



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, CHICAGO DISTRICT
231 SOUTH LASALLE STREET, SUITE 1500
CHICAGO IL 60604

August 13, 2026

Environmental & Cultural Resources
Planning Branch

SUBJECT: Coastal Zone Management Act Federal Consistency Determination for
Fiscal Year 2026 Kewaunee Harbor Maintenance Dredging and Beneficial Use,
Kewaunee County, Wisconsin

Ms. Kathleen Angel
Wisconsin Coastal Management Program
DOA/DIR 9th Floor Admin. Bldg.
101 East Wilson Street
Madison, WI 53708

Dear Ms. Angel:

The Chicago District of the United States Army Corps of Engineers (USACE) is proposing to conduct maintenance dredging in Kewaunee Harbor, Kewaunee County, Wisconsin. The purpose of the required dredging is to maintain a 14-foot functional depth (below low water datum [LWD]) within the federal navigation channel. Dredged material would then be placed in the Kewaunee Harbor Confined Disposal Facility (CDF), which is the same location used for past maintenance dredging. Non-contaminated sediment would be placed separately in the CDF and would later be placed along the bluff on the west side of the CDF for stabilization and erosion control. The work is scheduled to commence in summer 2027. USACE has evaluated the proposed dredging project, and the following provides our determination of consistency with the Coastal Zone Management Act (CZMA).

PROJECT DESCRIPTION (PROPOSED ACTION)

Up to 56,000 cubic yards (CY) of shoaled material would be mechanically dredged from an approximately 4,300 linear feet of the Kewaunee Harbor federal navigation channel starting at Station 8+75 and extending to station 41+88.42 to maintain a 14-foot depth below LWD, with a 1.0-foot allowable overdepth (Enclosure 1). The shoaled material consists primarily of clay and soft silts, with some sand and gravel lenses. Sediment sampling was conducted in 2023 and identified that some dredging areas contain contaminants while other areas are free of contaminants. Dredged material from station 8+75 to 18+50 is contaminated and material from 18+50 to 41+88.42 is free of contaminants. USACE is proposing to construct a separation and drying pad within the CDF to physically isolate non-contaminated material from contaminated material. The dry non-contaminated material would then be placed along the adjacent bluff to the west of the CDF to provide stabilization and reduce erosion (Enclosure 2).

The proposed dredging and CDF placement of sediment could result in direct return water through the filter cells. However, since mechanical dredging and placement would be used there would likely be minimal or no return water. Fallback of incidental materials during mechanical dredging operations is considered *de minimis* and is not a water quality impact. Section 401 Water Quality Certification (WQC) pre-coordination with the Wisconsin Department of Natural Resources (WDNR) is underway to obtain an individual 401 permit for the return water.

USACE queried the U.S. Fish & Wildlife Service (USFWS) Information, Planning and Conservation (IPaC) system to identify threatened, endangered, proposed, and candidate species and critical habitat for those species that could be affected by the Proposed Action. An official species list (Project Code: 2026-0107875) dated June 24, 2026 was generated through IPaC. USACE determined that the Proposed Action would have “No Effect” on these species due to lack of suitable habitat within the project area. USACE is aware of the environmental window for the protection of spawning fish, which is March 1 to June 15; USACE intends to observe this window.

COASTAL ZONE MANAGEMENT ACT OF 1972

Since the proposed work is within the state boundary, on the waterward side, of Wisconsin’s coastal zone boundary established under the State of Wisconsin’s Coastal Management Program, USACE is required to evaluate whether the activity will affect any coastal use or resources under the CZMA.

The proposed action includes the placement of dredged materials in the Kewaunee CDF and may include limited return water to the lake through the CDF filter cells. 15 CFR 930.33(a)(1) states “Federal agencies shall, in making determination of effects, review relevant management program enforceable policies as part of determining effects on any coastal use or resources.” Therefore, in addition to making the above determination, applicable specific state coastal policies were reviewed for consistency.

SPECIFIC STATE COASTAL POLICIES

USACE reviewed the list of coastal policies from Appendix C “Specific State Coastal Policies, “Wisconsin Coastal Management Program: A Strategic Vision for the Great Lakes, dated October 2007. Below is a list of the policies that appear to be applicable to the Proposed Action. In addition, each identified policy includes an evaluation of the proposed habitat management action for consistency with the State of Wisconsin Coastal Management Program.

Coastal Water Quality and Quantity and Coastal Air Quality

Policy 1.2: An interim goal is the protection and propagation of fish and wildlife and the maintenance of water quality to allow recreation in and on the water to be achieved. (See Wis. Stats. § 283.001(1)(b))

Consistency of the project: The proposed dredging and placement of sediment is not likely to include return water. However, if there is return water it would be minimal and would pass through the filter cells prior to entering the lake. As with past navigational maintenance in this harbor, the project would not allow dredging during established environmental windows (March 1 – June 15) to protect fish and wildlife. The proposed dredging would not prevent water recreation.

Policy 1.4: Disposal in the waters of the state of the following defined pollutants shall be restricted: dredged spoil, solid waste, incinerator residue, sewage, garbage, refuse, oil, sewage sludge, munitions, chemical wastes, biological materials, radioactive substance, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal and agricultural waste discharged into water. (See Wis. Stats. §§ 283.02(13), 283.31(1) and 29.601. See also managed uses #8 and #9)

Consistency of the project: The project involves the placement of dredged material into the Kewaunee Harbor CDF and placement of clean material along the bluff. No direct discharge of dredged materials into the waters of the state is planned. Section 401 WQC coordination is underway for the potential return water from the CDF to the lake.

Policy 1.15.1: No person may conduct an activity for which the Wisconsin Department of Natural Resources denies a required WQC. No person may violate a condition imposed by the department in a WQC. (See Wis. Stats. § 281.7(10))

Consistency of the project: The mechanical dredging and CDF placement of sediment with limited potential for return water may constitute placement of dredged material or fill into Waters of the United States. Therefore, USACE is coordinating with WDNR to obtain a Section 401 WQC. USACE will comply with all requirements defined in the WQC.

Community Development

Policy 4.11.2: Unless a contract has been entered into with the Wisconsin Department of Natural Resources or authorization has been granted by the legislature, no person may remove any material from the bed of a natural navigable lake or from the bed of any outlying waters. Unless an individual or a general permit has been issued by the department or authorization has been granted by the legislature, no person may remove any materials from the bed of any lake or any navigable stream. (see Wis. Stats. § 30.20(1))

Consistency of the project: Kewaunee Harbor was authorized under the Rivers & Harbors Acts of 3 Mar 1881, 25 Jun 1910, 30 Aug 1935, 14 Jul 1960. Continued

dredging of Kewaunee Harbor is required for navigational maintenance. The CZMA requires federal projects to substantively comply with enforceable state policies. USACE is coordinating with WDNR to ensure compliance with all enforceable state policies.

In accordance with 15 CFR Part 930.36(a), based on the evaluation of the applicable enforceable policies contained in Appendix C of the State of Wisconsin Coastal Management Program, USACE has determined that the proposed dredging of Kewaunee Harbor with sediment placement in the Kewaunee CDF and along the bluff complies with the policies of Wisconsin's approved Coastal Management Program and will be conducted in a manner consistent with such policies.

We request your concurrence with this determination within 60 days in accordance with the CZMA. Wisconsin's concurrence will be presumed if its response is not received by the USACE within 60 days plus any extension, if requested as applicable pursuant to 15 CFR 930.41(b). Please contact Mr. Ryan A. Johnson at 312-718-2856 or ryan.a.johnson@usace.army.mil if you have any questions or need any additional information regarding this USACE CZMA federal consistency determination.

Sincerely,

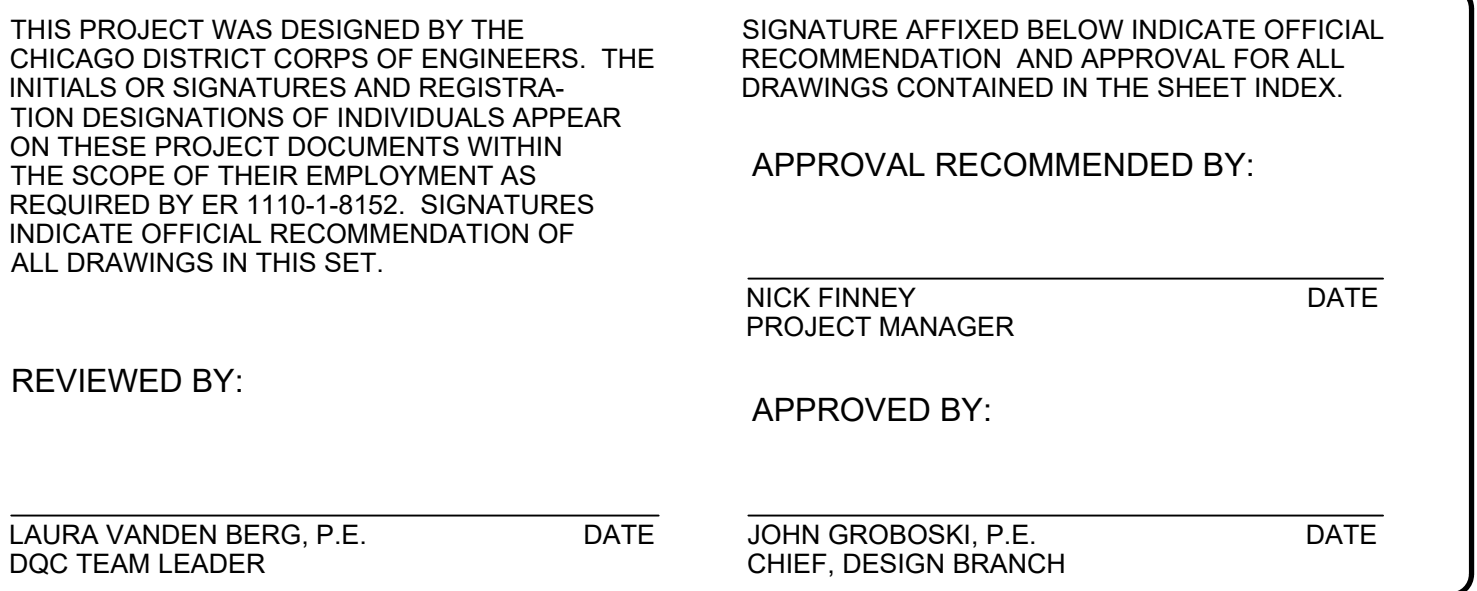
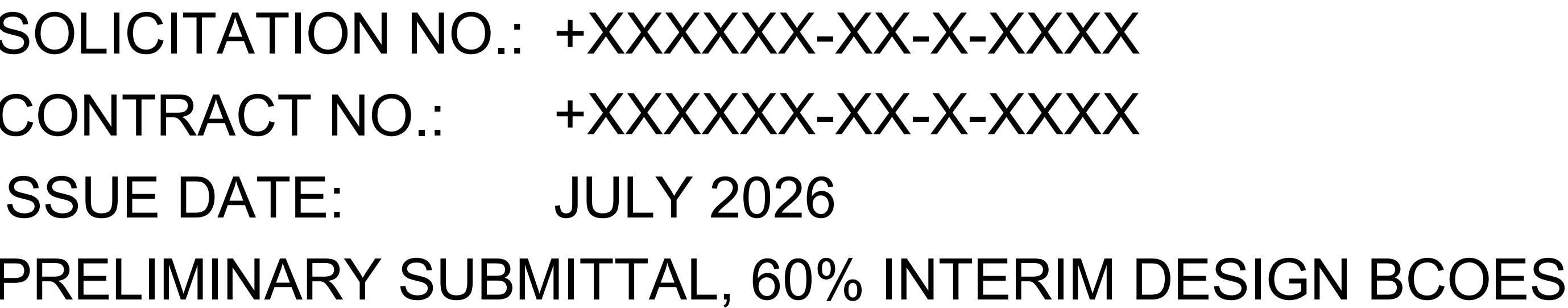
Alex Hoxsie
Chief, Environmental & Cultural Resources
Planning Branch

Enclosures

- 1) Project Plans
- 2) Beneficial Use Placement Area
- 3) Section 7 Documentation



KEWAUNEE HARBOR DREDGING FY26
KEWAUNEE COUNTY
KEWAUNEE, WISCONSIN

[illegible]

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A

HORIZONTAL & VERTICAL CONTROL POINTS				
POINT	WI CENTRAL NAD83 STATEPLANE COORDINATES		ELEV. NAVD88	DESCRIPTION
	NORTHING (Y)	EASTING (X)		
PM0374	239629.81	2621159.87	583.89	BRONZE DISK
AH5304	239841.89	2620453.25	582.69	FLANG ENCASED ROD
AC8306	239665.43	2620678.01	585.94	BRONZE DISK



USACE Survey Monument Archival & Retrieval Tool Datasheet

FUO

None

Type: New

Designation: 9087068 F

Project: Kewaunee Section C

Stamping: 2068 F 1989

PID NGS: AC8306

COE:

State: Wisconsin

County: Kewaunee

District: Chicago

Installations

Nearest Town: Kewaunee

USGS Quad:

T.R.S.:

Nearest Hwy/Mi: Hwy 42

Date Recovered:

By:

Condition/Stability: Good

Setting/Monument Type: BRONZE DISK

Owner: NOS

Boundary Monument: ☐ Yes ☒ No

GPS Suitable: ☒ Yes ☐ No

Obstructions: ☐ N ☐ E ☐ S ☐ W

Magnetic: ☐ Yes ☒ No

Access:

- Horizontal -

Datum: NAD83 (2011)

Lat: 44.27 47.598

Long: 087.9095.726

Local Accuracy: 5-m

NSRS Accuracy:

Survey/Computation Method: Hand-Held GPS

Date Observed:

- Vertical -

Datum: NAVD88 ()

Elevation Ht: 178.590

Ellip Ht:

Local Accuracy: 5-cm

NSRS Accuracy:

Geoid Model: Geoid18

Survey/Computation Method: Geodetic Levels

Date Observed:

- Tidal/Hydraulic Gage Relationships -

Owner:

Gage ID:

- Elevation -

- Datum -

Epoch:

Local Coordinates: N 73,949.9 E 798,784.6 M, STATE PLANE WI CENTRAL 4802

Description/Comments: BM LOCATED ON PROPERTY OWNED BY THE KEWAUNEE MARINA. BM IS 36.5M SW OF ENTRANCE TO THE USACE FIELD OFFICE, ON THE NW CORNER OF THE OLD BRIDGE ABUTMENT CAP, 15.5M W OF OLD STATE HWY 42, 0.3M N OF OLD BRIDGE RAILRAIL, 0.3M E OF WEST FACE OF ABUTMENT CAP, SET FLUSH IN END CAP 0.3M ABOVE GROUND.

Zell: NI: USFT E2: USFT UTM Zell: NI: USFT E2: USFT

Zell: NS: USFT E2: USFT UTM Zell: NS: USFT E2: USFT

- Horizon/Setup View -

- Close-Up View -

Required Fields in Red

Reset Form

Submit

System Fields in Green

U-SMART ver 5.9

March 2020

USACE Survey Monument Archival & Retrieval Tool Datasheet

FUO

None

Type: New

Designation: 9087068 PLATFORM

Project: Kewaunee Section C

Stamping:

PID NGS: PM0374

COE:

State: Wisconsin

County: Kewaunee

District: Chicago

Installations

Nearest Town: Kewaunee

USGS Quad:

T.R.S.:

Nearest Hwy/Mi: Hwy 42

Date Recovered:

By:

Condition/Stability: Good

Setting/Monument Type: BRONZE DISK

Owner: USACE

Boundary Monument: ☐ Yes ☒ No

GPS Suitable: ☒ Yes ☐ No

Obstructions: ☐ N ☐ E ☐ S ☐ W

Magnetic: ☐ Yes ☒ No

Access:

- Horizontal -

Datum: NAD83 (2011)

Lat: 44.27 47.485

Long: 087.90 59.05

Local Accuracy: 5-m

NSRS Accuracy:

Survey/Computation Method: Hand-Held GPS

Date Observed:

- Vertical -

Datum: NAVD88 ()

Elevation Ht: 177.371

Ellip Ht:

Local Accuracy: 5-cm

NSRS Accuracy:

Geoid Model: Geoid18

Survey/Computation Method: Geodetic Levels

Date Observed:

- Tidal/Hydraulic Gage Relationships -

Owner:

Gage ID:

- Elevation -

- Datum -

Epoch:

Local Coordinates: N 73,037.8 E 798,932.3 M STATE PLANE WI CENTRAL 4802

Description/Comments: THE BM IS LOCATED ON PROPERTY OWNED BY USACE. IN KEWAUNEE, ON THE W SIDE OF THE APPROACH TO THE USACE DEPOT, ON A CONCRETE LANDING PLATFORM 32' X 104 FT LONG, 13.2 FT OF THE NORTHERLY EDGE OF THE CONCRETE PLATFORM, 60 FT S OF THE TRIANGULATION STATION STAMPED 7'-46.50 FT W OF THE WEST EDGE OF A STEEL CAP, 11.4 FT SE OF A BOLLARD, 41.4 FT NE OF A BOLLARD, 66.9 FT OF THE BASE OF A LIGHT POLE, BEING THE HIGHEST POINT OF AN UNSTAMPED BRONZE DISK

Zell: NI: USFT E2: USFT UTM Zell: NI: USFT E2: USFT

Zell: NS: USFT E2: USFT UTM Zell: NS: USFT E2: USFT

- Horizon/Setup View -

- Close-Up View -

Required Fields in Red

Reset Form

Submit

System Fields in Green

U-SMART ver 5.9

March 2020

USACE Survey Monument Archival & Retrieval Tool Datasheet

FUO

None

Type: New

Designation: 9087068 H

Project: Kewaunee Section C

Stamping: 2068 H 1997

PID NGS: AH5304

COE:

State: Wisconsin

County: Kewaunee

District: Chicago

Installations

Nearest Town: Kewaunee

USGS Quad:

T.R.S.:

Nearest Hwy/Mi: Hwy 42

Date Recovered:

By:

Condition/Stability: Good

Setting/Monument Type: Flange Encased Rod

Owner: NOS

Boundary Monument: ☐ Yes ☒ No

GPS Suitable: ☒ Yes ☐ No

Obstructions: ☐ N ☐ E ☐ S ☐ W

Magnetic: ☐ Yes ☒ No

Access:

- Horizontal -

Datum: NAD83 (2011)

Lat: 44.27 49.408

Long: 087.90 08.749

Local Accuracy:

NSRS Accuracy:

Survey/Computation Method: Static GPS Network

Date Observed:

- Vertical -

Datum: NAVD88 ()

Elevation Ht: 177.603

Ellip Ht: 141.28

Local Accuracy:

NSRS Accuracy:

Geoid Model: Geoid18

Survey/Computation Method:

Date Observed:

- Tidal/Hydraulic Gage Relationships -

Owner:

Gage ID:

- Elevation -

- Datum -

Epoch:

Local Coordinates: N 239,841.47 E 2,620,453.27 STATE PLANE WI CENTRAL 4802

Description/Comments: The station is located in Kewaunee at the Kewaunee Marina on the east side of state HWY 42, north of the docks in a grassy area between the docks and the parking lot and just west of a paved walkway leading from the parking lot to the docks.

Zell: NI: USFT E2: USFT UTM Zell: NI: USFT E2: USFT

Zell: NS: USFT E2: USFT UTM Zell: NS: USFT E2: USFT

- Horizon/Setup View -

- Close-Up View -

Required Fields in Red

Reset Form

Submit

System Fields in Green

U-SMART ver 5.9

March 2020

ISSUE DATE: +MMMMYYYY

SOLICITATION NO: +XXXXXXXX

CONTRACT NO: +XXXXXXXX-XX-XXXX

SUBMITTED BY: +OPTIONAL VALUE 1%

SIZE: +%OPTIONAL VALUE 2%

DESIGNED BY: K. CLAIR

DRAWN BY: R. MUHAMMAD

CHECKED BY: A. KARR

ANSID:

U.S. ARMY CORPS OF ENGINEERS

CHICAGO DISTRICT

231 S. LASALLE ST. SUITE 1500

CHICAGO, ILLINOIS 60604

KEWAUNEE HARBOR

MAINTENANCE DREDGING FY26

KEWAUNEE, WISCONSIN

SURVEY CONTROL

SHEET ID

V-001

PRELIMINARY SUBMITTAL, 60% INTERIM DESIGN BCOES



ALIGNMENT DATA TABLE

HORIZONTAL: WISCONSIN STATE PLANE CENTRAL ZONE
(NAD83)

VERTICAL: INTERNATIONAL GREAT LAKES DATUM
(IGLD85)

STATION	NORTHING	EASTING
0+00.00	238,970.27	2,620,413.51
3+41.13	238,629.72	2,620,433.56
5+55.77	238,501.42	2,620,536.73
7+47.49	238,470.05	2,620,776.40
11+56.78	238,355.81	2,621,169.43
18+85.96	238,099.59	2,621,852.10
24+39.05	237,270.55	2,624,000.10
H+00.00	240,319.81	2,621,259.39
H+6+31	239,716.77	2,621,277.49
H 19+40.49	238,428.25	2,620,920.20

H=HARBOR R=RIVER C=CHANNEL
*UNLESS OTHERWISE SPECIFIED

KEWAUNEE CHANNEL LIMITS

HORIZONTAL: WISCONSIN STATE PLANE CENTRAL ZONE
(NAD83)

VERTICAL: INTERNATIONAL GREAT LAKES DATUM (IGLD85)

VWL#	NORTHING	EASTING
WL 1	237,114.79	2,623,931.15
WL 2	237,473.96	2,623,008.62
WL 3	237,480.44	2,623,005.78
WL 4	237,559.64	2,623,036.62
WL 5	237,566.12	2,623,033.77
WL 6	237,905.52	2,622,154.01
WL 7	238,284.14	2,621,137.24
WL 8	238,392.27	2,620,765.20
WL 9	238,571.27	2620820.11
WL 10	238,461.23	2,621,111.23
WL 11	238,138.85	2,621,964.37
WL 12	238,138.79	2,621,976.00
WL 13	238,268.32	2,622,171.71
WL 14	238,375.95	2,622,334.31
WL 15	238,376.89	2,622,343.14
WL 16	237,381.48	2,623,358.79

KEWAUNEE CHANNEL LIMITS

HORIZONTAL: WISCONSIN STATE PLANE CENTRAL ZONE
(NAD83)

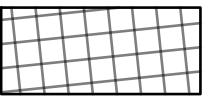
VERTICAL: INTERNATIONAL GREAT LAKES DATUM (IGLD85)

WL#	NORTHING	EASTING
WL 17	237,975.60	2,623,366.37
WL 18	237,789.28	2,623,500.24
WL 19	237,783.78	2,623,507.94
WL 20	237,770.37	2,623,552.53
WL 21	237,771.30	2,623,561.72
WL 22	237,844.99	2,623,698.84
WL 23	237,846.28	2,623,708.13
WL 24	237,740.43	2,624,186.51

GENERAL NOTES

1. ALL COORDINATES SHOWN ARE REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 (NAD83) U.S. FEET.
2. ALL ELEVATIONS SHOWN ARE REFERENCED TO THE INTERNATIONAL GREAT LAKES DATUM OF 1985 (IGLD85) U.S. FEET OR LOW WATER DATUM (LWD) AS INDICATED.
3. NO DREDGING ACTIVITIES SHALL OCCUR WITHIN THE ENVIRONMENTAL WINDOW BETWEEN MARCH 15 THRU MAY 15.
4. UNLESS OTHERWISE NOTED, DREDGE DEPTH BETWEEN STATION 8+75 TO STATION 41+188.42 IS 14' BELOW LWD WITH AN ALLOWABLE OVER DREDGE DEPTH OF 1.0'.
5. DREDGED MATERIAL FROM STA. 8+75 TO STA. 18+50 SHALL BE PLACED AT PLACEMENT LOCATION 2. DREDGED MATERIAL FROM STA. 18+50 TO 41+188.42 SHALL BE PLACED AT PLACEMENT LOCATION 1.
6. AREA OF MATERIAL ABOVE AUTHORIZED FEDERAL CHANNEL IS BASED ON THE SEPTEMBER 2025 HYDROGRAPHIC SURVEY. SOUNDING INFORMATION IS AVAILABLE AT THE EHYDRO-POWERED USACE HYDROGRAPHIC SURVEY WEBSITE:
<https://www.arcgis.com/apps/dashboards/4b8f2ba307684cf597617bf1b6d2f85d>

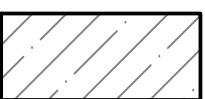
LEGEND



FY26 DREDGE AREA



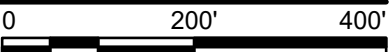
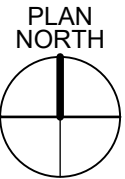
AREA OF MATERIAL ABOVE AUTHORIZED FEDERAL CHANNEL



CDF PLACEMENT LOCATION 1



CDF PLACEMENT LOCATION 2



		SHEET ID
C-101		DREDGING OVERVIEW
KEWAUNEE HARBOR MAINTENANCE DREDGING FY26 KEWAUNEE, WISCONSIN		
U.S. ARMY CORPS OF ENGINEERS CHICAGO DISTRICT 231 S. LASALLE ST., SUITE 1500 CHICAGO, ILLINOIS 60604		DESIGNED BY: G. NICEWICK *XXXXXXXXXX DATE: J. SUTTON *XXXXX-XX-X-XXXX
		CHECKED BY: L. VANDEN BERG P.E. *SUBMITTED BY: L. VANDEN BERG P.E. *OPTIONAL VALUE 1%*
		SIZE: L. VANDEN BERG P.E. *OPTIONAL VALUE 2%
		ANSI D
		MARK
		DESCRIPTION
		DATE

Kewaunee CDF

Beneficial Use Placement Area

Legend

 Beneficial Use Placement Area





United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 256-7289



In Reply Refer To:
Project Code: 2026-0107875
Project Name: Kewaune BUDDI

06/24/2026 21:19:58 UTC

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

This response has been generated by the Information, Planning, and Conservation (IPaC) system to provide information on natural resources that could be affected by your project. The U.S. Fish and Wildlife Service (Service) provides this response under the authority of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), the Migratory Bird Treaty Act (16 U.S.C. 703-712), and the Fish and Wildlife Coordination Act (16 U.S.C. 661 *et seq.*).

Threatened and Endangered Species

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and may be affected by your proposed project. The species list fulfills the requirement for obtaining a Technical Assistance Letter from the U.S. Fish and Wildlife Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

Consultation Technical Assistance

Please refer to our [Section 7 website](#) for guidance and technical assistance, including [step-by-step instructions](#) for making effects determinations for each species that might be present and for specific guidance on the following types of projects: projects in developed areas, HUD, CDBG, EDA, USDA Rural Development projects, pipelines, buried utilities, telecommunications, and requests for a Conditional Letter of Map Revision (CLOMR) from FEMA.

We recommend running the project (if it qualifies) through our **Minnesota-Wisconsin Federal Endangered Species Determination Key (Minnesota-Wisconsin ("D-key"))**. A [demonstration video](#) showing how-to access and use the determination key is available. Please note that the Minnesota-Wisconsin D-key is the third option of 3 available d-keys. D-keys are tools to help Federal agencies and other project proponents determine if their proposed action has the potential to adversely affect federally listed species and designated critical habitat. The Minnesota-Wisconsin D-key includes a structured set of questions that assists a project proponent in determining whether a proposed project qualifies for a certain predetermined consultation outcome for all federally listed species found in Minnesota and Wisconsin (except for the northern long-eared bat- see below), which includes determinations of "no effect" or "may affect, not likely to adversely affect." In each case, the Service has compiled and analyzed the best available information on the species' biology and the impacts of certain activities to support these determinations.

If your completed d-key output letter shows a "No Effect" (NE) determination for all listed species, print your IPaC output letter for your files to document your compliance with the Endangered Species Act.

For Federal projects with a "Not Likely to Adversely Affect" (NLAA) determination, our concurrence becomes valid if you do not hear otherwise from us after a 30-day review period, as indicated in your letter.

If your d-key output letter indicates additional coordination with the Minnesota-Wisconsin Ecological Services Field Office is necessary (i.e., you get a "May Affect" determination), you will be provided additional guidance on contacting the Service to continue ESA coordination outside of the key; ESA compliance cannot be concluded using the key for "May Affect" determinations unless otherwise indicated in your output letter.

Note: Once you obtain your official species list, you are not required to continue in IPaC with d-keys, although in most cases these tools should expedite your review. If you choose to make an effects determination on your own, you may do so. If the project is a Federal Action, you may want to review our section 7 step-by-step instructions before making your determinations.

Using the IPaC Official Species List to Make No Effect and May Affect Determinations for Listed Species

1. If IPaC returns a result of "There are no listed species found within the vicinity of the project," then project proponents can conclude the proposed activities will have **no effect** on any federally listed species under Service jurisdiction. Concurrence from the Service is not required for **no effect** determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
2. If IPaC returns one or more federally listed, proposed, or candidate species as potentially present in the action area of the proposed project – other than bats (see below) – then project proponents must determine if proposed activities will have **no effect** on or **may affect** those species. For assistance in determining if suitable habitat for listed, candidate, or proposed species occurs within your project area or if species may be affected by project activities, you can obtain [Life History Information for Listed and Candidate Species](#) on our office website. If no impacts will occur to a species on the IPaC species list (e.g., there is no habitat present in the project area), the appropriate determination is **no effect**. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.

3. Should you determine that project activities **may affect** any federally listed, please contact our office for further coordination. Letters with requests for consultation or correspondence about your project should include the Consultation Tracking Number in the header. Electronic submission is preferred.

For projects that intersect with or are adjacent to Tribal lands: The Service has federal Trust responsibilities and a strong commitment to working with Tribal governments to help sustain fish and wildlife resources for future generations. Tribal governments should be provided with sufficient opportunity to express their perspectives and/or concerns for proposed projects. If your project intersects with Tribal lands or impacts culturally sensitive resources, please engage with the federally recognized Tribe to ensure they have an opportunity to provide input on this project.

Northern Long-Eared Bats

Northern long-eared bats occur throughout Minnesota and Wisconsin and the information below may help in determining if your project may affect these species.

Suitable summer habitat for northern long-eared bats consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥ 3 inches dbh for northern long-eared bat that have exfoliating bark, cracks, crevices, and/or hollows), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of forested/wooded habitat. Northern long-eared bats have also been observed roosting in human-made structures, such as buildings, barns, bridges, and bat houses; therefore, these structures should also be considered potential summer habitat and evaluated for use by bats. If your project will impact caves or mines or will involve clearing forest or woodland habitat containing suitable roosting habitat, northern long-eared bats could be affected. For bat activity dates, please review Appendix L in the [Range-wide Indiana Bat and Northern Long-Eared Bat Survey Guidelines](#).

Examples of unsuitable habitat include:

- Individual trees that are greater than 1,000 feet from forested or wooded areas,
- Trees found in highly developed urban areas (e.g., street trees, downtown areas),
- A pure stand of less than 3-inch dbh trees that are not mixed with larger trees, and
- A monoculture stand of shrubby vegetation with no potential roost trees.

If IPaC returns a result that northern long-eared bats are potentially present in the action area of the proposed project, project proponents can conclude the proposed activities **may affect** this species **IF** one or more of the following activities are proposed:

- Clearing or disturbing suitable roosting habitat, as defined above, at any time of year,
- Any activity in or near the entrance to a cave or mine,
- Mining, deep excavation, or underground work within 0.25 miles of a cave or mine,
- Construction of one or more wind turbines, or

- Demolition or reconstruction of human-made structures that are known to be used by bats based on observations of roosting bats, bats emerging at dusk, or guano deposits or stains.

If none of the above activities are proposed, project proponents can conclude the proposed activities will have **no effect** on the northern long-eared bat. Concurrence from the Service is not required for **No Effect** determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.

If any of the above activities are proposed, and the northern long-eared bat appears on the user's species list, the federal project user will be directed to either the northern long-eared bat and tricolored bat range-wide D-key or the Federal Highways Administration, Federal Railways Administration, and Federal Transit Administration Indiana bat/Northern long-eared bat D-key, depending on the type of project and federal agency involvement. Similar to the Minnesota-Wisconsin D-key, these d-keys help to determine if prohibited take might occur and, if not, will generate an automated verification letter. Additional information about available tools can be found on the Service's [northern long-eared bat website](#).

Whooping Crane

Whooping crane is designated as a non-essential experimental population in Wisconsin and consultation under Section 7(a)(2) of the Endangered Species Act is only required if project activities will occur within a National Wildlife Refuge or National Park. If project activities are proposed on lands outside of a National Wildlife Refuge or National Park, then you are not required to consult. For additional information on this designation and consultation requirements, please review "[Establishment of a Nonessential Experimental Population of Whooping Cranes in the Eastern United States](#)."

Other Trust Resources and Activities

Bald and Golden Eagles - Although the bald eagle has been removed from the endangered species list, this species and the golden eagle are protected by the Bald and Golden Eagle Act and the Migratory Bird Treaty Act. It is the responsibility of the project proponent to survey the area for any migratory bird nests. If there is an eagle nest on-site while work is on-going, eagles may be disturbed. We recommend avoiding and minimizing disturbance to eagles whenever practicable. If you cannot avoid eagle disturbance, you may seek a [permit](#). A [nest take permit](#) is always required for removal, relocation, or obstruction of an eagle nest. For communication and wind energy projects, please refer to additional guidelines below.

Migratory Birds - The Migratory Bird Treaty Act (MBTA) prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Service. The Service has the responsibility under the MBTA to proactively prevent the mortality of migratory birds whenever possible and we encourage implementation of [recommendations that minimize potential impacts to migratory birds](#). Such measures include clearing forested habitat outside the nesting season (generally March 1 to August 31) or conducting nest surveys prior to clearing to avoid injury to eggs or nestlings.

Communication Towers - Construction of new communications towers (including radio, television, cellular, and microwave) creates a potentially significant impact on migratory birds, especially some 350 species of night-migrating birds. However, the Service has developed [voluntary guidelines for minimizing impacts](#).

Transmission Lines - Migratory birds, especially large species with long wingspans, heavy bodies, and poor maneuverability can also collide with power lines. In addition, mortality can occur when birds, particularly hawks, eagles, kites, falcons, and owls, attempt to perch on uninsulated or unguarded power poles. To minimize these risks, please refer to [guidelines](#) developed by the Avian Power Line Interaction Committee and the Service. Implementation of these measures is especially important along sections of lines adjacent to wetlands or other areas that support large numbers of raptors and migratory birds.

Wind Energy - To minimize impacts to migratory birds and bats, wind energy projects should follow the Service's [Wind Energy Guidelines](#). In addition, please refer to the Service's [Eagle Conservation Plan Guidance](#), which provides guidance for conserving bald and golden eagles in the course of siting, constructing, and operating wind energy facilities.

State Department of Natural Resources Coordination

While it is not required for your Federal section 7 consultation, please note that additional state endangered or threatened species may also have the potential to be impacted. **Please contact the Minnesota or Wisconsin Department of Natural Resources for information on state listed species that may be present in your proposed project area.**

Minnesota

[Minnesota Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: Review.NHIS@state.mn.us

Wisconsin

[Wisconsin Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: DNRERReview@wi.gov

We appreciate your concern for threatened and endangered species. Please feel free to contact our office with questions or for additional information.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
(952) 256-7289

PROJECT SUMMARY

Project Code: 2026-0107875

Project Name: Kewaune BUDDI

Project Type: Disposal - Beneficial Use

Project Description: Adding beneficial use of dredged material options to the CDF operations at the Kewaunee CDF including mounding of material and placement along the shoreside bluff for stabilization.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@44.46581705,-87.49412522918283,14z>



Counties: Kewaunee County, Wisconsin

ENDANGERED SPECIES ACT SPECIES

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

BIRDS

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Great Lakes watershed DPS] - Great Lakes, watershed in States of IL, IN, MI, MN, NY, OH, PA, and WI and Canada (Ont.) There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Endangered

INSECTS

NAME	STATUS
Hine's emerald dragonfly <i>Somatochlora hineana</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/7877	Endangered
Monarch butterfly <i>Danaus plexippus</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened

FLOWERING PLANTS

NAME	STATUS
Dwarf lake iris <i>Iris lacustris</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/598	Threatened

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act ² and the Migratory Bird Treaty Act (MBTA) ¹. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate avoidance and minimization measures, as described in the various links on this page.

1. The [Bald and Golden Eagle Protection Act](#) of 1940.
2. The [Migratory Birds Treaty Act](#) of 1918.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are Bald Eagles and/or Golden Eagles in your [project](#) area.

Measures for Proactively Minimizing Eagle Impacts

For information on how to best avoid and minimize disturbance to nesting bald eagles, please review the [National Bald Eagle Management Guidelines](#). You may employ the timing and activity-specific distance recommendations in this document when designing your project/activity to avoid and minimize eagle impacts. For bald eagle information specific to Alaska, please refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#).

The FWS does not currently have guidelines for avoiding and minimizing disturbance to nesting Golden Eagles. For site-specific recommendations regarding nesting Golden Eagles, please consult with the appropriate Regional [Migratory Bird Office](#) or [Ecological Services Field Office](#).

If disturbance or take of eagles cannot be avoided, an [incidental take permit](#) may be available to authorize any take that results from, but is not the purpose of, an otherwise lawful activity. For assistance making this determination for Bald Eagles, visit the [Do I Need A Permit Tool](#). For assistance making this determination for golden eagles, please consult with the appropriate Regional [Migratory Bird Office](#) or [Ecological Services Field Office](#).

Ensure Your Eagle List is Accurate and Complete

If your project area is in a poorly surveyed area in IPaC, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the [Supplemental Information on Migratory Birds and Eagles](#), to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to bald or golden eagles on your list, see the "Probability of Presence Summary" below to see when these bald or golden eagles are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

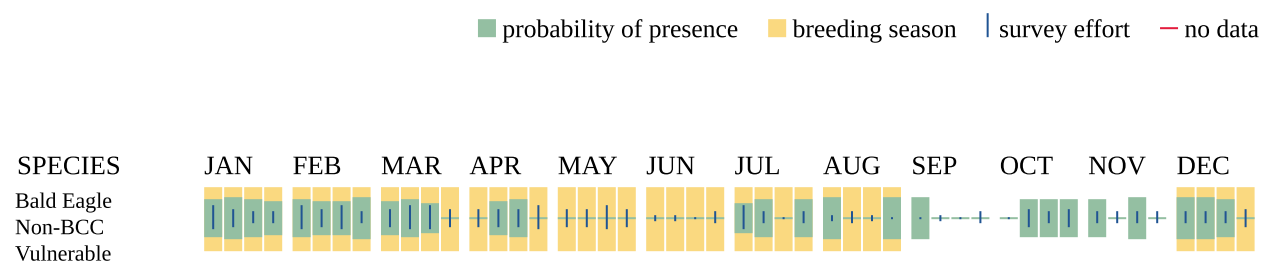
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>

- Nationwide avoidance and minimization measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

The Migratory Bird Treaty Act (MBTA) ¹ prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service (Service).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the "Probability of Presence Summary" below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
American Golden-Plover <i>Pluvialis dominica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10561	Breeds elsewhere
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31
Black Tern <i>Chlidonias niger surinamensis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3093	Breeds May 15 to Aug 20
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10

NAME	BREEDING SEASON
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9454	Breeds May 20 to Jul 31
Canada Warbler <i>Cardellina canadensis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9643	Breeds May 20 to Aug 10
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25
Golden-winged warbler <i>Vermivora chrysoptera</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8745	Breeds May 1 to Jul 20
Grasshopper Sparrow <i>Ammodramus savannarum perpallidus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/8329	Breeds Jun 1 to Aug 20
Henslow's Sparrow <i>Centronyx henslowii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3941	Breeds May 1 to Aug 31
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Marbled Godwit <i>Limosa fedoa</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9481	Breeds May 1 to Jul 31
Pectoral Sandpiper <i>Calidris melanotos</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9561	Breeds elsewhere
Ruddy Turnstone <i>Arenaria interpres morinella</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/10633	Breeds elsewhere

NAME	BREEDING SEASON
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9478	Breeds elsewhere
Semipalmated Sandpiper <i>Calidris pusilla</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9603	Breeds elsewhere
Short-billed Dowitcher <i>Limnodromus griseus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9480	Breeds elsewhere
Western Grebe <i>Aechmophorus occidentalis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/6743	Breeds Jun 1 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

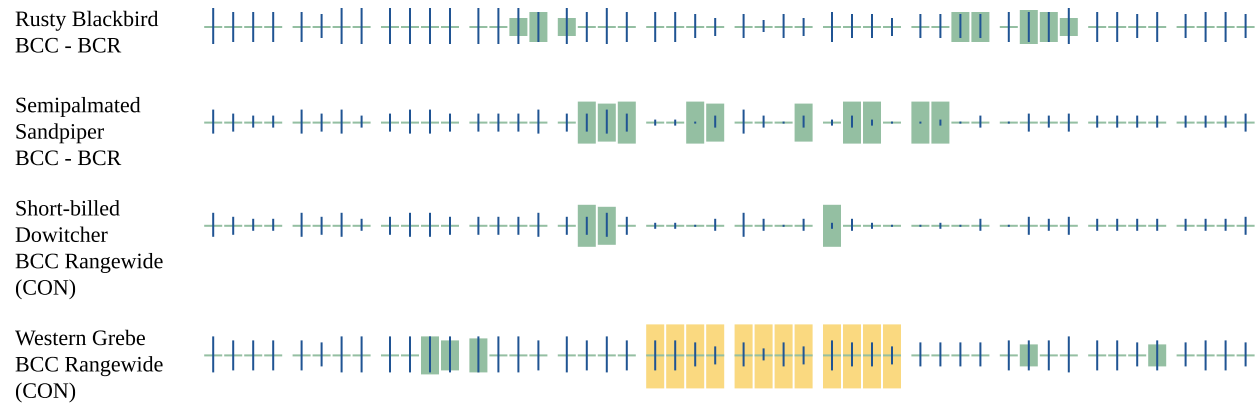
Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

■ probability of presence ■ breeding season | survey effort — no data





Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide avoidance and minimization measures for birds
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

WETLAND INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED. PLEASE VISIT [HTTPS://WWW.FWS.GOV/WETLANDS/DATA/MAPPER.HTML](https://www.fws.gov/wetlands/data/mapper.html) OR CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.

IPAC USER CONTACT INFORMATION

Agency: Army Corps of Engineers
Name: Ryan Johnson
Address: 231 South LaSalle Street
Address Line 2: Suite 1500
City: Chicago
State: IL
Zip: 60604
Email: ryan.a.johnson@usace.army.mil
Phone: 3127182856



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
3815 American Blvd East
Bloomington, MN 55425-1659
Phone: (952) 256-7289

In Reply Refer To:
Project code: 2026-0107875
Project Name: Kewaune BUDDI

06/24/2026 21:28:12 UTC

Subject: Concurrence letter for 'Kewaune BUDDI' for specified threatened and endangered species that may occur in your proposed project location consistent with the Minnesota-Wisconsin Endangered Species Determination Key (Minnesota-Wisconsin DKey).

Dear Ryan Johnson:

The U.S. Fish and Wildlife Service (Service) received on **June 24, 2026** your effect determination(s) for the 'Kewaune BUDDI' (Action) using the Minnesota-Wisconsin DKey within the Service's Information for Planning and Consultation (IPaC) system. The Service developed this system in accordance with the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 et seq.).

Based on your responses to the Service's Minnesota-Wisconsin DKey, you made the following effect determination(s) for the proposed Action:

Species	Listing Status	Determination
Dwarf lake iris (<i>Iris lacustris</i>)	Threatened	No effect
Hine's emerald dragonfly (<i>Somatochlora hineana</i>)	Endangered	NLAA
Monarch butterfly (<i>Danaus plexippus</i>)	Proposed	No effect
	Threatened	
Piping Plover (<i>Charadrius melodus</i>)	Endangered	NLAA

Determination Information

The Service will notify you within 30 calendar days if we determine that this proposed Action does not meet the criteria for a "may affect, not likely to adversely affect" (NLAA) determination for Federally listed species in Minnesota and Wisconsin. If we do not notify you within that timeframe, you may proceed with the Action under the terms of the NLAA concurrence provided here. This verification period allows the Minnesota-Wisconsin Ecological Services Field Office to apply local knowledge to evaluation of the Action, as we may identify a small subset of actions having impacts that were unanticipated. In such instances, the Minnesota-Wisconsin

Ecological Services Field Office may request additional information to verify the effects determination reached through the Minnesota-Wisconsin DKey.

Additional Information

Sufficient project details: Please provide sufficient project details on your project homepage in IPaC (Define Project, Project Description) to support your conclusions. Failure to disclose important aspects of your project that would influence the outcome of your effects determinations may negate your determinations and invalidate this letter. If you have site-specific information that leads you to believe a different determination is more appropriate for your project than what the Dkey concludes, you can and should proceed based on the best available information.

Future project changes: The Service recommends that you contact the Minnesota-Wisconsin Ecological Services Field Office or re-evaluate the project in IPaC if: 1) the scope or location of the proposed Action is changed; 2) new information reveals that the action may affect federally listed species or federally designated critical habitat in a manner or to an extent not previously considered; 3) the Action is modified in a manner that causes effects to listed species or designated critical habitat; or 4) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation with the Service should take place before project changes are final or resources committed.

Species-specific information

Listed Plants: You have indicated that your Action will have no effect (NE) on a threatened or endangered plant species. Although your Federal Endangered Species Act requirements are met, we recommend you contact the Minnesota or Wisconsin Department of Natural Resources regarding compliance with state law. **You may need a state permit if your Action will harm state-listed plants.**

Bald and Golden Eagles: Bald eagles, golden eagles, and their nests are protected under the Bald and Golden Eagle Protection Act (54 Stat. 250, as amended, 16 U.S.C. 668a-d) (Eagle Act). The Eagle Act prohibits, except when authorized by an Eagle Act permit, the “taking” of bald and golden eagles and defines “take” as “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb.” The Eagle Act’s implementing regulations define disturb as “... to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.”

If you observe a bald eagle nest in the vicinity of your proposed project, you should follow the [National Bald Eagle Management Guidelines \(May 2007\)](#). For more information on eagles and conducting activities in the vicinity of an eagle nest, please visit our [regional eagle website](#) or contact Margaret at Margaret.Martin@fws.gov. If the Action may affect bald or golden eagles, additional coordination with the Service under the Eagle Act may be required.

Coordination with the Service is not complete if additional coordination is advised above for any species.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Kewaune BUDDI

2. Description

The following description was provided for the project 'Kewaune BUDDI':

Adding beneficial use of dredged material options to the CDF operations at the Kewaunee CDF including mounding of material within the CDF and placement of clean dredged material along the shoreside bluff for stabilization.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@44.46581705,-87.49412522918283,14z>



QUALIFICATION INTERVIEW

1. This determination key is intended to assist the user in evaluating the effects of their actions on Federally listed species in Minnesota and Wisconsin. It does not cover other prohibited activities under the Endangered Species Act (e.g., for wildlife: import/export, Interstate or foreign commerce, possession of illegally taken wildlife, etc.; for plants: import/export, reduce to possession, malicious destruction on Federal lands, commercial sale, etc.) or other statutes. Additionally, this key DOES NOT cover wind development, purposeful take (e.g., for research or surveys), communication towers that have guy wires or are over 450 feet in height, aerial or other large-scale application of any chemical (such as insecticide or herbicide), and approval of long-term permits or plans (e.g., FERC licenses, HCP's).

Click **YES** to acknowledge that you must consider other prohibitions of the ESA or other statutes outside of this determination key.

Yes

2. Is the action being funded, authorized, or carried out by a Federal agency?

Yes

3. Are you the Federal agency or designated non-federal representative?

Yes

4. Does the action involve the installation or operation of wind turbines?

No

5. Does the action involve purposeful take of a listed animal?

No

6. Does the action involve a new communications tower?

No

7. Does the activity involve aerial or other large-scale application of ANY chemical, including pesticides (insecticide, herbicide, fungicide, rodenticide, etc)?

No

8. Will your action permanently affect local hydrology?

No

9. Will your action temporarily affect local hydrology?

No

10. Will your project have any direct impacts to a stream or river (e.g., Horizontal Directional Drilling (HDD), hydrostatic testing, stream/road crossings, new stormwater outfall discharge, dams, other in-stream work, etc.)?

No

11. Does your project have the potential to impact the riparian zone or indirectly impact a stream/river (e.g., cut and fill; horizontal directional drilling; construction; vegetation removal; pesticide or fertilizer application; discharge; runoff of sediment or pollutants; increase in erosion, etc.)?

Note: Consider all potential effects of the action, including those that may happen later in time and outside and downstream of the immediate area involved in the action.

Endangered Species Act regulation defines "effects of the action" to include all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (50 CFR 402.02).

No

12. Will your action disturb the ground or existing vegetation?

Note: This includes any off-road vehicle access, soil compaction (enough to collapse a rodent burrow), digging, seismic survey, directional drilling, heavy equipment, grading, trenching, placement of fill, pesticide application (herbicide, fungicide), vegetation management (including removal or maintenance using equipment or prescribed fire), cultivation, development, etc.

Yes

13. Will your action include spraying insecticides?

No

14. Does your action area occur entirely within an already developed area?

Note: Already developed areas are already paved, covered by existing structures, manicured lawns, industrial sites, or cultivated cropland, AND do not contain trees that could be roosting habitat. Be aware that listed species may occur in areas with natural, or semi-natural, vegetation immediately adjacent to existing utilities (e.g. roadways, railways) or within utility rights-of-way such as overhead transmission line corridors, and can utilize suitable trees, bridges, or culverts for roosting even in urban dominated landscapes (so these are not considered "already developed areas" for the purposes of this question). If unsure, select NO..

No

15. Does the action occur in or within 500 meters of a calcareous wetland, fen, sedge meadow, or marsh suitable for Hine's emerald dragonfly? For more information on Hine's emerald dragonfly habitat, see this [link](#).

No

16. Does dwarf lake iris occur in the action area?

No

17. Will the action occur in suitable piping plover habitat?

No

18. Will the action occur during the piping plover migration season (April 1 through May 1 in spring OR August 15 through September 15 in the fall)?

Yes

19. [Hidden Semantic] Does the action area intersect the monarch butterfly species list area?

Automatically answered

Yes

20. Under the ESA, monarchs remain warranted but precluded by listing actions of higher priority. The monarch is a candidate for listing at this time. The Endangered Species Act does not establish protections or consultation requirements for candidate species. Some Federal and State agencies may have policy requirements to consider candidate species in planning. We encourage implementing measures that will remove or reduce threats to these species and possibly make listing unnecessary.

If your project will have no effect on monarch butterflies (for example, if your project won't affect their habitat or individuals), then you can make a "no effect" determination for this project.

Are you making a "no effect" determination for monarch?

No

21. Is this project funded, authorized, or carried out by the U.S. Fish and Wildlife Service?

No

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