

Transcript of
Meeting of the Maryland Boat Act Advisory Committee

Date: December 12, 2013 on Thursday

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1 MEETING OF THE
2 MARYLAND BOAT ACT ADVISORY COMMITTEE

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5 The above-entitled matter came on for
6 hearing on Thursday, December 12th, 2013,
7 commencing at 10:00 a.m., at the Kent Island Yacht
8 Club, Coles Marsh, committee chairman, presiding.

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10 COMMITTEE MEMBERS:

11 Amy Craig	Al Simon
Robert Lunsford	Steve Kling
12 Russ Dwyer	Edric McSween
Jon Sheller	Robert Nickel
13 Thornell T. Jones	Christopher Parlin
John Bush	Debbie Henniger
14 Ramona Trovata	Fred Levitan

15 Mike Grant, State Committee Liason
16 Donna Morrow, Director Clean Waterways,
Facilities and Regulations Division

17

18 Reported by: Kelly A. Taylor

19

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21

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

2 THE CHAIRMAN: Good morning, morning,
3 glad you all are here this morning, nice to be
4 inside instead of outside for a little bit. So as
5 we do normally -- we're set up a little different
6 which is nice on our last meeting of 2013, we have
7 a little round table -- I just want everybody to go
8 around like we do and we can do our name and
9 anything that's exciting, that's happened to you
10 since our last meeting or different, new and
11 different. So we'll start with Ramona and we'll go
12 on around and we'll move over to there.

13 (Members introduce themselves.)

14 THE CHAIRMAN: Mike, you're up,
15 disposition of regulatory requests 2013.

16 MR. GRANT: From '13, everybody received
17 the e-mail concerning the secretary's decision, did
18 you not, so I'm just reiterating that the secretary
19 decided to go with your recommendation for Ocean
20 City, the Ocean Pines area and slightly expand the
21 current six knot zone and mark it a little more

1 deliberately and for Ventnor he decided to go with
2 the petitioner but for boating season only, so that
3 area will have a six knot zone boating season only,
4 the rest of the year will remain as it is. Both are
5 going through the process right now through AELR
6 and we expect them to be effective in March of
7 2014. Any questions?

8 Okay. 2014, moving right along. I have
9 one official request for 2014 and one maybe. The
10 first one is the document that you have on your
11 table that Steve referred to, this gentleman
12 essentially would like to change the PWC safety
13 zone from one hundred feet to two hundred feet for
14 the entire bay for any area that's greater than
15 four hundred feet wide.

16 As you can see from the letter, if you
17 had a chance to read it, he witnessed an almost
18 accident with a swimmer and feels that this is the
19 only way to control this. I kept insisting this is
20 more of a regulatory issue right now because we,
21 the person that you witnessed was within, far

1 within a hundred foot zone and within too close to
2 the person swimming and it was NRP's issue, but he
3 still wants to push forward and do it statewide. I
4 understand that you can, I believe, decide to go
5 with this or not or just suggest that it's
6 regulatory and he should keep calling NRP as
7 opposed to taking it up. This is the only official
8 one that I have at this point. I have not
9 responded yet.

10 I spoke with Julie Brown, our resident
11 PWC expert who was here at the last meeting and
12 evidently back during Dave Street's time, I think
13 most of you here remember David, they did some
14 testing and felt that it was, you know, it wasn't
15 an issue. That, that the hundred foot works just
16 fine. NRP is well aware of what a hundred feet is.
17 They can certainly, you know, tag people if they
18 witness something but unfortunately again their
19 issue is having enough staff to man this and
20 keeping an eye on things, and this particular
21 person lives in Lusby and this occurred on the

1 beach on the Chesapeake Bay so this was -- I don't
2 know how many patrols we have running up in that
3 area, but it's an issue obviously, so I said you
4 got to keep calling the 888 number and, you know,
5 they will relocate their assets if they see it as a
6 problem. So I asked for your counsel on this one,
7 whether we should proceed with this and, Rachel,
8 maybe you can chime in, do they have the ability to
9 say, you know, we feel this is a regulatory
10 request, we see no reason to go forward with this,
11 if you have issues stay with NRP or should it be
12 entertained?

13 MS. EISENHOWER: Well, actually, I'm not
14 familiar, I haven't come here often enough to know
15 yet whether when you get one request you entertain
16 it immediately upon receiving it or whether you put
17 it on as new business at another meeting. I
18 don't -- and that part I'm not familiar with.
19 Certainly having them call NRP when they see that
20 problem is what we've advised in the past when
21 they're happening because actually there is a

1 regulation which controls it and it's already in
2 place, there is not a regulatory action for that
3 particular violation. It's really an enforcement
4 action.

5 MR. GRANT: Right.

6 MS. EISENHOWER: So it's --

7 MR. LUNSFORD: As I remember the
8 department has 60 days to either begin the process
9 of adopting the regulation which includes putting
10 it under the purview of this committee for review
11 for a year or to write back to the petitioner and
12 tell them why the department is going to take no
13 action, so I think there is a clock running where
14 you have to get back to them, you have to do one or
15 the other, if I recall Mike, from my years of doing
16 this stuff.

17 MR. GRANT: Could Steve chime in?

18 MR. KLING: Well, we used to have a 25
19 signature limit set for ourselves and we're advised
20 by the attorney general office if it's one request,
21 one person came in we had to consider it but it was

1 in this context, this is an enforcement issue not a
2 regulatory issue.

3 Is not the hundred foot limit a
4 statutory limit?

5 MR. LUNSFORD: I don't remember.

6 MR. KLING: Way back then we were
7 looking at the jet skis remember the legislature
8 trumped us, I wouldn't be surprised if the PWC is a
9 statute.

10 MR. LUNSFORD: That would make it really
11 easy for the committee, wouldn't it?

12 MS. MORROW: This person is requesting
13 it and I agree, I mean we can't just say here,
14 enforce this.

15 MR. LUNSFORD: If it's a statutory we
16 can't change it at our level, we can't even
17 recommend it be changed.

18 MS. MORROW: No, you couldn't --

19 MR. LUNSFORD: Mike is feverishly
20 looking for it and giving us time for lunch.

21 MR. GRANT: I'm not that feverishly

1 looking. For the life of me I can't find it.

2 (Pause for document examination.)

3 MR. GRANT: I can't locate it at this
4 point.

5 Well, so what you're saying if it is
6 statutory we can't touch it and the letter goes
7 back to the individual stating this is a issue for
8 NRP.

9 MS. EISENHOWER: An enforcement issue.

10 MR. LUNSFORD: It's an enforcement issue
11 either way to me --

12 MS. MORROW: If he wants to get a change
13 in statute --

14 MR. LUNSFORD: He talks to his delegate.

15 MS. TROVATO: Is it statute?

16 MR. GRANT: I'm going to confirm that
17 and I'll get back to you by e-mail.

18 MS. MORROW: If it's a regs issue, it's
19 a regulation that will be something for us to --

20 MR. LUNSFORD: Well, I think the sense
21 of the of the committee -- and forgive me if I'm

1 speaking -- I think we all consider it an
2 enforcement issue and there is no need to change a
3 statewide regulation based upon a guy who witnessed
4 something and it wasn't even involving, he wasn't
5 even the swimmer. So he saw something he thought
6 was dangerous.

7 MR. GRANT: Just missed someone
8 swimming.

9 MR. LUNSFORD: And the swimmer didn't
10 call in and complain.

11 MR. GRANT: No, no. Does that mean that
12 we need or should recommend something from the
13 chairman, choose if this then that and if not then
14 this?

15 MS. MORROW: Yeah, I think there needs
16 to be something.

17 THE CHAIRMAN: I think since you do have
18 a request we're going have to address that request
19 at some level, we're going to have to get back to
20 them asking what you should tell that person.

21 MR. GRANT: I can get that hopefully

1 help from the AG's office.

2 MS. EISENHOWER: Right.

3 MR. GRANT: Thank you --

4 THE CHAIRMAN: If we -- as a committee
5 should we take any action or vote on where we
6 should go with that or wait until you at least have
7 some direction from counsel?

8 MR. DWYER: I think we ought to make a
9 motion and give him a way to go. If it's not
10 statutory, it's a regulatory. He'll have the
11 answer either way. I mean I'll make a motion
12 that -- what do you want it to say? It's a
13 regulatory problem --

14 MR. LUNSFORD: An enforcement issue.

15 MR. DWYER: -- we don't want to
16 increase --

17 MR. KLING: I don't think you want to
18 say this, let's say we see this as an enforcement
19 issue and don't recommend changing.

20 MR. DWYER: Second.

21 THE CHAIRMAN: Do we have a second to

1 that?

2 MR. JONES: Second.

3 MR. LUNSFORD: Second.

4 THE CHAIRMAN: Any discussion on that
5 and do we know what the motion is? Russ, do you
6 want to make a motion?

7 MR. DWYER: Steve corrected me.

8 MS. TROVATO: Polished it.

9 MR. DWYER: Make no change.

10 MR. GRANT: Do what you said, right?

11 MR. DWYER: Right.

12 MR. KLING: I think the motion is that
13 we see this is an enforcement issue and recommend
14 that no regulatory, no rule making be considered,
15 undertaken at this time.

16 MR. DWYER: Second.

17 THE CHAIRMAN: The motion was seconded
18 on that. All in favor raise your hand, please.

19 (Vote taken.)

20 THE CHAIRMAN: Mike, do you have
21 direction --

1 MS. TROVATO: Did you get a count, Mike?

2 MR. GRANT: I didn't.

3 MS. TROVATO: Everybody.

4 (Vote taken.)

5 MR. SIMON: Unanimous.

6 MR. GRANT: Good. All right, this next
7 one is we're back up in Havre de Grace, the blue
8 area -- I'm sorry, the yellow area is existing.
9 This may look somewhat familiar because we
10 addressed this before. This gentlemen in 2011 or
11 '12 he wanted to do the blue area, shut the entire
12 river down. Now, we have folks named Scarlato,
13 they own a marina here and here and they basically
14 want what these people have. They would like to
15 extend this area all of the way up above the Amtrak
16 bridge with the same six knots during the boating
17 season, I think probably when it comes in official
18 they would like to have it at all times. In fact,
19 I think they would like to have it across the river
20 as well. Part of their concern is they're getting
21 rocked hard by boats and yada, yada but they have,

1 they have two businesses aside from their marina
2 business. One is a kayak and paddle board rental,
3 so people can do that in this neck of the woods up
4 here. The other is a yoga school that operates off
5 of a barge up here, up in here somewhere
6 (indicating). I don't know whether it's outside or
7 inside, I didn't get specific. But here's the
8 Amtrak bridge and here's the smaller one here and
9 the large marina here.

10 When I spoke with the woman I, you know,
11 I suggested that perhaps, you know, that maybe she
12 should rethink the idea of paddle board, kayak
13 rental area in a very popular river because it may
14 not be the best river for it, maybe a smaller
15 stream and creek might be the best place for it,
16 and she said we have the right to do that, we have
17 the right to operate the business and I couldn't go
18 anywhere with the yoga classes. But that's, that
19 has not come through officially. I did get a call
20 from Delegate James' office, who is Cecil and
21 Harford County, her representative, who I basically

1 had the same conversation with. I mean this
2 doesn't make any sense, this is like this women
3 wants to have a bike rental business on the side of
4 Route 50 and then complained there's too much
5 traffic. It just didn't ring and again I didn't go
6 to the yoga thing, and he seemed to understand and
7 went back to the delegate with it and Mrs. Scarlota
8 called me again in late summer and we went through
9 the whole story again and I explained to her what
10 she had to do, when she had to do it by and I have
11 heard nothing from her so I don't know what's going
12 to happen, but this is just, I wanted to bring this
13 up again because we had the discussion last year
14 that a request has been made in this area and it
15 hasn't been three years so another request can't be
16 made. Is this the same thing? It's not the same
17 thing.

18 MR. KLING: I don't think -- it's a
19 different person, different --

20 MR. GRANT: So her request is to extend
21 this area so that -- she said I want what they have

1 down here, that's all I want what they have down
2 here so they want, she wants to extend this up
3 here, the blue is just for reference. I don't know
4 if it's going to come through or not, but that's
5 just a FYI.

6 MR. LUNSFORD: Has there been any
7 suggestion that the traffic is causing a safety
8 issue between vessels or is it simply a wake
9 reaching shore issue?

10 MR. GRANT: Wake reaching the barge and
11 affecting their rental or rental customers.

12 MR. LUNSFORD: What is the distance
13 offshore of that red line that's being --

14 MR. GRANT: Approximately two hundred.
15 The same distance here and this is just an
16 approximate -- I just extended what we had down
17 here.

18 MR. LUNSFORD: So they believe that
19 extending that distance will somehow mitigate the
20 wake, the effect of wakes.

21 MR. GRANT: So that the paddle boarders

1 and kayakers will stay within the red zone and be
2 unaffected.

3 MR. LUNSFORD: Okay.

4 MS. HENNIGER: I can let you know on
5 this side of bridge -- can you put the bridge back
6 in -- there is a county ramp and that's probably
7 where she is getting it, a lot of it, north is the
8 county bridge, ramp. I go up there all of the time
9 and the only place I see boats is way out, I don't
10 see them inside there unless they're taking off
11 from there.

12 MR. GRANT: From this area.

13 MR. LUNSFORD: Yeah, and then straight
14 out the bridge.

15 MS. HENNIGER: Yeah, and then they're
16 going inside of that line and the only other thing
17 is that Tidewater used to have -- Tidewater is
18 right beside on the right.

19 MR. GRANT: Right in here?

20 MS. HENNIGER: No.

21 MR. GRANT: Tidewater Marina.

1 MS. HENNIGER: Restaurant, up by the
2 bridge.

3 MR. GRANT: Up here?

4 MS. HENNIGER: Yeah, so it's up further
5 and next door. Tidewater used to have boats that
6 took off, like hydroplane boat things, the little
7 motors on them and I haven't seen them lately, but
8 I don't see too much traffic in that area except
9 for that reason.

10 MR. GRANT: It's a busy river, there is
11 no doubt.

12 MS. HENNIGER: Yeah, it is.

13 MR. GRANT: Between the barges alone.

14 MS. HENNIGER: And the wake that does
15 it -- look at the cross over up the Chesapeake from
16 the ships, that's the wake that comes up from the
17 south not the north part.

18 MR. GRANT: I advised her that it's a
19 commercial river that she would have trouble
20 shutting the river down and she said it wasn't the
21 barges that were the problem it was the go fast

1 boats.

2 MS. HENNIGER: With all of the grass in
3 there, you can have yoga in the grass.

4 MR. GRANT: I didn't go there.

5 MS. HENNIGER: Look at all of the grass
6 there, that's strange.

7 MR. KLING: Seems to me we should, we
8 shouldn't worry about the merits of it at this
9 point. I don't think it's the same request as the
10 guy who wanted to shut down the river. If it comes
11 in, I think, you know, we'll consider it
12 appropriately. I happen to think that expanding
13 the business and taking away public water to make
14 it better for your business that's not good public
15 policy, that's just my opinion.

16 MR. GRANT: Okay, this has not
17 officially come in but I wanted you to know that it
18 had come in from the delegate and the delegate's
19 representative, and I don't know if she's gathered
20 signatures or she's having second thoughts.

21 MR. LUNSFORD: She is on the radar.

1 MR. GRANT: That's all that I have.

2 MR. LUNSFORD: Not much.

3 MR. GRANT: You want more?

4 (Discussion held off the record.)

5 THE CHAIRMAN: I would like to make sure
6 that they understand what we're doing when they
7 petition that it's not --

8 MR. GRANT: Nine times out of 10 it's
9 the unintended consequences that they're unaware
10 of. If for you then it affects me so otherwise we
11 don't want to do it or it's a regulatory request,
12 you got to go this route first -- I mean it's a
13 regulatory issue, so --

14 MR. LUNSFORD: Enforcement.

15 MR. GRANT: -- enforcement, right --
16 enforcement issue. My bad.

17 THE CHAIRMAN: That's all that's in at
18 the time. Mark hasn't made it yet.

19 MR. GRANT: I'm sorry, I apologize.
20 Mark will not be here today, Mark had to go to New
21 England for a funeral. Donna Morrow.

1 THE CHAIRMAN: You want to give us an
2 update then?

3 MS. MORROW: I don't have much to update
4 you on. Yesterday I did go to our annual pregame
5 session for DNR for our legislative team to see
6 what might be coming down the pike. I know that
7 with the boating services group we are not putting
8 any legislation of any sort in this year, it's not
9 particularly a good year to do it anyhow as an
10 election cycle is about to take off and so forth.

11 As many of you probably recall last year
12 there was a bill, Senate Bill 90, that was passed
13 which did a number of things. One, it put into
14 place a tax cap on vessels over three hundred
15 thousand dollars. The second thing it did was
16 give, I think it's one half of one percent of the
17 state motor fuel tax back to the Waterway
18 Improvement Fund and the third thing it did which a
19 lot of people maybe didn't pay attention to at the
20 time but it created a task force to study the
21 enhancement of the boating industry in Maryland.

1 That is a big task and Mark has been working on
2 that to actually get together the task force and
3 nominations completed by the secretary and so forth
4 and the appointments. That task force, the first
5 meeting now is coming up on Monday. It will be --
6 I don't think there is a big agenda yet at this
7 point, it's just to meet and make some
8 introductions and sort of see where they want to
9 take this but I know that it's a pretty good group.
10 They have paddle groups involved, they have got the
11 Marine Trades of Maryland involved. I think we
12 have somebody from Recreational Boating and Fishing
13 Foundation as well as the -- who else do we have --
14 Chesapeake Bay Yacht Club Association so we try to
15 get a lot of different people to the table that
16 could bring something to bear. Certainly
17 representatives that work in the industry so it
18 will be an interesting group. Where they go, we
19 don't know, but they're supposed to look at all
20 ways to both enhance the Waterway Improvement Fund
21 which benefits everybody but also to enhance the

1 boating industry in general. So they meet Monday
2 for the first time.

3 And the only news really that I got out
4 of yesterday's meeting regarding legislation that
5 you may see coming out in the 2014 session is a
6 repeat of a bill that was put in last year to close
7 a loophole on drunken sailboating.

8 If you recall that, there is -- if you
9 want to run one, you can, but there is a loophole
10 in the law that basically didn't say that the
11 boating under the influence laws also include
12 sailboats. It was probably intended to be implied,
13 but they tried to get that closed last year. I
14 don't know, something got overlooked and it didn't
15 get passed so this year they're going to -- I guess
16 that's a Natural Resources Police bill and they
17 will be putting that in there. We'll see where
18 that goes.

19 So anyway, that's really about it in
20 terms of boating legislation that I know about at
21 this point. If there is any questions --

1 MR. PARLIN: I have a question on a
2 personal thing, I just got my vessel renewal in the
3 mail and it talked about signing up for this ID
4 number through DNR and you can't renew your boat
5 unless you get this special ID number and
6 everything but then I have had somebody tell me it
7 didn't really work out and everybody is fighting it
8 and DNR said send the registration in without the
9 number -- are you clear about that?

10 MS. MORROW: No, that's news to me. I
11 don't work with the licensing and registration and
12 the person that does, she wasn't in the meeting.

13 MR. PARLIN: This seemed like this was
14 an all reaching, if you were going to do business
15 with them --

16 MR. LUNSFORD: Even my hunting license
17 they wanted --

18 MS. MORROW: I know they've migrated to
19 a different software system and it may have
20 something to do with that.

21 MR. DWYER: Every license that you get

1 through the state is on that printout when you use
2 your ID, your hunting or boat registration or
3 waterfowl license.

4 MS. MORROW: I think it's an attempt to
5 integrate data about you --

6 MR. LUNSFORD: If you do anything, they
7 can pull your licenses at once.

8 MS. MORROW: If there is a commercial
9 waterman's license, they can pull that. There is
10 other ways that people intersect with the
11 department.

12 Any other questions?

13 MS. HENNIGER: I just know with the
14 Marine Trades in Baltimore County that I'm on we're
15 trying to repeal the rain tax with regard to as
16 long as they're clean marinas. That I know
17 Councilwoman Bevins who has the big district right
18 there is trying to help us with that in order to
19 help the marinas out so I don't know if anybody
20 else knew of that because that's what we're trying
21 to do right now is work with clean marinas and

1 repeal some of that, so if you don't have it --

2 MS. MORROW: That's fantastic. I'll put
3 in a little plug. In case you know the folks in
4 the marina area, the clean marina and myself I'm
5 going to put on some workshops in January. One
6 will be -- the 14th and will be in Baltimore
7 County, the 16th will be in Annap -- I'm sorry, the
8 16th will be in Cambridge and the 22nd will be in
9 Annapolis and at the Annapolis and Baltimore County
10 workshops we will have county council people from
11 respective counties obviously to come and talk
12 about the stormwater fee credits that are for clean
13 marinas so it's another incentive for those that
14 are interested in getting that certification that
15 will help probably reduce that stormwater tax bill
16 probably by up to 50 percent, so we're very happy
17 about that.

18 Obviously I know in Anne Arundel County
19 the stormwater fees haven't been sorted out.
20 There's probably going to be a fight in the
21 legislature this year statewide about that entire

1 state bill that enabled the taxes that the
2 counties, to have those counties collect the fee in
3 the first place, that may get back to the, you
4 know, they may go back to the mat on that, I don't
5 know, but for now that's a nice incentive and I
6 appreciate you mentioning that.

7 THE CHAIRMAN: That's a good incentive.

8 MS. HENNIGER: I just think it's nice to
9 have a clean marina. When you go down, it's nice
10 to have one that's --

11 MS. MORROW: We know there is some dirty
12 dogs.

13 MS. HENNIGER: You want to get the
14 bootleg marinas out.

15 MS. MORROW: It raises the bar across
16 the industry, exactly.

17 THE CHAIRMAN: I'm going to serve on the
18 Duckworth (phonetic) task force committee, I'm
19 looking forward to that. I think we did something
20 similar to that eight or 10 years ago. I think
21 there was a study that Senator Haskell had chaired

1 that.

2 MS. MORROW: That was three or four
3 years ago.

4 THE CHAIRMAN: Talking about ways to
5 improve the boating experience on the bay and how
6 that may affect boaters to bring them here, to
7 register boats here and how the enjoyment would be,
8 you know, so anyway that should be an interesting
9 one this time to find out where that may go, you
10 know, as far as boating experience for those on the
11 bay.

12 We're moving along pretty fast. Mike,
13 lunch is not served until about 11:30 or 12 and
14 we're moving on unless somebody has something else
15 to bring we're going to go to Steve with the
16 nominating activity and outside of that we don't
17 have anything unless it's old business.

18 MR. GRANT: Correct.

19 MS. HENNIGER: When, what did we decide
20 on those things?

21 MR. GRANT: We haven't yet. We have

1 made a motion to address it formally depending on
2 how it's listed.

3 MS. HENNIGER: Sorry. Those things,
4 what are they called?

5 MR. NICKEL: Jet-Levs.

6 MR. GRANT: Jet-Levs. Director O'Malley
7 sent that back to NRP for their deliberations.
8 We're not dealing with it.

9 MS. HENNIGER: Good. My friends are
10 saying we're going to Fort Lauderdale to see the
11 boat parade, they're going to have all of those and
12 can you imagine you have a 12 mile long parade,
13 those things in the water --

14 MR. GRANT: Yep.

15 THE CHAIRMAN: They're going to be
16 around and you're going to have them up on Deep
17 Creek Lake.

18 MR. NICKEL: I can't see that happening.

19 THE CHAIRMAN: Any more thoughts for
20 Donna or Mike as we move along? Our legal team is
21 here. Before we move to Steve and the nominations,

1 any other business? We're moving along pretty
2 quickly, we're going to --

3 MR. KLING: My annual report of the
4 nominating committee is as follows: After much
5 deliberation the nominating committee recommends
6 Ramona Trovato for chair, Chris Parlin for vice
7 chair and Amy Craig for officer at large.

8 THE CHAIRMAN: You've heard that.

9 MR. KLING: End of report.

10 THE CHAIRMAN: And that's the end of his
11 report.

12 MR. DWYER: I make a motion that we
13 accept the nominating committee recommendations.

14 THE CHAIRMAN: Do we have a second?

15 MR. BUSH: Second.

16 THE CHAIRMAN: All in favor, raise your
17 hand for the nominating report.

18 (Vote taken.)

19 THE CHAIRMAN: Pretty unanimous.

20 Obviously we're not going to break for lunch right
21 now because I don't think it's ready.

1 MR. LUNSFORD: I make a motion that we
2 recess.

3 MR. DWYER: Second.

4 THE CHAIRMAN: Let's do old and new
5 business; is that okay?

6 (Discussion held off the record.)

7 MS. TROVATO: I move the, make a motion
8 to amend the agenda to move the old and new
9 business up before lunch.

10 THE CHAIRMAN: Old business.

11 MS. TROVATO: Second.

12 MR. DWYER: Second.

13 THE CHAIRMAN: All in favor of that?

14 (Vote taken.)

15 THE CHAIRMAN: All right. Old business.

16 MR. PARLIN: I'll share something
17 interesting with you folks and it's kind of old
18 news, I got to do a neat exercise about two months
19 ago with Natural Resources Police. They're trying
20 out, testing out their new MLEIN system. It's a
21 really neat technology system they're putting in

1 place up and down the Chesapeake Bay that
2 incorporates radar, AIS, camera systems and it's
3 really neat.

4 We set up a simulated Chesapeake Bay
5 swim, a big activity where we will set up a large
6 do not enter zone, they can actually on a chart
7 that's tied into the computer put in the do not
8 enter zone and if the system recognizes a vessel
9 approaching that zone at a high speed they can put
10 parameters and say anything over 20 or 30 knots it
11 will set off an alarm and point the camera at the
12 boat, you can tell the system lock in on that boat,
13 track it, it will show you radar signatures, they
14 can lock in on boats and say track that boat for a
15 while and it will show you everywhere that boat has
16 gone. It is a really, really nice system. They
17 have some technology things that they're working
18 through but the neat part of it was on my side of
19 it we were involved from the fire department's side
20 for search and rescue because it's going have that
21 spin off with mostly law enforcement type of

1 things, anti-terrorism, things like that, but the
2 spin-off is for search and rescue we get a call 1
3 o'clock in the morning for a boat taking on water
4 in the Chesapeake Bay in the area of, you know,
5 three miles south of the Bay Bridge they can at
6 least look for radar signatures, have a camera
7 looking, you know, put all of those things together
8 to try to help locate people out in the water. So
9 it's really, really neat system. I got to kind of
10 see the nuts and bolts of it from the inside. It's
11 a neat system that will be coming out.

12 MS. TROVATO: When will it deploy?

13 MR. PARLIN: Pieces of it are in place,
14 but they're not a hundred percent.

15 MS. TROVATO: Is it the whole bay or --

16 MR. PARLIN: Up and down the bay, plus
17 they do have a mobile trailer that if they have a
18 problem area they need to watch, because of things
19 like the illegal gill netting, they can put it on
20 the shoreline and watch an area. They can sit it
21 here in Kent Narrows and watch everything that's

1 going on in this area.

2 MS. TROVATO: If there were places that
3 there is an enforcement issue instead of keep
4 sending the police.

5 MR. JONES: Yes, that's what I was
6 thinking.

7 (Discussion held off the record.)

8 MR. PARLIN: It's a really robust
9 system, it's going to have a lot of good and
10 positive sides to it.

11 THE CHAIRMAN: Part of homeland security
12 that I think, I think the colonel talked to us
13 about it two or three years ago, they were going to
14 be doing that as part of the homeland security.
15 They got federal money, that's good.

16 MS. EISENHOWER: They got a lot of
17 federal money for that. Isn't that how they got
18 the oyster poachers recently? They went into a
19 oyster sanctuary --

20 MR. GRANT: Down in Crisfield.

21 MS. EISENHOWER: Yeah, yeah.

1 MS. MORROW: In a couple of different
2 rivers and creeks.

3 MS. EISENHOWER: Yeah, I believe.

4 MR. JONES: That's good.

5 MS. TROVATO: I have another topic. Bob
6 has mentioned a couple of times do we want to get
7 together with our similar body in the state of
8 Virginia.

9 MR. LUNSFORD: We used to have some
10 pretty productive meetings and I thought the
11 Jet-Lev issue would be one that be would
12 interesting to see how they were dealing with it.

13 MR. SIMON: I'm sorry?

14 THE CHAIRMAN: Her question was dealing
15 with this jet flying, these jet things.

16 MR. JONES: Levs.

17 MS. TROVATO: It was a lot bigger than
18 that, evidently there is a boat act advisory like
19 committee in the state of Virginia.

20 MR. LUNSFORD: We used to have a joint
21 meeting every other year.

1 MS. TROVATO: I was just wondering if
2 there was a value of having a joint meeting with
3 them in the coming year.

4 THE CHAIRMAN: I think there was, there
5 was a letter that Mark sent out that basically
6 indicated as you know we discussed the vessels at
7 the summer boat act meeting at the Kent Island
8 Yacht Club. We also were briefed by NRP safety
9 inspector Julie Brown who indicated that NRP was
10 aware and closely watching the issue. After
11 consideration I decided to return the issue to NRP
12 for consideration and let them pursue a solution
13 with our counterpart other states as well as with
14 the Coast Guard. So they pretty much relieved us
15 from that sort of relieved us of the --

16 MS. TROVATO: Of the Jet-Lev issue.

17 THE CHAIRMAN: That came from Mark.

18 MR. PARLIN: I think Ramona has a good
19 point in that we all face some of the same issues,
20 whether it be the personal watercraft thing, this
21 new thing, the wake board boats, the ballasted

1 boats, we keep facing these new things and they
2 might have dealt with something that is coming down
3 the pike for us so I think there is some value of
4 just getting together and finding out how we're
5 each handling things, are we on the same page and
6 what type of issues are out there.

7 MS. TROVATO: Where did you meet?

8 MR. LUNSFORD: Generally Daingerfield
9 Island over the Potomac, in the D.C. area because
10 it was in the odd see.

11 (Discussion held off the record.)

12 THE CHAIRMAN: Al.

13 MR. SIMON: Did not include the harbor,
14 it was D.C., which we also met together for at
15 different times.

16 MS. TROVATO: I don't know.

17 MR. SIMON: Because I think the harbor
18 in D.C. covers up to D.C. through the Woodrow
19 Wilson Bridge.

20 MR. LUNSFORD: They were an enforcement
21 group, Al, and we -- they came to a couple of

1 meetings where we had enforcement issues, this was
2 back in the 80s, but I, I don't remember that they
3 came to the policy meeting.

4 Can I -- I'll make a suggestion, this is
5 not a motion, a suggestion. Mike, if you'll try to
6 find me the, a contact point for the Virginia boat
7 act I'll draft a letter for the chairman to query
8 them to see if they have any interest in holding a
9 joint meeting.

10 MR. GRANT: Will do.

11 MR. LUNSFORD: If that's okay with the
12 chairman?

13 MS. TROVATO: Sounds good. Is that okay
14 with you?

15 THE CHAIRMAN: Fine with me.

16 (Discussion held off the record.)

17 MR. SIMON: I can help if you want the
18 D.C. harbor, we use their meeting room at different
19 times for the joint, together, Virginia, D.C. and
20 Maryland, but we're going back a long time.

21 MR. LUNSFORD: You're going back even

1 before me, Al.

2 MR. SIMON: I was afraid so.

3 THE CHAIRMAN: Al, how long has -- I
4 bring this up in conversation because lunch is not
5 ready right yet, but I want be to sure, Al, how
6 long have you been serving on the Boat Act Advisory
7 Committee?

8 MR. SIMON: When Governor Tawes asked me
9 to get on.

10 THE CHAIRMAN: Is that when it started?

11 MR. SIMON: It used to be under
12 Tidewater, Tidewater, under Tidewater and then we
13 went to Natural Resources.

14 THE CHAIRMAN: Now, Judge Wolf was what
15 year roughly?

16 TROVATO: What year was that?

17 MR. SIMON: Later on.

18 MS. TROVATO: When were you appointed,
19 what year was it?

20 MR. SIMON: Governor Tawes was the
21 governor.

1 MR. KLING: Agnew was elected in '66, I
2 think.

3 MR. LUNSFORD: '62 is I think is what we
4 looked at one time. You and Fred are the two
5 oldest members.

6 MS. TROVATO: Longest serving.

7 MR. PARLIN: On the committee longer
8 than I have been alive.

9 (Discussion held off the record.)

10 THE CHAIRMAN: John, I think you had a
11 question. Did you have your hand up?

12 MR. BUSH: I was going to say that as
13 far as we have so little activity right now, it
14 might be repeating myself, because we have such a
15 small amount of activity projected for next year it
16 might be a very good thing to just with a lot of
17 effort jointly meet with them in order to further
18 justify this committee. Okay.

19 MR. SIMON: We used to meet on the state
20 boat, Lady Maryland, we had our meetings on the, on
21 the state boat and we had the Coast Guard join us.

1 MR. LUNSFORD: Always had the Coast
2 Guard there.

3 THE CHAIRMAN: So the suggestion is,
4 Bob, you're going to look into it --

5 MR. LUNSFORD: With Mike.

6 THE CHAIRMAN: -- the Virginia group
7 with Mike and include the Delaware and D.C. group
8 and see where they are. We have Coastal Bays from
9 Delaware, so you have some --

10 MR. LUNSFORD: Just include them. Like
11 Al said they used to come to the meetings.

12 THE CHAIRMAN: We won't have another
13 meeting until April so when you, when you start
14 sorting that out if you would like to e-mail -- I
15 don't know, Mike can do that. If you would like to
16 have a meeting between then because we won't be
17 meeting here as a committee until April.

18 MR. SIMON: If you want to use National
19 Harbor give me a call.

20 MS. TROVATO: Thanks.

21 THE CHAIRMAN: Thank you, Al.

1 MR. BUSH: I have one more important
2 thing, I had a birthday December 5th.

3 MS. TROVATO: Happy birthday.

4 THE CHAIRMAN: He won't tell you how old
5 he is.

6 MR. BUSH: I don't mind.

7 MR. BUSH: 1930.

8 MS. TROVATO: Congratulations.

9 MR. BUSH: I'm only 83.

10 THE CHAIRMAN: A young at heart 83.
11 Anything else under old business? Any old business
12 that you need to --

13 MR. KLING: I think there are only three
14 people qualified to speak for old business.

15 THE CHAIRMAN: Anybody else have
16 anything under old business that we need to talk
17 about?

18 We're moving on. New business,
19 Jeannine?

20 MS. MOANEY: Next meeting won't be until
21 May.

1 THE CHAIRMAN: Not April?

2 MS. MOANEY: No, no, because of
3 legislation.

4 THE CHAIRMAN: Next meeting will be in
5 May.

6 Anything else, Mike? We're going to
7 move on to new business. Any new business?

8 Only new business that I have is the
9 fact that I have appreciated serving as your
10 chairman for two years. It's been great to serve
11 this group. It's a good group and I hope that the
12 state realizes the fact that we have a good working
13 group. We all work hard, we go and try to satisfy
14 the request of the people that put in a request,
15 the petitioners. They have, they buy in a strong
16 interest in what they're passionate about and we as
17 a committee have the responsibility to react to
18 that and listen to every word and be responsive to
19 that. That's our charge is to do that and my
20 experience has been since I've been on the
21 committee and been the chairman that we do take

1 that seriously and we do take the petitioners
2 seriously and we don't shrug it off like it didn't
3 mean anything.

4 This is a very professional group of
5 people and our legal team will realize that the
6 more you come to our meetings, so thank you for the
7 opportunity to serve as your chairman, I appreciate
8 it and I'm going to turn the gavel over to our new
9 chairman to close the meeting.

10 (Applause.)

11 MS. TROVATO: Are we adjourned or do we
12 adjourn after lunch?

13 MR. GRANT: Lunch is being moved up.

14 MR. DWYER: I make a motion we adjourn.

15 MR. PARLIN: I second that.

16 MS. TROVATO: All those in favor?

17 (Vote taken.)

18 MS. TROVATO: Many thanks to Coles for a
19 heck of a fine job.

20 (Applause.)

21 MS. TROVATO: We're adjourned.

1 (Meeting adjourned at 11:02 a.m.)

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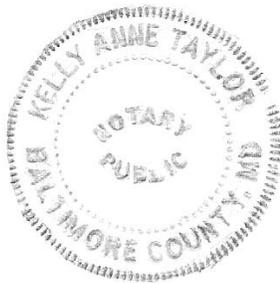
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1 STATE OF MARYLAND
2 COUNTY OF BALTIMORE

3

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

8



9

A handwritten signature in cursive script that reads "Kelly Anne Taylor".

10

Kelly A. Taylor, Notary Public

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<p style="text-align: center;">1</p> <hr/> <p>1 32:2</p> <p>10 19:8 26:20</p> <p>11:30 27:13</p> <p>12 12:11 27:13 28:12</p> <p>13 2:16</p> <p>14th 25:6</p> <p>16th 25:7,8</p> <p>1930 41:7</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>20 31:10</p> <p>2011 12:10</p> <p>2013 2:6,15</p> <p>2014 3:7,8,9 22:5</p> <p>22nd 25:8</p> <p>25 6:18</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p>30 31:10</p> <hr/> <p style="text-align: center;">5</p> <hr/> <p>50 14:4 25:16</p> <p>5th 41:2</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p>60 6:8</p> <p>62 39:3</p> <p>66 39:1</p> <hr/> <p style="text-align: center;">8</p> <hr/> <p>80s 37:2</p> <p>83 41:9,10</p>	<p>888 5:4</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p>90 20:12</p> <hr/> <p style="text-align: center;">A</p> <hr/> <p>ability 5:8</p> <p>accept 29:13</p> <p>accident 3:18</p> <p>act 34:18 37:7 38:6</p> <p>action 6:2,4,13 10:5</p> <p>activity 27:16 31:5 39:13,15</p> <p>address 9:18 28:1</p> <p>addressed 12:10</p> <p>adjourn 43:12, 14</p> <p>adjourned 43:11,21</p> <p>adopting 6:9</p> <p>advised 5:20 6:19 17:18</p> <p>advisory 34:18 38:6</p> <p>AELR 3:5</p> <p>affect 27:6</p> <p>affecting 15:11</p> <p>affects 19:10</p> <p>afraid 38:2</p> <p>AG'S 10:1</p> <p>agenda 21:6 30:8</p> <p>Agnew 39:1</p> <p>agree 7:13</p> <p>AIS 31:2</p>	<p>alarm 31:11</p> <p>alive 39:8</p> <p>amend 30:8</p> <p>amount 39:15</p> <p>Amtrak 12:15 13:8</p> <p>Amy 29:7</p> <p>Annap 25:7</p> <p>Annapolis 25:9</p> <p>Anne 25:18</p> <p>annual 20:4 29:3</p> <p>anti-terrorism 32:1</p> <p>apologize 19:19</p> <p>Applause 43:10,20</p> <p>appointed 38:18</p> <p>appointments 21:4</p> <p>appreciated 42:9</p> <p>approaching 31:9</p> <p>appropriately 18:12</p> <p>approximate 15:16</p> <p>Approximately 15:14</p> <p>April 40:13,17 42:1</p> <p>area 2:20 3:3,14 5:3 12:8,11,15 13:13 14:14,21 16:12 17:8 32:4, 18,20 33:1 36:9</p> <p>Arundel 25:18</p> <p>assets 5:5</p> <p>Association 21:14</p> <p>attempt 24:4</p>	<p>attention 20:19</p> <p>attorney 6:20</p> <p>aware 4:16 35:10</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>back 4:12 6:11, 14 7:6 8:7,17 9:19 14:7 16:5 20:17 26:3,4 28:7 37:2, 20,21</p> <p>bad 19:16</p> <p>ballasted 35:21</p> <p>Baltimore 24:14 25:6,9</p> <p>bar 26:15</p> <p>barge 13:5 15:10</p> <p>barges 17:13,21</p> <p>based 9:3</p> <p>basically 12:13 13:21 22:10 35:5</p> <p>bay 3:14 5:1 21:14 27:5,11 31:1, 32:4,5,15,16</p> <p>Bays 40:8</p> <p>beach 5:1</p> <p>bear 21:16</p> <p>begin 6:8</p> <p>benefits 21:21</p> <p>Bevins 24:17</p> <p>big 21:1,6 24:17 31:5</p> <p>bigger 34:17</p> <p>bike 14:3</p> <p>bill 20:12 22:6,16 25:15 26:1</p> <p>birthday 41:2,3</p> <p>bit 2:4</p> <p>blue 12:7,11 15:3</p> <p>board 13:2,12 35:21</p>	<p>boarders 15:21</p> <p>boat 17:6 23:4 24:2 28:11 31:12, 14,15 32:3 34:18 35:7 38:6 39:20, 21</p> <p>boaters 27:6</p> <p>boating 3:2,3 12:16 20:7,21 21:12 22:1,11,20 27:5,10</p> <p>boats 12:21 16:9 17:5 18:1 27:7 31:14 35:21 36:1</p> <p>Bob 34:5 40:4</p> <p>body 34:7</p> <p>bolts 32:10</p> <p>bootleg 26:14</p> <p>break 29:20</p> <p>bridge 12:16 13:8 16:5,8,14 17:2 32:5 36:19</p> <p>briefed 35:8</p> <p>bring 14:12 21:16 27:6,15 38:4</p> <p>Brown 4:10 35:9</p> <p>BUSH 29:15 39:12 41:1,6,7,9</p> <p>business 5:17 13:2,17 14:3 18:13, 23:14 27:17 29:1 30:5,9, 10,15 41:11,14, 16,18 42:7,8</p> <p>businesses 13:1</p> <p>busy 17:10</p> <p>buy 42:15</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>call 5:19 9:10 13:19 32:2 40:19</p>
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MARYLAND BOAT ACT ADVISORY COMMITTEE

Transcript of Meeting of the Maryland Boat Act Advisory Committee taken December 2, 2013. enforcement

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MARYLAND BOAT ACT ADVISORY COMMITTEE

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