

APPENDIX D: Correspondence with Coastal Management Zone Program Administrators

From: Westerbur, Amber (DNR) <amber.westerbur@state.mn.us>
Sent: Tuesday, December 12, 2023 3:17 PM
To: Simmons, Koehl <Koehl.Simmons@kimley-horn.com>
Subject: RE: Blatnik Bridge Project and Lake Superior Coastal Program

Hi Koehl,

Thanks you so much for reaching out! Due to the fact the project is still in the planning stages, it is too early for a federal consistency determination. We look forward to consulting with you again when you're ready to obtain your federal and/or state permits.

Please note that if both the state and a federal agency require a permit for the same activity, the issuance of the state permit will meet our requirements for federal consistency. You will not need to follow-up with the Coastal Program. However, if a state permit is not required, additional action on your part may be necessary. The full details are in [Minnesota's Federal Consistency Manual](#), starting on page 10.

I appreciate you giving consideration to federal consistency. If more questions arise, don't hesitate to call or email me. I'm happy to help.

Best,
Amber

Amber Westerbur (she/her/hers)
Program Manager | Minnesota's Lake Superior Coastal Program

Minnesota Department of Natural Resources

1568 Highway 2
Two Harbors, MN 55616
Phone: 218-834-1445
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Email: amber.westerbur@state.mn.us
mndnr.gov



From: Simmons, Koehl <Koehl.Simmons@kimley-horn.com>

Sent: Friday, December 1, 2023 3:48 PM

To: Westerbur, Amber (DNR) <amber.westerbur@state.mn.us>; McDonnell, Julie (DNR) <julie.mcdonnell@state.mn.us>; Little, Clinton J (DNR) <clinton.little@state.mn.us>

Cc: MN_MLSCP (DNR) <MLSCP.DNR@state.mn.us>; Stolte, Aaron <Aaron.Stolte@kimley-horn.com>

Subject: Blatnik Bridge Project and Lake Superior Coastal Program

Hello,

We are working with MnDOT on the EA/EAW for the Blatnik Bridge Project and we are looking to get some clarification and documentation on impacts to the Lake Superior Coastal Zone. Specifically, we need a letter or documentation/an email that states one of these:

- The coastal zone management act doesn't apply to the project. OR
- The project has been determined to not negatively affect land or water uses within the boundary and it meets federal consistency without requiring mitigation. OR
- The project has been determined to meet federal consistency provided mitigation measures(s) are incorporated into the project.
 - If this is what we would need to do, please let us know more information about this, if it works I can give you a call to explain the project and work through this

If it helps, this is the text we have regarding coastal zones and the coastal management program currently in the EA/EAW:

Minnesota's Lake Superior Coastal Program – Section 309 Assessment and Strategies for 2011-2015

The Coastal Program's goal is to preserve, protect, develop, and, where possible, restore or enhance coastal resources along Minnesota's North Shore of Lake Superior. Although the Blatnik Bridge is within the Coastal Boundary, the strategies and priorities in the Lake Superior Coastal Program are directed at activities and land use development surrounding the coast. This plan does not make any recommendations relevant to the Blatnik Bridge.

Coastal Zones

The project is within the Minnesota and Wisconsin Coastal Zones as defined by each state's respective Coastal Management program. The project is not located within a Coastal Barrier Resource System.

The full document is on project webpage: <https://www.dot.state.mn.us/d1/projects/blatnik-bridge/>
Direct Link: https://edocs-public.dot.state.mn.us/edocs_public/DMResultSet/download?docId=35540146

If you have any questions or would like to discuss this further, please don't hesitate to email me back or give me a call! 612-474-4945

Thank you,
Koehl

Koehl Simmons, AICP

Kimley-Horn | 767 Eustis Street, Suite 100, St. Paul, MN 55114

Direct: 612 474 4945 | www.kimley-horn.com

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From: Angel, Kathleen - DOA <Kathleen.Angel@wisconsin.gov>
Sent: Monday, December 11, 2023 5:50 PM
To: Stolte, Aaron <Aaron.Stolte@kimley-horn.com>; Simmons, Koehl <Koehl.Simmons@kimley-horn.com>
Subject: RE: Blatnik Bridge Project and Wisconsin Coastal Management Program

Aaron,

Thank you for the additional information. It's always a little awkward with this type of project, where someone needs a federal consistency determination early in the process, before all of the permitting has been figured out. At this point, I expect that all of WCMP's concerns will be addressed through any permitting processes that you may go through with WDNR. Provided you continue to coordinate with WDOT (and through them, WDNR), and receive and follow the conditions of any associated permits, you will be fine. That is, once you receive any required WDNR permits, you may presume federal consistency and nothing more will be needed from our office.

I hope that will be sufficient for your paperwork/checklist. Please let me know if you need anything else.

Best,

Kate



Kathleen Angel | Program Manager
Wisconsin Coastal Management Program
Division of Intergovernmental Relations
PO Box 8944
Madison, WI 53708-8944
Phone: (608) 267-7988
kathleen.angel@wisconsin.gov
www.coastal.wisconsin.gov

From: Stolte, Aaron <Aaron.Stolte@kimley-horn.com>
Sent: Monday, December 11, 2023 8:00 AM
To: Angel, Kathleen - DOA <Kathleen.Angel@wisconsin.gov>; Simmons, Koehl <Koehl.Simmons@kimley-horn.com>
Subject: RE: Blatnik Bridge Project and Wisconsin Coastal Management Program

Good morning Kate,

Yes WisDOT and the DNR have been coordinating since 2020 on project development. Attached is a letter that was issued for the project as part of the EA development. The DOTs are working on finalizing NEPA commitments in the FONSI which includes addressing the issues raised in this letter.

As Koehl mentioned in his original email – the USCG has requested that we receive documentation (via a letter or email) that states one of these:

1. The coastal zone management act doesn't apply to the project.
2. **The project has been determined to not negatively affect land or water uses within the boundary and it meets federal consistency without requiring mitigation.**
3. The project has been determined to meet federal consistency provided mitigation measures(s) are incorporated into the project.

Based on the information raised in the letter and lack of reference to WCMP; do you believe the second scenario applies to this project? Assuming the DOT continues to coordinate with the DNR. Let us know if you need more information.

Thank you,
Aaron

Aaron Stolte

Kimley-Horn | 767 Eustis Street, Suite 100, St. Paul, MN
55114 Direct: 612 326 9510 | Mobile: 651 491 4798

From: Angel, Kathleen - DOA <Kathleen.Angel@wisconsin.gov>
Sent: Friday, December 8, 2023 5:16 PM
To: Simmons, Koehl <Koehl.Simmons@kimley-horn.com>
Cc: Stolte, Aaron <Aaron.Stolte@kimley-horn.com>
Subject: RE: Blatnik Bridge Project and Wisconsin Coastal Management Program

Thank you for the additional information, Koehl. It sounds like WisDOT is working with our DNR, likely through their cooperative agreement. That's good to know. Most of WCMP's (potential) concerns should be covered by their reviews. Without knowing where those conversations are at, I think at this point I'd just recommend that you continue to work with WisDOT and WDNR to make sure they have all the documentation they need. I doubt WCMP will require mitigation or other changes outside of what WDOT and WDNR require. But we will want to make sure that those agencies have a chance to fully review the project.

Kate

From: Simmons, Koehl <Koehl.Simmons@kimley-horn.com>
Sent: Thursday, December 7, 2023 6:05 PM
To: Angel, Kathleen - DOA <Kathleen.Angel@wisconsin.gov>
Cc: Stolte, Aaron <Aaron.Stolte@kimley-horn.com>
Subject: RE: Blatnik Bridge Project and Wisconsin Coastal Management Program

Hi Kate,

Thank you for reaching out! We will review the program document you sent over. To give you some context, we are currently finishing up the environmental document (EA/EAW) and there is also some preliminary engineering going on for the project. WisDOT and MnDOT are leading the project together and the Wisconsin DNR is a cooperating agency as well. There is FHWA involvement and we are applying federal funding to complete the project, construction cannot begin until the project is funded. Let me know if you have any questions or want to talk about it!

Koehl

Koehl Simmons | **Kimley-Horn** | Direct: 612 474 4945

From: Angel, Kathleen - DOA <Kathleen.Angel@wisconsin.gov>
Sent: Thursday, December 7, 2023 5:41 PM
To: Simmons, Koehl <Koehl.Simmons@kimley-horn.com>
Subject: RE: Blatnik Bridge Project and Wisconsin Coastal Management Program

Hello Koehl,

Thank you for reaching out on the project. I received your voicemail, as well.

The links you provided lead to information with Minnesota DOT. Have you also been coordinating with the Wisconsin DOT and/or the Wisconsin Department of Natural Resources? Also, are you receiving federal funding or is there some other kind of federal government involvement? And, I couldn't tell if there is any on-the-ground work planned or if the project is just a plan at this point. Can you let me know what stage you are at? That will help me to understand what policies may apply.

The Wisconsin Coastal Management Program's enforceable policies come from Wisconsin Statutes and Codes that are implemented by other state agencies. You can find our policies in our program document:

https://doa.wi.gov/DIR/Coastal_Strategic-Vision-for-Great-Lakes-2007.pdf

Best,

Kate



Kathleen Angel | Program Manager
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Division of Intergovernmental Relations
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From: Simmons, Koehl <Koehl.Simmons@kimley-horn.com>

Sent: Friday, December 1, 2023 3:50 PM

To: Friis, Michael J - DOA <Michael.Friis@wisconsin.gov>; Angel, Kathleen - DOA <Kathleen.Angel@wisconsin.gov>; Breiby, Todd E - DOA <Todd.Breiby@wisconsin.gov>; Leckwee, Lauren K - DOA <Lauren.Leckwee@wisconsin.gov>

Cc: DOA DIR Rpt <DOADIRRpt@wisconsin.gov>; Stolte, Aaron <Aaron.Stolte@kimley-horn.com>

Subject: Blatnik Bridge Project and Wisconsin Coastal Management Program

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Direct Link: https://edocs-public.dot.state.mn.us/edocs_public/DMResultSet/download?docId=35540146

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Thank you,
Koehl

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