MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER RESOURCES DIVISION
PERMIT

ISSUED TO:

Melching
16942 Woodlane Drive
Nunica, MI 49448

Permit No.	12-61-0056-P
Issued	September 4, 2012
Extended	
Revised	
Expires	September 4, 2017

This permit is being issued by the Michigan Department of Environmental Quality (MDEQ) under the provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), and specifically:

- ☒ **Part 301, Inland Lakes and Streams**
- ☐ **Part 325, Great Lakes Submerged Lands**
- ☐ **Part 303, Wetlands Protection**
- ☐ **Part 31, Floodplain/Water Resources Protection**
- ☐ **Part 315, Dam Safety**
- ☐ **Part 323, Shorelands Protection and Management**
- ☐ **Part 353, Sand Dunes Protection and Management**

Permission is hereby granted, based on permittee assurance of adherence to State of Michigan requirements and permit conditions, to:

Permitted Activity: A United States Army Corps of Engineers permit is required before this work can be conducted. Install fourteen (14) spring piles and two (2) dolphins a maximum of 3 feet in diameter within an existing basin of Muskegon Lake. All work shall be done in accordance with attached plans and permit specifications.

Water Course Affected: Muskegon Lake
Property Location: Muskegon **County,** City of Muskegon, **Section** 34
Town/Range 10N, 17W **Property Tax No.** 61 24 205 598 0002 00

Authority granted by this permit is subject to the following limitations:

A. Initiation of any work on the permitted project confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit.
B. The permittee, in exercising the authority granted by this permit, shall not cause unlawful pollution as defined by Part 31, Water Resources Protection, of the NREPA.
C. This permit shall be kept at the site of the work and available for inspection at all times during the duration of the project or until its date of expiration.
D. All work shall be completed in accordance with the plans and specifications submitted with the application and/or plans and specifications attached to this permit.
E. No attempt shall be made by the permittee to forbid the full and free use by the public of public waters at or adjacent to the structure or work approved.
F. It is made a requirement of this permit that the permittee give notice to public utilities in accordance with Act 53 of the Public Act of 1974 and comply with each of the requirements of that Act.
G. This permit does not convey property rights in either real estate or material, nor does it authorize any injury to private property or invasion of public or private rights, nor does it waive the necessity of seeking federal assent, all local permits, or complying with other state statutes.
H. This permit does not prejudice or limit the right of a riparian owner or other person to institute proceedings in any circuit court of this state when necessary to protect his rights.

I. Permittee shall notify the MDEQ within one week after the completion of the activity authorized by this permit, by completing and forwarding the attached preaddressed postcard to the office addressed thereon.
J. This permit shall not be assigned or transferred without the written approval of the MDEQ.

K. Failure to comply with conditions of this permit may subject the permittee to revocation of permit and criminal and/or civil action as cited by the specific state act, federal act, and/or rule under which this permit is granted.
L. All dredged or excavated materials shall be disposed of in an upland site (outside of floodplains, unless exempt under Part 31, and wetland).
M. In issuing this permit, the MDEQ has relied on the information and data that the permittee has provided in connection with the submitted application for permit. If, subsequent to the issuance of a permit, such information and data prove to be false, incomplete, or inaccurate, the MDEQ may modify, revoke, or suspend the permit, in whole or in part, in accordance with the new information.
N. The permittee shall indemnify and hold harmless the State of Michigan and its departments, agencies, officials, employees, agents and representatives for any and all claims or causes of action arising from acts or omissions of the permittee or employees, agents, or representatives of the permittee undertaken in connection with this permit. This permit shall not be construed as an indemnity by the State of Michigan for the benefit of the permittee or any other person.
O. Noncompliance with these terms and conditions and/or the initiation of other regulated activities not specifically authorized shall be cause for the modification, suspension, or revocation of this permit, in whole or in part. Further, the MDEQ may initiate criminal and/or civil proceedings as may be deemed necessary to correct project deficiencies, protect natural resource values, and secure compliance with statutes.
P. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity from the MDEQ. Such revision request shall include complete documentation supporting the modification and revised plans detailing the proposed modification. Proposed modifications must be approved, in writing, by the MDEQ prior to being implemented.
Q. This permit may be transferred to another person upon written approval of the MDEQ. The permittee must submit a written request to the MDEQ to transfer the permit to the new owner. The new owner must also submit a written request to the MDEQ to accept transfer. The new owner must agree, in writing, to accept all conditions of the permit. A single letter signed by both parties which includes all the above information may be provided to the MDEQ. The MDEQ will review the request and if approved, will provide written notification to the new owner.
R. Prior to initiating permitted construction, the permittee is required to provide a copy of the permit to the contractor(s) for review. The property owner, contractor(s), and any agent involved in exercising the permit are held responsible to ensure that the project is constructed in accordance with all drawings and specifications. The contractor is required to provide a copy of the permit to all subcontractors doing work authorized by the permit.
S. Construction must be undertaken and completed during the dry period of the wetland. If the area does not dry out, construction shall be done on equipment mats to prevent compaction of the soil.
T. Authority granted by this permit does not waive permit requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from the County Enforcing Agent.
U. Authority granted by this permit does not waive permit requirements under the authority of Part 305, Natural Rivers, of the NREPA. A Natural Rivers Zoning Permit may be required for construction, land alteration, streambank stabilization, or vegetation removal along or near a natural river.
V. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.

W. Unless specifically stated in this permit, construction pads, haul roads, temporary structures, or other structural appurtenances to be placed in a wetland or on bottomland of the waterbody are not authorized and shall not be constructed unless authorized by a separate permit or permit revision granted in accordance with the applicable law.

X. For projects with potential impacts to fish spawning or migration, no work shall occur within fish spawning or migration timelines (i.e., windows) unless otherwise approved in writing by the MDNR, Fisheries Division.

Y. Work to be done under authority of this permit is further subject to the following special instructions and specifications:

1. Dredging is not authorized by this permit.

2. Authority granted by this permit does not waive any jurisdiction of the United States Army Corps of Engineers.

3. This permit does not authorize or sanction work which has been completed in violation of applicable federal, state, or local statutes.

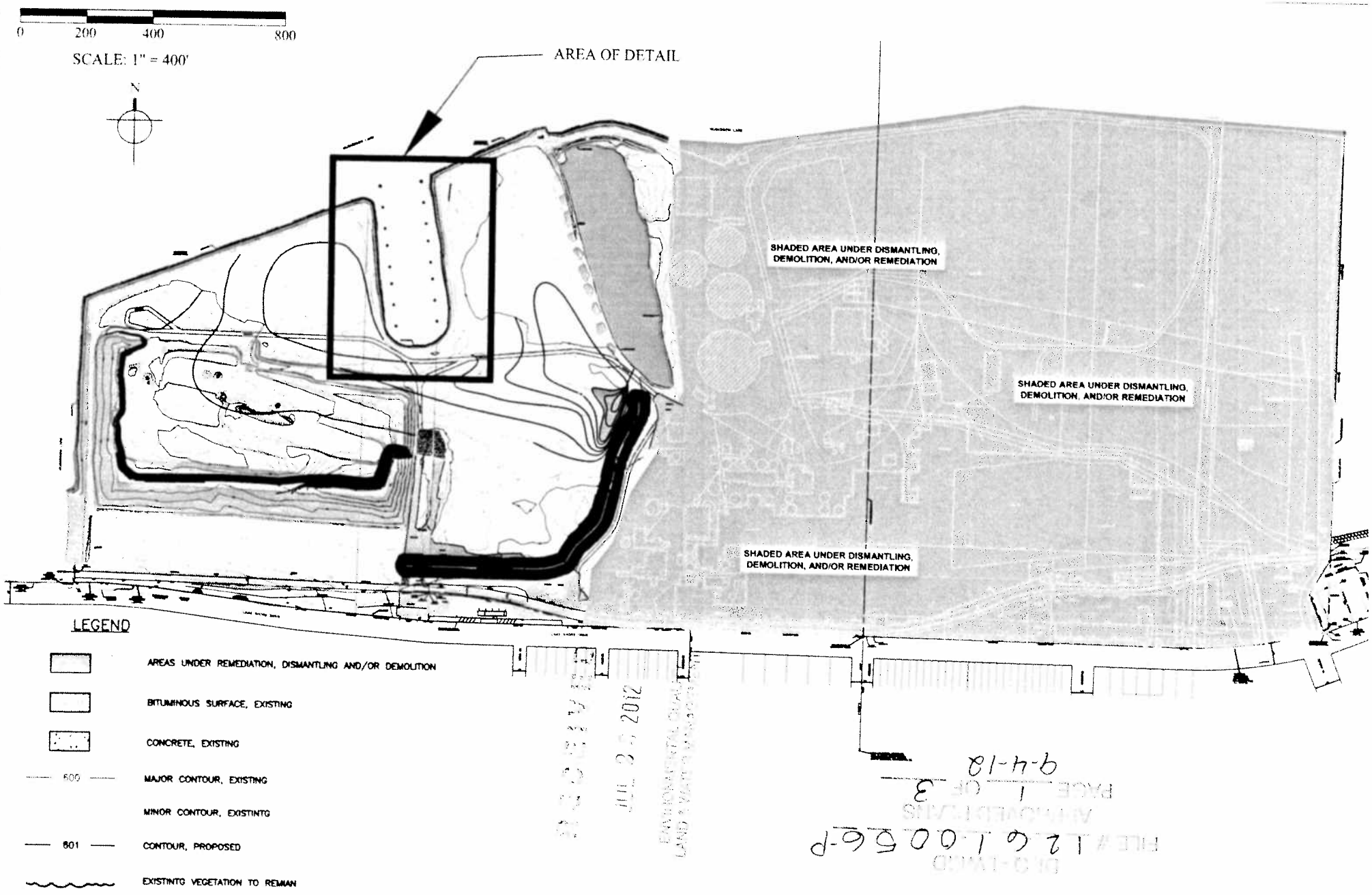
4. Every precaution shall be taken to prevent debris from entering any watercourse. Any debris reaching the watercourse during the construction of the structure shall be immediately retrieved from the water. All material shall be disposed of in an acceptable manner consistent with local, state, and federal regulations.

5. This permit is being issued for the maximum time allowed under Part 301, Inland Lakes and Streams, of the Natural Resources and Environmental Protection Act, PA 451 of 1994, as amended, including all permit extensions allowed under the administrative rules R 281.813. Therefore, no extensions of this permit will be granted. Initiation of the construction work authorized by this permit indicates the permittee's acceptance of this condition. The permit, when signed by the MDEQ, will be for a five-year period beginning at the date of issuance.

By: Nancy Cuncannan

Nancy Cuncannan
Water Resources Division
616-356-0209

cc: City of Muskegon Clerk
Muskegon CEA
Mr. Philip Johnson, Agent



Resource Planning & Design, LLC
Environmental Planners & Consultants
105 W. Exchange Street, Spring Lake, Michigan 49456
Phone (616) 846-0620 Fax (616) 844-6079
Specializing in Conservation Design & Open Space Planning

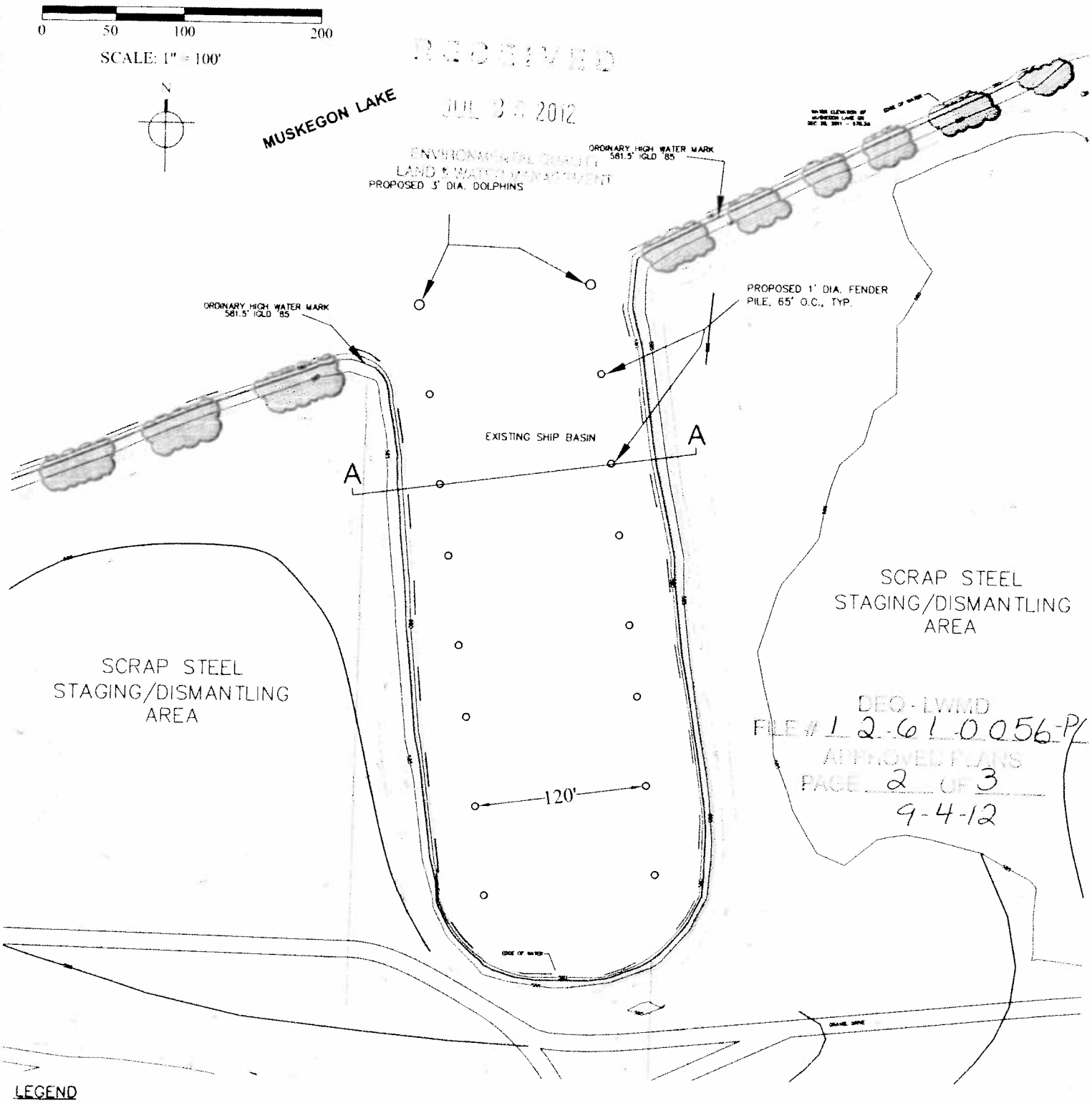
SITE PLAN
MELCHING INC.

T10N, R17W, SECTIONS 34 & 35
CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

DATE: JUNE 2012
DRAWN BY: DNP
FILE: Melching_Property.dwg

SHEET 2 OF 4

BASE TOPOGRAPHICAL SURVEY
MOORE & BRUGGINK INC.
Consulting Engineers
Grand Rapids, Michigan



RECEIVED
JUL 3 0 2012
ENVIRONMENTAL QUALITY
LAND & WATER MANAGEMENT

DEQ - LWMD
FILE # 12-61-0056-P
APPROVED PLANS
PAGE 2 OF 3
9-4-12

LEGEND

600	MAJOR CONTOUR, EXISTING
	MINOR CONTOUR, EXISTINTG
601	CONTOUR, PROPOSED
	EXISTINTG VEGETATION TO REMIAN

NOTES

- 2 PROPOSED 3' DIA DOLPHINS
- 14 PROPOSED 1' DIA FENDER PILE

BASE TOPOGRAPHICAL SURVEY
MOORE & BRUGGINK INC.
Consulting Engineers
Grand Rapids, Michigan

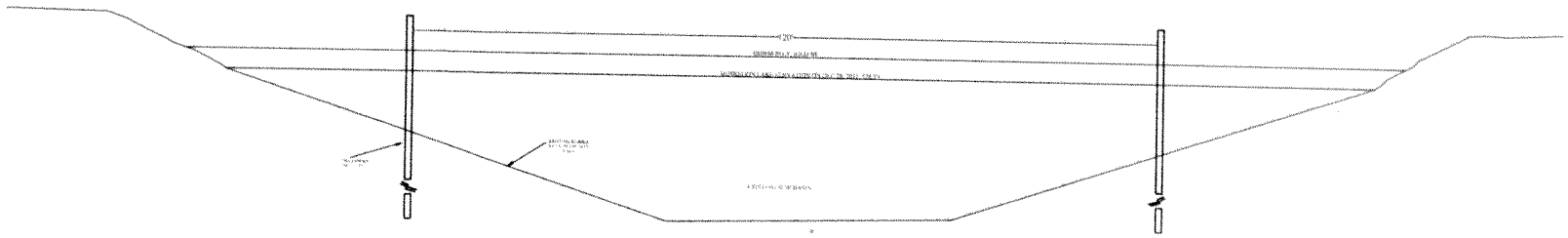
Resource Planning & Design, LLC
Environmental Planners & Consultants
105 W. Exchange Street, Spring Lake, Michigan 49456
Phone (616) 846-0620 Fax (616) 844-6079
Specializing in Conservation Design & Open Space Planning

SITE DETAIL
MELCHING INC.
T10N, R17W, SECTIONS 34 & 35
CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

DATE: JUNE 2012
DRAWN BY: DNP
FILE: Melching_Property.dwg

DEQ-LWMD
FILE # L2-61-0056-P
APPROVED PLANS
PAGE 3 OF 3
9-4-12

RECEIVED
JUL 23 2012
ENVIRONMENTAL QUALITY
LAND & WATER MANAGEMENT



SECTION AA SCALE: 1" = 30'

Resource Planning & Design, LLC
Environmental Planners & Consultants
105 W. Exchange Street, Spring Lake, Michigan 49456
Phone (616) 846-0620 Fax (616) 844-6079
Specializing in Conservation Design & Open Space Planning

SECTION
MELCHING INC.
T10N, R17W, SECTIONS 34 & 35
CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

DATE: JUNE 2012
DRAWN BY: DNP
FILE: Melching_Property.dwg

SHEET 4 OF 4

Notice of Authorization

Permit Number 12-61-0056-P

Issued: September 4, 2012
Expiration Date: September 4, 2017

The Michigan Department of Environmental Quality, Water Resources Division, P.O. Box 30458, Lansing, Michigan 48909-7958, under provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and specifically:

- ☐ Part 31, Floodplain Regulatory Authority of the Water Resources Protection.
- ☒ Part 301, Inland Lakes and Streams.
- ☐ Part 303, Wetlands Protection.
- ☐ Part 315, Dam Safety.
- ☐ Part 323, Shorelands Protection and Management.
- ☐ Part 325, Great Lakes Submerged Lands.
- ☐ Part 353, Sand Dunes Protection and Management.

Authorized activity:

A United States Army Corps of Engineers permit is required before this work can be conducted. Install fourteen (14) spring piles and two (2) dolphins a maximum of 3 feet in diameter within an existing basin of Muskegon Lake. All work shall be done in accordance with attached plans and permit specifications.

To be conducted at property located in: Muskegon County, Waterbody: Muskegon Lake
Section 34 , Town 10N, Range 17W, City of Muskegon.

Permittee: Melching
16942 Woodlane Drive
Nunica, MI 49448

Nancy Cuncannan
Water Resources Division
616-356-0209

This notice must be displayed at the site of work.
Laminating this notice or utilizing sheet protectors is recommended.

Please refer to the above Permit Number with any questions or concerns.