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Please consider these comments and suggestions regarding proposed rule, Env-Wt 513.24(c)(3) and 513.25(c)(3):

As written, both of these rules bump a project up to “Major” status solely based upon a dock being “adjacent” to a breakwater which often has no other “trigger” for review of a Major project (such as fill in public waters).

*(c)(3) The dock is proposed to be adjacent to or attached to a breakwater or wave attenuator.*

We suggest eliminating the “adjacent” and “wave attenuator” as follows:

*(c)(3) The dock is proposed to be attached to a breakwater.*

This will reduce work-load on staff as many of the projects that get sent to the Executive Council are “adjacent” with little or no work at all on the true trigger (the breakwater fill in public waters).

This also eliminates arguments over that is “adjacent” to a breakwater.

We suggest removal of the “wave attenuator” language as based upon our comments on the definition of “Wave Attenuator” then these structures are not fill and therefore not necessarily of interest to the Executive Council’s review of fill in public waters.

Thank you for considering these comments and suggestions.

Respectfully Submitted,



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