

Permit Fact Sheet

General Information

Permit Number	WI-0065480-02-0
Permittee Name and Address	Schmitz Family Farm Enterprises N5517 State Road 40, Bruce, WI 54819
Permitted Facility Name and Address	Schmitz Family Farm Enterprises N5517 State Road 40 Bruce, WI
Permit Term	August 01, 2026 to July 31, 2031
Discharge Location	Atlanta Township, Rusk County
Receiving Water	Alder Creek and Chippewa River
Discharge Type	Existing Source CAFO

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
Dairy Calves (under 400 lbs.)	66	0	0	0	
Milking and Dry Cows	1845	1885	0	0	
Heifers (400 lbs. to 800 lbs.)	205	342	0	0	
Heifers (800 lbs. to 1200 lbs.)	369	335	0	0	
Total	2485	1885	0	0	

Facility Description

Schmitz Family Farm Enterprises is a Concentrated Animal Feeding Operation (CAFO) dairy farm located in the Township of Atlanta, Rusk County. Wisconsin Department of Natural Resources first issued the farm their first CAFO permit in 2021.

The farm consists of one production site: the Home Farm located at N5517 State Road 40 Bruce, WI 54819. The farm is owned and operated by Chris Schmitz and has a current herd size of roughly 1318 cows, 677 heifers, and 328 calves (~2484.5 animal units). No expansion is planned during the permit term.

Substantial Compliance Determination

Enforcement During Last Permit: Schmitz Family Farm Enterprises received one Notice of Noncompliance during the previous permit term:

- Issued April 28, 2026, due to not meeting manure sampling frequencies outlined in the permit.

After the review of submitted reports, permit reissuance application materials, and production area site inspections in 2025 and 2026, the department determined Schmitz Family Farm Enterprises was in substantial compliance with their WPDES CAFO permit.

Compliance determination made by Jeff Jackson – DNR Agricultural Runoff Specialist on May 20, 2026.

Sample Point Descriptions

Sample Point Designation for Animal Waste	
Sample Point Number	Sample Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)
001	Small Pit-West: Sample point 001 is for liquid waste stored in waste storage facility 1 “Small Pit-West”. Small Pit-West is a concrete-lined storage structure, located north of the cow barns. The structure has a maximum operating level capacity of approximately 1.3 million gallons and was constructed in 1993. This storage accepts manure and process wastewater generated at the site.
002	Small Pit-East: Sample point 002 is for liquid waste stored in waste storage facility 2 (Small Pit-East). Small Pit-East is a concrete-lined storage structure, located north of the cow barns. The structure has a maximum operating level (MOL) capacity of approximately 2.3 million gallons and was constructed in 2007. This storage accepts manure and process wastewater generated at the site.
003	New Pit: Sample point 003 is for liquid waste stored in waste storage facility 4 “New Pit”. New Pit is a concrete-lined storage structure, located at the northern edge of the site, along Bernard Road. The structure has a maximum operating level (MOL) capacity of approximately 8.2 million gallons and was constructed in 2018. This storage accepts manure and process wastewater generated at the site.
004	Sand Trap: Sample Point 004 is for solids from the sand trap facility. This facility accepts manure from both barns, along with process wastewater from the parlor. Sand settling out in the sand trap is removed with an auger and reused as animal bedding. The recovered sand is stored in the Sand Trap Building, with runoff being completely contained.
005	Miscellaneous Solids: Sample point 005 is for miscellaneous waste solid sources originating from the production area that are land applied. This includes solid sources such as calf manure, maternity pen pack, heifer manure, waste feed, composted material, and solids removed from any waste storage facility included in this permit. Representative samples shall be taken for each manure source type.
006	Feed Storage Area & Runoff Control System: Sample point 006 is for visual monitoring & inspection of the feed storage area and associated runoff control system. Proper operation and maintenance are required to prevent unlawful discharges. When in use, weekly inspections are required and shall be recorded according to the farm's monitoring and inspection program.
007	Manure Stacking Sites: Sample point 007 is for solid manure land applied from approved headland stacking sites. Representative samples shall be taken prior to land applications. Stacks are defined as part of the production area and therefore subject to the discharge limitations of this permit. When stacking sites are being used, weekly inspections are required and shall be recorded according to the farm’s monitoring and inspection program.
008	Mortality Composting Area: Sample point 008 is for the compost stacking area and associated runoff controls. This concrete stacking area allows runoff to flow directly into a precast concrete collection tank.

Sample Point Designation for Animal Waste		
Sample Point Number	Sample Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)	
	When in use, weekly inspections are required and shall be recorded according to the farm's monitoring and inspection program.	
009	Storm Water Runoff Controls: Sample point 009 is for visual monitoring and inspection of all production site storm water conveyance systems. This includes drainage tile systems, grassed waterways, and other diversion systems that transport uncontaminated storm water off site. Proper operation and maintenance are required to keep uncontaminated runoff diverted away from manure and other raw materials.	

Permit Requirements

1 Livestock Operations - Proposed Operation and Management

Production Area Discharge Limitations

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

Runoff Control

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

Manure and Process Wastewater Storage

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

The permittee currently has approximately 221 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.

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 1318 cows, 677 heifers, and 328 calves (~2484.5 animal units), it is estimated that approximately 19.5 million gallons of manure and process wastewater will be produced per year. The permittee owns *approximately* 2059.4 acres of cropland and rents an additional 844.1 acres. Of these acres, roughly 2805.8 acres are available for the land application of manure and process wastewater. The permit requires all landspreading of manure and process wastewater to be completed in accordance with an approved nutrient management plan. The permit will require sampling and analysis of manure and process wastewater that will be landspread. Landspreading rates must be adjusted based on sample analysis. The permit requires the permittee to maintain a daily log that documents landspreading activities. The permit also requires the submittal of an annual report that summarizes all landspreading activities. Plans must be updated annually to reflect cropping plans and other operational changes. Among the requirements, the plans must include detailed landspreading information including field by field nutrient budgets.

The permittee is required to implement a number of practices to address potential water quality impacts associated with the land application of manure and process wastewater. Among the permit conditions are restrictions on manure ponding, restrictions on runoff of manure and process wastewater from cropped fields, and setbacks from wells and direct conduits to groundwater (e.g., sinkholes, fractured bedrock at the surface). In addition, the permittee must implement a phosphorus based nutrient management plan that addresses phosphorus delivery to surface waters by basing manure and process wastewater applications on soil test phosphorus levels or the Wisconsin Phosphorus index. Additional phosphorus application restrictions apply to fields that are high in soil test phosphorus (>100 ppm).

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

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

Monitoring and Sampling Requirements

The permittee must submit a monitoring and inspection program that outlines how the permittee will conduct self-inspections to determine compliance with permit conditions. These self-inspections include visual inspections of water lines, diversion devices, storage and containment structures and other parts of the production area. The permit requires periodic inspections and calibrations of landspreading equipment. The permittee must take corrective action 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 of 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- Small Pit-West (WSF-1); 002- Small Pit-East (WSF-2); 003- New Pit - WSF 4

Monitoring Requirements and Limitations					
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Notes
Nitrogen, Total		lb/1000gal	2/Month	Grab	
Nitrogen, Available		lb/1000gal	2/Month	Calculated	
Phosphorus, Total		lb/1000gal	2/Month	Grab	
Phosphorus, Available		lb/1000gal	2/Month	Calculated	
Solids, Total		Percent	2/Month	Grab	

1.1.1 Changes from Previous Permit

No changes from previous permit.

1.1.2 Explanation of Operation and Management Requirements

Liquid manure and process wastewater from sample points 001, 002, and 003 must be properly stored, sampled, and land applied in accordance with the farm’s nutrient management plan.

1.2 Sample Point Number: 004- Sand Trap Solids; 005- Miscellaneous Solids; 007- Manure Stacking Sites

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

1.2.1 Changes from Previous Permit

No changes from previous permit.

1.2.2 Explanation of Operation and Management Requirements

Solids from sample points 004, 005, and 007 must be properly stored, sampled, and land applied in accordance with the farm’s nutrient management plan.

1.3 Sample Point Number: 006- Feed Storage Area; 008- Mortality Composting Area, and 009- Storm Water Runoff Controls

1.3.1 Changes from Previous Permit

Sample points 006, 008, and 009 were added.

1.3.2 Explanation of Operation and Management Requirements

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

2 Schedules

2.1 Emergency Response Plan

Required Action	Due Date
Develop Emergency Response Plan: Develop a written Emergency Response Plan within 30 days of permit coverage, available to the Department upon request.	08/30/2026

2.2 Explanation of Schedules

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

2.3 Monitoring & Inspection Program

Required Action	Due Date
Proposed Monitoring and Inspection Program: Consistent with the Monitoring and Sampling Requirements subsection, the permittee shall submit a proposed monitoring and inspection program within 30 days of the effective date of this permit.	08/30/2026

2.4 Explanation of Schedules

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

2.5 Annual Reports

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

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

2.6 Explanation of Schedules

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

2.7 Nutrient Management Plan

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

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

2.8 Explanation of Schedules

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

2.9 Manure Analysis Results

This schedule item pertains to the submittal of manure samples taken from Sample Points 001, 002, 003, and 005 (Small Pit-West, Small Pit-East, New Pit, and Miscellaneous Solids).

Required Action	Due Date
Submit Report #1: Submit manure analysis results from each sample point and associated manure spreading logs for manure applications during Summer and Fall 2026.	12/31/2026

2.10 Explanation of Schedules

Manure sampling is required per s. NR 243.14 Wis. Admin. Code. This specific reporting date was included in a Notice of Compliance letter issued on April 28, 2026.

2.11 Sand Trap System - Engineering Evaluation

This schedule item pertains to the sand trap system and DNR conclusions outlined in an evaluation letter issued on March 3, 2026. The engineering evaluation will need to provide information on the system's concrete tank, sand stacking area, and waste transfer piping.

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.)	11/30/2026
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.	07/31/2027
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.	07/31/2028

2.12 Explanation of Schedules

Engineering evaluations of the Sand Trap System have been included per s. NR243.16(1) Wis. Admin. Code as the department has not previously evaluated this facility.

2.13 Submit Permit Reissuance Application

Required Action	Due Date
Reissuance Application: Submit a complete permit reissuance application 180 days prior to permit expiration.	02/01/2031

2.14 Explanation of Schedules

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

Attachments

- Sample Point Map
- NMP Approval Letter
- Days of Storage Approval Letter

Prepared By: Jeff Jackson - Agricultural Runoff Specialist

Date: May 20, 2026

Schmitz Family Farm Enterprises Sample Point Map



Sample Points – Waste Materials

- | | | | |
|-----|----------------------|-----|-----------------|
| 001 | Small Pit-West | 002 | Small Pit-East |
| 003 | New Pit | 004 | Sand Trap |
| 005 | Miscellaneous Solids | 007 | Manure Stacking |
| 008 | Mortality Composting | | |

Monitoring Points – Runoff Controls

- | | |
|-----|---------------------------------------|
| 006 | Feed Pad & Runoff Control System |
| 009 | Stormwater Structures Around the site |



May 14th, 2026

Rusk County
Approval

Chris Schmitz
Schmitz Family Farm Enterprises
N5517 State Road 40
Bruce, WI 54819

SUBJECT: Conditional Approval of Schmitz Family Farm Enterprises Nutrient Management Plan,
WPDES Permit No. 0065480-02-0

Dear Contact Name:

After completing a review of Schmitz Family Farm Enterprises 2026-2030 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 Schmitz Family Farm Enterprises 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 2,484.5 animal units (1,318 milking & dry cows, 677 heifers, and 328 calves). Currently there are no planned expansions in the next permit term.
2. Manure generation and spreading records indicate your herd will annually generate approximately 19,478,811 gallons of manure and process wastewater and 910 tons of solid manure in the first year of the permit term.
3. The use of application restriction options 1 and 5 within surface water quality management areas.
4. The use of phosphorus delivery method P Index.
5. That Schmitz Family Farm Enterprises currently has 2,903.5 acres (2,059.4 owned and 844.1 controlled through contracts, rental agreements or leases, or under manure agreements) of which 2,805.8 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 2026-2030 Schmitz Family Farm Enterprises 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 ID:	Other Permittee Name:	Site ID:	Field ID:	DNR #:
MOORE	STEVE GOLAT SEWER AND EXCAVATING, INC.	SM	1	105573
MOORE	STEVE GOLAT SEWER AND EXCAVATING, INC.	SM	2	105574
MOORE	STEVE GOLAT SEWER AND EXCAVATING, INC.	SM	3	105575
MOORE	STEVE GOLAT SEWER AND EXCAVATING, INC.	SM	4	105576
MOORE	STEVE GOLAT SEWER AND EXCAVATING, INC.	SM	5	105577
MOORE	STEVE GOLAT SEWER AND EXCAVATING, INC.	SM	7	105579
MOORE	STEVE GOLAT SEWER AND EXCAVATING, INC.	SM	8	105580
MOORE	STEVE GOLAT SEWER AND EXCAVATING, INC.	SM	9	105581

Prior to any manure applications on these fields Schmitz Family Farm Enterprises 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 Schmitz Family Farm Enterprises 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: Schmitz Family Farm Enterprises 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:
 - Moore (>200 ppm P)

If Schmitz Family Farm Enterprises 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 NH₄-N, percent NO₃-N, phosphorus, potassium, and sulfur.
6. If manure sample results have a dry matter (DM) content less than 2.0% and the percent ammonium (NH₄⁺) is greater than 75% of the total N, Schmitz Family Farm Enterprises 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. Schmitz Family Farm Enterprises 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. Schmitz Family Farm Enterprises 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:

- Dick Benson	- Quades	- Rod's West
- Nielson North	- Joe Driveway	- School House
- North of Booth	- Wester's East	- Wester's North
- Wester's West	- Vickie's East	- Hultman
- Ribnek	- Fairview West	
11. The following field(s) are denied for winter spreading solid manure, emergency applications of liquid manure and frozen liquid manure:
 - West of Buildings (not fully present to evaluate on maps for winter)
12. 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.
13. Winter applications of liquid manure shall only occur under emergency situations, after notifying the Department and receiving verbal approval.
14. 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

15. The following headland stacking sites are rejected since they do not meet the separation distance required to subsurface saturation due to seasonal perched conditions for 16-32% solids.

- Fairview West 1	- Nielsen North 1
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16. The following headland stacking sites are approved for use with 16-32% solids during February and March only. These sites are subject to the outlined use guidelines referenced below.
 - Sites may only be used for 1 year out of every 3 years.
 - Stacking site area may not exceed $\leq 15,000$ cubic feet.
 - Stacking interval not to exceed 8 months.
 - Ribnek 1

*Stacking site should not be utilized until the farm has a current and accurate assessment of their solid manure source that is stacked

MANURE & PROCESS WASTEWATER IRRIGATION

17. Irrigation of manure or process wastewater is prohibited.

SUBMITAL AND RECORDKEEPING REQUIREMENTS

18. 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.

19. The farm is required to take a minimum number of manures samples to meet permit requirements as follows:

- Solid Manure: One solid sample per source on a quarterly basis when hauling occurs.
- Liquid Manure: Two liquid samples per source on a monthly basis when hauling occurs.

20. Two solid manure samples are due by **July 6th, 2026** to establish where current values are for the facility.

This conditional approval does not limit the Department's regulatory authority to require NMP revisions (based upon new information or manure irrigation research findings) or request additional information in order to confirm or ensure your farm operation remains in compliance with NR 243 and your WPDES permit conditions. If additional information, project changes or other circumstances indicate a possible need to modify this approval, the Department may ask you to provide further information relating to this activity.

Please keep in mind that approval by the Department of Natural Resources – Runoff Management Program does not relieve you of obligations to meet all other applicable federal, state or local permits, zoning and regulatory requirements.

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

Sincerely,



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

CC:

Jeff Jackson, WDNR Agricultural Runoff Management Specialist (jeffrey.jackson@wisconsin.gov)
Brad Johnson, WDNR Agricultural Runoff Supervisor (bradleya.johnson@wisconsin.gov)
Joe Baeten, WDNR Agricultural Runoff Section Manager (joseph.baeten@wisconsin.gov)
Aaron O'Rourke, WDNR Nutrient Management Program Coordinator (aaron.orourke@wisconsin.gov)
Falon French, WDNR Intake Specialist (falon.french@wisconsin.gov)
Tony Salituro, WDNR CAFO Engineer (anthony.salituro@Wisconsin.gov)
Nick Stadnyk, Rusk County Conservationist (nstadnyk@ruskcountywi.us)
Lee Nolden, Prairieland Agronomy LLC (lnolden52@gmail.com)
File



March 3, 2026

FILE REF: R-2026-0004
WPDES Permit #: WI-0065480

Joe Schmitz
Schmitz Family Farm Enterprises
N5517 State Road 40
Bruce, WI 54819

Subject: Evaluation Review for Schmitz Family Farm Enterprises, NE¼ Sec 30, T35N, R07W in Atlanta Township, Rusk County – ADDITIONAL ACTIONS REQUIRED

Dear Mr. Schmitz:

This letter is to inform you that the Department received on January 16, 2026 the evaluation, submitted under certification by Dave McDaniel, Auth Consulting on behalf of Schmitz Family Farm Enterprises. This evaluation was submitted in its entirety as required in the Department's Further Actions Are Required letter dated August 8, 2017 for DNR project number R-2016-0169.

Evaluated Facilities: The evaluation included the following reviewable facilities:

1. Waste Storage Facility 1 (WSF1)
2. Waste Storage Facility 2 (WSF2)
3. Sand Trap System

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

The Department reviewed the evaluation and disagreed with the Engineer's conclusion that the reviewable facilities require no additional information to meet ch. NR 243, Wis. Adm. Code requirements. The Department requires the following actions for the reviewable facilities.

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

- Submit photo documentation to the Regional CAFO specialist that MOS markers in WSF1 and 2 have been installed to the correct elevation.
- Submit a revised evaluation of the sand trap system detailing information about the condition of the concrete tank after it is emptied. Additional evaluation of the sand stacking area and waste transfer components of the sand separation system is needed, including pump/pipeline material and the condition of the concrete stacking area.

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

NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to WIS. STAT. §§ 227.52 and 227.53, you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition

with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to WIS. STAT. § 227.42, you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. All requests for contested case hearings must be made in accordance with WIS. ADMIN. CODE § NR 2.05(5), and served on the Secretary in accordance with WIS. ADMIN. CODE § NR 2.03. The filing of a request for a contested case hearing does not extend the 30-day period for filing a petition for judicial review.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES



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CAFO Engineer Supervisor
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WISCONSIN DEPARTMENT OF NATURAL RESOURCES ENGINEERING REPORT

GENERAL INFORMATION

Farm Name: Schmitz Family Farm Enterprises

WPDES Permit#: WI-0065480

Location Address: N5517 State Road 40
Bruce, WI 54819

DNR Project #: R-2026-0004

Engineering Certification by: Dave McDaniel, P.E.

Evaluated Facilities:

Waste Storage Facility 1 (WSF1): Waste Storage Facility 1 is a concrete with waterstop lined WSF constructed in 1993. The storage is also known as the Small Pit – West by the farm. The storage is approximately 240 ft x 105 ft x 14 ft deep with 2:1 side slopes. The design documents indicate the concrete is 5-inches thick with a 6-inch layer of sand placed below the concrete liner. Waterstop spacing was found to be 30 ft on center, and the design documents show that it was installed. The WSF has a calculated total and MOL volume of 1,645,376 gallons and 1,086,697 gallons. The storage was emptied to within 1 ft of the bottom to inspect the concrete condition and found to be in good condition with only hairline cracks found.

Soil test pits were provided from the original construction indicating that the primary subsoils consist of sands. The bottom elevation of the WSF is 1,119.2 ft. No bedrock and saturation were encountered in the two test pits provided to a depth of 3.5 – 4.5 ft below the bottom, but no Munsell colors were included in the original test pits. Test pits from the nearby WSF2 were available and encountered no saturation and bedrock with Munsell colors confirming the observations. It can be reasonably assumed that sufficient separation from groundwater and bedrock is achieved for the storage.

- Assessment References: NRCS Standard 313 and s. NR 243.15(3), Wis. Adm. Code.
- Only the MOL marker was installed and an additional MOS marker needs to be installed to be in compliance with s. NR 243.15(3)(e).
 - Submit photo documentation to the regional CAFO specialist confirming that the MOS marker is installed.

Waste Storage Facility 2 (WSF2): Waste Storage Facility 2 is a concrete with waterstop lined WSF constructed in 2007. The storage is also known as the Small Pit – East by the farm. The storage is approximately 220 ft x 160 ft x 16 ft deep with 2:1 side slopes. The design documents indicate the concrete is 5-inches thick with a 6-inch layer of sand placed below the concrete liner. Waterstop spacing was found to be 70 ft on center, and the design documents show that it was installed. The WSF has a calculated total and MOL volume of 2,776,107 gallons and 1,977,124 gallons. The storage was emptied to within 1 ft of the bottom to inspect the concrete condition and found to be in good condition with only hairline cracks found.

Soil test pits were provided from the original construction indicating that the primary subsoils consist of sands. The bottom elevation of the WSF is 1,117.2 ft. No bedrock and saturation were encountered in the two test pits provided to a depth of 4– 5 ft below the bottom. Munsell colors were included in the test pits to confirm the observations. It can be reasonably assumed that sufficient separation from groundwater and bedrock is achieved of the storage.

- Assessment References: NRCS Standard 313 and s. NR 243.15(3), Wis. Adm. Code.
- Only the MOL marker was installed and an additional MOS marker needs to be installed to be in compliance with s. NR 243.15(3)(e).
 - Submit photo documentation to the regional CAFO specialist confirming that the MOS marker is installed.

Sand Trap System: The sand trap system consists of a NRCS preapproved Huffcutt concrete tank with dimensions of 62 ft x 26 ft x 10 ft deep. Soil testing from the original design documentation indicate that soils beneath the precast tank consist of soils meeting a P200% > 20% in accordance with the preapproval. Test pits from the design documentation encountered no saturation or bedrock to a minimum depth of 12.5 ft below ground surface. The bottom elevation of the test pits was not available for comparison with the sand trap to verify if the test pits show sufficient separation from limiting features. The sand trap system is within 200 ft of WSF1 and WSF2. Test pits for WSF1 and WSF2 similarly encountered no saturation or bedrock at depths deeper than those for the sand trap system. It can be reasonably assumed that there is sufficient separation from bedrock and saturation for the precast tank.

- Assessment References: NRCS Standard 313 and s. NR 243.15(3), Wis. Adm. Code.
- Photo documentation of the sand trap tank show the tank full during the inspection. The storage must be emptied to the maximum extent practical to adequately evaluate the structure and confirm the condition of the concrete.
 - Submit a revised evaluation of the sand trap concrete tank with information detailing the condition of the tank after it has been emptied to the maximum extent practicable. Include any proposed actions to address issues identified after the tank is emptied.
- The evaluation of the sand trap system was focused primarily on the concrete Huffcutt tank with insufficient information concerning the waste transfer system and sand stacking area also present in the building. The permit requires an evaluation of the entire sand separation system, not just the storage structure.
 - Submit an additional evaluation of the sand stacking area and waste transfer system utilized in the sand trap system. Include observations of the condition of the stacking area working surface, concrete connections, and pipeline penetrations.

Days of Available Liquid Waste Storage: The submitted information states that Schmitz Family Farm Enterprises has 221 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 animal units provided in the spreadsheet are incorrectly listed as 2,656. Based on the herd values provided, the corrected number of animal units for the calculation is 2,485. The liquid waste volumes are based on the NRCS spreadsheet and other estimated or calculated values for a collection period of 365 days. All runoff, up to the 25yr – 24hr storm, from the feed storage area is captured in permanent storage. All storages include a foot of remaining waste on the bottom.

Waste Storage	Total Vol. from Settled Top to Bottom	Remaining Waste	25yr, 24hr Precip. on Storage	2yr, 2hr Collected Runoff	Freeboard Vol.	Max. Operating Level (MOL) Vol.
WSF1	1,645,376	70,544	78,510	0	167,552	1,328,770
WSF2	2,776,107	119,680	105,582	0	248,176	2,302,669
WSF4	10,085,023	425,851	320,870	398,684	757,874	8,181,744
Total MOL Vol:						11,813,183
Days of Storage:						221

Liquids Collected/Stored	Annual Gallons
Manure and Bedding	11,925,826
Parlor Wastewater	2,695,525
Feed Storage Leachate	187,000
Feed Storage Runoff Collected	2,582,873
Net Precipitation on Storage Surfaces	2,087,588
TOTAL:	19,478,812

DECISION RECOMMENDATION: Based on my review completed on March 3, 2026, the reviewable facilities identified above require further actions.

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

Tony Salituro
Water Resources Engineer
Watershed Management Program