



WFWOComments, FW1 &lt;wfwocomments@fws.gov&gt;

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## WDNR Aquatic Lands HCP DEIS

1 message

**ALAN GRUBE** <alanlg@me.com>

Mon, Dec 15, 2014 at 11:27 PM

To: "WFWOComments@fws.gov" &lt;WFWOComments@fws.gov&gt;

Cc: ALAN GRUBE &lt;alanlg@mac.com&gt;

I respectfully forward the attached NYBA letter that has been shared with me. Although I am not a broker, I support the points as outlined because I care for the boating culture in this corner of paradise. My boating club in Tacoma has sent along a similar letter on behalf of hundreds of members. I've been a boating enthusiast for the last twenty-plus years. My recreation has always held paramount the care for our beautiful PNW aquatic environment. Conservatively I've contributed hundreds of thousands of dollars to the PNW economy by virtue of boating products, services and patronizing businesses throughout the region. Please take the time to consider the points being made by the NYBA and provide public review and discussion. This is crucial. The impact of the HCP could dramatically impact and reduce participation in this segment of our economy.

Best Regards,

Alan Grube

Alan and Patti Grube  
"Jackie B" American Tug 34 #63  
Tel: 360.921.4681  
Blog: <http://jackie-b.org/>

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### 2 attachments



**pastedGraphic.tiff**  
188K



**NYBA Member Letter to DNR.docx**  
57K

## NORTHWEST YACHT BROKERS ASSOCIATION

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901 Fairview Avenue North, Suite A-190  
Seattle, Washington 98109  
Phone: 206.748.0012  
Fax: 206.748.0161  
www.nwyachtbrokers.com



December 15, 2014

Mr. Tim Romanski  
U.S. Fish & Wildlife Service  
510 Desmond Drive SE, Suite 102 Lacey, WA 98503

Mr. Scott Anderson  
NOAA Fisheries  
510 Desmond Drive SE, Suite 103 Lacey, WA 98503

**RE:** *Comments and concerns from members of the Northwest Yacht Broker's Association (NYBA) on Department of Natural Resources Habitat Conservation Plan -- "WDNR Aquatic Lands HCP DEIS"*

Dear Mr. Romanski & Mr. Anderson:

I am writing this comment letter on behalf of (**Enter your Company Name Here**) and as a member of the Northwest Yacht Brokers Association which is a nonprofit marine trade group consisting of hundreds of marine brokers, dealers, and industry related professionals representing the interests of recreational boaters.

While I appreciate the opportunity to comment on the DNR's Aquatic Lands HCP Draft Environmental Impact Statement (EIS), I must convey that I have significant concerns with the Draft EIS as it now stands. The document, especially the Chapter 5 provisions governing the "Operating Conservation Program," raise a series of alarming questions and concerns in our minds, and would dramatically increase the costs of boathouses and overwater structures. My concerns and the concerns of my constituents are as follows:

- **There is insufficient time being given for public comment:** We understand the DNR has spent the better part of 12 years working on this HCP, which will have major ramifications and will serve as the first HCP of its kind in the nation. Yet the public is being given a mere 90 days to comment on the document. We would like to reinforce earlier requests you have fielded and urge that the comment period be extended at least two months.
- **As a landmark document, this HCP needs to be kept focused on the task at hand – endangered and threatened species:** Again, given the precedent-setting nature of this HCP, it is critical it be done right and that it be focused on the task at hand – measures that help protect endangered and threatened species. That is not the case with this Draft EIS. As we understand it, this EIS outline measures to protect 29 species overall, only 14

of which are listed. In other words, more than half the species covered by this Draft EIS are *not* listed as threatened or endangered.

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- **The implications of requiring boathouse and marine projects to be moved to deeper waters are not well-defined and are not well-known:** The natural result of this Draft EIS will be to require boathouses and marina facilities to be constructed in deeper waters, and yet the HCP does not define why that is necessary, state what it will achieve, or provide any cost-benefit analysis of this requirement. This will place a significant financial hardship on marina operators throughout the state, many of whom have been operating safely and responsibly for decades.
- **Are there less costly and stringent standards that can still allow for ESA compliance?:** This documents lays out a wide array of very stringent and very costly measures, but gives us very little understanding of whether there are alternatives that can still allow for ESA compliance thresholds to be met.
- **Are there already underlying regulations that can afford ESA protection?:** From information we have recently received, it is our understanding that there are ESA protection mechanisms within current regulatory structures and that the DNR is significantly exceeding the “do no harm” standard of underlying regulations with more stringent and costly proposed HCP regulations. The proposed HCP aims to recover and restore habitat to un-impacted pre-development condition through blanket prescriptions, a goal that exceeds existing federal and state habitat management goals and regulations.
- **DNR may be going beyond its legal authority by factoring these provisions into existing lease renewals and permits:** We need to do more follow-up on specific examples provided to us, but we are concerned the DNR may be going outside and beyond its legal authority by taking the provisions from Chapter 5 and making them lease and/or permit conditions with existing Yacht Club renewals. We would like to be shown the authority for DNR as a state agency to enforce provisions from a document that is still in “Draft” status. We are told that the agency is currently implementing conservation measures but we have not seen these, we are not aware of when or how they were developed, and we are not aware of any public process for them.
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In summary, I have major concerns regarding this HCP and what it will mean for overwater structures and breakwaters. I urge that the DNR work with us on reasonable alternatives rather than imposing a series of extremely costly standards upon responsible and law-abiding boat clubs and marina operators.

Thank you for taking the time to review these issues.

Sincerely,

**(YOUR NAME HERE)**



WFWOComments, FW1 &lt;wfwocomments@fws.gov&gt;

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## WDNR Aquatic Lands HCP DEIS

1 message

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**Mark Gilbert** <mark.gilbert@nordhavn.com>  
To: WFWOComments@fws.gov

Mon, Dec 15, 2014 at 4:17 PM

December 15, 2014

Mr. Tim Romanski  
U.S. Fish & Wildlife Service  
510 Desmond Drive SE, Suite 102 Lacey, WA 98503

Mr. Scott Anderson  
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510 Desmond Drive SE, Suite 103 Lacey, WA 98503

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Dear Mr. Romanski & Mr. Anderson:

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Thank you for taking the time to review these issues.

Sincerely,

Mark Gilbert, CPYB

Nordhavn Yachts Northwest  
(at Elliott Bay Marina)  
2601 W. Marina Place, Suite S  
Seattle, WA 98199  
USA  
206-223-3624 office  
206-223-3628 fax  
206-300-1325 cell  
mark.gilbert@nordhavn.com  
www.nordhavn.com



WFWOComments, FW1 <wfwocomments@fws.gov>

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## WDNR Aquatic Lands HCP DEIS

1 message

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**Patrick Kelley** <pat@blackfishusa.com>

Mon, Dec 15, 2014 at 9:08 PM

To: WFWOComments@fws.gov

Please see attached.

Thank You,

Capt. Patrick Kelley – Silver Seas Yachts

Certified Professional yacht Broker (CPYB)

USCG 100-Ton Master (Lic # USA000118806)

206-683-6492

pat@BlackfishUSA.com

www.SilverSeasYachts.com



**NYBA Member Letter to DNR.docx**

61K

## NORTHWEST YACHT BROKERS ASSOCIATION

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901 Fairview Avenue North, Suite A-190  
Seattle, Washington 98109  
Phone: 206.748.0012  
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December 15, 2014

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U.S. Fish & Wildlife Service  
510 Desmond Drive SE, Suite 102 Lacey, WA 98503

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**RE:** *Comments and concerns from members of the Northwest Yacht Broker's Association (NYBA) on Department of Natural Resources Habitat Conservation Plan -- "WDNR Aquatic Lands HCP DEIS"*

Dear Mr. Romanski & Mr. Anderson:

I am writing this comment letter on behalf of **Silver Seas Yachts, Blackfish Marine** and as a member of the Northwest Yacht Brokers Association which is a nonprofit marine trade group consisting of hundreds of marine brokers, dealers, and industry related professionals representing the interests of recreational boaters.

While I appreciate the opportunity to comment on the DNR's Aquatic Lands HCP Draft Environmental Impact Statement (EIS), I must convey that I have significant concerns with the Draft EIS as it now stands. The document, especially the Chapter 5 provisions governing the "Operating Conservation Program," raise a series of alarming questions and concerns in our minds, and would dramatically increase the costs of boathouses and overwater structures. My concerns and the concerns of my constituents are as follows:

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**206-683-6492**  
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WFWOComments, FW1 <wfwocomments@fws.gov>

## WDNR Aquatic Lands HCP DEIS

1 message

**Scott Hauck** <scott@hamptonyachtgroup.com>  
To: "WFWOComments@fws.gov" <WFWOComments@fws.gov>

Mon, Dec 15, 2014 at 3:36 PM

Dear Sirs,

Please see attached letter.

Best Regards,

## Scott Hauck CPYB

CERTIFIED PROFESSIONAL YACHT BROKER

MOBILE PHONE: 206.931.2660

EMAIL: scott@hamptonyachtgroup.com



HAMPTON YACHT GROUP

SEATTLE • NEWPORT BEACH • SHANGHAI • SANYA

**SCOTT HAUCK – CPYB**

901 Fairview Avenue North · Suite A-150 · Seattle, WA 98109  
Phone: 206.623.5200 · Mobile: 206.931.2660 · Fax: 206.623.5219  
Email: scott@hamptonyachtgroup.com · Web: hamptonyachtgroup.com



**NYBA Member Letter to DNR.pdf**

279K

## NORTHWEST YACHT BROKERS ASSOCIATION

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December 15, 2014

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Dear Mr. Romanski & Mr. Anderson:

I am writing this comment letter on behalf of **Hampton Yacht Group** and as a member of the Northwest Yacht Brokers Association which is a nonprofit marine trade group consisting of hundreds of marine brokers, dealers, and industry related professionals representing the interests of recreational boaters.

While I appreciate the opportunity to comment on the DNR's Aquatic Lands HCP Draft Environmental Impact Statement (EIS), I must convey that I have significant concerns with the Draft EIS as it now stands. The document, especially the Chapter 5 provisions governing the "Operating Conservation Program," raise a series of alarming questions and concerns in our minds, and would dramatically increase the costs of boathouses and overwater structures. My concerns and the concerns of my constituents are as follows:

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## NYBA Member Letter to DNR

1 message

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**Steve Thoreson** <S.Thoreson@lakeunionsearay.com>

Mon, Dec 15, 2014 at 3:39 PM

To: "WFWOcomments@fws.gov" <WFWOcomments@fws.gov>

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Regards,

Steve Thoreson

Lake Union Sea Ray



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I am writing this comment letter on behalf of Lake Union Sea Ray and as a member of the Northwest Yacht Brokers Association which is a nonprofit marine trade group consisting of hundreds of marine brokers, dealers, and industry related professionals representing the interests of recreational boaters.

While I appreciate the opportunity to comment on the DNR's Aquatic Lands HCP Draft Environmental Impact Statement (EIS), I must convey that I have significant concerns with the Draft EIS as it now stands. The document, especially the Chapter 5 provisions governing the "Operating Conservation Program," raise a series of alarming questions and concerns in our minds, and would dramatically increase the costs of boathouses and overwater structures. My concerns and the concerns of my constituents are as follows:

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In summary, I have major concerns regarding this HCP and what it will mean for overwater structures and breakwaters. I urge that the DNR work with us on reasonable alternatives rather than imposing a series of extremely costly standards upon responsible and law-abiding boat clubs and marina operators.

Thank you for taking the time to review these issues.

Sincerely,

**Steve Thoreson**



WFWOComments, FW1 &lt;wfwocomments@fws.gov&gt;

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**WDNR Aquatic Lands HCP DEIS**

1 message

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**Doug** <doug@scanmarineusa.com>  
To: WFWOComments@fws.gov  
Cc: Scan Marine Equipment <info@scanmarineusa.com>

Tue, Dec 16, 2014 at 9:00 AM

December 16, 2014

To:

Mr. Tim Romanski  
U.S. Fish & Wildlife Service  
510 Desmond Drive SE, Suite 102 Lacey, WA 98503

Mr. Scott Anderson  
NOAA Fisheries  
510 Desmond Drive SE, Suite 103 Lacey, WA 98503

Dear Mr. Romanski, Mr. Anderson:

I am writing this comment letter on behalf of Scan Marine Equipment and as a member of the Northwest Yacht Brokers Association, which is a nonprofit marine trade group consisting of hundreds of marine brokers, dealers, and industry related professionals representing the interests of recreational boaters.

Our company carries a significant stake in the outcome of this issue and how it might impact our customer base and our own business. While I appreciate the opportunity to comment on the DNR's Aquatic Lands HCP Draft Environmental Impact Statement (EIS), I must convey that I have significant concerns with the Draft EIS as it now stands. The document, especially the Chapter 5 provisions governing the "Operating Conservation Program," raise a series of alarming questions and concerns in our minds, and would dramatically increase the costs of boathouses and overwater structures. My concerns and the concerns of my constituents are as follows:

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Thank you for taking the time to review these issues.

Sincerely,



**Doug McElroy**

**VP – Owner**

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WFWOComments, FW1 &lt;wfwocomments@fws.gov&gt;

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**FW: Habitat Conservation Plan**

1 message

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**Jed Ethers** <jede@johnlscott.com>  
To: "WFWOComments@fws.gov" <WFWOComments@fws.gov>

Tue, Dec 16, 2014 at 10:23 AM

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**From:** Jed Ethers  
**Sent:** Tuesday, December 16, 2014 10:21 AM  
**To:** 'WFWOComments@fws.gov.'  
**Subject:** Habitat Conservation Plan

Please review attached letter for consideration.

*Jed Ethers***Managing Broker | John L. Scott Seattle/South Lake Union****901 Fairview Ave N. Suite C-120 Seattle, WA 98109****C: 206.892.8584 | O: 206.448.9600 | F: 206.260.9086****[www.SellSeattle.com](http://www.SellSeattle.com)**

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**Letter to DNR.docx**

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## NORTHWEST YACHT BROKERS ASSOCIATION

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901 Fairview Avenue North, Suite A-190  
Seattle, Washington 98109  
Phone: 206.748.0012  
Fax: 206.748.0161  
www.nwyachtbrokers.com



December 15, 2014

Mr. Tim Romanski  
U.S. Fish & Wildlife Service  
510 Desmond Drive SE, Suite 102 Lacey, WA 98503

Mr. Scott Anderson  
NOAA Fisheries  
510 Desmond Drive SE, Suite 103 Lacey, WA 98503

**RE:** *Comments and concerns from members of the Northwest Yacht Broker's Association (NYBA) on Department of Natural Resources Habitat Conservation Plan -- "WDNR Aquatic Lands HCP DEIS"*

Dear Mr. Romanski & Mr. Anderson:

I am writing this comment letter on behalf of **John L. Scott South Lake Union** and as a member of the Northwest Yacht Brokers Association which is a nonprofit marine trade group consisting of hundreds of marine brokers, dealers, and industry related professionals representing the interests of recreational boaters.

While I appreciate the opportunity to comment on the DNR's Aquatic Lands HCP Draft Environmental Impact Statement (EIS), I must convey that I have significant concerns with the Draft EIS as it now stands. The document, especially the Chapter 5 provisions governing the "Operating Conservation Program," raise a series of alarming questions and concerns in our minds, and would dramatically increase the costs of boathouses and overwater structures. My concerns and the concerns of my constituents are as follows:

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**DO NOT MOVE THIS ACTION FORWARD!**

Thank you for taking the time to review these issues.

Sincerely,

**Jed Etters**



WFWOComments, FW1 &lt;wfwocomments@fws.gov&gt;

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## WDNR Aquatic Lands HCP DEIS

1 message

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**Jon Heisel** <jon@irwinyachtsales.com>

Tue, Dec 16, 2014 at 3:44 PM

To: WFWOComments@fws.gov

To whom it concerns, please find my letter attached.

Respectfully,

**Jon Heisel**

**Yacht Broker**

Irwin Yacht Sales - Seattle

1001 Fairview Ave N - Suite 1200

Seattle, WA 98109

(425) 359-5341 Cell

(206) 632-2975 Fax

Office : Tuesday thru Saturday

Sunday/Monday By Appointment

jon@irwinyachtsales.com

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**NYBA Member Letter to DNR.pdf**

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## NORTHWEST YACHT BROKERS ASSOCIATION

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901 Fairview Avenue North, Suite A-190  
Seattle, Washington 98109  
Phone: 206.748.0012  
Fax: 206.748.0161  
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December 15, 2014

Mr. Tim Romanski  
U.S. Fish & Wildlife Service  
510 Desmond Drive SE, Suite 102 Lacey, WA 98503

Mr. Scott Anderson  
NOAA Fisheries  
510 Desmond Drive SE, Suite 103 Lacey, WA 98503

**RE:** *Comments and concerns from members of the Northwest Yacht Broker's Association (NYBA) on Department of Natural Resources Habitat Conservation Plan -- "WDNR Aquatic Lands HCP DEIS"*

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Sincerely,

**Jon Heisel**



WFWOComments, FW1 <wfwocomments@fws.gov>

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## DNR HCP plan comments

1 message

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**Sandy Williamson** <sandeb2@gmail.com>

Tue, Dec 16, 2014 at 8:21 AM

To: WFWOComments@fws.gov

please see attached comments.

Sandy&Debbie Williamson, owners WORDyachts.com /fb & WORDBoats.com /fb & EcoCruisers.net /fb  
S cell:253-376-8273 or 888-387-1963 Spanaway WA 98387 near Tacoma-Seattle (f) 815-346-3397

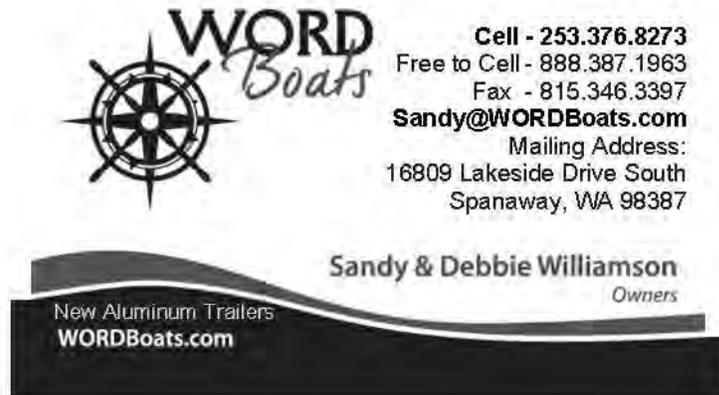
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 **word.boats. Letter to DNR .docx**  
119K

December 15, 2014

Mr. Tim Romanski  
U.S. Fish & Wildlife  
Service  
510 Desmond Drive SE,  
Suite 102 Lacey, WA  
98503

Mr. Scott Anderson  
NOAA Fisheries  
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Thank you for taking the time to review these issues.

Sincerely,

**Alex K. (Sandy) Williamson, owner**  
**WORD BOATS LLC and WORD YACHTS LLC AND HELICAT LLC**

# NORDHAVN YACHTS NORTHWEST

2601 W. Marina Place, Suite S, Seattle WA 98199  
Phone 206.223.3624 Facsimile 206.223.3628  
www.nordhavn.com E-Mail: nwsales@nordhavn.com

A Division of Pacific Asian Enterprises Incorporated

NOV 17 2014

DEC 17 2014

December 15, 2014

Mr. Tim Romanski  
U.S. Fish & Wildlife Service  
510 Desmond Drive SE, Suite 102 Lacey, WA 98503

Mr. Scott Anderson  
NOAA Fisheries  
510 Desmond Drive SE, Suite 103 Lacey, WA 98503

**RE: *Comments and concerns from members of the Northwest Yacht Broker's Association (NYBA) on Department of Natural Resources Habitat Conservation Plan -- "WDNR Aquatic Lands HCP DEIS"***

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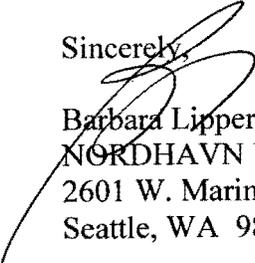
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Barbara Lippert, CPYB  
NORDHAVN YACHTS NW  
2601 W. Marina Place  
Seattle, WA 98199

DEC 17 2014

December 15, 2014

Mr. Tim Romanski  
U.S. Fish & Wildlife Service  
510 Desmond Drive SE, Suite 102 Lacey, WA 98503

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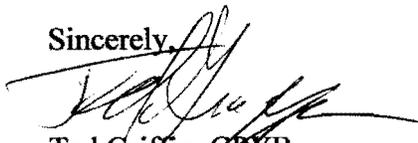
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Sincerely,



Ted Griffin, CPYB  
Owner/ Manager



WFWOComments, FW1 &lt;wfwocomments@fws.gov&gt;

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## WDNR Aquatic Lands HCP DEIS

1 message

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**Tim Jorgeson** <timjorgeson@marinesc.com>  
To: WFWOComments@fws.gov

Wed, Dec 17, 2014 at 10:44 AM

December 17, 2014

Mr. Tim Romanski  
U.S. Fish & Wildlife Service  
510 Desmond Drive SE, Suite 102 Lacey, WA 98503

Mr. Scott Anderson  
NOAA Fisheries  
510 Desmond Drive SE, Suite 103 Lacey, WA 98503

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*Timothy J. Jorgeson*

**Timothy J Jorgeson - Certified Professional Yacht Broker**

Mobile 206/276-5079 | tim@marinesc.com



**Marine Servicenter**

2442 Westlake Ave. N. | Seattle, WA 98109

Office: 206-323-2405 | Fax: 206-328-0655 | [www.marinesc.com](http://www.marinesc.com)

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Northwest Yachts | <http://northwestyachts.com/>



WFWOCComments, FW1 &lt;wfwocomments@fws.gov&gt;

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## WDNR Aquatic Lands HCP DEIS

1 message

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**Brian Krantz** <brian@ipysales.com>

Fri, Dec 19, 2014 at 7:18 PM

To: WFWOCComments@fws.gov

### NORTHWEST YACHT BROKERS ASSOCIATION

901 Fairview Avenue North, Suite A-190  
Seattle, Washington 98109

Phone: 206.748.0012

Fax: 206.748.0161

www.nwyachtbrokers.com

December 15, 2014

Mr. Tim Romanski  
U.S. Fish & Wildlife Service  
510 Desmond Drive SE, Suite 102 Lacey, WA 98503Mr. Scott Anderson  
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Thank you for taking the time to review these issues.

Sincerely,

Best Wishes,

Brian Krantz CPYB  
360.298.1111





WFWOComments, FW1 <wfwocomments@fws.gov>

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## WDNR Aquatic Lands HCP DEIS

2 messages

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**Paul Cocks** <paul@1gigharbor.com>

Fri, Dec 19, 2014 at 11:23 AM

To: WFWOComments@fws.gov

Attached.

Paul Cocks  
General Manager  
Gig Harbor Ship & Yacht Brokers  
Gig Harbor Yacht Sales  
3111 Harbor View Drive, Suite 300A  
Gig Harbor, WA  
18779 Front St., Suite 100,  
PO Box 1993,  
Poulsbo, WA  
Cell :- 253-320-4049  
Email :- paul@1gigharbor.com  
Web :- www.1gigharbor.com



**NYBA Member Letter to DNR.docx**

60K

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**WFWOComments, FW1** <wfwocomments@fws.gov>

Fri, Dec 19, 2014 at 1:39 PM

To: lalena.amiotte@dnr.wa.gov

[Quoted text hidden]



**NYBA Member Letter to DNR.docx**

60K

## NORTHWEST YACHT BROKERS ASSOCIATION

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901 Fairview Avenue North, Suite A-190  
Seattle, Washington 98109  
Phone: 206.748.0012  
Fax: 206.748.0161  
www.nwyachtbrokers.com



December 15, 2014

Mr. Tim Romanski  
U.S. Fish & Wildlife Service  
510 Desmond Drive SE, Suite 102 Lacey, WA 98503

Mr. Scott Anderson  
NOAA Fisheries  
510 Desmond Drive SE, Suite 103 Lacey, WA 98503

**RE:** *Comments and concerns from members of the Northwest Yacht Broker's Association (NYBA) on Department of Natural Resources Habitat Conservation Plan -- "WDNR Aquatic Lands HCP DEIS"*

Dear Mr. Romanski & Mr. Anderson:

I am writing this comment letter on behalf of **Gig Harbor Yacht Sales** and as a member of the Northwest Yacht Brokers Association which is a nonprofit marine trade group consisting of hundreds of marine brokers, dealers, and industry related professionals representing the interests of recreational boaters.

While I appreciate the opportunity to comment on the DNR's Aquatic Lands HCP Draft Environmental Impact Statement (EIS), I must convey that I have significant concerns with the Draft EIS as it now stands. The document, especially the Chapter 5 provisions governing the "Operating Conservation Program," raise a series of alarming questions and concerns in our minds, and would dramatically increase the costs of boathouses and overwater structures. My concerns and the concerns of my constituents are as follows:

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Sincerely,

**Paul Cocks**



WFWOComments, FW1 <wfwocomments@fws.gov>

---

## WDNR Aquatic Lands HCP DEIS

1 message

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**yachtguy@comcast.net** <yachtguy@comcast.net>

Sat, Dec 20, 2014 at 12:26 PM

To: WFWOComments@fws.gov

Please read the attached.

Greg Youell CPYB  
Hidden Harbor Yachts, LLC  
1500 Westlake Ave. N  
Suite 110  
Seattle, WA 98109  
Phone 206-285-4199  
FAX 206-284-2974  
<http://www.hiddenharboryachts.com>

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 **NYBA Member Letter to DNR-1.docx**  
57K

## NORTHWEST YACHT BROKERS ASSOCIATION

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901 Fairview Avenue North, Suite A-190  
Seattle, Washington 98109  
Phone: 206.748.0012  
Fax: 206.748.0161  
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December 15, 2014

Mr. Tim Romanski  
U.S. Fish & Wildlife Service  
510 Desmond Drive SE, Suite 102 Lacey, WA 98503

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510 Desmond Drive SE, Suite 103 Lacey, WA 98503

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**Greg Youell**



WFWOComments, FW1 &lt;wfwocomments@fws.gov&gt;

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**WDNR AQUATIC LANDS HCP DEIS**

1 message

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**Marcie Miles** <yachts@cnw.com>  
To: WFWOComments@fws.gov

Sat, Dec 20, 2014 at 12:42 PM

December 20, 2014

Mr. Tim Romanski  
U.S. Fish & Wildlife Service  
510 Desmond Drive SE, Suite 102 Lacey, WA 98503  
Mr. Scott Anderson  
NOAA Fisheries  
510 Desmond Drive SE, Suite 103 Lacey, WA 98503

**RE:** *on Department of Natural Resources Habitat Conservation Plan -- "WDNR Aquatic Lands HCP DEIS"*

Dear Mr. Romanski & Mr. Anderson:

We are writing this comment letter on behalf of our business, La Conner Yacht Sales and as a member of the Northwest Yacht Brokers Association which is a nonprofit marine trade group consisting of hundreds of marine brokers, dealers, and industry related professionals representing the interests of recreational boaters.

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Sincerely,

### **La Conner Yacht Sales**

Art Kaplan

Marcie Miles

Carter Francois

--

Marcie Miles, Co-Owner  
Certified Professional Yacht Broker (CPYB)  
LA CONNER YACHT SALES  
PH: 360-466-3300  
FAX: 360-466-3533  
TF: 800-232-8879  
www.laconneryachtsales.com

When the power of love overcomes the love of power  
The world will know peace~



WFWOCComments, FW1 &lt;wfwocomments@fws.gov&gt;

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## WDNR Aquatic Lands HCP DEIS

1 message

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**Rick Ashleman** <rashleman@comcast.net>  
To: WFWOCComments@fws.gov

Wed, Dec 31, 2014 at 5:42 PM

December 31, 2014

Mr. Tim Romanski  
U.S. Fish & Wildlife Service  
510 Desmond Drive SE, Suite 102 Lacey, WA 98503

Mr. Scott Anderson  
NOAA Fisheries  
510 Desmond Drive SE, Suite 103 Lacey, WA 98503

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- **As a landmark document, this HCP needs to be kept focused on the task at hand – endangered and threatened species:** Again, given the precedent-setting nature of this HCP, it is critical it be done right and that it be focused on the task at hand – measures that help protect endangered and threatened species. That is not the case with this Draft EIS. As we understand it, this EIS outline measures to protect 29 species overall, only 14 of which are listed. In other words, more than half the species covered by this Draft EIS are *not* listed as threatened or endangered.
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In summary, I have major concerns regarding this HCP and what it will mean for overwater structures and breakwaters. I urge that the DNR work with us on reasonable alternatives rather than imposing a series of extremely costly standards upon responsible and law-abiding boat clubs and marina operators.

Thank you for taking the time to review these issues.

Sincerely,

**Richard Ashleman**

Life Long Washington Boater and Resident

19803 15 Ave NW

Shoreline, WA 98177

rashleman@comcast.net

Rick Ashleman

206.949.5729



**Comment letter to DNR.docx**

17K

December 31, 2014

Mr. Tim Romanski  
U.S. Fish & Wildlife Service  
510 Desmond Drive SE, Suite 102 Lacey, WA 98503

Mr. Scott Anderson  
NOAA Fisheries  
510 Desmond Drive SE, Suite 103 Lacey, WA 98503

**RE:** *Comments and concerns from members of the Northwest Yacht Broker's Association (NYBA) on Department of Natural Resources Habitat Conservation Plan -- "WDNR Aquatic Lands HCP DEIS"*

Dear Mr. Romanski & Mr. Anderson:

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- **There is insufficient time being given for public comment:** We understand the DNR has spent the better part of 12 years working on this HCP, which will have major ramifications and will serve as the first HCP of its kind in the nation. Yet the public is being given a mere 90 days to comment on the document. We would like to reinforce earlier requests you have fielded and urge that the comment period be extended at least two months. **Additionally, while there was reportedly an extension through the end of December, 2014, there was no mention on your website of the new date.**
- **As a landmark document, this HCP needs to be kept focused on the task at hand – endangered and threatened species:** Again, given the precedent-setting nature of this HCP, it is critical it be done right and that it be focused on the task at hand – measures that help protect endangered and threatened species. That is not the case with this Draft EIS. As we understand it, this EIS outline measures to protect 29 species overall, only 14 of which are listed. In other words, more than half the species covered by this Draft EIS are *not* listed as threatened or endangered.
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**Richard Ashleman**

Life long Washington Boater and Resident  
19803 15 Ave NW  
Shoreline, WA 98177



WFWOComments, FW1 &lt;wfwocomments@fws.gov&gt;

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## WDNR Aquatic Lands HCP DEIS

1 message

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**Robert Berglund** <bobnwyachtmet@gmail.com>

Wed, Dec 31, 2014 at 11:45 AM

To: WFWOComments@fws.gov

Mr. Tim Romanski  
U.S. Fish & Wildlife Service  
510 Desmond Drive SE, Suite 102 Lacey, WA 98503

Mr. Scott Anderson  
NOAA Fisheries  
510 Desmond Drive SE, Suite 103 Lacey, WA 98503

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Dear Mr. Romanski & Mr. Anderson:

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While I appreciate the opportunity to comment on the DNR's Aquatic Lands HCP Draft Environmental Impact Statement (EIS), I must convey that I have significant concerns with the Draft EIS as it now stands. The document, especially the Chapter 5 provisions governing the "Operating Conservation Program," raise a series of alarming questions and concerns in our minds, and would dramatically increase the costs of boathouses and overwater structures. My concerns and the concerns of my constituents are as follows:

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Sincerely,

Robert Berglund and Kurt Kingman

*Bob Berglund CPYB*

**NW YACHTNET**

1717 Dock Street

Tacoma, Wa. 98402

1-360-701-2747 cell

bob@nwyachtnet.com

www.nwyachtnet.com

*Scan*

**WOLFE MARINE SALES, INC.  
2925 FAIRVIEW AVE E # 101  
SEATTLE WA, 98102**

December 22, 2014

Mr. Tim Romanski  
U.S. Fish & Wildlife Service  
510 Desmond Drive SE, Suite 102 Lacey, WA 98503

Mr. Scott Anderson  
NOAA Fisheries  
510 Desmond Drive SE, Suite 103 Lacey, WA 98503

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WFWOComments, FW1 &lt;wfwocomments@fws.gov&gt;

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**WDNR Aquatic Lands HCP DEIS**

2 messages

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**Mike Schoppert** <mike@americantugs.com>  
To: WFWOComments@fws.gov

Thu, Dec 18, 2014 at 9:40 AM

December 15, 2014

Mr. Tim Romanski  
U.S. Fish & Wildlife Service  
510 Desmond Drive SE, Suite 102 Lacey, WA 98503Mr. Scott Anderson  
NOAA Fisheries  
510 Desmond Drive SE, Suite 103 Lacey, WA 98503**RE:** *Comments and concerns from members of the Northwest Yacht Broker's Association (NYBA) on Department of Natural Resources Habitat Conservation Plan -- "WDNR Aquatic Lands HCP DEIS"*

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Sincerely,

*Mike Schoppert*

Tomco Marine Group Inc.

Builder of the American Tug

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WFWOComments, FW1 <fwocomments@fws.gov>  
To: lalena.amiotte@dnr.wa.gov

Fri, Dec 19, 2014 at 1:40 PM

[Quoted text hidden]



WFWOCComments, FW1 &lt;wfwocomments@fws.gov&gt;

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## Northwest Yacht Broker's Association Comments on proposed WDNR Aquatic Lands HCP DEIS

1 message

**Chester Baldwin** <chet@lobbywa.com>

Wed, Dec 3, 2014 at 4:00 PM

To: "WFWOCComments@fws.gov" &lt;WFWOCComments@fws.gov&gt;

Cc: Alan Powell &lt;adpowell@capitalcityyachts.com&gt;, Bonnie Robertson &lt;bonnie@nwyachtbrokers.com&gt;, Fred Kempe &lt;fredk@rhins.com&gt;, Kurt Kingman &lt;kurt@nwyacht.net&gt;, Matt Maynard &lt;matt@irwinyachtsales.com&gt;, Michael Locatell &lt;mlocatell@aol.com&gt;, Molly Holden &lt;molly@pmttitle.com&gt;, Richard Torgan &lt;rich@irwinyachtsales.com&gt;, Rivers Black &lt;RBlack@nicollblack.com&gt;

Dear Mr. Romanski &amp; Mr. Anderson:

Attached please find the Northwest Yacht Broker's Association (NYBA) comments on the proposed Department of Natural Resources Habitat Conservation Plan -- "WDNR Aquatic Lands HCP DEIS".

If you have questions or would like further information, please contact me at the number below.

Thanks,

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**Chester L. Baldwin, Attorney at Law****NYBA, Director of Government Affairs**1428 4<sup>th</sup> Ave E

Olympia, WA 98506

Office: (360) 688-4588

Fax: (360) 866-4841

**2014.12.02 - NYBA Letter to DNR.docx**

98K

## NORTHWEST YACHT BROKERS ASSOCIATION

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901 Fairview Avenue North, Suite A-190  
Seattle, Washington 98109  
Phone: 206.748.0012  
Fax: 206.748.0161  
[www.nwyachtbrokers.com](http://www.nwyachtbrokers.com)



December 2, 2014

Mr. Tim Romanski  
U.S. Fish & Wildlife Service  
510 Desmond Drive SE, Suite 102 Lacey, WA 98503

Mr. Scott Anderson  
NOAA Fisheries  
510 Desmond Drive SE, Suite 103 Lacey, WA 98503

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Dear Mr. Romanski & Mr. Anderson:

We are writing this comment letter on behalf of the Northwest Yacht Brokers Association (NYBA) which is a nonprofit marine trade group consisting of hundreds of marine brokers, dealers, and industry related professionals. We represent the interests of recreational boaters and produce the September Boats Afloat Show on South Lake Union and partner with the Seattle Boat Show in January.

While we appreciate the opportunity to comment on the DNR's Aquatic Lands HCP Draft Environmental Impact Statement (EIS), we must convey that we have significant concerns with the Draft EIS as it now stands. The document, especially the Chapter 5 provisions governing the "Operating Conservation Program," raise a series of alarming questions and concerns in our minds, and would dramatically increase the costs of boathouses and overwater structures. Our concerns are as follows:

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- **The implications of requiring boathouse and marine projects to be moved to deeper waters are not well-defined and are not well-known:** The natural result of this Draft EIS will be to require boathouses and marina facilities to be constructed in deeper waters, and yet the HCP does not define why that is necessary, state what it will achieve, or provide any cost-benefit analysis of this requirement. This will place a significant financial hardship on marina operators throughout the state, many of whom have been operating safely and responsibly for decades.
- **Are there less costly and stringent standards that can still allow for ESA compliance?:** This document lays out a wide array of very stringent and very costly measures, but gives us very little understanding of whether there are alternatives that can still allow for ESA compliance thresholds to be met.
- **Are there already underlying regulations that can afford ESA protection?:** From information we have recently received, it is our understanding that there are ESA protection mechanisms within current regulatory structures and that the DNR is significantly exceeding the “do no harm” standard of underlying regulations with more stringent and costly proposed HCP regulations. The proposed HCP aims to recover and restore habitat to un-impacted pre-development condition through blanket prescriptions, a goal that exceeds existing federal and state habitat management goals and regulations.
- **DNR may be going beyond its legal authority by factoring these provisions into existing lease renewals and permits:** We need to do more follow-up on specific examples provided to us, but we are concerned the DNR may be going outside and beyond its legal authority by taking the provisions from Chapter 5 and making them lease and/or permit conditions with existing Yacht Club renewals. We would like to be shown the authority for DNR as a state agency to enforce provisions from a document that is still in “Draft” status. We are told that the agency is currently implementing conservation measures but we have not seen these, we are not aware of when or how they were developed, and we are not aware of any public process for them.
- **DNR is requiring “life span” improvements that extend several decades for Aquatic Lands leases that typically run 12 to 15 years:** We question the authority of the DNR to lay out a series of “life span” improvements to overwater structures that will need to be made and that will cover periods of 20-30 years, when it affects the aquatic lands leases the DNR enters into with private marinas and yacht clubs typically run 12-15 years.

- **The seven-foot depth requirement at low water**  **this HCP is arbitrary, and does not recognize that impacts are minimized when boaters approach overwater structures:** This HCP does not provide any clear definitions or rationales for the seven-foot depth requirements in the EIS. Nor does it recognize that boaters coming into marinas, docks, and boathouses are typically approaching at idling speed and thus causing very minimal impacts.
- **Additional greywater management and separation seems to be implied:** In at least two places, this document appears to leave the implication that additional greywater management and separation will be required of operators in the future. It is not at all clear to us where DNR has authority to impose such requirements, or why they are necessary. The Department of Ecology, not DNR, has jurisdiction over water quality.
- **It is not at all clear how this HCP impacts existing operational and day-to-day activities with operational work windows, or what mitigation requirements will be placed upon operators:** It is not at all clear to us what this HCP will do to affect day-to-day operations of marina facilities with operational  work windows. Nor are we given clarity as to what mitigation requirements if any will be placed upon longtime marina or boathouse owners who have been operating and acting responsibly in the water for decades.
- **Existing operators will be required to complete a survey of forage fish spawning in the area – What triggers such a survey? What will be  ne with it?** This is not at all clear in the document.
- **Lack of definition regarding implementation Best Management Practices (BMPs):** These are among many provisions that are not well-defined. 

In summary, we have major concerns regarding this HCP and what it will mean for overwater structures and breakwaters. We would respectfully urge that more time be afforded the public to comment on such a far-reaching and precedent-setting document. We also urge that the DNR work with us on reasonable alternatives rather than imposing a series of extremely costly standards upon responsible and law-abiding boat clubs and marina operators.

Chester Baldwin, our Director of Government Affairs ([chet@lobbywa.com](mailto:chet@lobbywa.com), 360.688.4588), is available to speak with you further about these issues.

Thank you for taking the time to review these issues.

Sincerely,

Bonnie Robertson  
 Executive Director  
 Northwest Yacht Broker's Association