



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, DETROIT DISTRICT
477 MICHIGAN AVENUE ROOM 603
DETROIT MI 48226-2550

February 12, 2024

Regulatory Branch
File No. LRE-2010-00304-52-S17-2

Scott Bosgraaf
North Shores of Saugatuck, LLC
148 South River Avenue, Suite 100
Holland, Michigan 49423

Dear Mr. Bosgraaf:

Refer to your application for a Department of the Army (DA) permit to construct a marina in the Kalamazoo River in Saugatuck Township, Michigan. We have received a copy of a letter sent to you by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), wherein they deny your request as submitted (copy enclosed).

Paragraph 320.4(j)(1) of the regulations for the Regulatory Program of the Corps of Engineers, published in the Federal Register on November 13, 1986, states that the DA permit will be denied without prejudice when required State or local authorization and/or certification has been denied. Therefore, your permit request is denied as of this date.

At this point in our evaluation, it appears the detriments of your project as currently proposed may have outweighed the benefits to the overall public interest. Specifically, the project would adversely affect the Kalamazoo River Mouth Traditional Cultural Property (TCP). The mitigation proposed to date does not appear adequate to resolve the adverse effects to the TCP. In addition, the mitigation plans related to the archaeological site of Singapore lack sufficient detail, as identified in our letter of January 26, 2024. We understand that the Michigan State Historic Preservation Office, consulting Tribes, and other consulting parties have requested further studies to identify archaeological resources. If you choose to seek a permit for a modified project or attempt to resolve EGLE's concerns on your current proposal, we recommend that you engage the Corps of Engineers and other consulting parties in discussion of further identification efforts. We remain available for discussion and review of studies in a pre-application capacity.

If you intend to appeal the EGLE decision to deny your initial request, please keep us advised so that we may determine if proposed modifications to your proposal would be acceptable under Corps regulations. Should you receive an EGLE permit, you must contact us to obtain a DA permit. Work can be accomplished only after receipt of a DA permit. There is no assurance that you will receive a DA permit after satisfactory resolution with the EGLE.

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Should you have any questions, please contact Katie Otanez at the above address, by E-Mail at Katie.L.Otanez@usace.army.mil, or by telephone at (313) 226-5479. In all communications, please refer to File Number LRE-2010-00304-52-S17-2.

Sincerely,

A handwritten signature in black ink that reads "Charles M. Simon". The signature is written in a cursive style with a clear, legible font.

Charles M. Simon
Chief, Regulatory Branch
Operations Division

Enclosure

Copy Furnished

EGLE, 03-3574 Dugout Road & 6500 135th Avenue-Saugatuck
USACE, Grand Haven Field Office