

General information

Public comment period begins: January 26, 2024
Public comment period ends: February 26, 2024
Current permit issued: TBD
Current permit expiration date: January 31, 2026

The Minnesota Pollution Control Agency (MPCA) Commissioner has made a preliminary determination to reissue this permit for a term of approximately five years.

Name and address of Permittee:

Daley Farm of Lewiston LLP
18774 Hwy 14
Lewiston MN 55952

Ben Daley
17755 Cty Rd 18
Utica, MN 55979

Shelly DePestel
18942 Cty Rd 18
Lewiston, MN 55952

Mark Daley
17115 Cty Rd 18
Utica, MN 55979

Brian Daley
17688 Cty Rd 18
Utica, MN 55979

Neil Daley
19248 Hwy 14
Lewiston, MN 55952

Facility name and location:

Daley Farms of Lewiston LLP
18774 Hwy 14
Lewiston, MN 55952-4223
Winona County
T106N, R09W, Section 016

MPCA contact person:

Peter Kuisle
Watershed Division
Minnesota Pollution Control Agency
7381 Airport View Dr SW
Rochester, MN 55902
Phone: 507-424-9132
Email: peter.kuisle@state.mn.us

File manager phone: 651-757-2728 or
844-828-0942

A draft permit is available for review on the MPCA Public Notices webpage at <https://www.pca.state.mn.us/get-engaged/public-comments>. Additional materials relating to the issuance of this permit are available for inspection by appointment at any MPCA office (<https://www.pca.state.mn.us/about-mPCA/contact-us>) between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. The MPCA will mail or email a copy of the draft permit upon request. Comments, petitions, and other requests must be received at the MPCA in writing on or before the public comment period end date and U.S. Mail comments must be received by 4:30 p.m.

Watershed: Mississippi River - Winona

Receiving water: Mississippi River

Description of Daley Farms of Lewiston LLP

The facility will house 4,426 head of dairy in total confinement barns. Liquid manure generated by the animals will be stored within concrete lined storage structures. Solid manure generated by the animals will be stockpiled at the facility. Process wastewater, manure contaminated runoff from the facility will be stored within lined structures or treated via vegetation. Manure generated at the facility will be applied to surrounding cropland at agronomic rates. The final animal unit (AU) capacity of the facility will remain unchanged at 5,828.9 AU.

This site was previously part of a multi-site permit, it contains proposed structures that were approved in the previous permit but have not yet been constructed. Structures include manure storage, feed storage, total confinement barns, milk parlor areas, and an animal unit expansion.

The preliminary determination to reissue this Feedlots permit is tentative.

Procedure for public participation

As stated in Minn. R. chs. 7000 and 7001, there are three formal procedures for public participation in the MPCA's consideration of this matter. Interested persons may:

- 1) Submit written comments on the draft permit.
- 2) Petition the MPCA to hold a public informational meeting.
- 3) Petition the MPCA to hold a contested case hearing.

Submitting written comments

Comments may be submitted:

- 1) Online at <https://mpca.commentinput.com/comment/search>; or
- 2) By U.S. postal mail to the following address:
Peter Kuisle
Minnesota Pollution Control Agency
7381 Airport View Dr SW
Rochester, MN 55902

Submitted comments or petitions must state:

- 1) Your interest in the permit application or the draft permit.
- 2) The action you wish the MPCA to take, including specific references to the section of the draft permit you believe should be changed.
- 3) The reasons supporting your position, stated with sufficient specificity as to allow the MPCA to investigate the merits of the position.

Public informational meeting

A public informational meeting is an informal meeting during which interested persons can ask questions concerning the proposed facility. MPCA staff will be present to provide information. If an interested person would like the MPCA to hold a public informational meeting, the person should include all information identified above and in addition include a statement of the reasons the person desires the MPCA to hold a public informational meeting and the issues that the person would like the agency to address at the public informational meeting.

Contested Case Hearing

A contested case hearing is a formal proceeding before an administrative law judge empowered to advise the MPCA regarding issues of fact. As described in Minn. R. 7000.1800, persons who submit petitions for a contested case hearing must also state the issues they propose to address in a contested case hearing, the specific relief requested or resolution of the matter, and the reasons (which may be in the form of proposed findings) supporting an MPCA decision to hold a contested case hearing. Failure to comply with these rules exactly may result in a denial of the request. To the extent known, the petitioner may also submit a list of prospective witnesses to be called at a hearing, a proposed list of publications, references, or studies to be introduced at a hearing and the approximate time required for the petitioner to present the matter at a hearing. The decision whether to hold a contested case hearing will be made under Minn. R. 7000.1900.