evaluation and installation of permanent markers, see Schedules section for further details.	
002	Sample point 002 is for liquid Waste Storage Facility #2 (WSF #2). WSF #2 is a concrete lined storage located at the Main Dairy south of the freestall barns & parlor. This facility has an approximate total volume of 9.85 million gallons and a maximum operating level capacity of 8.65 million gallons. This storage accepts manure and process wastewater from the freestall barns & parlor. This facility was constructed in 2020 and has not been evaluated since the time of construction. WSF #2 will require an engineering evaluation, see Schedules section for further details.	
003	Sample point 003 is for any manure solids removed from bottom of liquid waste storage facilities. This includes manure-laden sand solids, manure fiber solids, etc. Representative samples shall be taken from each waste storage facility.	
004	Sample point 004 is for solid manure sources that are directly land applied and not stored in a waste storage facility. This includes solid sources such as calf hutch manure, maternity pen bedpack, heifer bedpack, steer manure, etc. Representative samples shall be taken for each manure source type.	
005	Sample point 005 is for solid manure stacked in approved headland stacking locations. Representative samples shall be taken of this manure prior to land application. Note: Headland stacking sites are subject to production site discharge limitations; weekly visual monitoring is required during use of stacking sites to ensure discharges meet permit requirements.	
006	Sample point 006 is for visual monitoring and inspection of the Feed Storage Area (FSA) and associated runoff control system. The FSA is located at the Main Dairy in the southeast corner of the production area and is approximately 1.6 acres in area. Proper operation and maintenance is required to ensure discharges of process wastewater to waters of the state do not occur. Weekly inspections are required and shall be	

Sample Point Designation For Animal Waste		
Sample Point Number	**Sample Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)**	
	recorded according to monitoring program. An engineering evaluation and installation of permanent runoff controls for the feed storage area shall be submitted according to the Schedules section of the permit.	
007	Sample point 007 is for visual monitoring and inspection of the outdoor calf lot area and associated runoff control system located at the Main Farm. Feedlot runoff drains into Waste Storage Facility #1. Proper operation and maintenance is required to ensure discharges meet permit requirements. Weekly inspections are required and shall be recorded according to monitoring program. An engineering evaluation of the feedlot and runoff control system shall be submitted according to the Schedules section of the permit.	
008	Sample point 008 is for visual monitoring and inspection of the concrete feedlots and associated runoff control systems located at the Poplar Rd Farm. Proper operation and maintenance is required to ensure to ensure discharges meet permit requirements. Weekly inspections are required and shall be recorded according to monitoring program. The feedlot will require an engineering evaluation, see Schedules section for due dates	
009	Sample point 009 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.	

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 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 submitted to the Department for approval.

The permittee currently has approximately 224 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 2,385 animal units (1,150 milking & dry cows, 650 heifers, 300 calves, & 200 steers), it is estimated that approximately 16.7 million gallons & 2,900 tons of manure and process wastewater will be produced per year. The permittee owns *approximately* 1,486 acres of cropland and 711 acres are controlled though contracts, rental agreements, or manure agreements. Given the rotation commonly used by the permittee, 2,176 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 or 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 permitee 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- WSF #1; 002- WSF #2

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

N/A, this will be the farm's initial WPDES Permit.

1.1.2 Explanation of Operation and Management Requirements

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

1.2 Sample Point Number: 003- WSF Solids Removed; 004- Misc Solids; 005- Headland Stacks

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	

Monitoring Requirements and Limitations					
Parameter	**Limit Type**	**Limit and Units**	**Sample Frequency**	**Sample Type**	**Notes**
Phosphorus, Total		lbs/ton	Quarterly	Grab	
Phosphorus, Available		lbs/ton	Quarterly	Calculated	
Solids, Total		Percent	Quarterly	Grab	

1.2.1 Changes from Previous Permit

N/A, this will be the farm's initial WPDES Permit.

1.2.2 Explanation of Operation and Management Requirements

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

1.3 Sample Point Number: 006- Feed Storage Area; 007- Calf Lot; 008- Heifer Lots, and 009- Storm Water

1.3.1 Changes from Previous Permit

N/A, this will be the farm's initial WPDES Permit.

1.3.2 Explanation of Operation and Management Requirements

Proper operation and maintenance is required to ensure unlawful discharges to waters of the state do not occur. Weekly or quarterly inspections are required and shall be recorded according to the monitoring plan.

2 Schedules

2.1 Emergency Response Plan

Required Action	Due Date
Develop Emergency Response Plan: Develop a written Emergency Response Plan within 30 days of permit coverage, and submit to the Department.	07/01/2025

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 submit a proposed monitoring and inspection program within 60 days of the effective date of this permit.	08/01/2025

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 Submittal: Submit any necessary updates to the Nutrient Management Plan to meet the conditions outlined in this permit (see conditions in the Livestock Operational and Sampling Requirements section).	
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.	03/31/2026
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.	03/31/2027
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.	03/31/2028
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.	03/31/2029
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.	03/31/2030
Ongoing Management Plan Annual Updates: Continue to submit Annual Updates to the Nutrient Management Plan until permit reissuance has been completed.	

2.5 Manure Storage Facility - Engineering Evaluation

Applicable to sample points 001 & 002; WSF #1 & WSF #2

Required Action	Due Date
Retain Expert: Retain a qualified expert to complete an engineering evaluation for the WSF #1 and WSF #2 manure storage facility and report the name of the expert to the Department.	07/01/2025
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.)	06/30/2026
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.	03/31/2027
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 60 days of completion of the project.	12/31/2027

2.6 Permanent Markers - Installation

Applicable to sample point 001, WSF #1 consistent with department requirements

Required Action	Due Date
Complete Installation: Complete installation of permanent markers. The facility shall be functional and in operation by the specified Date Due.	08/01/2025

2.7 Waste Transfer System - Engineering Evaluation

Applicable to all existing Waste Transfer Systems on the farm.

Required Action	Due Date
Retain Expert: Retain a qualified expert to complete an engineering evaluation for the waste transfer system and report the name of the expert to the Department.	07/01/2025
Written Report: Submit a written report evaluating the existing manure transfer system'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.)	06/30/2026
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.	03/31/2027
Corrections and Post Construction Documentation: Complete construction on the manure storage	12/31/2027

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 60 days of completion of the project.	

2.8 Feed Storage - Engineering Evaluation

Applicable to sample point 006, for the feed storage area

Required Action	Due Date
Retain Qualified Expert: The permittee shall retain a qualified expert to complete an engineering evaluation for the feed storage area and report the name of the expert to the Department.	07/01/2025
Written Description of Existing System: Submit an engineering evaluation that includes a written description of the existing feed storage area and its adequacy to meet the conditions found in the Production Area Discharge Limitations subsection and NR 243.15, Wis. Adm. Code.	06/30/2026
Plans and Specifications: Submit plans and specifications for Department review and approval to permanently correct any adverse conditions identified as part of the engineering evaluation for the feed storage area in accordance with Chapter 281.41, Wis. Stats., and Chapter NR 243, Wis. Adm. Code.	03/31/2027
Corrections and Post Construction Documentation: Complete construction of improvements to permanently correct any adverse conditions in concurrence with and approval by the Department, by the specified Date Due. Submit post construction documentation within 60 days of completion of the project.	12/31/2027

2.9 Runoff Control System - Installation

Applicable to sample point 006, for runoff controls for the permanent feed storage area

Required Action	Due Date
Plans and Specifications: Submit plans and specifications for a permanent feed storage 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.	01/31/2026
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 60 days of completion of the project.	11/30/2026

2.10 Runoff Control System - Engineering Evaluation

Applicable to sample points 007 & 008: for the outdoor calf lot & heifer lot

Required Action	Due Date
Complete Engineering Evaluation: Retain a qualified expert to complete an engineering evaluation for the runoff control system and report the name of the expert to the Department.	07/01/2025
Written Description of Existing System: Submit a written description of the existing runoff control	06/30/2026

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.)	
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.	03/31/2027
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 60 days of completion of the project.	12/31/2027

2.11 Submit Permit Reissuance Application

Required Action	Due Date
Reissuance Application: Submit a complete permit reissuance application 180 days prior to permit expiration.	12/01/2029

2.12 Explanation of Schedules

Emergency Response Plan, Monitoring and Inspection Program – Schedules consistent with permit requirements.

Annual Reports, Nutrient Management Plan, Submit Permit Reissuance Application - Schedules consistent with permit requirements.

Other schedule items are required to comply with s. NR 243 and WPDES permit conditions. Specifically, 2.5, 2.6, 2.7, 2.8, 2.9, 2.10 are required to assess if existing facilities meet permit requirements and discharge limits.

Other Comments

None

Attachments

Plan Approval Letter(s)

• 2/21/2025 Conditional NMP Approval Letter

• 9/16/2024 Days of Storage Review Letter

• 8/23/2023 Pre Permit Inspection ReportPublic Notice

Justification Of Any Waivers From Permit Application Requirements

N/A

Prepared By: Brian Hanson Wastewater Specialist Date: 3/17/2025

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
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February 21st, 2025

Waupaca County
Approval

Brad Clinton
Clinton Farms LLC
E8351 State Hwy 22
Bear Creek, WI 54922

SUBJECT: Conditional Approval of Clinton Farms LLC Nutrient Management Plan, WPDES Permit No. 0067351-01-0

Dear Brad Clinton:

After completing a review of Clinton Farms LLC 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 Clinton Farms 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 dairy herd size of 2,385animal units (1,150 milking & dry cows, 650 heifers, 300 calves, & 200 steers). Currently there are no planned expansions in the next permit term.
2. Manure generation and spreading records indicate your herd will annually generate approximately 16,704,593 gallons of manure and process wastewater and 2,900 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 Clinton Farms LLC currently has 2,197.4 acres (1,486.1 owned and 711.3 controlled through contracts, rental agreements or leases, or under manure agreements) of which 2,176.1 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 2024-2028 Clinton Farms 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 #
1-2	GLK Sauerkraut LLC	GLK-12	59778
1-2	GLK Sauerkraut LLC	GLK-17	59779
16	GLK Sauerkraut LLC	CL-1	112572
3, 4-5	GLK Sauerkraut LLC	GLK-12	59778
4-5	GLk Sauerkraut LLC	GLK-17	59779

   Prior to any manure applications on these fields Clinton Farms 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 Clinton Farms 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: Clinton Farms 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:
   - 60 (default soil test value)

   If Clinton Farms 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 NH_4-N, percent NO_3-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, Clinton Farms LLC may use the following equation to adjust the first year available nitrogen when applications are injected or incorporated within 1 hour:

$$\text{First-Year Available N} = NH_4\text{-N} + [0.25 \times (\text{Total N} - NH_4\text{-N})]$$

7. Clinton Farms 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. Clinton Farms 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:

- 1-2	- 3	- 4-5	- 6
- 7	- 16	- 24	- 27
- 30	- 45	- 46	- 48
- 58	- 63	- 68	- 69

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. The following headland stacking sites are denied based on proximity to a potential concentrated flow path that has not been field verified after requested by the department. Additionally, based on percentage of solids the farm has shown these sites would require slope verification to use with 16-32% solids also. In the future verification documentation can be submitted to the department for consideration.
    - 1-2 Stacking Site
    - 4-5 Stacking Site

15. The following headland stacking site is denied due to its location within portions of SWQMA area setbacks:
    - 27 Stacking Site

MANURE & PROCESS WASTEWATER IRRIGATION

16. Irrigation of manure or process wastewater is prohibited.

SUBMITAL AND RECORDKEEPING REQUIREMENTS

17. 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.

18. The farm should continue to evaluate areas of concentrated flow in fields and update restriction maps accordingly. There were considerations raised in requests for information with the facility that did not yield any updates but are potential areas to monitor.

19. The farm does not have a current manure sample for solids and should make sure to test to know ability for stacking manure. If manure tests 16-32% dry matter compared to greater than 32%, there is much different clearances that may apply.

20. The narrative is required to be updated to reflect the animal units which are projected for 2028. Currently it only shows through 2027. Additionally, it is necessary to properly update the P management section, if the fields are not using soil test P, the chart should be removed which shows this might be a utilized practice. The updated narrative is due by no later than **February 28th, 2025.**

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 locate 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: Brian Hanson, WDNR Agricultural Runoff Management Specialist (Brian.Hanson@Wisconsin.gov)
Joe Baeten, WDNR Watershed Field Supervisor (Joeseph.Baeten@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)
Tabatha Davis, WDNR CAFO Engineer (Tabatha.Davis@Wisconsin.gov)
Brian Haase, Waupaca County (Brian.Haase@Co.Waupaca.Wi.Us)
Nathan Nysse, Tilth Agronomy Group (Nathen@Tilthag.com)
File

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WISCONSIN DEPT. OF NATURAL RESOURCES

09/16/2024

FILE REF: R-2023-0219
WPDES Permit #: WI-0063274

Brad Clinton
Clinton Farms
E8351 State Hwy 22
Clintonville, WI 54922

Subject: Days of Storage Review for Clinton Farms located at T24N, R14E, Section 28 in Bear Creek Township, Waupaca County – NO ADDITIONAL ACTION REQUIRED

Dear Brad Clinton:

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 John Roach, Roach and Associates on September 29, 2023 on behalf of Clinton Farms with revisions on August 30, 2024.

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 under existing conditions, Clinton Farms LLC has 224 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 2385 with 2100 animal units contributing to liquid waste. The liquid waste volumes are based on calculated values for a collection period of 365 days. Full runoff of the 25-year 24-hour storm is currently collected from the three concrete cattle lots on the Head Quarters Farm. No runoff is currently collected from the feed storage area, or feedlots on the Satellite Site. Review of submitted plans will confirm if runoff collection from the feed storage area contains the 25-year 24-hour storm.

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	2,261,593	262,817	92,148	44,834	249,892	1,611,902
#2	9,851,523		323,694		877,524	8,650,305
					Total MOL Vol:	10,262,207
					Days of Storage:	**224**

Total Annual Liqud Waste Volume (NRCS Table Values)	
Liquids Collected/Stored	Annual Gallons
Manure and Bedding	11,043,604
Parlor Wastewater	2,933,545
Feedlot Runoff	338,658
Net Precipitation on Storage Surface(s)	2,388,786
TOTAL:	**16,704,593**

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

Email:
Brad Clinton; Clinton Farms
(920) 843-0741; clinton79brad@gmail.com

John Roach; Roach and Associates
(920) 858-5868; john@jmroach.com

Brian Haase; Waupaca County
(715) 258-6245; brian.haase@co.waupaca.wi.us

Matt Woodrow; DATCP
(920) 427-8505; matthew.woodrow@wisconsin.gov

Tabatha A Davis; DNR-Central Office
(608) 712-2324; tabatha.davis@wisconsin.gov

Brian Hanson; DNR-Northeast Region
(920) 366-3302; brian.hanson@wisconsin.gov

Ashley Scheel; DNR, Central Office
(608) 261-6419; ashley.scheel@wisconsin.gov

Joe B Baeten; DNR-Northeast Region
(920) 366-2072; Joseph.Baeten@wisconsin.gov

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August 23, 2023

Jim Clinton
Clinton Farms LLC
E8405 Silver Creek Road
Bear Creek WI 54922

WPDES Permit No. WI- 0063274-01-0
Waupaca County

Subject: Pre-Permit Inspection – Follow Up Requested

Dear Mr. Clinton:

On July 6, 2023 the department met with you to inspect your dairy farm and to discuss WPDES CAFO permit requirements. Department observations and a record of our conversation during the inspection are included in the enclosed report. No violations of s. NR151 were observed during the inspection. The department has noted actions items that require your attention on page 20 in the enclosed report.

Please find on page 20 of the enclosed report, a detailed list of "materials required as part of the permit application". Please review this section carefully. A complete and final application is due October 1, 2023.

If you have any questions regarding this letter or your WPDES permit requirements, please contact me at 920 573-8033 or at bethani.chambers@wisconsin.gov.

Sincerely,

Bethani Chambers
Agricultural Runoff Management Specialist

Enclosure: Clinton Farms Pre-Permit Inspection Report

Electronic CC:
Joe Baeten, Falon French, Ben Uvaas - DNR
Waupaca County LCD
Nathen Nysse – Tilth Agronomy LLC
John Roach – Roach and Associates LLC

CAFO Compliance Report (8/23/2023)
Inspection Date: July 6, 2023

Inspection Type: Permit Issuance

Operation Name: Clinton Farms LLC

WPDES Permit No. 0063274-01-0

Operation Addresses:
Main Site: E8351 State Hwy 22 Clintonville, WI 54922
Satellite Site: N8141 Poplar Road Clintonville, WI 54922

On-Site Representative(s): Jim Clinton - Owner/Operator, Brad and Carrie - Authorized Representatives
DNR Staff / Report Writer: Bethani Chambers - Agricultural Runoff Management Specialist

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On July 6, 2023, Chambers met with Jim Clinton (Owner/Operator) and Brad and Carrie (Authorized Representatives) to conduct an issuance inspection of Clinton Farms LLC. Also present for the inspection was Corey Schuelke (Waupaca County LWCD). Conditions during the inspection were sunny and dry. Follow-up items are requested on page 20.

Figure 1. Aerial overview of Clinton Farm: Main site, map provided by farm.

Figure 2. Aerial overview of Clinton Farm: satellite site, map provided by farm.

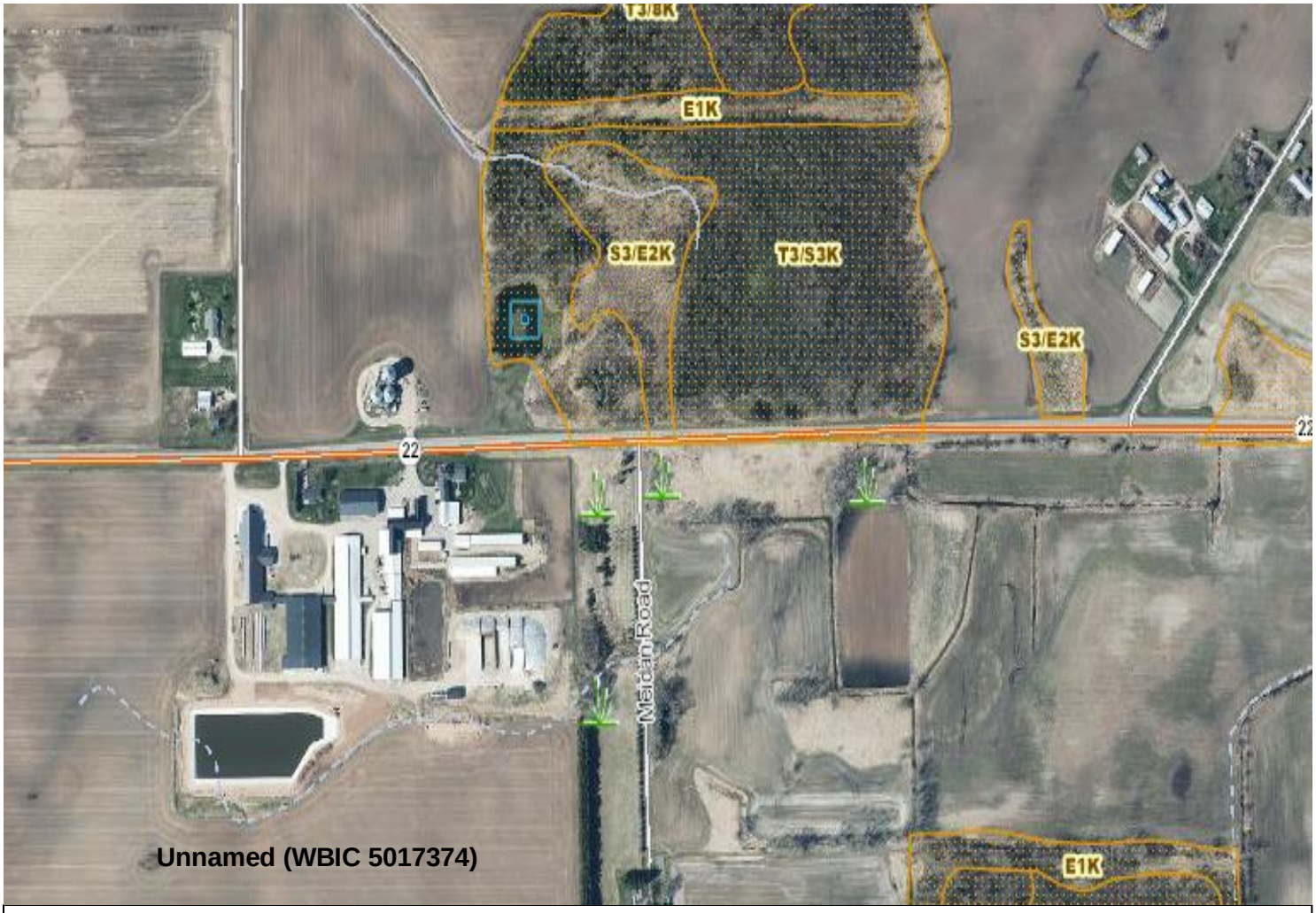

Figure 3. Aerial overview of Clinton Farm in relation to surface waters. Yellow denotes designated wetlands.

SITE OBSERVATIONS

Feedlot Runoff

Clinton Farms utilizes concrete feedlots at the small farm located at N8141 Poplar Road Clintonville, WI 54922. Lots are cleaned as needed, waste is either stored in permanent storage or land applied. Runoff from these lots have the potential to flow north towards a ditch and culvert to a cropped field. This area is in need of repair to prevent an unauthorized discharge. Good housing keeping practices should be continued to keep these areas clean.

Photo #:	001
Date/ Time:	7/6/2023 / 12:35 PM
Photo Location:	Concrete Lot
Photo By:	Bethani Chambers

Photo Description: View of concrete feed lot located at the small farm site

Photo Direction: NW

Photo #:	002
Date/ Time:	7/6/2023 / 12:37 PM
Photo Location:	Concrete Lot
Photo By:	Bethani Chambers

Photo Description: Close up view of concrete lot

Photo Direction: W

Calf Barns

Calves are kept under roof in designated calf barns. Larger youngstock are kept under partial roof on concrete. Runoff from this area drains toward WSF 1.

Photo #:	003
Date/ Time:	7/6/2023 / 11:49 AM
Photo Location:	Calf Barn
Photo By:	Bethani Chambers

Photo Description: Covered calf barn, adjacent to WSF 1

Photo Direction: E

Photo #:	004
Date/ Time:	7/6/2023 / 11:48 AM
Photo Location:	Calf Barn
Photo By:	Bethani Chambers

Photo Description: Partially covered concrete lots used for youngstock

Photo Direction: SW

Photo #:	005
Date/ Time:	7/6/2023 / 11:49 AM
Photo Location:	Calf Barn
Photo By:	Bethani Chambers

Photo Description: Partially covered concrete lots used for youngstock

Photo Direction: NE

Waste Storage Facilities (WSF's)

Manure and process wastewater is currently stored in two waste storage facilities located at the main farm. Solid manure is stored temporarily in designated push-out areas.

WSF 1 is an earthen-lined storage located to the west of the feed storage area. This storage accepts manure and process wastewater from the adjacent concrete lanes and animal housing. Adequate fencing and concrete ramps were observed during the inspection. Permanent markers would need to be installed to comply with permit requirements. Engineering evaluations of all permanent waste storages and waste transfer lines are required as part of the WPDES CAFO Permit application.

WSF 2 is a concrete-lined storage located to the south of the parlor. This storage accepts manure and process wastewater from the parlor and animal housing. Adequate fencing and permanent markers were observed during the inspection. Engineering evaluations of all permanent waste storages and waste transfer lines are required as part of the WPDES CAFO Permit process.

Solid and liquid waste storage facilities are managed to not have current or past indicators of discharges.

Photo #:	006
Date/ Time:	7/6/2023 / 11:17 AM
Photo Location:	WSF 1
Photo By:	Bethani Chambers

Photo Description: View of earthen WSF 1, looking north towards the calf barn and lots

Photo Direction: N

Photo #:	007
Date/ Time:	7/6/2023 / 11:50 AM
Photo Location:	WSF 1
Photo By:	Bethani Chambers

Photo Description: View of earthen WSF 1, looking south

Photo Direction: S

Photo #:	008
Date/ Time:	7/6/2023 / 11:49 AM
Photo Location:	WSF 1
Photo By:	Bethani Chambers

Photo Description: Concrete ramp used for WSF 1

Photo Direction: SW

Photo #:	009
Date/ Time:	7/6/2023 / 11:05 AM
Photo Location:	WSF 2
Photo By:	Bethani Chambers

Photo Description: View of concrete WSF 2

Photo Direction: W

Photo #:	010
Date/ Time:	7/6/2023 / 11:06 AM
Photo Location:	WSF 2
Photo By:	Bethani Chambers

Photo Description: Permanent marker for WSF 1, located in the SW corner

Photo Direction: NW

Photo #:	011
Date/ Time:	7/6/2023 / 12:02 PM
Photo Location:	Pushout Area
Photo By:	Bethani Chambers

Photo Description: Concrete push out area used for temporary storage

Photo Direction: E

Process Wastewater

Waste from the milking center is stored in WSF 2. Process wastewater sources are managed to not have current or past indicators of discharges.

Feed Storage Area Runoff

Feed is kept at the main farm, under plastic in concrete bunkers to the east of WSF 1. Engineered runoff controls are not in place, currently runoff from this area flows southwest off the pad. No discharge was observed during the inspection. Chambers discussed the current operations of the FSA with J. Clinton. Chambers indicated that feed stacked on the pad should be contained to the concrete pad and that permanent runoff controls would need to be installed. Interim controls would be completed by the farm as soon as possible to contain the leachate and prevent an unauthorized discharge. J. Clinton discussed with Chambers the possibility of storing haylage on gravel on an adjacent pad.

Installation of permanent feed storage runoff controls will be required as part of the WPDES CAFO Permit process.

On 8/22/2023 Chambers confirmed the installation of interim runoff controls for the feed storage area.

Photo #:	012
Date/ Time:	7/6/2023 / 11:24 AM
Photo Location:	FSA
Photo By:	Bethani Chambers

Photo Description: Feed storage area concrete bunkers with plastic covered feed

Photo Direction: NE

Photo #:	013
Date/ Time:	7/6/2023 / 11:25 AM
Photo Location:	FSA
Photo By:	Bethani Chambers

Photo Description: Runoff from the feed storage area, color/ odor consistent with feed leachate

Photo Direction: E

Photo #:	014
Date/ Time:	7/6/2023 / 11:26 AM
Photo Location:	FSA
Photo By:	Bethani Chambers

Photo Description: View of leachate looking towards the production area

Photo Direction: W

Photo #:	015
Date/ Time:	7/6/2023 / 11:39 AM
Photo Location:	FSA
Photo By:	Bethani Chambers

Photo Description: View of covered feed

Photo Direction: NW

Animal Mortality Disposal
Mortalities are picked up as needed by OJ Krull.
Animal mortalities are managed to not have current or past indicators of discharges.

Ancillary Service Areas
Clinton Farms, at the time of the inspection, utilized outdoor lots on the main farm. J. Clinton stated that these animals would be moved under roof, to a new barn, as soon as it was ready. These lots would then be converted to permanent vegetation and not used for animals.

Photo #:	016
Date/ Time:	7/6/2023 / 11:40 AM
Photo Location:	Earthen Lots
Photo By:	Bethani Chambers

Photo Description: View of earthen animal lot located at the Main site

Photo Direction: NE

RECORDS REVIEW

Substantial Compliance
Clinton Farms is currently not covered by a WPDES permit. No NR 151 violations were observed.

Areas of Concern
Feed stored without runoff controls could result in a process wastewater handling performance standard prohibition violation; "*NR 151.055(2) There may be no significant discharge of process wastewater to waters of the state."* A discharge was not observed during the inspection.

Permit Violations
Clinton Farms is currently not covered by a WPDES permit. No violations of s. NR 151 were observed.

Action Items

1. Submit to the department a final application for Clinton Farms by **10/1/2023**
2. Install Interim runoff controls for the feed storage area should be installed prior to harvest this fall
    a. This item has been completed, documented on 8/22/2023
3. Install the pump for the smaller farm feed lot as soon as applicable

Materials Required as part of the Permit Application
Required materials must be submitted together as a complete permit application through the ePermitting System: http://dnr.wi.gov/permits/water/. The system will not allow you to electronically sign and submit your application until all of the following are included:

- 3400-025 form (Livestock/Poultry Operation WPDES Permit Application)
- 3400-025A form (Animal Units Calculation Worksheet)
- 3400-025B form (Nutrient Management Plan Checklist)
- 3400-025G form (Evaluated Facilities of Systems Checklist)
- A soil survey map of the dairy's production area
- A labeled aerial map showing the existing and proposed features and structures of the dairy's production area
- 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)
- Environmental Analysis Questionnaire
- Evaluations for existing facilities that store or transfer manure or process wastewater including;
    a) Waste Storage Facility 1
    b) Waste Storage Facility 2
    c) Other permanent manure and process wastewater transfer lines
- Plans and specifications for any proposed facilities including;
    a. Permanent feed storage area and associated runoff controls
    b. Others as proposed

Actions to be included in the Proposed Permit's Schedules Section

1. Construction of feed storage area runoff controls
2. Installation of permanent markers for WSF 1
3. Other actions in response to the department's review of required engineering evaluations and permit application materials