

Substitution Request for Targeted Runoff Management, and Urban Nonpoint Source & Storm Water Management-Construction Grants

Form 8700-308 (R 5/10)

Page 1 of 4

Notice: Complete this application if you want to change the location where practices were to be installed after grant assistance has been awarded by the Dept of Natural Resources, as required under ss. 281.65 and 281.66, Wis. Stats., and Chapters NR 153 and 155, Wis. Adm. Code. Information collected will be used for program budget analysis and project evaluation. Personally identifiable information will be used for program administration and may be made available to requesters under Wisconsin's Open Records Law [ss.19.31-19.39, Wis. Stats.]

Instructions:

A grantee selected for funding through either the Targeted Runoff Management (TRM) or the Urban Nonpoint Source & Storm Water Management (UNPS&SW) Grant Program may propose substitutions to the original project proposal. Completion of this form is required for substitutions to the initial grant, including alternative locations for installing practices and, in some cases, revisions to best management practices (BMPs). The grantee must certify that the substitution will achieve results comparable to those anticipated through the original project proposal. All project substitutions must comply with federal and state laws for the protection of cultural and historical resources, and for detecting and managing contaminated soils or solid waste encountered during installation of the BMPs. If such materials are encountered, the grantee shall immediately contact the Department's Regional Nonpoint Source (NPS) Coordinator. The Department may terminate this proposed grant substitution if it determines that installation and operation of the best management practices may facilitate movement of hazardous substances to waters of the state.

Please answer the following questions and sign the form. Submit a signed printed copy of the request, including any attachments, to the Department's Regional NPS Coordinator for your area. If an alternative BMP location is being proposed, include a photocopy of a topographic map showing the location of the proposed location.

The most current grant application, found at: <http://dnr.wi.gov/runoff/grants/applications/> will be used by the Department in making decisions concerning this substitution request.

The Department's Surface Water Data Viewer (http://dnr.wi.gov/org/water/data_viewer.htm) may be helpful in answering some of the following questions.

Grantee Information			
Governmental Unit Name Village of Osceola		Grant Number USP-SC08-48165-15	
Former Project Name Osceola Storm Water Planning		Watershed in Which Project Was To Be Located (Must be in the same Watershed as original grant) Trout Brook	
Legislative District: (find at : http://www.legis.state.wi.us/) Senate 10 Assembly 28			
Proposed Project Name Osceola Storm Water Planning		Watershed in Which Proposed Project Is to be Located (Must be in the same Watershed as original grant) Trout Brook	
Proposed Watershed Name Trout Brook	Proposed Waterbody Code SC08	Proposed Primary Waterbody Name St. Croix River	Proposed Nearest Waterbody Name Osceola Creek, St. Croix River
Proposed 12-digit federal Hydrologic Unit Code: 070300050902		Does the waterbody appear on the State of WI list of impaired waters submitted to the USEPA in compliance with sec. 303(d) of the Clean Water Act (33 USC § 1251. <i>et seq.</i>)? ☐ Yes ☒ No Name of s. 303(d) Listed Waterbody:	

Pollutants to be addressed by the project: (Note: To remain eligible for federal funding, the pollutants to be controlled by the proposed project must be those responsible for the waterbody impairment as shown by the federally-approved 303(d) List of Impaired Waters. To determine the waterbody's impairment, refer to the list found at: <http://dnr.wi.gov/org/water/wm/watersummary/Waterqualityassessment.html>)

☒ Nutrients ☒ Sediment Other:

Questions**1. Reason for Request:**

State the rationale for requesting this substitution. If requesting new or replacement BMPs, you must identify the BMP. Also include a revised budget sheet for Part I, Question 1.B of the application.

See Attachment 1 for description of scope changes. See Attachment 2 for revised costs for each task. Note that there is no change to the overall project budget.

2. Analysis of Request for Substitution:

Yes	No	NA																																					
☒	☐		a. The proposed substitution is in the same hydrological unit (the federally-assigned numeric code for a subdivision of a watershed, used to organize hydrologic data,) and affects the same water resources identified in the original application. Identify the location of the proposed BMP(s) below.																																				
			<table border="1"> <thead> <tr> <th>MCD (Minor Civil Division)</th> <th>Township</th> <th>Range</th> <th>E or W (identify)</th> <th>Section</th> <th>Quarter</th> <th>Quarter/Quarter</th> <th>Latitude (degrees, minutes and seconds, only, North of the Equator)</th> <th>Longitude (degrees, minutes, and seconds, only, West of the Prime Meridian, in Greenwich, England)</th> </tr> </thead> <tbody> <tr> <td></td> <td>33N</td> <td>19</td> <td>W</td> <td></td> <td></td> <td></td> <td>44.7513</td> <td>-89.7632</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	MCD (Minor Civil Division)	Township	Range	E or W (identify)	Section	Quarter	Quarter/Quarter	Latitude (degrees, minutes and seconds, only, North of the Equator)	Longitude (degrees, minutes, and seconds, only, West of the Prime Meridian, in Greenwich, England)		33N	19	W				44.7513	-89.7632																		
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			b. Navigable Waters and Wetland Determinations																																				
☒	☐	☐	i. <u>Navigable Waters</u> : If this project will install an urban storm water treatment practice, the applicant has determined that the practice will not be located in any intermittent or perennial waterway as shown on a map from the Department's Surface Water Data Viewer identified below. Check to indicate the map has been consulted. ☒ Surface Water Data Viewer Map, 24K Hydro Layer at: http://dnr.wi.gov/org/water/data_viewer.htm																																				

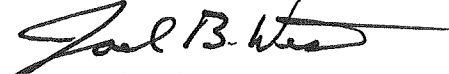
Yes	No	NA	
☒	☐	☐	ii. <u>Wetlands</u> : If this project will install an urban storm water treatment practice, the applicant has determined that the practice will not be located in any wetland, based upon consulting both of the following: ☒ Wisconsin Wetland Inventory at: http://dnr.wi.gov/wetlands/inventory.html ☒ Wetland Indicator Toolkit at: http://dnr.wi.gov/wetlands/locating.html
☒	☐	☐	c. If this is a proposed urban project to be funded under ch. NR 155, Wis. Adm. Code, the proposed project area is an urban area as defined by s. NR 155.12(31), Wis. Adm. Code...
☒	☐	☐	d. If this is a proposed urban project which requires that the applicant have control of the property, the applicant currently owns the property or has control of the property through an easement or construction/maintenance agreement.
☐	☐	☒	e. If this application proposes excavation in an urban area, or the purchase of land or an easement, the applicant has completed and attached the Environmental Hazards Assessment form (1800-001), available at: http://dnr.wi.gov/org/caer/cfa/Grants/Forms/1800001_fillPrint.pdf Also, complete the following:
			i. If this is a project which includes excavation or the purchase of land or an easement, consult the Bureau of Remediation and Redevelopment (R&R) Site Map (at: Error! Bookmark not defined. and answer the following questions using a map scale of 1:8529 or larger:
☐	☐		1. There is one or more <u>open</u> (ongoing cleanup) R&R sites on the <u>same property</u> where the excavation is planned.
☐	☐		2. There is one or more <u>closed</u> (completed cleanup) R&R sites on the <u>same property</u> where the excavation is planned.
☐	☐		3. There is one or more <u>open</u> (ongoing cleanup) R&R sites on an <u>adjacent property</u> .
☐	☐		4. There is one or more <u>closed</u> (completed cleanup) R&R sites on an <u>adjacent property</u> .
☐	☐	☒	f. If this is a proposed project for the University Board of Regents, the project meets the criteria under s. 281.66 (6), Wis. Stats.
☒	☐	☐	g. If this is a proposed urban project, then one of the following is true: 1) local governmental unit has jurisdiction over the project area; or 2) the municipal storm water discharge is covered by a municipal storm water permit <u>and</u> the appropriate intergovernmental agreement is in place to install, operate and maintain the BMP.
☒	☐		h. Installation of the proposed BMPs will be completed within the grant period. If an extension of the grant period is needed, include a revised project timeline using the table from Part I., Question 1.A .of the grant application.
☒	☐		i. Staff or contractual services, in addition to those funded by this grant, will be provided as needed.
☒	☐		j. Staff and/or contractors have adequate training, knowledge, and experience to implement the proposed project.
☒	☐		k. Best management practices constructed under this grant are consistent with performance standards under ch. NR 151, Wis. Adm. Code.
☒	☐		l. The substitution will not increase the amount of the grant request.
☐	☒		m. The applicant is requesting the addition of one or best management practices (BMPs) that are not on the current grant.
☒	☐		n. The BMP you are requesting in this proposed substitution is a cost-effective means of controlling the pollutant source that is targeted to be controlled. Attach a revised cost-effectiveness assessment using Part I., Question 1.C. from the grant application.
☐	☐	☒	o. If this application is for livestock operation controls (e.g., barnyard runoff or manure storage), the applicant has attached the Animal Unit Calculation worksheet, available at: http://dnr.wi.gov/runoff/pdf/ag/cafo/form340025A.doc .
☐	☒	☐	p. If this proposed substitution will result in a change in the project evaluation strategy, identify which of the following components the revised strategy will include: <i>(check all that apply)</i>
			☐ i. Modeling or other changes in pollution potential - <i>specify the method (required)</i>
			Method:
			☐ ii. Monitoring <i>(Requires a pre-approved monitoring plan that must be attached.)</i>
Yes	No	NA	

☐	☐	☒	q. If this is an agricultural project, the landowners who are essential to successful implementation are involved in and committed to the project, or the Department or grantee has agreed in writing to issue a regulatory notice as needed.
☒	☐	☐	r. If this is an urban project, attach documentation that the local share is approved and available.
☒	☐		s. The extent of pollutant control for the revised project is comparable to the extent of pollutant control in the original application. If "No," explain:

Applicant Certification:

I certify that the above information is true and correct.

Signature of Responsible Municipal Representative



Date

August 26, 2015

Name and Title of Responsible Municipal Representative (please print legibly or type)

Name: Joel West

Title: Village Administrator

For DNR Use Only

Regional Office Reviewer Signature

Name (print)

Date

Recommendation (check one): ☐ Approve ☐ Disapprove

Rationale:

TransmittalFrom Regional Office to Runoff Management Section ☐

Date Sent:

From Runoff Management Section to Community Financial Assistance Section ☐

Date Sent:

Attachment 1

RE: Village of Osceola, Grant USP-SC08-48165-15 

Dave Simons to: King, Ruth M - DNR

06/26/2015 07:47 AM

Cc: "joelwest@myosceola.com", "Talbot, Linda M - DNR", Michael Van Gilder

Ruth,
Thank you for your questions. See our responses below in blue. Let us know if you need anything further or have additional questions.
Thanks for your assistance,
Dave

David F. Simons, PE
Principal, Sr. Project Manager
SEH
156 High Street, Suite 300, New Richmond, WI 54017
715.861.4870 direct
612.759.0764 cell
sehinc.com
SEH - Building a Better World for All of Us®

"King, Ruth M - DNR"

Gentlemen; Working on this - I have just a fe...

06/24/2015 10:00:43 AM

From: "King, Ruth M - DNR" <Ruth.King@wisconsin.gov>
To: Dave Simons <dsimons@sehinc.com>,
Cc: "joelwest@myosceola.com" <joelwest@myosceola.com>, Michael Van Gilder
<mvangilder@sehinc.com>, "Talbot, Linda M - DNR" <Linda.Talbot@wisconsin.gov>
Date: 06/24/2015 10:00 AM
Subject: RE: Village of Osceola, Grant USP-SC08-48165-15

Gentlemen;

Working on this - I have just a few questions -

I take it the utility didn't fly? I do remember having discussed this when we met way back last winter - Joel had asked what might happen if it didn't. I see that SEH has scaled back their costs considerably in this part of the scope and that's fine. The only potential "issue" might be in the original scoring. I've touched bases with our folks in central office about this and am waiting to hear back.

Task 5 - Due to the limitations that are now in place regarding Storm Water Utilities, they have become much less attractive to communities than they were previously. As a result, the Village has opted to focus instead on other tools to assist them with funding storm water quality improvements. Specifically, they would like to update their ordinances so that they can utilize special assessments on a tributary area basis to help fund water quality projects. Updating the ordinances will take less effort and cost than creating and implementing a Storm Water Utility (by about half), so the balance of the hours/costs have been shifted to other tasks that were in need of additional resources (Tasks 2 and 3).

I also notice that the original scope of services dated March 28, 2014 included creation of new ordinances, such as a construction site erosion control ordinance and one for Illicit Discharge Detection and Elimination

(IDDE). I see that the Village must have created and adopted some of these prior to the grant award? Could you explain the timing and what happened here? I was able to find your construction site erosion control ordinance online but not the IDDE.

Task 6 - We have not had an opportunity to review all of the Village's ordinances in detail at this time. If hired to move ahead with the work, our first task would be to comb through all the Village's ordinances and determine how to best update the ordinances and implement these best practices. After originally scoping this work, we did discover that the Village had already adopted a Construction Site Erosion Control Ordinance, so this ordinance will not need to be recreated, only reviewed and updated as necessary. The Village does not have an IDDE, so that ordinance will need to be created as part of this work. The Village does not have a separate Post Construction Storm Water Management Ordinance, but their existing Construction Site Erosion Control Ordinance can be updated to include a stronger post construction management component, and that update is being planned as part of the work.

I did also notice that SEH adjusted the costs of the individual tasks - reduced substantially those areas in which they would not be providing as extensive service as originally thought (for example in the creation of the utility), but that these costs have been shifted onto the storm water mapping task and the Pollutant Modelling tasks - very significant increases - yet I'm not seeing additional tasks and work that would justify these increases. Is there additional work proposed to be done in these areas? If so, could you please detail what that would be?

Tasks 2 and 3 - The storm water mapping and pollutant modelling tasks were originally scoped based on an assumed number of storm sewer structures and storm water ponds in the system. Since the time that the original proposal was developed, we have met with the Village and gathered additional system maps and other data that the Village has been able to locate and provide to us. As a result of this new information, we now believe that the number of structures and ponds is significantly higher than originally thought. Since the level of effort for these tasks is directly proportional to the size of the system and number of structures and ponds, we have increased the budget to better represent the true and realistic level of effort. Although we have a better understanding now of the Village's storm system, there are still many unknowns. If hired to move ahead with this work, our first task will be to confirm the number of structures and pipes by conducting a thorough field investigation.

As mentioned below, we believe these modifications will better fit the Village's needs and they are consistent with the grant application and conditions of the grant agreement.

Thanks

Ruth

We are committed to service excellence.
Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Ruth M. King
Phone: 715-635-4142
Ruth.king@wisconsin.gov

-----Original Message-----

From: Dave Simons [mailto:dsimons@sehinc.com]
Sent: Monday, June 15, 2015 1:35 PM
To: King, Ruth M - DNR
Cc: joelwest@myosceola.com; Michael Van Gilder
Subject: Village of Osceola, Grant USP-SC08-48165-15

Hi Ruth,
Joel West, City Administrator of the Village of Osceola, asked me to forward this final contract to you for the Urban Nonpoint Stormwater Management Grant Program. We understand that this contract needs to be approved by the DNR before moving ahead with the work.

The scope of work shown in this contract is consistent with the grant application and the conditions of the grant agreement.

Please review and let us know if you have any questions.
Thank you,
Dave

David F. Simons, PE
Principal, Sr. Project Manager
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(See attached file: JWest_SWM Proposal 2015 May 21.pdf)



Attachment 2

May 21, 2015

RE: Village of Osceola
Stormwater Planning Supplemental Letter
Agreement
SEH No. P-OSCEO 127451

Mr. Joel West
Village of Administrator
Village of Osceola
310 Chieftain Street
Osceola, WI 54020

Dear Joel:

The Village of Osceola is a growing small urban community with a diverse base of residential, commercial, agricultural and industrial areas. Like all similar cities in Wisconsin and across the country, Osceola must be proactive in developing effective stormwater management practices and policies to protect the quality of the surrounding watershed. The Village's commitment to developing this program with the involvement of Village staff, our outside expertise, local businesses, and residents will result in efficient and practical stormwater management practices that effectively protect the environment.

A Stormwater Management Plan is an important document that will compile findings, conclusions, methodologies, assumptions, and recommendations. The Stormwater Management Plan will serve as a "road map" and important technical and educational reference for many years by Village utility staff and officials, regulatory agency representatives, and local planners.

The Village intends to create a GIS based map of the storm sewer piping system, including storm water structures and ponds. The creation of the GIS based storm sewer system map will be an important part of this project. The map will be critical to the development of stormwater quality modeling as well as future stormwater modeling as governmental regulations change and evolve.

Once the mapping and modeling have been completed, a prioritized list of construction projects can be developed. Updated ordinances to enable pipe-shed or regional/tributary area special assessments can provide the Village with an equitable revenue source for funding stormwater management improvements.

After meeting with you and your staff and further understanding your current stormwater issues and needs we have compiled a proposed scope of services that will help the Village to achieve your storm water management goals.

SCOPE OF WORK

Task 1 – Kick-Off Meeting and Refine Project Scope

Meet with the Village for a project Kick-Off Meeting to set up a working schedule and refine the project scope. It should be noted that SEH will utilize existing storm water studies and/or maps to avoid duplication of work and reduce costs. This review will be conducted as a part of this task. We will set up lines of communication between SEH and Osceola staff, and collect resources and information available from the Village to perform the work.

Also under this task we anticipate having an additional 2 to 4 meetings that will keep the project team and the Village staff in regular contact as the work progresses.

Estimated Hours: 40-50

Estimated Cost: \$6,000

Task 2 – Stormwater Mapping

We will create a GIS based storm sewer map based on existing information available including storm sewer mapping and public/private pond design information, and then supplement this information where additional data or more accurate data is desired by the Village. In areas where additional data or more accurate data is desired, a survey crew can locate and map storm sewer infrastructure and deliver in an electronic format. It is envisioned that the GIS based storm sewer map will also enable the Village to inventory and track storm sewer maintenance activities.

Prior to beginning the GIS map, SEH will work with the Village to estimate the number of storm structures and pipes in the Village, and will confirm the level of GIS/Inventory possible for the available budget.

Estimated Hours: 175-235

Estimated Cost: \$27,000

Task 3 – Stormwater Quality Management – Model Pollutant Loading

We will use the resulting map to create the water quality model and to display or illustrate geographically related information. We will use the Source Loading and Management Model (SLAMM) software, a water quality based modeling program, to model the pollutant loading from each subwatershed. SLAMM provides pollutant loading data for a number of pollutants. This model will provide the information necessary to:

- Prioritize watersheds by loading
- Identify, describe, and rank sources of pollutants
- Differentiate pollutant loads by subwatershed
- Describe existing loads and sources of pollutants
- Identify and evaluate any existing management measures and their effectiveness
- Identify and evaluate proposed management measures and their effectiveness

SEH will develop a SLAMM Model for the following scenarios:

- Current land use conditions with no storm water best management practices (BMP's)
- Current land use conditions with existing BMP's
- Current land use conditions with proposed BMP's

Estimated Hours: 210-250

Estimated Cost: \$29,000

Task 4 – Stormwater Management Plan

SEH will create a Stormwater Management Plan which will include the results of the mapping and modeling tasks as well as a prioritized list of recommendations for future stormwater improvements.

Estimated Hours: 80-100

Estimated Cost: \$12,000

Task 5 – Stormwater Funding System Implementation

- SEH will work with Village staff to revise Village ordinances to enable “pipe-shed’ or regional/tributary area special assessments for funding construction and/or maintenance of stormwater BMP’s.

Estimated Hours: 40-60

Estimated Cost: \$7,000

Task 6 – Ordinance Development

SEH will review and make recommendations for updates as necessary to the Village’s current Construction Site Erosion Control ordinance, Illicit Discharge Detection and Elimination ordinance, and Post-Construction Stormwater Management Ordinance.

Estimated Hours: 25-35

Estimated Cost: \$4,000

PROJECT SCHEDULE

The project schedule listed below is tentative at the time of this proposal. A final scope of work and actual schedule will be coordinated with the Village at the project kick-off meeting. SEH will remain flexible on scheduling, depending on the funding available to support the project.

Task	Milestone
Project Award	April 2015
Project Kick-off Meeting	May 2015
Stormwater Mapping	September 2015
Stormwater Modeling	January 2016
Draft Ordinances* to Village	January 2016
Stormwater Management Plan	March 2016
Final Ordinances* to Village	April 2016
Stormwater Funding System Ordinance	October 2016

*These ordinances exclude the Stormwater Funding System Ordinance

AGREEMENT

Our fees will be invoiced for the time, equipment, and materials on an hourly basis. As shown above, we have estimated the time and expenses necessary to perform these professional services to be \$85,000.

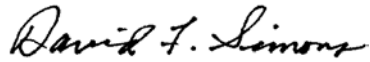
It is recommended that you review the schedule and scope of work outlined. If the scope differs from that anticipated or desired by the Village, please advise us and we will review the scope of services and adjust the fee accordingly.

This Supplemental Letter Agreement along with the Master Agreement for Professional Services and Exhibits A-1, B, C-1 and D dated August 12, 1997 represent the entire understanding between the Village of Osceola and SEH with respect to the project and may only be modified in writing, signed by both parties.

Mr. Joel West
May 21, 2015
Page 4

We hope this meets your needs. If you have any questions regarding this proposal or the information contained herein, please contact Dave Simons at 715.861.4870. We appreciate your consideration and look forward to continuing our working relationship with the Village of Osceola.

Sincerely,



David F. Simons, PE
Client Service Manager

Accepted by Owner: Village of Osceola, Wisconsin

By: _____ Date: _____

Title: _____