

## 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](http://dnr.wi.gov/org/water/data_viewer.htm)) may be helpful in answering some of the following questions.

<b>Grantee Information</b>			
Governmental Unit Name <b>Marinette County</b>		Grant Number <b>TRC-GB08-38000-09E</b>	
Former Project Name <b>Zeitler Farm Beef Operation</b>		Watershed in Which Project Was To Be Located (Must be in the same Watershed as original grant) <b>Little Peshtigo River</b>	
Legislative District: (find at: <a href="http://www.legis.state.wi.us/">http://www.legis.state.wi.us/</a> ) Senate 30 Assembly 89			
Proposed Project Name <b>Fendryk Farm Dairy Operation</b>		Watershed in Which Proposed Project Is to be Located (Must be in the same Watershed as original grant) <b>Little Peshtigo River</b>	
Proposed Watershed Name <b>Little Peshtigo River</b>	Proposed Waterbody Code <b>GB08</b>	Proposed Primary Waterbody Name <b>Bass Lake</b>	Proposed Nearest Waterbody Name <b>Bass Lake</b>
Proposed 12-digit federal Hydrologic Unit Code: <b>040301050504</b>		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> )? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Name of s. 303(d) Listed Waterbody: <b>Bass Lake</b>	

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.

**Mr. Zeitler decided not to construct the bmp's when 1) the economy (and beef market) took a down turn, 2) his son decided not farm and 3) he researched the cost of hiring a custom applicator to empty the pit (he owns a feed mill and figures he can apply commercial fertilizer cheaper than he can apply manure). We would not be using any of the BMP's currently listed in the TRM grant.**

**I have enclosed an aerial photo of the site to make the explanation easier.** We would like to install practice R17 Waste Treatment (Milking Center, Feed Leachate) in the area west of the feed bags shown on the aerial photo. This practice did not exist when we first installed TRM funded BMP's on the site in 1998. The red rectangular area west of the feed bags would be covered with a concrete feed storage pad that would be shaped and sloped to drain to an existing collection area, from which feed leachate would be pumped to the existing manure storage.

The benefits of this are as follows:

The blue line shows the drainage way that runs parallel to the feed bags to the little creek that drains into Bass Lake. Installing the pad will get stored feed off of the ground and collect the leachate before it reaches the drainage way.

This project will allow Fendryk to move his stored feed further away from the lake as well. In the picture, the southeast corner of the bags is about 400 feet from Bass Lake.

The funds from the TRM grant would be used strictly for purchase of the pad. Fendryk will be paying for pump, plumbing, excavation, as well as the labor. **Please see the attached price breakdown.**

## 2. Analysis of Request for Substitution:

Yes	No	NA																												
<input checked="" type="checkbox"/>	<input type="checkbox"/>		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>Beaver, Town of</td> <td>32N</td> <td>20</td> <td>E</td> <td>30</td> <td>NE</td> <td>NW</td> <td>45 8' 8"</td> <td>88 3' 28"</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)	Beaver, Town of	32N	20	E	30	NE	NW	45 8' 8"	88 3' 28"									
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Beaver, Town of	32N	20	E	30	NE	NW	45 8' 8"	88 3' 28"																						
			b. Navigable Waters and Wetland Determinations																											
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>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.</p> <p><input type="checkbox"/> Surface Water Data Viewer Map, 24K Hydro Layer at:  <a href="http://dnr.wi.gov/org/water/data_viewer.htm">http://dnr.wi.gov/org/water/data_viewer.htm</a></p>																											



Yes	No	NA	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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: <input type="checkbox"/> Wisconsin Wetland Inventory at: <a href="http://dnr.wi.gov/wetlands/inventory.html">http://dnr.wi.gov/wetlands/inventory.html</a> <input type="checkbox"/> Wetland Indicator Toolkit at: <a href="http://dnr.wi.gov/wetlands/locating.html">http://dnr.wi.gov/wetlands/locating.html</a>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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...
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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: <a href="http://dnr.wi.gov/org/caer/cfa/Grants/Forms/1800001_fillPrint.pdf">http://dnr.wi.gov/org/caer/cfa/Grants/Forms/1800001_fillPrint.pdf</a> 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: <b>Error! Bookmark not defined.</b> and answer the following questions using a map scale of 1:8529 or larger:
<input type="checkbox"/>	<input type="checkbox"/>		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.
<input type="checkbox"/>	<input type="checkbox"/>		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.
<input type="checkbox"/>	<input type="checkbox"/>		3. There is one or more <u>open</u> (ongoing cleanup) R&R sites on an <u>adjacent property</u> .
<input type="checkbox"/>	<input type="checkbox"/>		4. There is one or more <u>closed</u> (completed cleanup) R&R sites on an <u>adjacent property</u> .
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		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.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		i. Staff or contractual services, in addition to those funded by this grant, will be provided as needed.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		j. Staff and/or contractors have adequate training, knowledge, and experience to implement the proposed project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		k. Best management practices constructed under this grant are consistent with performance standards under ch. NR 151, Wis. Adm. Code.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		l. The substitution will not increase the amount of the grant request.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		m. The applicant is requesting the addition of one or best management practices (BMPs) that are not on the current grant.
<input checked="" type="checkbox"/>	<input type="checkbox"/>		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. <i>SEE FUNDING A + B</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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: <a href="http://dnr.wi.gov/runoff/pdf/aq/cafo/form340025A.doc">http://dnr.wi.gov/runoff/pdf/aq/cafo/form340025A.doc</a> .
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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: (check all that apply)
			<input type="checkbox"/> i. Modeling or other changes in pollution potential - <i>specify the method (required)</i>
			Method:
			<input type="checkbox"/> ii. Monitoring (Requires a pre-approved monitoring plan that must be attached.)
Yes	No	NA	



<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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. <i>SEE LETTER</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	r. If this is an urban project, attach documentation that the local share is approved and available.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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

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

Name: Gregory G. Cleereman

Title: Marinette County Conservationist

**For DNR Use Only**

Regional Office Reviewer Signature

Name (print)

Date

Recommendation (check one): ☐ Approve ☐ Disapprove

Rationale:

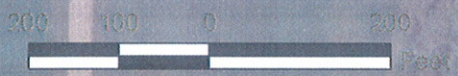
**Transmittal**From Regional Office to Runoff Management Section ☐

Date Sent:

From Runoff Management Section to Community Financial Assistance Section ☐

Date Sent:





BASS LAKE



## Total Cost to Install Practice R17 (~~Milking Center~~, Feed Leachate)

Grade Site	80,000 sq.ft. X \$.05/sq.ft. =	\$ 4,000
Trenching & Pipe Hook up	200 lin.ft. X 2.25 =	\$ 450
6" Thick Concrete (350' x 210')	73,500 sq.ft. X \$2.75/sq.ft.=	\$202,125
Pump	600 gpm =	\$ 5,200
6" PVC Pipe	200 lin.ft. X \$ 9.5/lin.ft. =	\$ 1,900
Electric Hook Up	1 job =	\$ 1,550
Seeding	1 acre X \$350/acre =	<u>\$ 350</u>
	<b>TOTAL</b>	<b>\$215,575</b>

The total cost sharing is \$126,400. This works out (\$126,400/\$215,575) to cost share rate of 58.6%.

TRM Grant Project Name

*FENDRYK A.***Part II. Minimum Qualifications (continued)****C. Cost-Effectiveness****1. Tangible Benefits****a. Primary Benefit:**

List the nonpoint source pollutants to be controlled by the project.

**The feed leachate collection system (R17) will collect all contaminated runoff from the feed storage pad generated by a 25 year/24 hour storm and pump it to the existing manure storage facility. The existing manure storage facility was overbuilt at landowner expense to hold the additional volume.**

**Controlling feed leachate runoff will eliminate the last remaining risk of direct runoff of contaminants from the farm site to Bass Lake. This is an especially important consideration given close proximity of the stored feed to the lake.**

**b. Secondary Benefits:**

Which of the following secondary benefits will be achieved by implementing this project? (check all that apply)

☒ Fish and wildlife habitat enhancement

☒ Enhancements to recreation

☐ Public safety

☒ Economical operation, economical maintenance and enhanced life expectancy of the BMP

☒ Other (specify): **Stored feed leachate is known to be particularly high in biological oxygen demand. Installation of the R17 practice will allow for land spreading of leachate following an NRCS 590 compliant Comprehensive Nutrient Management Plan.**

TRM Grant Project Name

*FENDRYK B*

**Part II. Minimum Qualifications (continued)**

**2. Cost-Effectiveness**

Explain why the proposed project is cost-effective considering the environmental benefit(s) and cost of the project.

To maintain cost effectiveness, Marinette County explored all practical design and construction material options. The proposed system provides the highest environmental benefit per dollar spent. The costs are calculated using an average cost list based on the actual costs of more than 30 major projects completed in Marinette County over the last four years. Requiring multiple bids, as we do, keeps costs competitive.

Cost analysis from a similar project showed that the cost of blacktop, and its required components, had a higher cost per square foot than concrete. We also chose to install a concrete pad for feed storage facility because it has the lowest risk of failure, and is the surest way to capture feed leachate. The alternative blacktop pad has higher maintenance needs and is semi permeable. Blacktop is more susceptible to cracking and tearing from machinery which lead leakage. This practice will ensure a nearly 100% reduction in direct pollution loads to waters of the state.

The practice will be designed following the appropriate NRCS Technical Guide standard(s). Pumping the feed leachate to the manure storage facility, in conjunction with the nutrient management plan, will ensure the operator spreads manure only at times that allow for proper incorporation into the soil.

Yes

No

**3. Alternatives**

☐
☐

a. There is more than one way to achieve the benefits checked above. If "No," go to part b.

1) If "Yes," complete the following table with information for the alternative you have chosen and one or two other alternatives. Note that the table requires information about the cost and pollutant load/potential reductions for each alternative considered.

Alternatives Analysis				
	A.	B.	C.	D.
	Alternative	Cost	Effectiveness	(B. ÷ C.) Cost-Effectiveness
		Estimated Amount	Estimated % of Pollutant Load Reduction	
1		\$	%	
2		\$	%	
3		\$	%	

2) If the applicant is not choosing the alternative with the lowest ratio of cost to pollutant load/potential reductions, explain why it was not chosen in terms of any of the following: feasibility, secondary benefits potential, or other mitigating factors.

b. If the answer to part 3.a. was "No," explain why there is no other reasonable alternative to achieve the reduction in pollutant loading/potential or the secondary benefits checked above.



To whom it may concern,

I have met with Marinette County Land & Water Conservation Division (LWCD) staff regarding the proposed Targeted Runoff Management grant application. My responsibilities under the substitution, as well as the roles and responsibilities of the LWCD and WDNR, have been explained to me.

I commit, to the best of my ability, to installing the best management practices described in the substitution application. In addition, I have the financial resources to pay my share of the project costs.

Sincerely,

John Fendryk

A handwritten signature in cursive script that reads "John Fendryk". The signature is written in dark ink and is positioned below the printed name.