

SHAWANO



COUNTY

## LAND CONSERVATION DIVISION

311 N. MAIN STREET  
Courthouse

**SHAWANO, WISCONSIN 54166-2198**

Phone (715) 526-6766 Fax (715) 526-6273

December 29th, 2014

MIDDLE BRANCH ROAD LLC  
Attn: JOHN PROSOSKI  
2113 FUST LANE  
WAUSAU, WI 54403

**RE: Notice to Maintain Compliance with Agricultural Performance Standards and Prohibitions** on property described as: SW 1/4 SW 1/4 EX W 200' OF N 200' OF S 975' SEC 9 T27N R12E. (PARCEL # 032-09330-0000) and other lands owned/operated for Nutrient Management requirements.

Dear John:

The purpose of this letter is to provide notice of the requirement to maintain compliance with state Agricultural Performance Standards and Prohibitions at the livestock facility and cropland addressed in your cost share agreement (TRM-59-14-01).

As a result of installing the conservation practices, the livestock facility has been brought into compliance with following state standards and prohibitions:

- 1) Sheet, Rill and Wind Erosion Performance Standard (s. NR 151.02)
- 2) Manure Storage Facilities Performance Standards (s. NR 151.05)
- 3) Nutrient Management (s. NR 151.07)
  - a. Nutrient Management Plan to be submitted annually to Shawano County LCD
- 4) Manure Management Prohibitions (s. NR 151.08)

In accordance with ch. NR 151, Wis. Adm. Code, any cropland practice or livestock facility that is brought into compliance with a state ag-performance standard or prohibition must remain in compliance in perpetuity regardless of future cost sharing. It is required that you and any future landowners or operators maintain compliance with the standards and prohibitions at the parcels and lands identified. I have enclosed a copy of Chapter NR151 Runoff Management (Subchapters I & II) for your reference.

If you have any questions, please contact me.

Sincerely,

Scott M. Frank  
County Conservationist  
(715) 526-4632  
[Scott.Frank@co.shawano.wi.us](mailto:Scott.Frank@co.shawano.wi.us)

E-copy to: Erin E. Hanson, WDNR

- Targeted Runoff Management Grant Program (ch. NR 153)
- Notice of Discharge Program (ch. NR 153)
- Urban Nonpoint Source & Storm Water Management Grant Program (ch. NR 155)

**NOTICE:** This Final Report is authorized under ss. 281.65 and 281.66., Wis. Stats., and chs. NR 153 and NR 155, Wis. Admin. Code. Personally identified information collected will be used for program administration and may be made available to requesters as required under Wisconsin Open Records Law [ss. 19.31-19.39, Wis. Stats.].

**INSTRUCTIONS:** Your grant agreement requires you to submit a Final Report with your final reimbursement request. This Final Report form must be used in conjunction with the "FINAL REPORT INSTRUCTIONS." The instructions detail how to complete and submit the report to DNR as described in the instructions.

**1. GRANT TYPE.** Check the one that applies.

<input checked="" type="checkbox"/> Targeted Runoff Management Grant – Agricultural	<input type="checkbox"/> Targeted Runoff Management Grant – Urban
<input type="checkbox"/> Urban Nonpoint Source & Storm Water Management Grant – Construction	<input type="checkbox"/> Urban Nonpoint Source & Storm Water Management Grant – Planning
<input type="checkbox"/> Notice of Discharge Grant	

**2. PROJECT NAME & LOCATION.**

2.1. Project Name: <b>Hartleben Animal Waste Management</b>		2.2. Grant Number: <b>TRC-WR11-58000-12 A</b>	
2.3. Governmental Unit Name: <b>Shawano County</b>		2.4. Primary Watershed Name: <b>Middle &amp; South Branch Embarrass River</b>	2.5. Watershed Code: <b>WR 11</b>

**NOTE FOR SECTION 2.6 (which follows):**

**Section 2.6.** includes five (5) columns (A. through E.) for recording data about five (5) discrete site locations. If your grant has more than five (5) discrete project locations, attach additional columns for Section 2.6 as described in the instructions. If your project occurs in more than one 12-digit Hydrologic Unit Code (HUC), use the space in adjacent columns to record other HUC numbers.

2.6 Site Location(s) →	A.	B.	C.	D.	E.
Name of Cost-Share Recipient or Governmental Unit	Middle Branch Road LLC				
Cost-Share Agreement Number (Agricultural only)	TRM 59-14-01				
12-Digit Hydrologic Unit Code(s) (HUC) Where Work Was Completed	040302021005				
Nearest Surface Receiving Water Affected					
Name:	Middle Branch Embarrass River				
Waterbody Identification Code(s) (WBIC):	310700				
Nearest Impaired Water Affected					
Name:	Wolf River-Main Stem				
Waterbody Identification Code(s) (WBIC):	241300				
Pollutants Reduced	Phosphorus				
Impairments/Impacts Addressed					

- Targeted Runoff Management Grant Program (ch. NR 153)
- Notice of Discharge Program (ch. NR 153)
- Urban Nonpoint Source & Storm Water Management Grant Program (ch. NR 155)

Project Location(s) (cont.) →	A.	B.	C.	D.	E.
Project Coordinates:					
Town	27 N				
Range	12 E				
Section	9				
Quarter	SW				
Quarter-Quarter	SW				
Latitude (degrees, minutes, seconds North of Equator; use the DNR's Surface Water Data Viewer (SWDV))	44.8288				
Longitude (degrees, minutes, seconds W of Prime Meridian, use the SWDV)	-89.0608				

### 3. SUMMARY OF RESULTS.

**Table A. Agricultural Projects.** – Ch. NR 151 Performance Standards and Prohibitions and Other Water Resources Management Priorities

A.1. Management Measures	Units of Measure	Quantity	Measurement Method Used
Sheet, rill and wind erosion	Acres meeting "T"	acres	
Manure Storage Facilities: New Construction/Alterations	Number of facilities	1 facilities	count
	Number of animal units	570 animal units	NRCS Waste Storage Calculation Spreadsheet
Manure Storage Facilities: Closure	Number of facilities	1 facilities	count
Manure Storage Facilities: Failing/Leaking Facilities	Number of facilities	facilities	
	Number of animal units	animal units	
Clean Water Diversions in WQMA	Pollutant load reduction	lbs.	
	Number of farms with diversions	farms	
	Number animal units	animal units	
Nutrient Management on Agricultural Land	Acres planned	acres	
Prohibition: Manure Storage Overflow	Number of farms	farms	
	Number of animal units	animal units	
Prohibition: Unconfined Manure Pile in WQMA	Number of farms	farms	
Prohibition: Direct Runoff From Feedlot/Stored Manure	Pollutant load reduction	453.2 lbs.	BARNY Spreadsheet
	Number of facilities	1 facilities	count
	Number of animal units	570 animal units	NRCS Waste Storage Calculation Spreadsheet
Prohibition: Unlimited Livestock Access	Feet of bank protected	feet	
	Number of farms	farms	

- Targeted Runoff Management Grant Program (ch. NR 153)
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<b>Table A. Agricultural Projects.</b> (continued)			
<b>A.2. Other Management Measures</b>	Units of Measure	Quantity	Measurement Method Used
Streambank & Shoreline Protection	Units (use feet, acres or number as applicable)		
	Pollutant load reduction (if method available)		
Other:	Units (use feet, acres or number as applicable)		
	Pollutant load reduction (if method available)		
Other:	Units (use feet, acres or number as applicable)		
	Pollutant load reduction (if method available)		
Other:	Units (use feet, acres or number as applicable)		
	Pollutant load reduction (if method available)		

<b>Table B. Urban Construction Projects Serving Developed Areas.</b>			
<b>B.1. Required Management Measures</b>	Units of Measure	Quantity	Measurement Method Used
20-40% Total Suspended Solids (TSS) Reduction for NR 216 communities	TSS reduced	lbs.	
	TSS reduction	%	
<b>B.2. Other Management Measures</b>			
20-40% Reduction in TSS for non-NR 216 communities	TSS reduced	lbs.	
	TSS reduction	%	
Infiltration	Pre-development stay-on volume	%	
	Stay-on volume	ft <sup>3</sup> /year	
Peak flow discharge for 2 year/24 hour design storm	Change in cubic feet per second for design year	ft <sup>3</sup> /sec	
Protective areas	Bank protected	feet	
Fueling & maintenance areas	Oily sheen presence reduced	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Streambank & Shoreline Protection	Bank erosion reduced	tons	
	Bank protected	feet	
Other:	Pollutant load reduction (if method available)		
	Units (use feet, acres or number as applicable)		

<b>Table C. Urban Planning Projects.</b>			
C.1. Governmental unit(s) involved (list by name):			
C.2. Estimate total acres covered by the	Existing Developed Urban Areas	New Development	Total Acres

- Targeted Runoff Management Grant Program (ch. NR 153)
- Notice of Discharge Program (ch. NR 153)
- Urban Nonpoint Source & Storm Water Management Grant Program (ch. NR 155)

planning product:	acres	acres	acres
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<b>C.3. Products developed</b> (check all below that apply)	<b>Identify Documents by Name (if applicable)</b>
<input type="checkbox"/> Storm Water Plan	
<input type="checkbox"/> Construction or Erosion Ordinances	
<input type="checkbox"/> Post-construction Storm Water Ordinances	
<input type="checkbox"/> Other Types of Storm Water Quality Ordinances	
<input type="checkbox"/> Financing Methods: identified and evaluated	
<input type="checkbox"/> Financing Methods: developed or implemented	
<input type="checkbox"/> I & E Plan	
<input type="checkbox"/> I & E Implementation Activities	
<input type="checkbox"/> Other:	
<b>C.4. Identify the Storm Water goals addressed</b> (check all that apply)	
<input type="checkbox"/> Reduce TSS	<b>Comments:</b>
<input type="checkbox"/> Maintain infiltration	
<input type="checkbox"/> Control Peak Flow	
<input type="checkbox"/> Protective Areas	
<input type="checkbox"/> Control of Fueling & Maintenance Areas	
<input type="checkbox"/> Remove Illicit Discharges	
<input type="checkbox"/> Other:	

**4. Satisfaction of Notice Requirements.** If cost sharing for this project was offered under a formal notice pursuant to chs. NR 151 or 243, provide information for each notice in the table below.

Notice Information				Notice Satisfaction Information		
Chs. NR 151 or 243 Notice Type	Issue Date	From (Name)	To (Name)	Satisfied?		Date Letter Sent
				Yes	No	
				<input type="checkbox"/>	<input type="checkbox"/>	
				<input type="checkbox"/>	<input type="checkbox"/>	
				<input type="checkbox"/>	<input type="checkbox"/>	
				<input type="checkbox"/>	<input type="checkbox"/>	

- Targeted Runoff Management Grant Program (ch. NR 153)
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**5. Additional Information.** (Space will expand to fit your text.)

Through the help of this TRM grant and other funding sources, This site was transformed from an outdoor drive-by heifer feeding with upwards of 14 Acres of earthen feedlot that directly discharged into the Embarrass River, to a near zero discharge facility. This was accomplished by moving the majority of the herd off of the earthen feedlot and into a newly constructed freestall barn on the property. Manure from this freestall barn is now being stored in a concrete lined Waste Storage Facility also constructed in 2014. The remainder of the animals are housed on an outdoor lot on the west side of the property. This feedlot was upgraded to include a barnyard runoff system & waste transfer so that all manure & barnyard runoff would be collected and stored in the Manure Pit. The result of these improvements is that there are no longer any animals on earthen lots and all barnyard runoff is collected and stored thereby eliminating all sources contaminated runoff from entering the Embarrass River.

**6. Summary of Project Challenges.** (Space will expand to fit your text.)

The biggest challenge of this project was the short window we were given to construct the project. This TRM grant was an extension beyond the normal 2 year grant time frame and extended to September 1, 2014. Due to landowner delays, the cost share agreement was not finalized until June 2014 so that only gave us 3 months to construct 2 waste transfers, 1 waste storage facility, and a freestall barn. Luckily the weather cooperated enough that the construction crews were able to meet this short time constraints and the project was completed by the deadline.

**7. Grantee Certification.**

Checking here  certifies that, to the best of your knowledge, the information contained in this report is correct.

Name of Authorized Representative (type or print) ↓

Scott M. Frank

Title of Authorized Representative (type or print) ↓

County Conservationist

Signature of Authorized Representative

Date

**8. For Departmental Use Only.**

Regional NPS Coordinator – Please complete the following:

8.A. Check here  if you have received the following from the project sponsor:

- one (1) printed, signed, original Final Report + attachments
- one (1) electronic version of Final Report

Send the printed, signed original Final Report with attachments + electronic version to the Community Financial Assistance Grants Manager. Community Financial Assistance will forward to Runoff Management Section Grants Coordinator.

8.B. Comments about this project:

8.C. Type or print Name of Regional NPS Coordinator →

Wisconsin Department of Natural Resources  
Bureau of Watershed Management (WT/3)  
101 S. Webster St.  
Madison, WI 53703  
PO Box 7921  
Madison, WI 53707-7921

**Final Report Form 3400-189** (rev. 7/30/09)

- Targeted Runoff Management Grant Program (ch. NR 153)
- Notice of Discharge Program (ch. NR 153)
- Urban Nonpoint Source & Storm Water Management Grant Program (ch. NR 155)

8.D. Signature of Regional NPS Coordinator	8.E. Date
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Middle Branch Embarrass River

Concrete Feedlot

14.1 Ac Earthen Feedlot-  
2008 Photo

HART EBBEN A


MIDDLE BRANCH RD

T 27N - R 12E  
Morris  
Section 9

Middle Branch Road LLC  
TRM Grant  
#TRC-WR11-5800-12A



**Legend**

 Sections

0 150 300 600 Feet

1 inch = 300 feet