



# STATE OF WISCONSIN

## DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor  
Kathy Blumenfeld, Secretary  
Dawn Vick, Division Administrator

*Sent via email only*

July 30, 2025

Charles A. Uhlarik, Chief  
Environmental Analysis Section  
U.S. Army Corps of Engineers, Detroit District  
477 Michigan Avenue  
Detroit, MI 48226-2550

Re: Wisconsin Coastal Management Program: U.S. Army Corps of Engineers Deepening of the Menominee Harbor Federal Navigation Project in Menominee, Michigan and Marinette, Wisconsin; Federal Consistency Review

Dear Mr. Uhlarik:

The Wisconsin Coastal Management Program (WCMP) has reviewed materials provided by the U.S. Army Corps Engineers (USACE) for activities associated with deepening of the Menominee Harbor Federal Navigation Project in Menominee, Michigan, and Marinette, Wisconsin. WCMP received the Consistency Determination letter on May 27, 2025. As described in the Consistency Determination letter provided by USACE, the proposed action includes deepening a 2.7 mile stretch of the federal navigation channel up to 26 feet below the Low Water Datum (LWD) elevation of 577.5 feet (IGLD 1985) plus 2 feet of over depth. The quantity of material dredged would be approximately 553,000 cubic yards (CY), including 51,000 CY of bedrock in the upper reaches of the harbor that would be fractured for removal by blasting. With the exception of two dredging units, all the dredged material would be placed in one or more of three open-water sites in Green Bay. The bedrock stone would be provided for beneficial reuse, if a beneficial reuse application becomes available, but would otherwise also be placed in the open-water site(s). A draft integrated feasibility report and environmental assessment is available on the USACE Digital Library, <https://usace.contentdm.oclc.org/digital/collection/p16021coll7/id/27585>.

Under Section 307 of the Coastal Zone Management Act (16 U.S. Code § 1456 and 15 CFR Part 930), federal consistency requires that federal actions with reasonably foreseeable effects on coastal uses or resources should be consistent with the state Coastal Management Program's enforceable policies. The proposed activities are within Wisconsin's Coastal Zone, which extends to the county line for each of Wisconsin's coastal counties.

USACE's consistency determination letter included an evaluation of the proposed federal action for consistency with the state's enforceable policies. USACE found that the proposed federal action would be undertaken in a manner which is consistent to the maximum extent practicable with the enforceable policies of the State of Wisconsin. WCMP's enforceable policies are included in [Attachment C: Specific State Coastal Policies of Wisconsin Coastal Management Program: A Strategic Vision for the Great Lakes](#), available on the WCMP website, <http://coastal.wisconsin.gov>.

WCMP published notice of the federal action in the *Eagle Herald*, the *Wisconsin State Journal*, and on its website. The public comment period ended on June 30, 2025. WCMP did not receive any comments on the project.

Although it is the lead for federal consistency review in the state, WCMP relies on other state agencies for evaluating projects undergoing federal consistency review. The enforceable policies that are relevant to the proposed USACE actions are based on regulations that the Wisconsin Department of Natural Resources (DNR) enforces and will be addressed through DNR review. WCMP staff met with DNR staff to discuss the project.

DNR has not yet issued Clean Water Act Section 401 Water Quality Certification. DNR's review will take more time than federal consistency review period under 15 CFR Part 930, Subpart C.

In accordance with Section 307 of the Coastal Zone Management Act and 15 CFR 930, Subpart C, and 15 CFR § 930.4, WCMP is issuing a conditional concurrence. WCMP concurs with the consistency certification, if the following condition is met:

**Condition: Water Quality Certification**

USACE is proposing activities that may affect water quality of Lake Michigan and the Menominee River. The DNR's Water Quality Certification will ensure that the federal action is consistent with Wisconsin's enforceable policies. The condition will be met when DNR provides a Water Quality Certification.

**Enforceable policies:**

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))

1.3) Discharge of effluents, including industrial, municipal and agricultural wastes, into any waters of the state shall not be allowed if they exceed federal and state water quality standards. (See Wis. Stats. §§ 283.11-.31, and Wis. Admin. Code ch. NR 221 to 297). (See also managed use #8).

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. §§ 283.01(13), 283.31(1) and 29.601). (See also managed uses #8 and #9).

Please notify WCMP immediately if the condition cannot be met. If the condition is not met, as outlined in 15 CFR § 930.4, the conditional concurrence will be treated as an objection.

This conditional concurrence does not exempt the project from any other necessary permits that may be required under other federal, state, or local regulations. If you have any questions, please contact me at 608-267-7982 or [michael.friis@wisconsin.gov](mailto:michael.friis@wisconsin.gov).

Sincerely,



Michael Friis, Director  
Resource Policy Bureau  
Wisconsin Coastal Management Program

cc: Paul Allarding, U.S. Army Corps of Engineers  
Kate Angel, Wisconsin Coastal Management Program  
Dawn Vick, Division of Intergovernmental Relations  
Sara Szabo, Wisconsin Department of Natural Resources

Enc: