Michigan Department of Environment, Great Lakes, and Energy
Certification under Section 401 of the Federal Clean Water Act

In the matter of: Navigational Maintenance Dredging of White Lake Harbor Federal Navigational Channel and Beach Nourishment Project
Muskegon County, Michigan
Department of the Army
Detroit District, Corps of Engineers

The Michigan Department of Environment, Great Lakes, and Energy (EGLE) certifies that the proposed dredging by the United States Army Corps of Engineers (USACE) in the White Lake Harbor federal navigational channel and the beach application of dredged materials on the shoreline will comply with Section 401 of the federal Clean Water Act and the Michigan Water Quality Standards, provided that the conditions set forth in this Section 401 Water Quality Certification (Certification) are met. This Certification is based on the August 19, 2026, request from the USACE and information provided with that request.

Certification Conditions:

1. The Grand Rapids District Supervisor, EGLE, shall be notified 48 hours prior to the commencement of dredging operations in the White Lake Harbor federal navigational channel.

2. Initiation of any work on this project confirms the USACE acceptance and agreement to comply with all terms and conditions of this Certification.

3. Due to fisheries concerns in the area, dredging dates are restricted as outlined in the Michigan Department of Natural Resources (MDNR), Fisheries Division, Preferred Dredging Periods document, unless modification to the established dates is requested by USACE staff and approved in writing by MDNR, Fisheries Division, staff. Any letter of approval or denial of this condition should be forwarded to the EGLE Grand Rapids District Supervisor.

4. The dredging operation shall be limited to the boundaries of the White Lake Harbor federal navigational channel as defined in Figure 1. The dredged material beach nourishment location shall be restricted to the area beginning 1,000 feet south of the southern breakwater and extending 9,000 feet south and 1,000 feet north of the northern breakwater and extending 9,300 feet north, between the ordinary highwater mark and the 8-foot depth contour (Figure 1).

5. Open water disposal of sediments associated with this project is not allowed.

6. During dredging, the resuspension of silt, other fine particles or materials, oils, and films shall be maintained below quantities that are, or may become, injurious to any designated uses by careful equipment operation and, if necessary, the use of an environmental bucket or hydraulic dredge, floating booms, silt curtains or screens, and other suitable means.

7. The application of dredged materials on the shoreline shall not have any unnatural physical properties (turbidity, color, oil film, floating solids, foams, settleable solids, suspended solids, or deposits) in quantities that are, or may become, injurious to any designated uses. Any unusual characteristics of the discharge shall be reported immediately to the Grand Rapids District Supervisor, EGLE, followed by a written report within 10 days detailing the findings of the investigation and steps taken to correct the condition(s).

8. It is the duty of the USACE to comply with all the terms and conditions of this Certification. Any noncompliance with the conditions or terms of this Certification constitutes a violation of the Michigan Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and/or the Federal Water Pollution Control Act and constitutes grounds for enforcement action; Certification termination; revocation, reissuance, or modification; or denial of a future application.

9. Civil and Criminal Liability

   Nothing in this Certification shall be construed to relieve the USACE from civil or criminal penalties for noncompliance, regardless of whether such noncompliance is due to factors beyond the USACE control, such as accidents, equipment breakdowns, labor disputes, or contractor performance.

10. Oil and Hazardous Substance Liability
    Nothing in this Certification shall be construed to preclude the institution of any legal action or relieve the USACE from any responsibilities, liabilities, or penalties to which the USACE may be subject under Section 311 of the Federal Water Pollution Control Act except as are exempted by federal regulations.
11. State Laws

    Nothing in this Certification shall be construed to preclude the institution of any legal action or relieve the USACE from any responsibilities, liabilities, or penalties established pursuant to any applicable state or federal law.

12. Natural Resources Damages and Penalties

    The State of Michigan reserves the right to seek civil and/or criminal penalties and liabilities under applicable law for natural resource damages that may occur.

13. Certifications and Approvals

    Nothing herein shall relieve the USACE from the requirement to obtain any other necessary state, federal, or local permits, including other permits from EGLE, certifications, licenses, or approvals for the beach application of dredge materials and navigational dredging operations.

14. This certification supersedes all previous certifications issued for the White Lake Harbor Federal Navigation Channel and upon issuance of this certification all other certifications become void.

Issued this XXth day of December 2026 and shall expire on the XXth day of December 2031.

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Alyssa Riley, Acting Manager
Great Lakes Watersheds Assessment, Restoration, and Management Section
Water Resources Division



Figure 1. White Lake Harbor dredging and beach nourishment areas.

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