



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, CHICAGO DISTRICT
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CHICAGO IL 60604

August 21, 2026

Environmental & Cultural Resources Section
Planning Branch

SUBJECT: Coastal Zone Management Act Federal Consistency Determination for
Manitowoc Harbor Federal Navigation Channel Dredging, Manitowoc 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 U.S. Army Corps of Engineers (USACE), Chicago District is planning to conduct maintenance dredging in the Manitowoc Harbor Federal Navigation Channel in Manitowoc, Wisconsin (Enclosure 1). The primary purpose of this federal action is to support the navigability of Manitowoc Harbor. Dredged material would be placed in-water to the north of the harbor or in the Manitowoc confined disposal facility.

PROJECT DESCRIPTION

Manitowoc Harbor has an authorized federal navigation channel located in Manitowoc, Wisconsin on the western shore of Lake Michigan (Enclosure 1). Construction, operation, and maintenance of the existing federal navigation project at the Manitowoc Harbor was authorized by the Rivers and Harbors Act of 1907. The authorized project depths are 25 ft in the entrance channel 22 ft in the inner channels, 12 ft at the upper end, and 10 ft adjacent to the confined disposal facility.

USACE performs maintenance dredging within the federal channel in order to maintain appropriate depth for vessels entering and exiting the harbor. Failure to continue maintenance dredging within the harbor would result in restricting access of vessels. Estimated dredging needs are 50,000 cubic yards, with the targeted dredge area being approximately 4,500 feet long from the mouth of the river to the entry channel of the harbor. Dredged material suitable for beneficial use will be placed in the near shore placement area north of the harbor (Enclosure 1). Any material not suitable for near shore placement will be placed in the Manitowoc confined disposal facility.

Section 7 coordination with the U.S. Fish and Wildlife Service (USFWS) has concluded that this project "May Effect, but is not Not Likely to Adversely Affect"

federally listed species that have been identified as being within the area. This finding was confirmed in an email from USFWS on July 7, 2026.

COASTAL ZONE MANAGEMENT ACT (CZMA of 1972)

Since the proposed work is within 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 resource under the Coastal Zone Management Act. 15 CDR 930.33(a)(1) states "Federal agencies shall, in making a 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 policies that appear to be applicable to the proposed dredging action at Manitowoc Harbor and placement in the near shore zone. 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 maintenance of water quality to allow recreation in and on the water to be achieved. [(See Wis. Stats. § 283.001(1)(b)].

Consistency of Project: The near shore area where the dredged material will be placed varies from shallow water to wet sandy flats which may provide feeding habitat for various birds, including the federally-listed threatened rufa red knot. Any birds in the near shore area would be transient, feeding or resting, and would likely move to other areas at the onset of work. The project would not impact water quality as the dredged material, as described under the evaluation of Policy 1.4 (below), meets the required State of Wisconsin standards for near shore placement.

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, dirt, and industrial, municipal and agricultural waste discharged into water. [(See Wis. Stats. §§ 283.01(13), 283.31(1) and 29.601. See managed uses #8 and #9)].

Consistency of Project: Some of the dredged material that will be generated from the Manitowoc Harbor Federal Navigation Channel as a result of the project is expected to be clean and suitable for beneficial reuse in the near shore placement area. Sediment testing indicates that the sediment is primarily fine sand with silt and clay. The levels of contaminants in the material are less than the 2003 State of Wisconsin's Level 1 Consensus-Based Sediment Quality Guidelines. Future nourishment activities will be based on current (generally within 5 years) testing of the dredged material. Material not meeting the near shore placement criteria will be placed in the Manitowoc confined disposal facility.

Policy 1.8: Waste treatment and disposal activities may be disapproved if they are not in conformance with approved areawide water quality management plans. Sewer extensions shall be allowed only where they are consistent with and enhance the policy of the state to restore and maintain the chemical, physical and biological integrity of its waters to protect public health, safeguard fish and aquatic life and scenic and ecological values and enhance the domestic, municipal, recreational, industrial, agricultural and other uses of water. (See Wis. Stats. §§ 281.17, 281.41 and 283.83, and Wis. Admin. Code ch. NR 121 and NR 110.05. See also managed use #17).

Consistency of Project: As noted above, the material meets State of Wisconsin standards for near shore placement for beneficial use and would not result in adverse water quality impacts. Additionally, the construction contractor will be required to abide by best management practices (BMPs) developed through the Clean Water Act Section 401 water quality certification (WQC) process with the State of Wisconsin.

Policy 1.15.1: No person may conduct an activity for which the Wisconsin Department of Natural Resources denies a required water quality certification. No person may violate a condition imposed by the department in a water quality certification. [(See Wis. Stats. § 281.17(10)].

Consistency of Project: All work in the water will be consistent with the required state WQC. No work will be conducted in regulated waters until the necessary WQC is obtained or waived.

Policy 1.26: For a construction site that has 5 or more acres of land-disturbing construction activity, a written plan shall be developed and implemented, incorporating best management practices, to control 80% of the sediment load. A written storm water management plan shall be developed and implemented for each post-construction site. (See Wis. Stats. § 281.65 and Wis. Admin. Code ch. NR 151, Sub. III).

Consistency of Project: All work is being conducted below the Ordinary High Water Mark; there is no land disturbing activity for this project. Therefore, a stormwater management plan is not required for this project. However, BMPs are being implemented to help reduce turbidity and other temporary impacts.

Policy 2.22: No person may discharge dredged or fill material into a nonfederal wetland unless the discharge is authorized by a water quality certification issued by the Wisconsin department of natural resources. No person may violate any condition imposed by the department in a water quality certification. The department may not issue a water quality certification for a nonfederal wetland unless it determines that the discharge will comply with all applicable water quality standards.(See Wis. Stats. § 281.36(2)(a))

Consistency of Project: All work in the water or near shore wetlands involving placement of dredged material will be consistent with the required state WQC. No work will be conducted in regulated waters or wetlands until the necessary WQC is obtained or waived.

CZMA FEDERAL CONSISTENCY DETERMINATION

Applicable enforceable policies of Appendix C of the State of Wisconsin Coastal Management Program were evaluated with respect to implementing the proposed project. Based on this evaluation, USACE has determined that the proposed project would be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of the Wisconsin Coastal Management Program. This is in accordance with 15 C.F.R § 930.

We request your concurrence with this consistency determination for the proposed project within 60 days in accordance with the Coastal Zone Management Act. Wisconsin's concurrence will be presumed if its response is not received by the USACE within 60 days in accordance with 15 C.F.R. §930.41. Should you have any questions regarding this USACE federal consistency determination, please contact Jason Zylka by email at jason.zylka@usace.army.mil or by telephone at 312-846-5311.

Sincerely,



Alex R. Hoxsie
Chief, Environmental & Cultural Resources
Planning Branch

Legend

Dredge area

Nearshore Placement

