

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

PUBLIC NOTICE OF AVAILABILITY OF A NUTRIENT MANAGEMENT PLAN AND INFORMATIONAL HEARING AND INTENT TO ISSUE A WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT No.WI-0067489-01-0

Permittee: Benitz Farms, LLC, W1961 265th Ave, Maiden Rock, WI, 54750

Facility Where Discharge Occurs: Benitz Farms, LLC, W1961 265th Ave, Maiden Rock

Receiving Water and Location: Surface water and groundwater within the Plum Creek and Chippewa River Watersheds

Brief Facility Description : Benitz Farms, LLC, is a dairy operation located in Union Township in Pierce County applying for a first-time Concentrated Animal Feeding Operation (CAFO) permit. The dairy is owned and operated by the Benitz Family (Jim, Pam, Tom, and Tim), operating with approximately 930 milking/dry cows, 50 heifers, and 50 calves (~ 1,367 animal units). Based on current animal numbers, the Department of Natural Resources is requiring the dairy to obtain a CAFO permit. The dairy is not proposing to expand their herd size during the proposed five-year permit term.

The dairy currently has one manure storage structure (Pit-1) used to store manure and process wastewater generated at the site. A second manure storage structure is proposed to be constructed to meet manure storage required for CAFO permit holders. Together, these storage structures would provide the dairy with approximately 223 days of manure storage. CAFOs are required to have a minimum of 180-days of manure storage.

Benitz Farms has a total of 1,392.6 acres of cropland in their approved five-year nutrient management plan (NMP). Of the 1,392.6 acres, approximately 189.9 acres are owned, and 1,202.7 acres are controlled through land agreements.

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

Permit Drafter's Name, Address, Phone and Email: Jeff Jackson, DNR, 890 Spruce St, Baldwin, WI, 54002, (715) 210-1415, Jeffrey.Jackson@wisconsin.gov

Informational Hearing Date, Time, and Location:

June 27, 2025, 1pm, Virtually via Zoom

Interested parties will need to pre-register using the link below:

https://us02web.zoom.us/meeting/register/FcxdQxLIT7qJaFuUWA_hpw

The Department of Natural Resources, pursuant to Section 283.49, Wisconsin Statutes, has scheduled a public informational hearing for the purpose of giving all interested persons an opportunity to make a statement with respect to the proposed permit action, the terms of the nutrient management plan, and the application for this operation.

The hearing officer will conduct the hearing in an orderly fashion and will use procedures specified in Subchapter II of ch. NR 203, Wis. Adm. Code, necessary to insure broad public participation in the hearing.

The hearing office will open the hearing and make a concise statement of the scope and purpose of the hearing and shall state what procedures will be used during the course of the hearing. The hearing officer shall explain the method of notification of the final decision to grant or deny the permit and the methods by which the decision may be reviewed in a public adjudicatory hearing.

The hearing officer may place limits on individual oral statements to ensure an opportunity for all persons present to make statements in a reasonable period of time and to prevent undue repetition. The hearing officer may also limit the number of representatives making oral statements on behalf of any person or group.

Informational and clarifying questions and oral statements shall be directed through the hearing officer. Cross-examination shall not be allowed.

Persons wishing to comment on or object to the proposed permit action, the terms of the nutrient management plan, or the application, are invited to do so by attending the public hearing or by submitting any comments or objections in writing to the Department of Natural Resources, at the above-named permit drafter's address. All comments or suggestions received from members of the public no later than 7 days following the date of this public hearing will be used, along with other information on file and testimony presented at the hearing, in making a final determination. Anyone providing comments in response to this public notice will receive a notification of the Department's final decision regarding permit coverage. Where designated as a reviewable surface water discharge

permit, the U.S. Environmental Protection Agency is allowed up to 90 days to submit comments or objections regarding this permit determination.

Information on file for this permit action, including the draft permit and fact sheet (if required), the operation's nutrient management plan and application may be inspected and copied at the permit drafter's office, Monday through Friday (except holidays), between 9:00 a.m. and 3:30 p.m. Please call the permit drafter for directions to their office location, if necessary. Information on this permit action may also be obtained by calling the permit drafter at (715) 210-1415 or by writing to the Department. Reasonable costs (15 cents per page for copies and 7 cents per page for scanning) will be charged for information in the file other than the public notice and fact sheet. Permit information is also available on the internet at: <http://dnr.wi.gov/topic/wastewater/PublicNotices.html>.

Pursuant to the Americans with Disabilities Act, reasonable accommodation, including the provision of informational material in an alternative format, will be made to qualified individuals upon request.

NAME OF PUBLISHING NEWSPAPER: Pierce County Journal

Date Notice Issued: May 26, 2025