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AS PROPOSED:

BMP – Chapter 12 – Non-Tidal Shoreline Structures

SUGGESTION(s):

This BMP suggests a number of things that appear to indicate that the Shoreland Protection Act trumps intelligent dock design and includes “less impacting alternative” language (the WQSPA does not).

The concept of “avoidance and minimization” needs to be eliminated as it relates to dockage. If the theory of permitting surface area is ultimately approved, then how can one minimize or avoid anything that is allowed by rule?

The BMP states “...*Try to locate docks in an area that would not require vegetation removal.*” This is poor dock design criteria and may result in docks that cannot be used safely by boats. Docks should be designed to be situated in the best possible location(s) in-the-water considering factors such as water depth, rocks or other hazards, prevailing currents and/or wind, safe access around abutting structures, safe separation of swimming and boating uses, etc., not designed around the shoreland.

The WQSPA does not require minimization and avoidance but does require paths that do not concentrate storm water. These things can be achieved with intelligent planning, but a dock system must be designed around the specific water (offshore) conditions at the site, not necessarily upland characteristics.

Respectfully Submitted,



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