

Transcript of  
**Public Hearing**

Date:**August 16, 2012**

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1 P R O C E E D I N G S

2 THE CHAIRMAN: We're going to get  
3 rolling. Everyone grab your coffee and all of  
4 those things that you need to do, we'll move on.

5 Everyone all set? I thought the first  
6 thing we'd do is maybe go around and just have our  
7 little introductions like we do and how the  
8 summer's been working for you since we last met and  
9 if anything exciting has happened or not exciting.

10 We have some special guests. I'll ask  
11 Al to introduce his special guest that's with us.  
12 It's nice to see you, Senator; thanks for coming  
13 with him. I'm sure he's delighted to have you.  
14 We're delighted to have you as well

15 (Members introduce themselves.)

16 THE CHAIRMAN: We'll go around and our  
17 guests that are with us and say a few words about  
18 their summer. Louis, we'll start with you and kind  
19 of work our way around

20 (Guests introduce themselves.)

21 THE CHAIRMAN: That leads us right into

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1 Mr. Mike Grant.

2 MR. GRANT: I'm far from retirement.

3 I'll get us started.

4 Final regulations from last year, vessel  
5 noise went into effect in November of last year.  
6 Since then the NRP has held two tests for volunteer  
7 tests in the northeast area for one and Deep Creek  
8 Lake and through both of those tests we probably, I  
9 think a total of maybe 40 combined they had one  
10 violation in excess of the decibels and that was an  
11 outboard ironically on that. Go figure.

12 The C&D Canal, Smoot Cove, that became  
13 final February 6th this year. The upper Potomac,  
14 which is the Hunt Club and Mallows Bay, June 9th of  
15 this year, and the personal watercraft will become  
16 actually official the 20th of this month.

17 The proposed regs, Chester River, we  
18 had, I had some issues with getting that one  
19 through. That was, aside from some things falling  
20 through the cracks, my own fault, we had some  
21 issues as to where to actually draw this line. As

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1 you recall, you all denied any changes in that,  
2 that area. When staff look at it again the  
3 recommendation to the director, the Secretary at  
4 the time was because Rolph's Wharf just south and  
5 around the bend had an established speed limit, we  
6 felt was a hard nut to crack to actually deny them,  
7 so what we gave them was a rectangle in front of  
8 the docks in the yacht and country club, it's  
9 approximately 200 to the north and south of their  
10 docks and out to the center of the channel and  
11 established that in a shorter time period, not the  
12 actual normal boating season, but from May to  
13 September, so it would be six knots in front of  
14 their docks from May to September.

15           That also helped the folks that had the  
16 rowing from Washington College, they could do their  
17 rowing through there and there's more than enough  
18 water on the Queen Anne's side of the river for the  
19 people that like to do the skiing and tubing, et  
20 cetera. I received two calls on that within the  
21 last month, returned the calls with an explanation

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1 of why we did it, I have not heard back from either  
2 one of those people. That's proceeding through,  
3 and that should become effective on September 17th.

4 Rock Creek, that's another one that we  
5 had problems with. As you recall, we extended Wall  
6 Cove out in front of Maryland Yacht Club to help  
7 protect the docks because they have a fueling  
8 station and we drew that line from their bulkhead  
9 down across to White Rocks Marina on the opposite  
10 side. Because Wall Cove and a creek on the other  
11 side, Tar Cove, shared a similar speed limit and  
12 you had a marina in the middle, we opted to draw  
13 the line to a point just in front of White Rocks  
14 and over to the existing point for the other, other  
15 cove. So it's six knots in kind of a semicircle on  
16 the whole south side of that, lower Rock Creek.

17 There's some other changes. We renamed  
18 it inner and outer Rock Creek as opposed to upper  
19 and lower, and we had another issue which Louis  
20 will touch on concerning a historic line entering  
21 the creek where somehow the line was not actually

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1 where COMAR stated it should be, it was where it  
2 was and had been there for 14-some-odd years or  
3 something to that effect, and when we actually  
4 moved the line back to where it was supposed to be,  
5 some folks got pretty upset because either their  
6 homes weren't there before or homes had been built  
7 and they were getting raked by these big vessels  
8 and laying up wakes against their docks, et cetera.

9           We since then have reestablished the  
10 historic line with caution buoys so people will at  
11 least slow down a little bit, they seem to be happy  
12 with that while we proceed through. The new  
13 regulation reestablishes the historic line as the  
14 COMAR line so that will be a permanent line and  
15 that will become effective on October 29th, along  
16 with wake and ballast, which is going through  
17 currently.

18           We have a public hearing on the 28th,  
19 next Tuesday, at Tawes, for anybody interested in  
20 commenting on that. We've heard nothing about it,  
21 which sometimes is good, sometimes it's bad, we

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1 just don't know what kind of a reaction we're going  
2 to get. It's been advertised in the paper and on  
3 the website, so people are aware of that. And  
4 that's it for the final and proposed.

5 Now, for this year, okay, this year this  
6 is the -- I don't want to do that.

7 MR. PARLIN: That's on the projector.

8 (Discussion held off the record.)

9 MR. GRANT: So if you remember that  
10 picture, we'll be right back.

11 As you know, we have four requests this  
12 year, two on the South River, one up in lower  
13 south -- west Charles County and the other at the  
14 Susquehanna River. We've had probably a total of  
15 12 comments on everything so far this year. I've  
16 gotten a couple of phone calls, mostly on South  
17 River through confusion as to what actually -- you  
18 have to hit it one more time. There we go.

19 The South River I've gotten the most  
20 comments on, but nothing at all on Railroad Creek  
21 and two things possibly on -- it should be on. On

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1 the Susquehanna.

2 (Discussion held off the record.)

3 MR. GRANT: All right. This one here is  
4 Riva, South River at Riva Bridge, that's the  
5 current speed zone, which is in existence from  
6 October 15th through, I mean September -- April  
7 15th through October 15th, our normal boating  
8 season. The request is to just have that active on  
9 the weekends during the boating season. I've had  
10 like maybe two or three people call me on that, a  
11 few of the members have been out there to look at  
12 it, but that's the case on that one. Anybody have  
13 any questions?

14 Next one is the South River between the  
15 Riva Bridge and South River Bridge, that blue area  
16 is an area just off Edgewater Beach community and  
17 marker 17 in the channel, they're requesting a  
18 six-knot zone in approximately that blue area.  
19 They wanted no wake, they wanted no nothing going  
20 on there. But it's, it's unique in that it's about  
21 two feet of water. The shoal that runs up from the

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1 river up to that little point sticking out, which  
2 is their community rec area, runs one-inch wake  
3 overtop of their bulkhead, which is essentially old  
4 broken timbers and a couple of rocks, and they  
5 flood very easily on any kind of a tide, let alone  
6 a boat going by.

7 I tried to convince the gentleman that  
8 any kind of speed limit in there really wasn't  
9 going to help them a lot, but he insisted that  
10 because a lot of locals with local knowledge they  
11 tend to jet through there with Jet Skis and small  
12 skiffs and that causes an issue. He also has his  
13 pier which runs off to the right of point that's  
14 coming out in the middle, right in here, and most  
15 of the boats are nose in and they're small slips,  
16 so they get rocked pretty well as well.

17 So the other questions is how do we mark  
18 that, but I've heard from very few people on that  
19 one as well. Most people think that the notice  
20 buoy that I have right about here is about a speed  
21 limit within the whole center of the river and I

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1 have -- no, we're not going to shut down the whole  
2 center of the river. That's basically the issue  
3 here. Any questions on that one?

4           This is the Susquehanna River, Havre de  
5 Grace on your left, Heron Harbor Marina is where  
6 the petitioner lives that this red area right here,  
7 this is his dock, he's number 5 on the way out,  
8 hashed area is the existing speed zone, 600 feet  
9 out, about 2100 feet long. That's six knots on  
10 Saturday, Sunday and holidays during the boating  
11 season. His contention is there is an awful lot of  
12 wake damage coming through here, he's been rocked  
13 on his boat, et cetera, so he sticks out, there's  
14 another pier as you can see that runs out here,  
15 everything in here is protected, so it's only these  
16 folks out here and this gentleman on this pier that  
17 seems to have issues with wakes.

18           Now, we've been out there a couple of  
19 times with some of the members and we've had  
20 vessels traveling out here that may be 8, 10, 12,  
21 14 knots and they'll be kicking up a good foot-

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1 and-a-half, two-foot wake, by the time it reaches  
2 his pier it's barely 8 to 10 inches. I had a  
3 captain of a skipjack that called me last week and  
4 insisted that we do something and the something is  
5 what the gentleman is requesting is to shut down  
6 the entire river. He would like the entire one  
7 mile length plus the entire width from marker 18 to  
8 be shut down to six knots at all times. I  
9 explained that's probably going to be tough as we  
10 have a lot of barge traffic in here, there's a big  
11 barge area -- what do you call it?

12 MR. KLING: Quarry.

13 MR. GRANT: Quarry up in this neck of  
14 the woods, plus you get an awful lot of traffic out  
15 there and there is so much room in that river, it's  
16 hard to conceive. Maybe there's potential for  
17 doing something, extending this, but he insists  
18 that this is the issue down here and he would  
19 really like to shut the whole river down.

20 I've been up there a couple of times, I  
21 think I told you the first time around with NRP

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1 right down here, I saw a vessel zipping through  
2 here quickly and the next thing you know NRP is out  
3 there giving a ticket, so I insisted that this  
4 gentleman, he and his friends contact NRP anytime  
5 they see something and he told me that they don't  
6 like to do that, they don't like to cause problems  
7 so that's where we are with that. Any questions  
8 here?

9 MS. ALLISON: Actually, I don't have a  
10 question, I have a statement. The quarry that is  
11 above the Amtrak bridge used to be Salisbury  
12 Towing, used to be Florida Rock, now Vulcan  
13 Materials, and I worked out of there for about five  
14 years. When you're coming through those bridges  
15 pushing a tug in tow and you've got a current  
16 running from the dam letting go, you're coming  
17 through there at 9 and 10 knots and you don't have  
18 any control over that. So I think that that's  
19 farcical to put it mildly.

20 MR. SHELLER: You know what the water  
21 depth is where the --

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1 MR. GRANT: I believe --

2 MR. SHELLER: -- at the end of the dock?

3 MR. GRANT: I believe it's going to hit  
4 10, 12 feet in there. It comes up rather quickly  
5 up in here. The lighthouse is right here, the very  
6 famous lighthouse, this area right in here, we  
7 watched the waves roll up and they dissipated down  
8 to nothing by the time they got in here.

9 MR. SHELLER: Is this a private dock  
10 or --

11 MR. GRANT: This is the Heron condos,  
12 Heron Harbor Marina and condos, and I believe they  
13 have slips for their owners, but they also lease  
14 out slips to individuals.

15 MR. SHELLER: Do the property owners  
16 have any responsibility for wave mitigation?

17 MR. GRANT: I'm glad you asked that. A  
18 gentleman called me who was a resident there and  
19 insisted that we do nothing and that he had talked  
20 to the marina manager, who said when the marina was  
21 built he should have put longer dagger boards under

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1 the docks, or wave boards, but they were too  
2 expensive, so he put in about half as long as they  
3 should have been.

4 But I said this area, this is the  
5 floating dock out here, this one arm, and then of  
6 course this is floating, there's a bar that runs  
7 across here. In fact, that's their pool. This is  
8 a large bulkhead with sand on it and chairs, very  
9 nice, and all these floating docks in here,  
10 uneffected by anything. So it's only the folks on  
11 the outside.

12 MR. SHELLER: What about weather, wind  
13 driven waves?

14 MR. GRANT: Well, I -- the size of this  
15 thing, I mean this is, this is north this way, this  
16 area all the way over here -- in fact, this is a  
17 seaplane landing area right here. They've got  
18 three designated landing strips out here, it's very  
19 shallow. This is all the runoff and all the  
20 sediment coming down the Susquehanna. The  
21 Susquehanna flats are out here, so I imagine you

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1 get some action, but I've been out there when it's  
2 been blowing maybe, I don't know, 20, 25, and it's  
3 just, it's a normal wave action for that distance,  
4 that open sea. Robin, you can speak to that better  
5 than I can.

6 MS. ALLISON: The only thing that really  
7 affects that area is the volume of water coming  
8 down out of the dam. The wind driven -- I mean  
9 trying to move big barges around, tie them up, the  
10 wind has very little effect.

11 MR. GRANT: This, this marina down here,  
12 the city marina is a great little marina, it's a  
13 hot spot for the bass people, bass boats, so you'll  
14 see people coming out of this area right here. The  
15 canal, channel is right out here and you gotta stay  
16 in that channel. Ten feet outside the channel  
17 there are logs sticking out of there. But they  
18 come out of there at 50, 60 miles an hour, but it's  
19 a bass boat, there's no wake, and they just blow up  
20 right up through here and up the river. I've never  
21 seen anybody going fast through this area here.

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1                   MS. ALLISON:    No, it's usually not an  
2    issue.

3                   MR. GRANT:    Railroad Creek.   Now, one  
4    more, this is where it is, this is the Gunpowder  
5    River in here and right up inside and then Railroad  
6    Creek is right in here.   Of course the bay is out  
7    here.   This gentleman, this area, their channel was  
8    dredged, I don't know, five years ago, and runs  
9    right along their docks, right along here, and they  
10   had to do that up against the docks because if they  
11   had gone down the middle you would have had all  
12   these fingers coming out to reach the channel, so  
13   because of the expense the neighborhood said okay,  
14   let's run it along here and that's fine.   This  
15   gentleman over here has a leg coming off to get to  
16   it and this gentlemen does as well.   This gentlemen  
17   had to pay an arm and leg to get his leg into that  
18   area, but that's the basic channel, four feet, it's  
19   about two, two and a half feet of water, and this  
20   channel actually is filling in.   When they dredged  
21   it, they dredged it straight down, they just made

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1 straight walls, and right now he said two times a  
2 year this blows out entirely. You can see the  
3 channels are being -- so they're up against some  
4 issues there. And what happens, it's changed some,  
5 we've had a number of conversations with this  
6 gentleman, we've been up the last couple or three  
7 weeks with two separate groups of Boat Act members,  
8 and we gave him four signs, caution signs, which he  
9 finally put up with the neighbors here, here, here  
10 and here. He said that seems to have helped.

11 Most of the folks that use this launch  
12 ramp over here, this is a private community, this  
13 is their private ramp, this is all protected  
14 woodland that belongs to this community, they  
15 launch out of here and he said they're generally  
16 okay. They, they will come out and they will be  
17 relatively, you know, polite and understanding of  
18 the situation, but there's a lot of small docks  
19 here that are too small for the vessels, they were  
20 just driving pilings and he has six inches on  
21 either side of his gunnels and it's just too tight,

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1 but he said there is one family that has one Jet  
2 Ski and there are four of them, so they spend most  
3 of the day just taking turns and running out in the  
4 middle and cutting doughnuts and that's a problem.

5           The other issue is the folks coming off  
6 the Gunpowder or the Bird, just wanting to see  
7 what's up the creek, so they just kind of sightsee  
8 and run up there to see what's going on. But it is  
9 an issue for them. Like I said, he has backed off  
10 a little bit, he initially wanted no wake, I think  
11 he initially wanted to put a gate up here, but  
12 it's, he said it has gotten better. Maybe it's the  
13 signs, maybe the economy, he's not sure, but he  
14 still insists that would solve it, but again, the  
15 last group that went up there, we were talking  
16 about this, his vessel is probably, he's close to  
17 touching the pilings in the slip as it is right now  
18 and he is parallel to this, he's right on the T put  
19 on the end. He's got plenty of room to tie up the  
20 other way and nose it out and he wouldn't have as  
21 many issues, as would most of these people, but

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1 these are old docks, old homes. The bulkheading is  
2 fine, it's either riprap or cement or timber, not a  
3 question of erosion.

4 This area over here he said there was  
5 some erosion, obviously it's none, it's a  
6 beautiful, beautiful waterfront here. He said  
7 there are some concerns with some of the young kids  
8 riding Jet Skis harassing and interfering with the  
9 breeding area of the Canadian goose and some other  
10 wildlife, but his concern is the wake issue. So  
11 that's where we stand with that. Any questions  
12 there? That's what I have. I think Louis, you may  
13 be up next.

14 MR. KLING: Back up. Would you explain  
15 how -- I appreciate the Secretary can do whatever  
16 the hell the Secretary wants to do. Would you  
17 explain how we got around to changing the two  
18 recommendations? And I know that the Secretary  
19 said no on Miles River, which we were trying to  
20 throw those guys a bone, but can you explain --  
21 your comment was something to the effect I think I

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1 heard you say staff had some issues, so can you  
2 explain that process?

3 MR. GRANT: Yeah, yeah.

4 MR. KLING: Because I'm not happy.

5 MR. GRANT: Okay. Okay. Well, Bob's  
6 here, but he's retired so he doesn't have to speak.

7 MR. GAUDETTE: That's right.

8 MR. GRANT: He probably won't. I went  
9 to Bob, and I travel the Chester an awful lot and  
10 I'm well aware there is an issue with Rolph's  
11 Wharf, the channel runs right up to their docks,  
12 just before Rolph's the red marker is on the shore  
13 and you have to run right up close to their pier  
14 and it's six knots in front of Rolph's for that  
15 reason. The country club is pretty much the same  
16 idea. They're, they suffer from an inordinate  
17 amount of wakes from the vessels that come up there  
18 and climb on the water. Based on the width of the  
19 river their request, combined with the need of the  
20 rowing club to have an extended time when they can  
21 paddle, I recommended that they establish this zone

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1       that we established.

2                       MR. KLING: I think that you are, and  
3       certainly you guys can figure out what you're going  
4       to do, I think that is undermining our authority  
5       and our responsibility and I think that if you got  
6       those issues you ought to bring them to us, you  
7       ought to say I'm not comfortable with what you guys  
8       are doing, I'm going to ignore your recommendation  
9       and make another one. I've been on that river a  
10      lot, I mean several trips out there, this has been  
11      up several times, I look at the speed limit in  
12      front of Rolph's Wharf and I say that's the dumbest  
13      speed limit on the bay, that ought to go away, and  
14      if your rationale is these guys, you know, Rolph's  
15      Wharf has one -- the only rationale I hear from  
16      Rolph's Wharf is they have a gas dock, these guys  
17      don't have a gas dock issue. I mean making those  
18      sorts of comparisons and that we've made without  
19      giving us the opportunity to comment, I think it's  
20      inappropriate.

21                      MR. GRANT: It wasn't because -- it was

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1 hard in my mind to deny a marina with a similar  
2 situation they're requesting.

3 MR. KLING: That's our job, not your  
4 job.

5 MR. GRANT: Well, again, that was a  
6 recommendation to the Secretary, you can --

7 MR. KLING: Yeah, but you undermined us,  
8 you didn't tell us about it. You didn't give us a  
9 chance to comment or respond. You pulled the rug  
10 out from under us.

11 MR. GRANT: I apologize.

12 MR. KLING: Well, if our job -- if what  
13 you're going to do is say this is what I think  
14 ought to happen and we become an advisory function  
15 to you, I'm thinking we're wasting our time. I  
16 don't know if anybody else has a reaction like  
17 that, but this strikes me as -- this is different.

18 MR. PARLIN: I guess my concern is that  
19 it should have been brought up during the  
20 presentation of that area, if that's the feeling,  
21 then give us that information and let us process

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1     that with everybody else's testimony and, you know,  
2     our collective experience and expertise, and let us  
3     kind of put that together and make a recommendation  
4     from that. I was surprised when I saw that it was  
5     changed, and I live on the Chester River, so I  
6     travel through there, quite familiar with the area.

7             MR. GRANT: Do you have any thoughts on  
8     whether it was appropriate or not, not talking  
9     about the process so much, but the appropriateness  
10    of it.

11            MR. PARLIN: Of the zone itself?

12            MR. GRANT: Uh-huh.

13            MR. PARLIN: It doesn't necessarily  
14    affect me so much because I have a smaller boat and  
15    I can go outside the zone.

16            MR. GRANT: Exactly.

17            MR. PARLIN: But, yes, I was quite  
18    surprised that was changed from what we -- so I, I  
19    can't totally agree with it.

20            MR. GRANT: Okay.

21            MR. KLING: I thought of another

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1 thought, this is an issue that we've looked at  
2 several times before. These guys are the serial  
3 petitioners and we're just getting to the point now  
4 where we want to say if you're coming back in after  
5 your three-year window making another request, the  
6 first thing we want to know is what's changed.

7 MR. GRANT: This was a different request  
8 now.

9 MR. KLING: It's not.

10 MR. GRANT: It's a different area.

11 MR. KLING: It's not, these guys have  
12 been back -- yes, there was the marina a little  
13 farther out, but the yacht club has been here  
14 before. These guys are serial petitioners, we have  
15 considered this a lot and, you know, what's  
16 changed? The answer is nothing has changed.

17 MR. BUSH: I have a comment. I think we  
18 may be overreacting that I can understand that  
19 someone when they're reviewing it from their  
20 standpoint that they might make a recommendation  
21 to, I use the term pacify everyone involved, and I

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1 wouldn't beat up right now on, you know, the way  
2 we're doing it, and I think that in the future I  
3 think that we made our point and therefore if an  
4 issue comes up it would come back to us. That's my  
5 comment.

6 THE CHAIRMAN: Any more comments?

7 MS. TROVATO: I think we should be  
8 commenting on this or if the staff have a different  
9 professional opinion it would be great if it got  
10 shared with us in the meeting and then we can  
11 consider it. If this is the one I'm remembering,  
12 it's where the owner of the dock built it further  
13 than the permit allowed?

14 MR. GRANT: No, this is the Chester  
15 Yacht and Country Club on the left side going out  
16 of the river.

17 MS. TROVATO: But isn't that where the  
18 dock was built that was much longer than it was  
19 permitted to.

20 MR. KLING: That's the condos past that.

21 MS. TROVATO: It's all kind of

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1 connected.

2 MR. KLING: It is. This is the third  
3 time these guys have been here, or that part of the  
4 Chester.

5 MR. GRANT: Then I apologize because I  
6 was under the impression the last time a request  
7 was made it was all the way up to the center of  
8 town and it was not just a specific area in front  
9 of the docks.

10 MR. KLING: Mike, it's the same request.  
11 I mean that somebody -- the Susquehanna River,  
12 okay, if somebody comes back in in three years and  
13 said only put the buoys out halfway across the  
14 river instead of shutting down the river, I don't  
15 want to prejudge our recommendation on the  
16 Susquehanna River, it would be the same issue that  
17 somebody wants a slightly different box drawn, it  
18 doesn't -- it's still the same, the same area, the  
19 same traffic.

20 MS. TROVATO: So I appreciate that  
21 people who get to spend all day thinking about this

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1     could have different thoughts and make different  
2     recommendations, it would be great if it got shared  
3     with the committee and then we go forward from  
4     there.

5                   MS. ALLISON: I would like to second  
6     what Ramona just said, I completely agree. It  
7     should come back here before it gets changed.

8                   MR. GRANT: So noted.

9                   MR. LEVITAN: It does kind of undermine  
10    our authority.

11                   THE CHAIRMAN: We're all in agreement on  
12    that, that should be handled that way now.  
13    Absolutely. I would agree with that, we need to be  
14    advised even if it is not during meeting time and a  
15    request or something like that comes up, e-mail to  
16    everybody, we can respond to it.

17                   MR. KLING: I think it's -- my reading  
18    of the regulations is our job is to make  
19    recommendations to the Secretary, our job is not to  
20    make recommendations to Mike Grant.

21                   MS. TROVATO: Our recommendations went

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1 up to the secretary, right?

2 MR. GRANT: Absolutely.

3 MS. TROVATO: Then you had a separate  
4 recommendation.

5 MR. GRANT: Yeah, he saw everything, he  
6 saw what the request was and what you recommended  
7 and then the other recommendation.

8 MS. TROVATO: But that input would be  
9 especially good at the actual meeting if you have  
10 it at the time.

11 MR. GRANT: I didn't at the time. I  
12 studied it afterwards based on the testimony. I  
13 didn't formulate an opinion until well after.

14 MS. TROVATO: Right, right.

15 THE CHAIRMAN: So we're all in agreement  
16 that we're going to be definitely informed.

17 MR. GRANT: So noted, yep. On to Louis.

18 MR. WRIGHT: Computer is far too new for  
19 me.

20 Okay. We're in the process in  
21 hydrographic operations and boating, we have a

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1 whole great mass of boating regulations, most of  
2 which deal with speed limits and speed limit zones  
3 and where you can, you know, go, whatever speed is  
4 regulated, and over the last 15, 20 years we have,  
5 we as hydrographic operations, the folks that have  
6 to mark where the areas are, have had a number of  
7 issues with what's in the regulations. Most of  
8 them are done by coordinates and when they were  
9 done, you know, there's not a whole lot of  
10 consistency. There's some regulations that don't  
11 have coordinates, it's kind of a jumble, so we over  
12 the last 15 years have tried to make an effort to  
13 get all of these things into a consistent format,  
14 into something that actually matches what the real  
15 world is, and basically it's who needs it?

16 Well, basically the department needs it.  
17 Because all our coordinates are expressed in  
18 geographic coordinates in Maryland there's a  
19 annotated code that calls for our coordinates to be  
20 referenced to North American Data 83. Most of the  
21 speed regulations are North American 27. It's not

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1 really stated anywhere what they are. We can tell  
2 because the ones that are the more recent ones, we  
3 know which ones they are, but for the public they  
4 don't have the benefit of that experience.

5           Now, after I'm talking about this, what  
6 did we just say? NAD 83, NAD 27, it's a reference  
7 for doing surveying and charting, you've got to  
8 have some way to have them, to map the chart,  
9 orient it and locate it on the earth so everybody  
10 is looking at the right thing. They changed the  
11 law in 1987, it required the use of 83 after 1992.  
12 Most of our speed regulations were created before  
13 that, but NAD 83 charts were not available until  
14 after 1994, so when they created these, a lot of  
15 these speed regulations, they had no choice but to  
16 work from older charts.

17           What this has, in effect, this is a  
18 little chart that we've made, we also do Lee  
19 surveys for oyster surveys, the dashes, the solid  
20 line, that box is the latitude and longitude grid  
21 for North American 27. We had a conference, we

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1     were doing a little display and we put those dash  
2     lines, so these dash lines are what, where the grid  
3     would be for North American 83, and as you can see  
4     there is a recognizable shift, I mean it's not  
5     huge, it's not in the order of miles, it's about a  
6     hundred feet, but it's the kind of thing where it  
7     does make a difference for us marking that survey.

8             Then there's some other issues that  
9     we've noted. This particular area is Mezick Ponds,  
10    the actual speed regulation that's in the book goes  
11    from the end of the jetty over to the bridge. When  
12    they created these it looks like to us that they --  
13    you know, the bridge looks like a very nice solid  
14    object when you look at that chart. In reality  
15    you've got this with lots of openings and a real  
16    porous line, so you really got to look at a  
17    regulation that's sort of incomplete where it's cut  
18    off across the channel right there. But what  
19    happens in this area is kind of indefinite where  
20    that line really is, so we were faced with those  
21    kinds of issues, sort of all three the regulations.

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1           You've also got site changes. Now, this  
2 particular one is Fisheries, it's not an exclusive  
3 problem to boating, Fisheries have problems this  
4 way, they're in the regulations for a float-free  
5 channel for crab and eel pots, they have a  
6 regulation for Bush River that basically makes this  
7 area so that you can't put floats in there, and  
8 they have it defined by, you know, references to  
9 Coast Guard markers. The only problem is we don't  
10 have any control over what the Coast Guard does, so  
11 somewhere between when this regulation was written  
12 and now the number 29 marker that used to be here  
13 is now somewhere down around in this area, and so  
14 it makes it an interesting process, A, marking, and  
15 B, enforcing in terms of us going into court and  
16 testifying this is where that area really is,  
17 because that's part of our job is when the police  
18 have a violation on these regulated areas they will  
19 get a set of GPS numbers and come to us and say  
20 come to court, show the judge where this violation  
21 took place, we've got the numbers, you know, and

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1 they show up in the regulated area. Well, if the  
2 regulated area has issues then we have issues  
3 making this stick in court.

4 Another issue, easy use for the public.  
5 We've got a lot of boating regulations. Most of  
6 them are in the format degrees, minutes and  
7 seconds. When you buy a GPS unit, most of them  
8 come out of the box and you turn it on and the  
9 display is in degrees, minutes and decimal minutes,  
10 so if you as a consumer go to try, to make an  
11 honest attempt to try to figure out where those  
12 regulations are, you've either got to change your  
13 GPS unit, which most people aren't comfortable with  
14 playing in there, or you've got to mathematically  
15 convert the coordinates if you realize that's a  
16 problem.

17 We've had problems with watermen where  
18 we've had regulations taking coordinates in the  
19 regulations and attempting to put them in their  
20 units and then trying to work in areas that they're  
21 not supposed to be because they don't go in there

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1     correctly.  So we're trying to at least, you know,  
2     make it so that we were not leading people down the  
3     wrong path potentially.

4                 We have other issues, shoreline changes,  
5     in some of these places a lot of these lines go to  
6     shore, they were based on NOAA charts, most of the  
7     shorelines on the NOAA charts go back to the '30s.  
8     There's some places where it's a fairly dynamic  
9     shoreline and we have to pull the stuff back.  
10    Accuracy for court, when they were scaled about the  
11    best you can do with a scaling position on those  
12    charts is probably plus or minus a hundred feet if  
13    you're really lucky.  We have no supporting  
14    documentation about sort of how they did it, what  
15    chart it was, you know, things like that.

16                What we have done as a result of a lot  
17    of these issues has gone out and actually GPS  
18    surveyed where these points are.  We've attempted  
19    to take the regulations.  If there were markings  
20    there already, we'll defer to them.  A lot of cases  
21    it's sort of pick the latitude, pick the longitude,

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1 try to get the best and see what that regulation is  
2 try to do, try to pick a spot that conforms to that  
3 location on the earth, getting GPS numbers for  
4 that, and so that way those GPS positions are  
5 accurate to six to 12 feet. We have the survey  
6 data on file and if anybody questions it we can say  
7 this is how we did and this is the process that we  
8 followed.

9           The Coast Guard is getting much more  
10 sticky about us getting close to their aids for  
11 both buoys, signs. They really do not want to have  
12 any of our signs on any of their aids. I mean we  
13 have done it in the past, but they really are  
14 pushing back hard on this now. So we're faced with  
15 having to figure out how to deal with that kind of  
16 a issue. So what we're trying to do is to put the  
17 coordinates in the current data and actually sight  
18 surveys that reflect where, you know, either the  
19 line is on where or as near we can figure where it  
20 was intended to be in format that users can use  
21 without having to go, you know, through all kinds

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1 of mathematical contortions and where we know what  
2 the accuracy is.

3           And we have kind of not -- we tried not  
4 putting maps on the web because so many of the  
5 regulations have these positional issues that we  
6 don't feel comfortable about putting those lines,  
7 which are actually legal lines, on the web knowing  
8 that they are, you know, they have issues about how  
9 they, where some of the end points are, but once we  
10 get them in a more or less acceptable format with a  
11 known accuracy, we feel at that point we can  
12 actually put speed zones on the web so that people  
13 can go to an area and by some process click and  
14 find out what speed zone covers what area, where it  
15 actually is, so people hopefully have a little  
16 better idea of where, you know, where they can or  
17 can't, you know, go roaring up the river. Do you  
18 have any questions?

19           MR. PARLIN: The last statement you made  
20 about putting the maps on the web is something that  
21 I asked for several years ago when I joined this

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1 committee, because we've got a technologically  
2 savvy public out there and that's one of the places  
3 they're going to look, and is there any way you can  
4 put it up there with a disclaimer that, you know,  
5 this is a graphical representation, not exact  
6 lines, just so people can get an idea? I mean how  
7 far away are you from completing it to where you  
8 could have it up on the web?

9 MR. WRIGHT: The text part is complete,  
10 we've made all of the, you know, the surveys, we've  
11 written all the text, it's basically a process of  
12 running it through COMAR, because they're all,  
13 these regulations as revised are going to have to  
14 replace all the existing ones, and so it's going  
15 through that COMAR process and not overloading the  
16 folks at DSD because they have a certain amount of  
17 stuff that we can do at a time. So as a matter --  
18 like if we're going in an area and changing the  
19 regulation, we've tried to fix the ones that were  
20 in the needed area. I'm trying to think of some  
21 ones that, like if we go into, say there was

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1 something in the Tred Avon, you know, we were doing  
2 something in Oxford, for example, if there was  
3 another area that, you know, in that river, we try  
4 to do all in one block stuff. But basically it's  
5 been so much in trying to get the stuff, I haven't  
6 really finished redoing the text until somewhere in  
7 June because we doing this regulation stuff. Even  
8 though we're boating we do a lot of regulation  
9 position writing for the rest of the department,  
10 Fisheries has lots and loss of this kind of stuff,  
11 so it's trying to, you know, get our stuff in and  
12 Fisheries' done and all of that, so it's a lot of  
13 it going on.

14 MR. PARLIN: So how long do you think  
15 until you could put something on the web?

16 MR. WRIGHT: I think --

17 MR. PARLIN: Months away, years away?

18 MR. WRIGHT: Months, I think we're in  
19 the process now I think pretty much of starting  
20 that boulder rolling downhill. It's just a matter  
21 of getting it, you know -- I think probably what

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1 we'll do is, you know, all other things being  
2 equal, say you had no other, you didn't decide to  
3 change anything this fall, we would probably, you  
4 know, go in 05, which starts at Back River, and  
5 keep on going down, we have to be a little bit  
6 careful in that apparently state documents has a  
7 thing where if the regulation is in the process of  
8 being changed then we have to wait until that goes  
9 through its entire process before we can change.  
10 So the areas that are sort of in the process of  
11 being changed now we would have to wait, there's a  
12 time limit before they have -- so everything gets  
13 settled down and published and then we can start  
14 changing it again.

15 MR. BUSH: Just for your information, I  
16 had the opportunity to visit Greenwich, England,  
17 where the new zero meridian is located. Prior to  
18 the satellites being put up, there's a line about  
19 this wide that runs straight through the -- you may  
20 be aware of this -- right through the museum and  
21 when the satellites came up they discovered it was

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1 wrong so they had to mark it out, and it's been  
2 moved about this far (indicating) and of course the  
3 further you get from that point the further off, so  
4 therefore if you have some of these marks out here  
5 prior to satellite, you'd find them all different.

6 MR. WRIGHT: Yeah, it's not unusual for,  
7 you know, to find an existing speed zone marked  
8 with signs on shore and you can tell it's been  
9 there for years, that the coordinates don't match  
10 anything that's in the regulation, but rather than  
11 create, you know, total chaos and uproar you hold  
12 the existing and everybody is used to living with  
13 that line, right, wrong or indifferent, so, you  
14 know, we're perfectly willing, you know, as part of  
15 this, you know, like we were talking about historic  
16 line and sort of where it had gotten moved, with  
17 the police, they sort of like to, well, could you  
18 move it out a little bit where the buoys are  
19 because we're getting all these complaints because  
20 the buoys tend to migrate out and everybody got  
21 used to that line, accepted it as the correct one,

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1    it's sort of in the general area of what was  
2    originally intended but not exactly right.  But  
3    it's -- so the people seem to be living with that  
4    as it is.  If they have a problem with it it's more  
5    the fact that there's a line there at all as  
6    opposed to being 50, a hundred feet one way or the  
7    other, and we're perfectly willing to, you know,  
8    hold that existing, you know, previously marked  
9    line.

10                   MR. PARLIN:  I guess I've got another  
11    comment or question or item for discussion for the  
12    group, throw it out there, because one of the  
13    things I'm thinking of, we've had these places  
14    where, you know, we've made a recommendation on  
15    what the speed zone should be and the local  
16    waterman goes and grabs that marker and throws it  
17    out a hundred yards farther because, you know, he's  
18    happy, protects his dock and year after year that  
19    marker gets put out in that same spot and now you  
20    have an area that's been changed, and I don't want  
21    to diminish all the hard work you guys have done

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1 and maybe it's too much for us, but I'm wondering  
2 if any of this should have come back to the  
3 committee saying hey look, this is what the  
4 regulation was, this is what we're cleaning it up  
5 to be, and I understand the reason why you're doing  
6 the work --

7 MR. WRIGHT: Most of the historic versus  
8 regulation line changes are as a result of NRP  
9 requests to, you know, to alter the lines somewhat.  
10 I mean generally it's not a massive amount, I mean  
11 it's usually a hundred, 200 foot, for whatever  
12 reason they seem to think that would make life  
13 better for them.

14 MR. PARLIN: That goes back to the  
15 original question that Steve had a little while  
16 ago, that people are changing what we've made  
17 recommendation on and, you know, without any input  
18 and, you know, like I said. I kind of throw it out  
19 to the group, is that something --

20 MR. WRIGHT: It mostly dates when we  
21 were in NRP, so therefore as NRP, you know, we get

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1 a request from the officer that kind of filters its  
2 way up and down, so we're kind of like therefore  
3 make it happen kind of thing.

4 MS. DISE: Do you want to explain the  
5 process that we're going through? Because nothing  
6 has been proposed yet to do it.

7 MR. WRIGHT: Yes.

8 MS. DISE: This is sorted of in a  
9 preproposal stage, and we met about two weeks ago  
10 with Lisa Gutierrez, the at the time acting  
11 director, and I agree that some of these changes I  
12 probably think would be substantive changes and as  
13 the AG assigned to boating I would have to certify  
14 that they are nonsubstantive versus substantive  
15 change, and I think a substantive change would have  
16 to be a new proposed regulation rather than just a  
17 technical amendment. Some of the amendments that  
18 Louis is talking about would be technical and  
19 others are real changes, for whatever reason, but  
20 we're going to have to explain why those changes  
21 are being proposed, whether they're NRP enforcement

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1 issues or buoys having been moved issues or  
2 whatever they are, but I think there needs to be,  
3 there will need to be a clear explanation for each  
4 regulation.

5           And touching on something else that  
6 Louis said, the promulgation process in Maryland is  
7 not an easy one. As I know you all are aware, it  
8 takes a pretty long time, something like 96 days if  
9 everything goes right from start to finish, and the  
10 gatekeepers of the Maryland Register have  
11 established rules of their own for how much an  
12 agency can submit at one time, how many pages,  
13 there's page limits, line limits and then there's  
14 another restriction which Louis alluded to, which  
15 is that if one regulation is under the proposal,  
16 amended, going through the process, you can't  
17 submit a second amendment to that particular  
18 regulation.

19           So we discussed a couple of weeks ago  
20 how to effectively get what we need in chunks into  
21 the Register without, you know, running ourselves

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1     into this, into a tangle of one of these rules that  
2     the gatekeepers have set up. So, you know, that's  
3     just a little supplementation.

4                   MR. WRIGHT: We've tried to keep the  
5     areas -- there has been some kind of changes -- as  
6     close as possible. In some cases we're scratching  
7     our heads trying to figure out what they meant  
8     originally.

9                   MR. PARLIN: I understand.

10                  MS. TROVATO: It sounds more like you're  
11     coming up with more nonsubstantive kind of  
12     technical fixes as opposed to substantive fixes.

13                  MR. WRIGHT: Our intent is not to come  
14     up with some massive change as to where everything  
15     is other than the correct real description of where  
16     these areas are. I mean where we have the most  
17     problem is that we have no records of really what  
18     they did in boating for most of these speed limits,  
19     what was proposed, like the meetings like you all  
20     have in the fall, so we, we don't really know what  
21     was intended and, you know, there are cases where

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1     some those over time, when they were put in they  
2     had typographical errors in there, whole degrees of  
3     latitude and longitude in some cases. There is one  
4     case where there is a -- you have a line that's  
5     described by latitude and longitude, but it's also  
6     described by distance from the bridge. Well, the  
7     two don't agree, which one is the correct one? So  
8     it's, you know, those are the kinds of thing that  
9     we're faced with dealing with.

10                   MS. TROVATO: Have you thought through  
11     when you do come across a substantive change how  
12     you want to proceed, are you going to talk to the  
13     advisory committee, are you going to move through  
14     the regulatory process, what --

15                   MR. WRIGHT: I think we're sort at the  
16     beginning of that. I think a lot it is working  
17     with the AG's office, figuring out what they  
18     consider which ones are substantive, because it's  
19     fairly easy for to us say this is where the line  
20     was, this is where it is and, you know, if it's  
21     pretty much the same thing I don't think they're

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1 going to have a major problem with it, but if there  
2 is some kind of torquing or in and out with it,  
3 they may want to do it -- I think it's going to be  
4 a give and take with us to figure out which is, and  
5 then, you know, we have the substantive ones, you  
6 know, how much you all want to look at, you know,  
7 whether it's five feet, 50 feet, a hundred feet,  
8 half a mile, you know, if there is, you know, if  
9 you all have some threshold or you want to look at  
10 all of them.

11 MS. TROVATO: I doubt that we want to  
12 look at all of them, I really doubt that.

13 MR. WRIGHT: Most of the changes are not  
14 that massive. I mean, like I said, they tend to be  
15 like can you pull this about a hundred feet out so  
16 this pier is inside the zone, that kind of thing,  
17 which, you know, it's not what was originally in  
18 the regulations, but, you know, probably with the  
19 hearings whether there was that much close, you  
20 know --

21 MS. TROVATO: Precision --

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1           MR. WRIGHT: You know, you want the line  
2 to run from this point to that point, but sort of  
3 how big a fuzzy point that was, you know, I don't  
4 know.

5           MS. DISE: Would it be possible for you  
6 to give Louis and Mike some guidance on what you  
7 want to see and -- that would be really helpful I  
8 think, especially as far as the timing goes for  
9 deciding which regulations go first to the  
10 Register.

11           THE CHAIRMAN: We can do that. Is  
12 everybody in favor of doing that, take a look  
13 and --

14           MS. TROVATO: Do we have any idea of  
15 what those criteria may be?

16           MR. PARLIN: I don't know if we all  
17 totally understand how big a project this is or --

18           MR. WRIGHT: It took me 15 years to get  
19 them all in, but I was doing other things, just not  
20 this 24/7.

21           MR. PARLIN: I don't want to open up a

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1 real can of worms here --

2 MR. WRIGHT: What appears to be the most  
3 difficult part in terms of the actual writing of  
4 the text is not as difficult as it looks because we  
5 have a computer program that we take the, you know,  
6 the GPS data and it will write coordinate  
7 information, all the stuff about this latitude and  
8 longitude going this many degrees to this point and  
9 so forth, so that bulk of that heavy duty is over,  
10 what takes the time is the fine editing, like if  
11 you're naming a point of land or something like  
12 that, to get that in there, where if you're  
13 actually modifying the existing COMAR putting in  
14 all the little brackets and italics in the right  
15 place so it goes over to COMAR so they can plug it  
16 in.

17 MR. DWYER: Just a summary of what  
18 you're telling us is the world is really not flat,  
19 it's round?

20 THE CHAIRMAN: I think we need to know  
21 sort of -- I don't think we need to do too much

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1 damage to these things to find out all that's going  
2 on in these little small pieces that you're trying  
3 to correct, but what pieces do we, would we like to  
4 see?

5 MR. WRIGHT: Yeah --

6 MS. TROVATO: It would have to be big  
7 than small, if it's a little bit of change.

8 MR. KLING: I think part of the question  
9 is what is little and what is big.

10 MR. JONES: That depends on the  
11 location.

12 MR. KLING: I mean it seems to me if  
13 there's an internal conflict like the one you just  
14 described where you've got two descriptions and  
15 they, those dots don't connect so the intent is not  
16 obvious, it seems to me that ought to be something  
17 we look at, and I don't care about a hundred feet,  
18 I probably don't care about 500 feet, I probably  
19 care about a half a mile. I -- I mean Chris raised  
20 it, Chris might care about 500 feet.

21 MR. PARLIN: Depends on the area.

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1 MR. JONES: That's what I said too.

2 MR. KLING: The kind of direction  
3 you're --

4 MR. WRIGHT: I mean that's something,  
5 you know, if it's going to move more than 250 feet,  
6 we go okay and make a list and then you can look at  
7 them and --

8 MS. TROVATO: Do you think there's a lot  
9 of them, are we talking about five?

10 MR. PARLIN: Quantify.

11 MS. TROVATO: Tens, hundreds?

12 MR. WRIGHT: I would think it was  
13 probably more than a tens figure, I have not gone  
14 through to really compare it. The main thing I  
15 haven't really compared a lot because the old  
16 positions are so terrible and many cases there are  
17 no coordinates for them that when I started I  
18 basically just okay, there's a number, if I have  
19 numbers for them, that's nice, I'm going to try to  
20 duplicate that as close as I can, but basically  
21 just go in and, you know, GPS, because they went

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1     into the project originally where everything was  
2     going to be done by coordinate, but then there were  
3     a number of areas that weren't. I went okay. So  
4     for example up in western Maryland with all the  
5     stuff in the Potomac, none of that had coordinates  
6     on it originally and of course distances from the  
7     dam, we were fortunate we went up before NRP lost  
8     its helicopter and were able to locate the dams so  
9     we were able to get a reference in relation to that  
10    without having to go play footsie and see whether  
11    we full over the edge of the dam or not, but it's  
12    bringing a lot of those areas into, into conformity  
13    that never had anything, that was kind of a  
14    challenge.

15                    But there's some other scattered around,  
16    some of the rivers that are defined, some of the  
17    rivers just went point to point with no definition  
18    to guide us, you know, because some of the points  
19    that form the mouths of the rivers are not sharp  
20    and distinct points. You have a large curvy area,  
21    so what point on that point is the point?

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1           THE CHAIRMAN: Which one have you  
2 experienced the most right now that's affected  
3 residents that live on the shoreline? I think one  
4 is Rock Creek area, wasn't it? Up near the  
5 Maryland Yacht Club there was a move on there that  
6 was going to affect some of the --

7           MR. WRIGHT: The one that's probably  
8 been the biggest one is South River Bridge, that's  
9 the one that has the distance versus coordinate  
10 problem, so the distance is of course a nice  
11 parallel line to the bridge. The coordinate went,  
12 actually goes at an acute angle from the south end  
13 of bridge over to the other side of the creek, it's  
14 kind of a --

15          THE CHAIRMAN: I think some of those we  
16 need to recognize, we can make sure the committee  
17 understands because that could change some things  
18 there for residents as well as those that have  
19 activities going on.

20          MR. WRIGHT: The distance one runs kind  
21 of parallel like that, before that line runs like

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1 this (indicating).

2 THE CHAIRMAN: That's a big change.

3 MS. TROVATO: That's a big change.

4 MR. PARLIN: That's something that --

5 THE CHAIRMAN: Yes, those kind of  
6 things.

7 MR. WRIGHT: That's in the existing  
8 regulation.

9 MS. TROVATO: The angled one?

10 MR. WRIGHT: That's not an NRP move,  
11 that's an existing regulation. Whether there was  
12 a, when they wrote, when they scaled the  
13 coordinates, they made a mistake on the scale or  
14 whatever exactly happened I don't know, but it's --

15 MR. KLING: You didn't do it.

16 MR. WRIGHT: No.

17 THE CHAIRMAN: That will be a request  
18 for a change, right, to bring that in, that will be  
19 a request for regulatory change.

20 MR. WRIGHT: That's one of the -- yeah,  
21 of course, this one also is sort of tied up with,

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1     you know, some ways with that. I mean you've got,  
2     if you have it, right now we've got, we have buoys,  
3     a combination of buoys and wake buoys out there and  
4     it's sort of people seem to be happy with what's  
5     there. I think what we're planning to do is go  
6     back to this one, that was what everybody seemed to  
7     want, was the coordinates based one rather than the  
8     distance based one.

9                   THE CHAIRMAN: Back to the original,  
10    like it is now.

11                   MR. WRIGHT: Yeah. Well, I mean the  
12    distance one, you know, when it's in the distance  
13    and there's a little more accurate in terms of you  
14    figure 500 feet is 500 feet and so it's, you drop,  
15    you know, point a range finder and boom, there you  
16    are, but it's the kind of thing where, you know,  
17    which one we hold as -- you know, the folks there  
18    are used to them, on the coordinated line, it's a  
19    matter of putting the buoys somewhere else, it's  
20    not a major issue for us.

21                   MR. GRANT: I'm sorry, go ahead.

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1           MR. WRIGHT: You know, some of these  
2 will be like, you know, where it -- like how to  
3 deal with it, if you decide to do something in this  
4 area, how to make it hook or do something logically  
5 with this area is going to be another issue.

6           MR. GRANT: I think what you may find,  
7 and worrying about the folks that are down here in  
8 Edgewater Beach and Chestnut Hill, if the line  
9 remains here, they're kind of happy, there is a  
10 whole lot of less wake than has been in the past,  
11 but if you bring it back here, the natural course  
12 of action is for the boats to come right along here  
13 to get under the bridge quicker and avoid the long  
14 distance. So this request here is going to turn  
15 into the whole side of the community, so, you know.

16           MR. JONES: How do we deal with that  
17 separately? Don't we have to do that together's?

18           MR. WRIGHT: Well, that one case where  
19 you have an existing speed limit that has some  
20 issues and then the other one is one that somebody  
21 is requesting something new, and I don't know

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1     whether you fix the existing one, however it works,  
2     and then figure out if you're going to do something  
3     with the new, with the new area, you know. You  
4     know, that I'll leave to you all.

5                 MR. GRANT: These folks over here I  
6     think we're going to start hearing from them, Cape  
7     St. John area.

8                 THE CHAIRMAN: If it changes I would  
9     think so.

10                MR. GRANT: If it moves back, this  
11     little cove and the community area somewhere around  
12     here, I don't know what's going to happen here, I  
13     think even if you do decide to do something the  
14     gentleman is going to find out it was a waste of  
15     time, it's not going to help in any way, but this  
16     is a big stretch. The few calls that I've gotten,  
17     people are thinking this notice buoy is in respect  
18     to shutting this whole area down between the two  
19     bridges and no one is in favor of that at all.

20                THE CHAIRMAN: Any more questions for  
21     Louis?

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1 MS. TROVATO: I'm not sure we answered  
2 Marianne's question, which was what criteria should  
3 DNR use on when to bring it back to us. And Steve  
4 took a shot at it, 100 feet, 500 feet, half a mile.

5 THE CHAIRMAN: I think something like  
6 this certainly impacts --

7 MR. KLING: That's the internal  
8 conflict.

9 MS. TROVATO: Right.

10 THE CHAIRMAN: We need to know the  
11 impact.

12 MR. WRIGHT: That's the case that we've  
13 gotten so far.

14 THE CHAIRMAN: Marinas, if it's a slight  
15 change that doesn't have any impact, but we've got  
16 to define what is the impact and ours would be.

17 MS. TROVATO: I don't want to look at  
18 hundreds of these.

19 THE CHAIRMAN: No, we don't have a need  
20 for that.

21 MS. ALLISON: The original example you

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1     cited,ed which was the channel going into Sandy  
2     Point State Park, if that moves 150 or 200 feet, it  
3     could close the channel.

4             MR. WRIGHT: Well, I think what the  
5     intent was is that particular line is a minimum  
6     wake line was to make that from all that up north  
7     into Mezick Pond all minimum wake zone.

8             MS. ALLISON: As I say, how you move the  
9     line in that case in a very narrow area could  
10    affect everything one way or the other whatever the  
11    intent is.

12            MR. WRIGHT: In that particular case to  
13    try to do the minimum in terms of changing stuff  
14    around, what we would probably do is go from the  
15    end of the jetty to the bridge and figure out what  
16    those points are and go from that point on the  
17    bridge parallel to the bridge up to the river where  
18    it intersects the shore, so basically you've got a  
19    little -- instead of having one line, now you have  
20    two lines that just makes that long skinny channel  
21    and part of that minimum wake zone, just makes

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1    it -- because looking at the charts you can see  
2    kind of what probably happened was they saw the  
3    bridge and it's this nice solid object and people  
4    can't get through there, like a canal that, you  
5    know, so we're regulating everything up in there.

6                    MS. ALLISON:  I understand the intent,  
7    but the concern is we're starting to look at  
8    things, how big or how small, that's pretty small.

9                    THE CHAIRMAN:  Real small.

10                   MR. PARLIN:  Could have an impact.

11                   MS. ALLISON:  That's what I'm saying,  
12    how do we decide what's big or small.

13                   MR. KLING:  Could we not say, pick a  
14    number, I don't care, 250, 500 feet, 200 feet,  
15    unless, we don't want to see it unless in the view  
16    of Louis a lesser change --

17                   MR. WRIGHT:  Something significant.

18                   MR. KLING:  Yeah, I mean, Louis doesn't  
19    want to close down the waterway.

20                   MR. PARLIN:  I trust Louis to make the  
21    right decisions when it comes to us.

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1                   MR. WRIGHT: Well --

2                   THE CHAIRMAN: Run that by us or  
3 something like this that would impact, you've got a  
4 good sense for that, but if it's 25 feet, that  
5 doesn't do a thing, we certainly don't want --

6                   MR. WRIGHT: There are a number of these  
7 things, like the little ponds here where they have  
8 lots of minimum wakes, six at all times and stuff  
9 like that, I mean the mouth is the mouth. Now,  
10 coordinates in the regulation could be anywhere,  
11 they say it's this little pond and it's on the  
12 chart, you can figure out what it is, you tend to  
13 go through the entrance point.

14                  MS. ALLISON: Lake Ogleton could be  
15 another prime example of a very, very narrow  
16 entrance.

17                  MR. PARLIN: We know what the intent is  
18 there.

19                  MR. WRIGHT: That's another interesting  
20 spot too.

21                  MR. PARLIN: Can I go back? That's what

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1 I think the public needs to be able to see on the  
2 Internet. They ought to be able to pull that up  
3 and understand what that means, because I've had  
4 several people in my boating class talking to them  
5 about sometimes you're going into a zone, sometimes  
6 you're coming out of a zone, people not quite  
7 understanding how these areas are marked, that's  
8 what they need to be able to see online.

9 MR. WRIGHT: I agree with you, but up  
10 until -- you know, our feeling is if you start  
11 putting out stuff with, you know, bad or incorrect  
12 coordinates, then from my life as dealing with  
13 stuff with Fisheries lines and enforcement you get  
14 that stuff out there it takes on a life all its own  
15 and never goes away. So I'd rather have the real  
16 thing go out first time and that way it's, you  
17 know, you're not, you were not dealing with 16  
18 different versions of what's true.

19 MR. PARLIN: I understand, I'd like to  
20 see that soon.

21 MR. WRIGHT: We're trying to get there.

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1 Making haste pretty slowly.

2 THE CHAIRMAN: Anything else for Louis?  
3 Thank you, Louis, for your work on that. Anything  
4 else?

5 MS. TROVATO: Keep up the good work,  
6 thanks.

7 THE CHAIRMAN: Great work.

8 MR. JONES: Great job.

9 (Discussion held off the record.)

10 MR. JONES: I still have a question,  
11 Coles.

12 THE CHAIRMAN: I'm sorry.

13 MR. JONES: This is to us, if we address  
14 this small area there in blue don't we have to come  
15 back and address the problem that they have already  
16 uncovered, can we do that within the three years?

17 THE CHAIRMAN: Well, we can certainly,  
18 when we need to be thinking about what our  
19 decisions would be and recommendations to the  
20 Secretary, once we have the hearing, how that may  
21 impact other things.

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1 MR. JONES: It seems like it's --

2 THE CHAIRMAN: We need to think about  
3 that.

4 MR. JONES: We need to figure out where  
5 we end up on the whole thing.

6 MS. TROVATO: It would be helpful to  
7 have the whole picture when we're thinking about  
8 it.

9 MR. JONES: Yeah.

10 MS. TROVATO: Mike and Louis, if there  
11 is one of these lines that's going to change and  
12 impact one of these requests, maybe we can think  
13 about it altogether and that might be helpful.

14 MR. WRIGHT: I'll be doing about four  
15 requests.

16 MS. TROVATO: That's easy.

17 MR. WRIGHT: Fairly simple at this  
18 point. Hopefully by the time the next batch rolls  
19 through most of this will be processed and we'll  
20 just have to, you know, have to deal with, you  
21 know, whatever changes. Worse would probably be

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1 somebody wants a different speed limit or extending  
2 or whatever is there so we have to redo a section  
3 that we've already redone, but that's life.

4 Fisheries does it all the time.

5 MR. GRANT: Fisheries had only one this  
6 year, Edgewater Beach.

7 MS. TROVATO: Okay.

8 THE CHAIRMAN: Mike, do you want to move  
9 it along? I think we've got some comments from  
10 Marianne I believe, haven't we, on what we  
11 discussed?

12 MS. DISE: What we discussed, what you  
13 all discussed at your last meeting was we discussed  
14 whether you want to adopt a policy on, basically  
15 its a conduct policy and it is something that I  
16 drafted understanding that you all were interested  
17 in having something like this. The Deep Creek  
18 Lake, the Governor's Deep Creek Lake Policy and  
19 Review Board has a very similar policy that we  
20 adopted for them about two years ago and so I just  
21 used most of the language from that, and it's also

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1 a multi-interest board with representatives from  
2 various constituencies and they at the time felt a  
3 need to address advocacy issues for -- certain  
4 members were advocating things from the table at  
5 the meeting and handouts, and so this is the same  
6 language that you all looked at at the last  
7 meeting, at least as far as I could draft it off  
8 from my computer. I think when you had the  
9 discussion last time there was some comments and  
10 folks wanted to take a look at it and consider it  
11 and we understood that you wanted to bring it back  
12 again at this meeting.

13 THE CHAIRMAN: Everybody take a look at  
14 it for a few minutes and then we'll, if anything  
15 looks questionable that you need to add or delete.

16 (Pause for document examination.)

17 MR. BUSH: I have a question, in  
18 reference to the handout of information which is,  
19 we currently don't have, let's say it's something  
20 that's new from the Coast Guard, the Coast Guard  
21 Auxiliary, or Homeland Security, now, who makes the

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1 decision as to whether or not we would wish that to  
2 go out further to the public?

3           We have a public hearing, people are in  
4 the room, and it may be, it may have a reference or  
5 reference to what we're talking about. Now, does  
6 the chairman make that decision and says well, we  
7 have some other additional information you may wish  
8 to give out to reinforce the position we're taking  
9 in a discussion or you don't want to bring that up  
10 at all with the public in the room?

11           MS. DISE: I think it would be the  
12 committee as a whole. The chairman could ask for a  
13 vote on whether to hand that out or the committee  
14 could decide that you want to hand out certain  
15 materials. This was -- there was a particular,  
16 several incidents that occurred on the Deep Creek  
17 Lake board in which a member representing a private  
18 constituency was handing out material at the  
19 meeting and with the result that some of the  
20 general public thought that the material was from  
21 the Deep Creek Lake Policy and Review Board whereas

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1 it was from the Friends of Deep Creek Lake, which  
2 is an advocacy organization, not the board, and  
3 this was happening in the meeting room, so that was  
4 the genesis of this statement.

5 MR. BUSH: I understand what you just  
6 said. However, disregarding a personal advantage  
7 giving something out, personal position, but a  
8 position taken by an organization of the state or  
9 the federal government, do we wish to even bring  
10 that up as an item to discuss with the public in  
11 the room? Because they're going to get confused.  
12 We may decide well, no, after we thought about it  
13 we don't want it to come as part of our meeting to  
14 the public, the information.

15 MS. DISE: I would say that's a policy  
16 issue that's up to the board and this policy can be  
17 written to fit your needs, so whatever you all  
18 would decide as a board as a committee should go in  
19 there.

20 MR. BUSH: That's why I'm bringing it  
21 up.

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1 MS. DISE: Whatever works for you all.

2 MR. KLING: Is this, is this strong  
3 enough, and I'm looking at the second paragraph in  
4 number one, might, perhaps should there be a  
5 recusal obligation? I mean Bob McLean is not here  
6 so we can pick on Bob, so let's just say we're  
7 talking about a proposed regulation to ban Jet Skis  
8 from the South River.

9 MR. SHELLER: I think that somebody from  
10 the PWC would evaluate that information before the  
11 committee makes that decision.

12 MR. KLING: In that case that regulation  
13 would shut down Bob's business and so again, I'm  
14 just picking on Bob, but would --

15 MR. SHELLER: That's why the committee  
16 has multiple people on it with different interests,  
17 they can at least represent the facts to the  
18 committee.

19 MS. DISE: Right.

20 MR. KLING: In that case he's not a  
21 representative -- his interest as a PWC user,

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1 representative, you know, someone with a PWC-based  
2 business, we're talking about, let's say we're  
3 talking about PWCs in Ocean City as we have a  
4 number of times, Janes Island, his input there is  
5 appropriate, but when you get into someone's  
6 business wheelhouse, would it -- in many other  
7 aspects of life you're expected to step back and  
8 say time out, I have a conflict between my public  
9 and private position, I need to recuse myself.

10 MS. DISE: Well, there's a State Ethics  
11 Commission as you all are aware which gives  
12 advisory opinions on matters like recusal, so if a  
13 member wanted to seek such an opinion, he or she  
14 could do so. But I would agree that this is a  
15 multi-interest board and it's supposed to have  
16 different, different views. How you draw the line,  
17 it's not easy and it's not a right line that can be  
18 drawn.

19 MR. SHELLER: I would think, just from a  
20 practical example, someone on the board had a piece  
21 of property that was directly affected by that,

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1     that would have to be known to the members of the  
2     board so they can consider whether that person had  
3     a vested interest or something like that.  Someone  
4     has a powerboat and happens to use that river,  
5     that's not necessarily the same criteria.

6                 MR. KLING:  Not at all, no.

7                 MR. SHELLER:  That's personal use, but  
8     it's public use also.

9                 MS. TROVATO:  I think we're a multi-  
10    interest board and I think the reason that people  
11    are on that board is so they can express that  
12    interest and it gets taken into account in all the  
13    considerations.  Maybe we should be more explicit  
14    where our interests are coming from when we do the  
15    introductions in the beginning of the meeting so  
16    everybody is clear about that piece, but, you know,  
17    so, for example, last year when someone wanted to  
18    extend the six-knot limit from the Severn Narrows  
19    all the way up towards the point, I live in that  
20    area, I did not want that to happen, should I  
21    recuse myself from that?

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1 MR. KLING: No, I gave a very specific  
2 example.

3 MS. TROVATO: Specifically affects his  
4 business.

5 MR. KLING: No, I think that's the  
6 value -- now, if you were sitting there and going,  
7 you know, my life would be a lot simpler if this  
8 limit was here and my boat wasn't getting banged --

9 MS. TROVATO: Right.

10 MR. KLING: -- it's the --

11 MS. TROVATO: Reverse.

12 MR. KLING: Yeah. I have spent many,  
13 many years on the West River, used to use the West  
14 River all the time and those guys were coming in  
15 there and pushing for a speed limit and I'm  
16 going --

17 MS. ALLISON: And moorings and the whole  
18 big mooring issue last year.

19 MR. KLING: No, there's no need to shut  
20 down this part of the river, that's part of the  
21 expertise I bring to the table. It strikes me when

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1 your economic, personal economic interest may  
2 conflict with the work of the committee, I'm just  
3 wondering if the expectation ought not be recuse  
4 yourself.

5 MS. TROVATO: I can say on the advisory  
6 boards that I have run for the federal government  
7 and we have invited public health people and  
8 environmental people, the only thing is that you  
9 have to declare your interest, and once your  
10 interest is declared you can then express your  
11 opinion.

12 MR. KLING: But you're bringing in  
13 people to testify --

14 MS. TROVATO: No, no, it's an advisory  
15 committee. So if we have Exxon in and we're  
16 talking about something to do with oil and gas, we  
17 expect them to speak, and that's okay with us  
18 because we know where they're coming from. I think  
19 we can do the same thing as long as it's clear that  
20 we know where we're coming from, you declare it. I  
21 mean it --

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1           MR. KLING: I think there is potential,  
2 I think Bob saying, if we're discussing a PWC  
3 regulation, and just picking on Bob, my interest is  
4 in that business, I want to see it flourish, that's  
5 where I'm coming from, that's one thing. The next  
6 step is if the regulation would shut his business  
7 down.

8           MS. TROVATO: Yeah, yeah, I see the  
9 difference.

10          MR. BUSH: I think another important  
11 point is who tells him he can't say anything more  
12 about it, you understand? Because that's what  
13 we're talking about, saying well, you have to  
14 excuse yourself from commenting on a -- or not  
15 voting on the issue even though it may close my  
16 business down, and the guy sitting here says no, I  
17 want to talk about this, I want to vote no. Now,  
18 are we going to -- where does it say he has to shut  
19 up?

20          MR. KLING: That's the discussion we're  
21 having.

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1 MR. JONES: He needs to say that.

2 MR. BUSH: But who makes that decision?

3 MR. JONES: I think it's wrong to keep  
4 him quiet, I think he needs to say that.

5 MR. BUSH: That's your opinion, but who  
6 makes that decision that he cannot say any more on  
7 that, or do we ever do that?

8 MR. SHELLER: Well, the committee is an  
9 advisory committee, it's not a regulatory  
10 committee. The committee votes on a committee  
11 position; is that not correct?

12 THE CHAIRMAN: Yes.

13 MR. SHELLER: It seems like you have  
14 some self-limiting guidelines right there.

15 MR. DWYER: I've been on this committee  
16 a long time, you talked about me when I was in the  
17 ski boat business and represented the skiers. I  
18 don't ever remember it being a problem. I mean if  
19 somebody remembers it, tell me.

20 MR. KLING: No, I don't think it ever,  
21 no.

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1                   MR. DWYER: Any of the members, speaking  
2 their say, and we know where they're coming from  
3 or -- I just don't see where it's that big a  
4 problem.

5                   THE CHAIRMAN: Any more comments?

6                   MS. TROVATO: I have one other comment,  
7 question, that is when we get to an issue like my  
8 issue last year where there was a specific request  
9 for a six-knot zone that would have extended in  
10 front of my house, keeping in mind I'm a water  
11 skier and I don't want a six-knot zone in front of  
12 my house, how do I comment on that most  
13 appropriately? Do I comment on that from my  
14 position as a member or do I get up and actually  
15 comment to the board as a citizen, an interested  
16 citizen? I don't know the best approach for me in  
17 that situation and we've bumped into that before.

18                   MR. DWYER: We had the same with the  
19 Miles River. I'm a member of Miles River Yacht  
20 Club and my boat is there and should I have not  
21 said anything?

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1                   MS. TROVATO: I don't think I should be  
2 muzzled, I'm just asking what's the most  
3 appropriate way for me to express my position and  
4 opinion? Is it from here as a member or do I have,  
5 for that particular discussion I get up and I sign  
6 up and I talk as a --

7                   MR. KLING: Well, there are two  
8 different --

9                   MS. TROVATO: These are separate, these  
10 two things.

11                  MR. KLING: If you wanted -- we have the  
12 public testimony part and then we have our  
13 deliberative part, and typically we share our  
14 information. If you want to, I think it would be  
15 entirely appropriate if you wanted the large public  
16 to hear your comments to get up and put yourself  
17 over there.

18                  MS. TROVATO: Okay.

19                  MR. KLING: But those are two different  
20 points in time.

21                  MS. TROVATO: Right, okay.

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1           MR. KLING: And we try very much to get  
2 away from engaging in substantive discussion with  
3 the people giving testimony.

4           MR. BUSH: I know you say you try to get  
5 away from it, but when we have our discussion after  
6 we've had the public testimony we invite them in to  
7 sit in the room and listen, and if we're -- we've  
8 got to be certain of what we say at that point,  
9 otherwise people are going to go out of the room  
10 and there's going to be all type of comments coming  
11 back to us in the newspapers, and it has happened,  
12 it has happened. So I'm only bringing that point  
13 up.

14           THE CHAIRMAN: The bigger question is I  
15 guess, Marianne, do you want us to have some  
16 comments on this again or --

17           MS. DISE: That's certainly --

18           THE CHAIRMAN: -- vote on that piece?

19           MS. DISE: It's your proposed policy, I  
20 was just asked to draft it, so it's up to you all  
21 what you want to do, but I want to mention that to

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1     answer Ramona's question or maybe deal with that a  
2     little bit, in advising the Critical Area  
3     Commission for 15 years we had numerous instances  
4     of members on the commission who had interests in  
5     areas that were up for discussion and decision by  
6     the commission, and in your case you're a lot  
7     luckier than the Critical Area Commission because a  
8     proposal to change or put into place a new  
9     regulation that might affect one of you, you can  
10    comment as an individual during the public comment  
11    period on that proposed regulation because your  
12    process is not the end if there's going to be a  
13    proposal, whereas with the Critical Area Commission  
14    they would vote and that was the end of it, the  
15    next step was court.

16            So my advice to the members, we've had  
17    particular conflicts, like we had a very  
18    controversial issue in Talbot County involving  
19    Miles Point I'm sure you're aware of because it was  
20    right next to the Miles River Yacht Club, we had a  
21    member at the time who had a very great interest in

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1     whether that property was going to be developed or  
2     not developed, and I just advised that person not  
3     to make comments in public forums because he was  
4     perceived as a member of the Critical Area  
5     Commission and because the buck stopped with the  
6     commission.

7                     You all I think are different, you're  
8     one step removed from that because the buck doesn't  
9     stop with you, it stops with the Secretary and  
10    ultimately with the AELR and the public process.

11                    MS. TROVATO: So following up with the  
12    way that Steve was approaching it, in the situation  
13    I proposed, if I want to comment as a citizen I  
14    would get up, leave the table, go make remarks just  
15    like any other citizen and then during the  
16    deliberation I just rejoin the group and have a  
17    conversation?

18                    MS. DISE: I think that would work.

19                    MR. DWYER: You're saying she doesn't  
20    have to.

21                    MS. DISE: I think that would work, if

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1 that's the way that you want to do it, or if your  
2 proposal goes forward you can comment as a member  
3 of the public during the regulatory process.

4 MS. TROVATO: So what -- in one of our  
5 earlier meetings that I attended a couple of years  
6 ago, one of our members almost had a debate with  
7 the people who were presenting to us and --

8 MS. DISE: Probably not such a good  
9 thing.

10 MS. TROVATO: Right, right. I was  
11 thinking that we all have been around a long time  
12 and done a lot of things and have a lot of interest  
13 in a lot of things and I want to be careful not to  
14 mix up our role here with those roles.

15 MS. DISE: Yes.

16 MS. TROVATO: That's why I like the  
17 clarity of Steve's approach, that is if I want to  
18 advocate for a position I sign up, I get up and I  
19 stand up and I talk about what it is, and then, you  
20 know, then I sit back down and done.

21 MS. DISE: You're one voice, I have my

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1 one voice, so.

2 MS. TROVATO: I like the clarity of that  
3 approach a lot.

4 THE CHAIRMAN: We need a sense from the  
5 group to move forward with what, is that what you  
6 would like today? Chris.

7 MR. PARLIN: Can I comment? Just  
8 reading through this, I'm not sure if we need to  
9 hand out this thing or not, but one statement I  
10 don't see in here which I believe we brought up  
11 among ourselves before was advocating a position of  
12 the Boat Act outside of here to other interests  
13 without it already being agreed upon and discussed  
14 by the Boat Act Committee. That way somebody is  
15 not going and trying to impress upon somebody else  
16 that this is the position of the Boat Act Advisory  
17 Committee on something we haven't already agreed  
18 upon. So I would like to see some type of  
19 statement in there that kind of clarifies that  
20 we're not to go out and take a position of the  
21 committee that hasn't already been --

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1 THE CHAIRMAN: In any form.

2 MS. TROVATO: Accepted or --

3 THE CHAIRMAN: Verbally that hasn't been  
4 discussed.

5 MS. TROVATO: Not the position of the  
6 committee.

7 THE CHAIRMAN: I think that would be a  
8 helpful --

9 MR. SHELLER: I think paragraph two  
10 basically cuts the committee.

11 MR. DWYER: I agree.

12 MR. SHELLER: I don't think we can talk  
13 about anything. We're here as advisors from  
14 various industries and organizations and stuff like  
15 that and it says when we're here we're going to  
16 refrain from talking about things that we're  
17 interested in.

18 MR. JONES: Handing out materials, no,  
19 that one, excuse me.

20 MR. SHELLER: If you're a waterfront  
21 property owner, it may not be your property, but if

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1 we're addressing something in the advisory  
2 committee here that sets a precedent for waterfront  
3 property owners you're an interested party by law.

4 MS. TROVATO: I am.

5 MR. KLING: We don't set -- we decide  
6 things on a case by case.

7 MR. SHELLER: It says that you will  
8 refrain from advocating --

9 MR. KLING: Right.

10 MR. JONES: I agree.

11 MR. KLING: When it would advance your  
12 personal business.

13 MR. SHELLER: That's my job here, to  
14 bring a perspective from another viewpoint of an  
15 organization or another interest, we're all from  
16 different interests I think. I mean this  
17 basically, anything we say here could be shut down  
18 by this paragraph.

19 MR. GRANT: Could I recommend that we  
20 all get comments to me by the second week, end of  
21 the second week of September?

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1 THE CHAIRMAN: Absolutely.

2 MR. GRANT: If you'd like I will send  
3 this to you electronically, you can edit it as you  
4 see fit or you can just send me what you think  
5 should be added or deleted from it, and let's say  
6 by September 14th. How's that work? Too soon?

7 MS. TROVATO: No, that's good.

8 MR. GRANT: 21st?

9 MS. TROVATO: 14th.

10 MR. GRANT: September 14th. And then  
11 I'll compile them and send them off to Marianne and  
12 you can have your way with it.

13 MS. DISE: Yeah.

14 MR. GRANT: Okay.

15 THE CHAIRMAN: Sounds good, let's move  
16 along, and we'll move on from there.

17 MS. TROVATO: Thank you.

18 THE CHAIRMAN: Thank you for this.

19 MS. TROVATO: This is important to talk  
20 about.

21 THE CHAIRMAN: Moving on, anything else

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1 that we have to bring up, Mike, that we're going to  
2 do some old business? No old business? New  
3 business? I have one comment that I'd like to  
4 make, probably as good a time as any, back to our  
5 discussion about staff recommending something to  
6 the Secretary that we weren't totally aware of. I  
7 think that in view of that the staff has a, has an  
8 obligation to recommend to the Secretary as well as  
9 this committee things that need to be in the best  
10 interest of the citizens of the state of Maryland  
11 that operate and enjoy the waterfront. So I think  
12 each of us have some respect to advise the  
13 Secretary properly and I think that in the case of  
14 the staff like, Mike, you did advise him as to what  
15 he needed to hear and we advised the Secretary the  
16 same way. And then it's ultimately his decision,  
17 so I would like to make that comment that as we  
18 pass along that we kind of try to work in  
19 togetherness, which we always have done, that we  
20 give the Secretary the very best advice that we  
21 can.

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1           So good job, Mike, that's a good job,  
2 just inform us a little bit more and we're  
3 certainly going to take that, but the Secretary  
4 really needs to have the best advice of everybody.  
5 So anybody else with a comment? We're going to do  
6 the next meeting.

7           MR. GRANT: Yeah, a couple of things,  
8 we -- just logistically, geographically, even  
9 though we have only four regulations this year, two  
10 are on the South River, one is in lower Harford  
11 County and one's the Susquehanna. I can't combine  
12 them with a good heart. I mean it was a push to  
13 get those folks in the Potomac down to Annapolis  
14 last year, but they were happy to come, they were  
15 going on a fishing trip. That would be a haul to  
16 get those folks, either group coming in that  
17 direction. It's an hour and a half from the  
18 Susquehanna and an hour to Harford.

19           So we'd like to set up one probably back  
20 at the Elks, we're looking at perhaps the first  
21 week in October for that one, maybe that would be

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1 like the 4th of October.

2 MR. KLING: Isn't that the boat show?

3 MR. GRANT: Is it the boat show?

4 MS. ALLISON: It's always first two  
5 weeks of October, boat show.

6 MR. GRANT: What's your point?

7 MS. ALLISON: We're involved in boating.

8 (Discussion held off the record.)

9 MR. GRANT: Is the end of September too  
10 quick? The only issue we have, and we may be able  
11 to speed this up, we're waiting for NRP records, I  
12 have one already and expect another one next week,  
13 I think we can do them pretty quickly, if that's  
14 the case if we can go into --

15 MS. TROVATO: What's your goal, to get  
16 them done by when?

17 MR. GRANT: Based on last year,  
18 yesterday, but I would like to get them in and into  
19 the Secretary's hands before legislature starts  
20 cranking up and getting busy. There's only four of  
21 them, not too big a deal.

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1 MS. TROVATO: Before Thanksgiving.

2 MR. GRANT: Yeah, that's possible,  
3 that's possible. If we did the week of September  
4 24th for at least one of them --

5 THE CHAIRMAN: September 24th.

6 MR. GRANT: -- or the last two weeks,  
7 the week of the 17th or the week of the 24th, if we  
8 can do -- Thursday, Tuesday or Thursday --  
9 Thursday, so if we said September 20th and  
10 September 27th.

11 MS. TROVATO: You know, just for me  
12 personally it's really hard, end of fiscal year and  
13 it's a nightmare.

14 MR. GRANT: That's why I'm asking.

15 THE CHAIRMAN: How about the end of  
16 October?

17 MS. TROVATO: That's fine.

18 THE CHAIRMAN: 22nd of October, that's  
19 after the boat shows.

20 MS. ALLISON: Fine.

21 MR. GRANT: The 25th and the 1st

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1 perhaps, 25th of October and the 1st of November.

2 THE CHAIRMAN: 25th is the Thursday.

3 MS. ALLISON: October 25.

4 MS. TROVATO: November 1st.

5 THE CHAIRMAN: That's the one that we're  
6 going to do at the Elks or South River?

7 MR. GRANT: Pardon me?

8 THE CHAIRMAN: South River at the Elks.

9 MR. GRANT: South River at the Elks,  
10 right, and we'll figure out when we're going to do  
11 the other one. They're 25 or 30 minutes apart,  
12 Susquehanna and Railroad Creek, so we have to find  
13 some way that we can --

14 THE CHAIRMAN: Want to shoot for that in  
15 November?

16 MR. GRANT: Yeah, November 1, is that  
17 all right? Pencil those in, we have other folks to  
18 ask.

19 THE CHAIRMAN: 25th and November 1.

20 MS. ALLISON: Mike, is there any reason  
21 we couldn't combine the Susquehanna and the

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1 Railroad one up somewhere in northern Baltimore?

2 MR. GRANT: Yeah, that's fine, northern  
3 Baltimore County.

4 MS. ALLISON: Yeah.

5 MR. GRANT: I just want to get it so  
6 everybody --

7 MS. ALLISON: Something that's  
8 convenient to both of those locations.

9 MR. GRANT: In between would be, where  
10 is that -- Ripken Stadium, Aberdeen, Aberdeen is  
11 midway between both of them.

12 MR. LEVITAN: Why don't you try Bush  
13 River Yacht Club.

14 THE CHAIRMAN: Bush River Yacht Club.

15 MR. GRANT: Do you know anybody?

16 THE CHAIRMAN: Yeah, I think so.

17 MR. GRANT: That's a good idea.

18 THE CHAIRMAN: I'm sure they would  
19 welcome us.

20 MR. GRANT: Great idea, thank you very  
21 much.

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1           THE CHAIRMAN: Let me know if you're  
2 going to need me to make contact, we can do that as  
3 well.

4           MR. GRANT: Thank you. The only thing  
5 that I have is --

6           THE CHAIRMAN: Comments.

7           MR. GRANT: -- site visits, we've had a  
8 few folks come out this year, we have a few weeks  
9 left and all the trips this year, all the sites  
10 visits have been by car, because you don't need to  
11 get on the boat, not necessary, so they're easy  
12 ones. The one, the Susquehanna and the Railroad  
13 Creek, we leave at 9, we're back by 2 at the  
14 latest. Annapolis takes all of 45 minutes, South  
15 River, so I'll send out another list of dates and  
16 see if we can get everybody in there.

17           MR. SIMON: As long as we get some  
18 correspondence so we can mark it down.

19           MR. GRANT: Absolutely. I'll send out  
20 the chart again and find out when we can do it.  
21 That's all I have.

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1           THE CHAIRMAN: Any other comments before  
2 we adjourn?

3           Mark, would you like to make a comment  
4 about your first meeting with us? We certainly  
5 would give you an opportunity to make a comment if  
6 you'd like.

7           MR. O'MALLEY: It's a very good process  
8 and you give us valuable advice and  
9 recommendations.

10          THE CHAIRMAN: We work at it. There's  
11 been -- quite a number of people on the committee  
12 have been here a long time and they've worked, you  
13 know, worked at it, you know, to do the best that  
14 we can for the Secretary and the best that we can  
15 for the citizens the Maryland. Good, glad to have  
16 you with us. Any other thing, quick?

17          MR. PARLIN: Back on the site visits,  
18 folks, it's our credibility to make those site  
19 visits, even if you do it in your own car, on your  
20 own time, you gotta do the site visits and show the  
21 public that we care about their requests. And

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1       that's, I make a motion to adjourn.

2                       MS. TROVATO:    Second.

3                       THE CHAIRMAN:    Adjourned.

4                       (Hearing adjourned at 12:02 p.m.)

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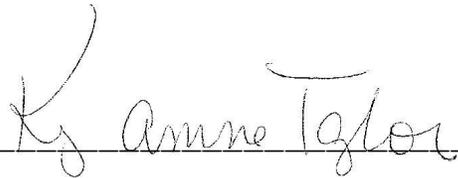
1 STATE OF MARYLAND  
COUNTY OF BALTIMORE

2

3 I, Kelly A. Taylor, a Notary Public in  
4 and for the State of Maryland, County of Baltimore,  
5 do hereby certify that the foregoing is a true and  
6 accurate transcript of the proceedings indicated.

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Kelly A. Taylor, Notary Public

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