

Transcript of
Maryland Boat Act Advisory Committee

Date: Wednesday, October 22, 2014

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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 meeting on Wednesday, October 22nd, 2014,
7 commencing at 10:00 a.m., at Selby Bay Yacht Club,
8 1116 Turkey Point Road, Edgewater, Maryland 21037,
9 Ramona Trovato, committee chairperson, presiding.

10

11 COMMITTEE MEMBERS:

12	Frederick Levitan	Thornell Jones
	Amy Craig	Coles Marsh
13	John Pepe	Edric McSween
	Steve Kling	Robert Lunsford
14	Jon Sheller	Debbie Henninger
	Al Simon	Robert Nickel
15		
	Mike Grant, Regulations Coordinator	
16	Mark O'Malley, Director of Boating Services	

17

18 Reported by: Kelly A. Taylor

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

2 THE CHAIRPERSON: Hi, everybody,
3 welcome. Captain Chris Parlin couldn't make it
4 today so he sends his regrets and greetings and
5 he'll see us at the next meeting. So we're going
6 to begin with introductions and then we're going to
7 dive into the regulations, then into old business,
8 which is we're going to talk about our discussion
9 on regulations from the last meeting, and go from
10 there. So let's start -- where should we start?
11 Let's start with you.

12 (Introduction of members and guests.)

13 THE CHAIRPERSON: Welcome on this gray,
14 rainy morning. I think we're going to dive into
15 the requests for proposals. Mike, take it away.

16 MR. GRANT: Yeah, I can certainly do
17 that. This is from your request from the summer
18 meeting to go over the JetPack one more time and
19 get testimony from our Natural Resource Police and
20 the folks, the livery operators, down in Ocean City
21 and see how things got out this summer and start

1 with Lieutenant Richardson and ask him to comment
2 on the issue and recommendations you may have for
3 the current emergency regulations.

4 LIEUTENANT RICHARDSON: I see that Mike
5 or someone handed you a packet, there is a memo
6 that I typed up, basically that says it all really.
7 What we found this summer -- first off we had no
8 reported boat accidents whatsoever in Ocean City
9 and related to jet powered vessels. We saw very
10 little use. I think some of the guys here can
11 maybe comment on maybe why that was, but we didn't
12 see them in operation very much. But we
13 encountered no problems, I think no citations were
14 written the entire summer, and only one warning was
15 written for a speed limit violation. So to say
16 that the emergency regulations had their intended
17 effect who's to say. In any case we got the result
18 that we wanted. So that's pretty much it in a
19 nutshell. If anyone has any questions, I'm glad to
20 try to answer them.

21 THE CHAIRPERSON: Excellent briefing.

1 Thank you, sir.

2 MR. KLING: Brief.

3 MR. GRANT: Sean, Ron, if you have
4 anything that you would like to add to that, any
5 comments on the emergency regulations, suggestions
6 that you may have or issues that you had, come on
7 down.

8 MR. CROSARIOL: Thank you very much.
9 Just to reiterate, we did do quite a lot of
10 business. I don't know -- were you guys downtown
11 most of the time -- we operate out of 53rd Street
12 and we did consistently like five or six a day.
13 From what we saw it's become more popular. This
14 being the first full season that we had down there,
15 I think it went all very well. We had no real
16 problems at all. You know, no accidents, nobody
17 got hurt. In my opinion, it's very safe because we
18 are, we are in control the whole time.

19 The only few things that we had concerns
20 to say would be the depth requirement that's in the
21 current legislation that is going into effect, as

1 well as the age requirement. I know we would like
2 to see maybe a change in that or discussion
3 possibly because I think right now it's six feet
4 and six feet is a little bit much for what we need
5 because we're not taking anybody over 10 feet with
6 the, with the legislation that you guys put in.
7 Right now with a six foot requirement it's a little
8 difficult for people on the shorter side to operate
9 because when we start them off for them not to be
10 able to stand in the water is kind of a
11 disconcerting feeling. More of like a shoulder
12 depth would be, you know, better, I would think,
13 and possibly a reduction on the age requirement,
14 because we do see quite a few like 15 year olds,
15 especially young men that are over five, six feet,
16 that could definitely do the sport but being that
17 if they're not 16 makes it kind of difficult to do
18 that, but I don't know if you want --

19 MR. CROKER: Our insurance company that
20 we work with insures our renters for pretty much
21 15, 14 year old, below 16. We know that the reg

1 calls for them to be 16 years old. We have had
2 incidents where we've had younger men come up with
3 their parents and they have boater's licenses and
4 they want to do the activity but we can't do it
5 because the minimum age is 16.

6 Now, we also know that, you know, with
7 the jet skis that we rent down in Ocean City we can
8 clearly see that they're in total control of the
9 machine. With the Jetovator, the JetLev, the
10 hoverboard, all of these things they're being
11 controlled. They might have a percentage of
12 control over the machine, but we were trying to
13 explain this to your insurance company and our
14 insurance company said that, you know, if they were
15 in total control they could see them being 16 years
16 old, if they were in partial control of the machine
17 where we had the majority of control almost like an
18 amusement park ride that they really shouldn't be,
19 they would not have to be 16 years old to enjoy the
20 activity. So we're asking if we can visit that a
21 little bit to see if there is some flexibility in

1 that.

2 THE CHAIRPERSON: What age are you
3 suggesting?

4 MR. CROKER: 15.

5 MR. CROSARIOL: 15. We were talking
6 about as well, maybe kind of a height requirement.
7 For our machine, the Jetovator, which we didn't get
8 to show you, the guys came up with their
9 contraption, but you do need to have a certain
10 length of arm and certain height to make it, you
11 know, feasible. So we have a height requirement of
12 at least five feet. So as far as the person goes,
13 not depth, the height requirement of the person
14 needs to be at least five feet.

15 MR. NICKEL: What percentage of the
16 people did you have coming to want to run under the
17 age of 16?

18 MR. CROSARIOL: A lot. What happens --
19 the laws are for a reason for the jet skiers, 16,
20 you need to have a driver's license, it makes
21 sense, but what happens is those kids come up with

1 their brothers and sisters and they can't go out
2 and they have to sit at the dock, it's very
3 feasible they could do the Jetovator or the Lev, or
4 whatever, they have the motor function, the
5 cognitive ability, it's just the state saying
6 you're not 16, but the parents are willing to sign.
7 We take the parent out with them anyway, because
8 the way we operate is we use like a 20-foot Zodiac
9 and we take anybody that's there with the family,
10 parents especially if it's a younger child, so they
11 get to view the whole scenario and they're fine
12 with signing off on it. They sign for everyone
13 that's under 18 right now, that's a requirement of
14 the insurance company. It does -- and it is an
15 activity that, you know, you can't do unless you
16 are, you know, unless you're signed for or over 18,
17 same with jet skis.

18 MS. BROWN: Did the insurance company
19 give you an age range for them?

20 MR. CROSARIOL: When we talk to them it
21 was height and weight.

1 MS. BROWN: No age range?

2 MR. CROKER: But, you know, insurance
3 companies, they don't really pay attention too much
4 to the state regs, they just follow the laws.

5 THE CHAIRPERSON: What height and weight
6 were they given?

7 MR. CROSARIOL: Five feet minimum height
8 and the weight it depends because we have a couple
9 of, we have a hoverboard as well, which is
10 different from the Jetovator. With that you need
11 to be a little bit heavier, you know. In our
12 opinion from safety aspect, I think we talked about
13 this the last time, with all of the regs we knew
14 what we were doing, but it's, we like them to be a
15 hundred pounds.

16 MR. CROKER: Same thing with
17 parasailing. You weigh a hundred pounds they might
18 not put you up, but if they put you up with an
19 additional hundred pounds to stabilize the
20 parachute they will do it. The weight is more
21 important than you realize.

1 But the regs that everyone talked about
2 and everybody put in place they seem to be working
3 really well. I mean, you know, it was a pretty
4 seamless transition. Of course, we did everything
5 that we were supposed to do. He got his captain's
6 license and followed through with all of the things
7 that were put in place and these are the two things
8 that we think we need as operators --

9 THE CHAIRPERSON: You would like us to
10 consider?

11 MR. CROSARIOL: Yes. Sorry.

12 MR. PEPE: You did five evolutions a
13 day?

14 MR. CROSARIOL: Five, we were maxed out
15 at 10 with the amount of equipment we had.

16 MR. PEPE: Did you have any incidents?

17 MR. CROSARIOL: The worst we had was
18 knocking the wind out of somebody and that was just
19 from the way they fell. Nobody had a broken bone,
20 nobody got cut. The one big fear that I think that
21 everybody had especially with the depth requirement

1 they might hit their head. The reason I am trying
2 to revisit that with you guys is because after
3 having two seasons under our belt, being in the
4 back of Ocean City bay, which isn't the deepest
5 place in the world, I am going to be honest we
6 never had one incident with anybody hitting their
7 head or extremity that would have, you know, would
8 have hurt them. The majority of people when they
9 do fall or they're going to look like they're going
10 to fall we're always in control, so again we're
11 never taking them -- don't watch those videos
12 online where you see everybody 30 feet in the air
13 and they're going crazy, that never happens -- a
14 majority of the people because they're in control
15 with their height, we give them the power but they
16 have the control over the handles and everything.
17 They're only going to go as high as they're
18 comfortable so it's like anything, you can put them
19 in a race car but they're not going to do two
20 hundred miles around the track because they're not.
21 Same thing, they're not going to go 35 feet in five

1 or four feet of water. If they're only going 10
2 feet, when they fall it's not as violent as you
3 would think it is. It's not, I don't want to say
4 graceful, it's not going to hurt them like
5 everybody kind of thinks it will.

6 MR. KLING: Well, what effects me is
7 lowering the age to 14 with a signature, and size
8 requirement is not a bad thing, but when you first
9 talked about the depth that gives me pause. If you
10 had 10 foot diving board you would not go into six
11 feet of water.

12 MR. CROSARIOL: I agree with you, sir.

13 MR. KLING: And that nobody's augered in
14 for two years to me is not a lot of data points.
15 You only need one, and it could be one every seven
16 years. That just gives me -- six feet is not
17 enough deceleration distance from 10 feet -- I
18 don't know.

19 MR. CROSARIOL: The thing is you're not
20 going swan diving in, you're kind of falling off to
21 the side and we're reducing the power at all times.

1 We're always in control of that.

2 MR. CROKER: Response time when you see
3 somebody in peril to when they cut the throttle on
4 the machine is instant. So by the time they're
5 actually falling out of the sky, if you will, it
6 could be five feet.

7 MR. CROSARIOL: It's a very, the way I
8 like to explain it's a trust building thing between
9 us and the person on the machine. It's about a 30
10 minute experience and in the 30 minutes if we don't
11 feel like you're getting enough confidence on it to
12 go like to a four or five foot level we'll never
13 give you the power to go there. We're in control
14 of that at all times. You can keep pulling back on
15 the handle, and that's how you go vertical, so if
16 we're not giving you the power, you're not going,
17 and we keep them where we know they're comfortable
18 at. We have a constant dialogue, 30 minutes. It's
19 a learning curve. Takes five minutes to figure it
20 out normally for people and we always ask them are
21 you comfortable, do you want to go higher, do you

1 want to stay where you are?

2 MS. CRAIG: They are wearing personal
3 floatation?

4 MR. CROSARIOL: Helmets and personal
5 floatation, Coast Guard Type II.

6 MR. CROKER: They're briefed before they
7 get on the boat and after.

8 MR. CROSARIOL: Safety videos.

9 MR. MARSH: Did you have any designated
10 marked areas there where they could do it so you
11 didn't get invaded by somebody to see what was
12 going on, did you have anything so people know not
13 to go there or how does that work?

14 MR. CROSARIOL: Two kind of safety nets
15 there. He's got a lot of jet ski rental in Ocean
16 City and they kind of respect each others areas.
17 Not that anybody owns the water, but we respect the
18 areas. We have myself out there with the Zodiac,
19 which is our recovery craft or, you know, our
20 shuttle craft in and out, which is always
21 keeping -- I always kind of track next to it about

1 two hundred feet away to make sure that nobody gets
2 in our little area, as well as he's got guys on the
3 water with the jet skis that are always keeping all
4 of the other skis and boats away from us too.

5 MR. CROKER: People are curious, they
6 like to --

7 MR. CROSARIOL: They like to come up,
8 but we're on top of it.

9 MR. MARSH: You do well that you can
10 keep them away from the area?

11 MR. CROSARIOL: Yes.

12 MR. PEPE: That's what I was going to
13 ask.

14 MR. CROSARIOL: If it's busy we go to
15 the north side of 90 bridge where there is nothing.
16 If you're south of the 90 bridge and it's a busy
17 holiday weekend it could be crazy out there. We're
18 not those people that are out there trying to show
19 off to drum up more business, it's safety at all
20 times.

21 MR. PEPE: How many units are you

1 operating?

2 MR. CROSARIOL: One Jetovator. We
3 purchased something new called a hoverboard, which
4 is, it's sort of like a carbon fiber snowboard and
5 you can surf on it. It has one jet in the rear and
6 we can surf people at the water level. We haven't
7 pushed that too much.

8 THE CHAIR: What depth of water were you
9 thinking about?

10 MR. CROSARIOL: I know you're not going
11 to like to hear just a shoulder depth, obviously
12 you want a specific number. If we're talking about
13 five foot, if we go to that for the minimum height
14 requirement with like I said a 15 year old, six
15 feet is just a little bit deep in my opinion
16 because if you ever -- if any of you ever actually
17 tried this and you're not accustomed to the
18 sensation when it starts up it can be a little
19 daunting not to be able to start with your feet in
20 the sand. It's just a little bit more, gives you
21 more assurance that you can start in the sand. The

1 way ours works you're not strapped into it which is
2 nice from a safety aspect which is it's not going
3 to take you with it, which is like another reason
4 we haven't had as many accidents or people getting
5 hurt. If you do get uncomfortable, you just kick
6 away from it. If you're coming out of the water,
7 you're two feet away, you get scared, you jump away
8 from it. It's nice having them start in the sand
9 because they get that firm footing, firm ground and
10 they can take off a little easier.

11 THE CHAIRPERSON: You're looking for
12 something four foot?

13 MR. CROSARIOL: Four or four and a half,
14 five feet would be nice.

15 THE CHAIRPERSON: That seems mighty
16 shallow from a safety perspective.

17 MR. CROSARIOL: I understand. I'm going
18 to be honest, like the gentleman here said there's
19 not a lot of accidents in two years, but we did 250
20 flights this summer and I had no problems, not one
21 issue with anyone.

1 MR. CROKER: You have to start
2 somewhere. We've done more flights than the guys
3 up and down the eastern seaboard with their units,
4 not that that means anything except Ocean City is a
5 little busier, people likes the activity, it's
6 becoming a more mainstream activity. People are
7 asking for it. We want to make it safe because the
8 only way we can make it endure is to make it safe.
9 There is a lot of families, so we don't want them
10 to have a bad experience.

11 MS. CRAIG: In my experience with
12 waterskiing when you have a floatation device on
13 and you dive into the water you don't go as deep
14 because of the floatation device, so there is the
15 resistance, the physical resistance, and the
16 buoyancy also added.

17 MR. CROSARIOL: With waterskiing you
18 have a lot of forward momentum too. There's an
19 idea that your head could go underwater and shoot
20 straight down and ours does not have that forward
21 momentum. Ours is a hovering deal. You never have

1 that kind of speed where you can go forward and get
2 hurt, and again our set up, which is completely
3 different from the other two gentlemen that
4 operated this year, we're not strapped into it the
5 at all, even the new one with the hoverboard,
6 you're not strapped. It has foot straps, but they
7 kick out. If you get uncomfortable there is always
8 a scenario where you can --

9 MR. CROKER: If you were to ask the
10 person that just flew it they would tell you I was
11 50 feet in the air. They were having a blast, they
12 were five feet, and the family is cheering and the
13 boat and everybody, but you can see they're having
14 a great time.

15 THE CHAIRPERSON: Any questions?

16 LIEUTENANT RICHARDSON: I guess not a
17 question, but maybe a comment, when we started
18 these in the very beginning, I think the department
19 said the water, we didn't want them in the back
20 bays at all and then we threw out a number like 25
21 feet and when they got finalized we were at six and

1 now they asking for lower, so I, I just have reason
2 for concern. That's what I would like to say.

3 THE CHAIRPERSON: Mike, go ahead.

4 MR. GRANT: The 25 pertains to porpoise
5 action, but not their unit per se, but the other,
6 the flyboard.

7 LIEUTENANT RICHARDSON: I mean
8 initially --

9 MR. GRANT: That's specifically the
10 porpoise action. As far as the rest of the units
11 it's six feet. In the regs it says six feet. Two
12 separate criteria.

13 LIEUTENANT RICHARDSON: When this
14 process first started coming up it was with
15 regulations, it was 25 feet, that's where the
16 talking point started.

17 MR. CROKER: That would eliminate the
18 business altogether period.

19 LIEUTENANT RICHARDSON: That's why we
20 came down to six and that's --

21 MR. LUNSFORD: I have a quick comment,

1 I'm about six feet tall and if I wear a Type II PFD
2 I won't be able to reach or touch the bottom in
3 five feet of water.

4 MR. CROSARIOL: Impossible.

5 MR. CROKER: I think four feet would be
6 better for us.

7 MR. CROSARIOL: What the officer said
8 about the porpoising and everything that's not
9 allowed at all anyway. As soon as they break the
10 water level it's done. I can't have a customer
11 going underwater where I can't see what they're
12 doing, that would never happen. That was just, I
13 think specifically for Justin because he said
14 something about the guy that did flyboard down
15 there, but not with us.

16 MR. CROKER: These things are machine
17 specific depths; in other words, if you have the
18 JetPack on it can drive you under the water because
19 you're pointing it under the water. With the
20 porpoise action of the flyboard, it's strapped to
21 your feet, you can't pop your feet out of it.

1 Whereas this one you can jump off of it.

2 MR. LUNSFORD: We're being asked to look
3 at the regulations for the industry, we're kinda
4 stuck.

5 MR. CROCKER: That's a little hard.

6 MR. CROSARIOL: Julie, didn't we last
7 regulation think about trying to come up with a new
8 category, like a new specific for each individual
9 one?

10 MS. BOWEN: We had ventured to go there.
11 It's just too difficult to do because then you have
12 three, you know, you could have three, four, five,
13 six different regulations for all of the different
14 craft that are coming out so you've got to
15 categorize them and lump them in.

16 THE CHAIRPERSON: So I think, Mike, you
17 wanted us to see if we can come to some
18 recommendation.

19 MR. GRANT: You've heard the testimony,
20 it's up to the committee now to go forth.

21 THE CHAIRPERSON: Right. Do you want to

1 add anything before we discuss this a little
2 further among ourselves? You're welcome to stay,
3 of course.

4 MR. CROKER: Only thing I with think to
5 consider is the fact with all of these new machines
6 that are coming out it is going to be kind of hard
7 to regulate them all with one blanket restriction,
8 but I think that the definition should be whether
9 or not you're strapped in too. I don't know any
10 boats that have seat belts, you know. When you're
11 strapped into something there is a different set of
12 requirements than if you're not strapped in.

13 MR. CROSARIOL: Something malfunctioning
14 with the motor, especially the JetLev it has it's
15 own autonomous pod. There is no physical person
16 with a mechanical ability to shut that machine
17 down, it's being powered by radio communication, so
18 that's completely different than what we do and
19 what the flyboard guy does because we at all times
20 have the ability to rip that lanyard off and kill
21 that machine. If something malfunctioned with the

1 JetLev, the people are strapped in. It's not going
2 to quit until somebody cuts the hose or kills the
3 machine. That's what we're trying to get at, it's
4 hard to group us all together because we do it all
5 so dramatically different, each machine has
6 drastically different capabilities. With our
7 machine we can't physically hover, we have to have
8 some semblance of forward motion at all times or
9 else the jet ski will catch up to the craft and we
10 get underneath of them, we have to have forward
11 momentum. The flyboard and JetLev can sit there
12 and move, they have that ability, so there are
13 definitely vast differences between the three.

14 MR. CROKER: We think the regs are
15 great, really they've kind of unified everything
16 and we like them because we like to abide by the
17 rules, but at the same time we don't want be to be,
18 we don't want to be restricted because the other
19 guys have chosen 25 foot water depth. We can't
20 find it anywhere.

21 MR. CROSARIOL: My opinion, you can take

1 it for what it's worth, not having a person on the
2 jet ski with the person that's in the air with the
3 ability to constantly vary that throttle and have
4 that closeness to see what that little, that little
5 nuance of their emotion where they might be in that
6 fall where we can react a lot better having a
7 personal ski than somebody having radio
8 communication two hundred yards away where they can
9 maybe see. In my opinion that's nuts. I think
10 you'll see -- you do see accidents, that's where
11 you're going to see it, not having that ability to
12 manipulate it like we do.

13 OFFICER DITMARS: Getting back at the
14 age limit. I'm all about the business of making
15 money, at 15 years old what percentage, as of right
16 now this summer, what percentage of your business
17 would have been, you know, how much would you have
18 increased if you let every 15 year old that came in
19 there --

20 MR. CROSARIOL: I answered most of the
21 phones, they were forwarded to me, he was doing the

1 jet ski rentals, and I would say I probably got two
2 or three phone calls a day asking because the
3 mothers of these kids they want something for their
4 children to do. If they come down with older kids,
5 they're like my kids can't go jet skiing or they
6 can but they gotta ride and they can't fly it, they
7 can't drive, is there anything they can do and
8 we're like not this year.

9 OFFICER DITMARS: A 10 percent increase
10 or 20?

11 MR. CROSARIOL: Probably more than that,
12 yeah. There is a lot of kids, you know, all of the
13 kids that go to go-kart tracks, because they're not
14 this high, you know (indicating).

15 MR. CROKER: There is a 16 and 17 year
16 old and then there is a 15 year old and they want
17 to go out and do this thing, but the 15 year old
18 can go out in the boat and watch while his brothers
19 do that. It's not always necessarily a bad thing
20 to tell them they can't do the activity, but --

21 MS. WILLIAMS: When we discuss the

1 differences of the three different devices, Major
2 Sewell was at the meeting and his direct comments
3 were more along the lines that Julie runs a livery
4 contract with each of those individuals, there's an
5 ability to modify them for the depth, maybe not the
6 age. I don't know if that's something you want to
7 get into, but that device is a little bit
8 different, has to start from three or four foot or
9 whatever, and this device has to do this, so when
10 they have a good working relationship with the
11 Natural Resource Police they can change that, but
12 when an owner owns it and goes out that the depth
13 and things are consistent for the people that are
14 not livery operators and so Mike Sewell again at
15 those meetings tried to guide us not to get too
16 hung up in the devil of the detail for our livery
17 operators because they have the option of that
18 contract with Julie to make differences and changes
19 that the citizens don't. So I just wanted to put
20 that out and remind you.

21 THE CHAIRPERSON: Amy.

1 MS. CRAIG: If you were going to break
2 these down into categories of more restrictive and
3 less restrictive how would you do that other than
4 the like a third person or a secondary person
5 controlling, strapped in?

6 MR. CROSARIOL: I don't think we go that
7 route, strapped in. In my opinion, it's just not,
8 not as safe, you know.

9 MR. CROKER: I have done the other one
10 too and it was very scary for me, you know. It's
11 just being strapped in is a very weird feeling.
12 It's just restrictive and I think it's harder to,
13 to get somebody up and -- not that they don't do
14 it -- they do a good job of it, but for us looking
15 to get somebody to experience these things on a,
16 you know, on one it's just generally easier.

17 MS. CRAIG: Then you would have the back
18 up of you being there to cut power.

19 MR. CROSARIOL: Exactly, at all times.

20 MR. CROKER: Alex is here, he can talk
21 to you about the JetPacks.

1 MR. MARSH: Other than the two things,
2 other than the two items was there anything else in
3 the regulation, the items were the depth and it was
4 the age, is that the only two things?

5 MR. CROKER: The problem with the orange
6 flags staying on the boat. That's small stuff.

7 MR. CROSARIOL: It's small. I had an
8 issue with the flags this year were always breaking
9 off on the boat.

10 MR. MARSH: Anything else, the orange
11 flags?

12 MR. CROSARIOL: But I fix those all of
13 the times. Other than that, those were the two
14 major ones. Everything else we're pretty much
15 doing before we sat down for this, so it's being
16 safe.

17 MR. PEPE: Other than the people that
18 couldn't touch bottom and using your rig for the
19 first time was there any problem, were they still
20 able to go out and get the enjoyment out of the use
21 of the machine or did you have to pull any of them

1 in because they couldn't do it?

2 MR. CROSARIOL: I had three people that
3 I wasn't actually able to get up. Weren't able to
4 do it, but that had --

5 MR. PEPE: Anything to do with the water
6 depth?

7 MR. CROSARIOL: Off of the top of my
8 head, no, I can't say it did. It's, like I said,
9 just added another level of like security feeling
10 for them when they start, that was all, and we're
11 going nowhere, I mean like I said, we're not going
12 any further shallower. We'll never go inland
13 further. If anything we'll go out. Once they get
14 it, they got it. Once they get the motor function
15 down, it's just the initial starting it would be
16 nice to be in a shallower depth, but once we're out
17 we can be in 10 foot of water, they can figure out
18 from there, they have got the feeling now. It's
19 like riding a bike. It's nice to have that.

20 MR. CROKER: They get it really quickly.
21 What was the oldest person we flew?

1 MR. CROSARIOL: 72.

2 THE CHAIRPERSON: Julie, did you have a
3 question?

4 MS. BROWN: I was just curious, did you
5 have any issues with the distance requirement?

6 MR. CROSARIOL: From other boats and
7 stuff, no. That's the other gentleman's question
8 earlier. We're always, I've always got a two
9 hundred foot radius from that boat circling, I'm
10 never just sitting there, because ours don't have
11 the ability to hover, it has to be moving forward
12 in some respect, so I'm always moving around
13 keeping people away, plus we're always near where
14 the other jet skis are.

15 THE CHAIRPERSON: Do we as a group have
16 a recommendation? Thank you so much.

17 MR. LUNSFORD: Do you want to hear from
18 the others?

19 MR. MARSH: We've got to hear from the
20 others.

21 THE CHAIRPERSON: I'm sorry.

1 MR. VONBUSSENIUS: I'm Alex VonBussenius
2 and we do the JetPack.

3 THE CHAIRPERSON: Hi. Do you have any
4 issues?

5 MR. VONBUSSENIUS: No, I don't have any
6 issues with it personally. I thought everybody was
7 pretty fair this year. I don't necessarily like
8 the little flag thing personally, because I don't
9 want to risk somebody a chance if they come back
10 and hit the boat and get impaled. That's just me
11 but otherwise, I thought they were fine personally,
12 you know, yeah.

13 THE CHAIRPERSON: Okay.

14 MR. SELLER: What about age
15 restriction, what is your --

16 MR. VONBUSSENIUS: Mine is 16 and older,
17 I'm fine with that. In Florida we use a tandem
18 where I can fly little kids that are only flown
19 with certified instructors like me, I have no
20 issues with that at all down there. I would like
21 to see that up here, if we can do that; but if not,

1 it is what it is.

2 MR. PEPE: How many evolutions did you
3 do in Ocean City, how many flights this summer?

4 MR. VONBUSSENIUS: A lot. I would say
5 maybe close to a thousand, maybe more. We did a
6 good bit.

7 MR. PEPE: Where do you operate out of?

8 MR. VONBUSSENIUS: Lazy Lizard and go
9 south towards Seacrets. I was doing it in between,
10 there is two sandbars -- if you look out of the, if
11 you look directly from the Lazy Lizard where the
12 bridge is there that's where I want to be, all of
13 the traffic is right there and you can put a sign
14 up there and you're flying around and everybody
15 sees it. I mean it does get deep during high tide,
16 it was just, the current was really, really strong
17 and it was problematic for us, so we decided to
18 take them a little bit south. We were doing it off
19 of Assateague, which was a little bit problematic,
20 so we moved over to the western side of it, it was
21 perfect. It was deep, no real current, works every

1 time. We had no issues. It was good.

2 If we can do the tandem seat thing that
3 would be good, work that in, maybe. I don't know.
4 Did you speak about the hoverboard?

5 MR. CROKER: Hoverboard.

6 MR. VONBUSSENIUS: Did you guys get one
7 of those?

8 MR. CROKER: We talked, we talked
9 basically about what we felt were some restrictive
10 things as far as the operation goes, the water jet
11 for us because we operate in the back bay, and then
12 15 year olds to be able to fly would be it.

13 MR. VONBUSSENIUS: I agree with that. I
14 think I'm, I'm flying eight year olds that are big
15 enough to sit in the pack, in the pack, that's in
16 Florida though. Florida there is no rules.
17 They're pretty good, actually better than some of
18 the adults, good to go, they're good and they play,
19 I guess they play video games or something like
20 that, but they did it really. There is a
21 hoverboard which I kind of want to bring to Ocean

1 City and kind of start selling that as well.
2 Basically it's like a surfboard but not strapped in
3 at all, and if you fall off, you fall off. The
4 thing is going somewhere else, you know what I
5 mean?

6 What was the ruling on the flyboard in
7 Ocean City, like, whatever happened?

8 MR. CROSARIOL: You have to explain the
9 difference, Alex.

10 MR. VONBUSSENIUS: Flyboard is the one
11 that you're strapped into, it's about the width of
12 your shoulders and you're strapped into it, which I
13 personally don't really agree with having that
14 because you're strapped into something and you move
15 forward and you're diving in the water and Ocean
16 City is very shallow. I mean, I don't care if it's
17 eight or 10 feet, you have a board with jets coming
18 out of the bottom and you dive there is a high risk
19 of you're going to the bottom. It happens. And I
20 see it all of the time. I'm in this every single
21 day. That I don't necessarily think is the best

1 thing, but I wanted to know what the overall ruling
2 was because I know there was a question on whether
3 we were going to allow it or not allow it. Last
4 year we allowed it, I don't know if it's --

5 MS. BROWN: For those that were at the
6 little demo at Sandy Point, the flyboard that was
7 the one that I so brilliantly stood up. I went up
8 and down.

9 MR. CROKER: That was not porpoising.

10 MS. BROWN: That was belly flop.

11 MR. VONBUSSENIUS: So is that okay to do
12 in Ocean City still or? I don't know, I'm just
13 asking.

14 MS. BROWN: What I did, I'm sure.

15 The porpoising is still, if they're
16 going to porpoise they have to have a water depth
17 of 25 foot or more. So that has not been an issue
18 because I didn't get a chance to talk with Justin
19 for today, but as far as I know he's not doing
20 that. He's not even remotely allowing porpoising.

21 MR. VONBUSSENIUS: That's fine. I still

1 don't personally want to offer it here, because of
2 the risk. There's a new thing called the
3 hoverboard which I think you guys seen.

4 MR. CROSARIOL: We have one.

5 MR. VONBUSSENIUS: You're moving
6 forward, you're never going under, so you're always
7 above the water. If anything, you're falling off
8 to the side.

9 MS. BROWN: The board has it's own
10 motor?

11 MR. VONBUSSENIUS: No, the board doesn't
12 have it's own motor. It works off the hose. It
13 has a single nozzle that sits like this and you're
14 on top of it. It's really cool, I mean, I have to
15 show you guys the video maybe of it.

16 MR. CROKER: Back to the future.

17 MS. BROWN: That's what it sounds.

18 THE CHAIRPERSON: It does.

19 MR. VONBUSSENIUS: It's safer than the
20 flyboard.

21 MR. JONES: How do you control it?

1 MR. VONBUSSENIUS: You stand on it like
2 a surfboard and it flys.

3 MR. JONES: Somebody else controls the
4 speed?

5 MR. CROSARIOL: Yeah, somebody else
6 controls the speed.

7 MR. VONBUSSENIUS: Somebody else
8 controls the speed. And another thing I have an
9 issue with, what's the ruling, what's the status
10 right now on the person controlling the jet ski
11 behind the guy flying? Do they still need to have
12 the captain's license?

13 MS. BROWN: Coast Guard ruling that you
14 need a captain's license and next year that's gonna
15 be --

16 MR. VONBUSSENIUS: That's in full
17 effect? I want to do something because that's a
18 lot.

19 MR. KLING: Out of our control.

20 THE CHAIRPERSON: We can't, that's out
21 of our control.

1 MR. VONBUSSENIUS: Can I talk to you
2 about that? Otherwise everything is good.

3 MR. KLING: I want to make a comment
4 about something, I guess, I think this is sort of
5 a motorized skateboard or motorized snowboard, the
6 last one you described --

7 MR. VONBUSSENIUS: Yeah.

8 MR. KLING: -- if kids, and older kids
9 are incredible with what they can do to control any
10 of these sliding things, this would be the same,
11 and you can go on -- I think everybody knows what
12 snowboarding is, there are kids now that call it
13 snow skating and they have got no bindings, they're
14 just on a board and they are doing all of the
15 things that you see skateboarders do. They are
16 jumping over barrels and off roofs and going down
17 hills because they can slide and they have good
18 balance, so these are right up the alley of lots of
19 athletic kids and it's just translating one skill
20 set to another to another.

21 MR. VONBUSSENIUS: So do we see a

1 problem with us bringing that this year to try it
2 out?

3 MS. BROWN: It will fall more than
4 likely into the same kind of category. Sean was
5 showing me a video. Now, how airborne does that go
6 or does it basically stay --

7 MR. VONBUSSENIUS: It can get up there,
8 but it depends on your flow.

9 MR. CROSARIOL: Exactly. Everything is
10 thrust dependent.

11 MS. BROWN: Just like the JetPack.

12 MR. CROSARIOL: The way that you elevate
13 with that one, because we have had quite a bit of
14 use of one, we got it midsummer, and you, the way
15 that you get lift with it is you basically pick
16 your front foot up. There is one oval jet in the
17 rear and it's on a slight angle and it's also
18 adjustable for beginners to advanced and as you
19 pick your foot up it will increase the altitude,
20 but it is very easy to just surf it on top of the
21 water and that's generally where we keep people.

1 MS. BROWN: I would say that falls into
2 the category.

3 MR. CROSARIOL: Yeah, I mean it's really
4 no different.

5 MS. BROWN: Exactly.

6 THE CHAIRPERSON: So do you all have
7 anything else to add for now? Because I think we
8 need to have a conversation among ourselves and see
9 what kind of suggestion we want to make,
10 recommendations.

11 Have a seat, please.

12 So I think we've had two specific
13 requests to consider and one is the age
14 requirement --

15 MR. MARSH: Three.

16 MR. LUNSFORD: Age, depth and flag.

17 THE CHAIRPERSON: Three. Thanks, I
18 didn't have flag.

19 Let's start with age. So it's at 16,
20 somebody suggested 15 with height requirement and
21 then 15 with a height and weight requirement, any

1 thoughts on that? 15 with a height and weight
2 requirement? Wasn't weight more important than
3 height?

4 LIEUTENANT RICHARDSON: We have to be
5 opposed to anything with height and weight, my
6 officers have no way to measure that. So whatever
7 this group proposes we would he would have to
8 oppose.

9 THE CHAIRPERSON: 15, no height and
10 weight?

11 MR. MARSH: That would be a difficult
12 thing, height and weight.

13 THE CHAIRPERSON: Any other thoughts?

14 MR. NICKEL: I recommend 14 to 16 with
15 some form of parental guidance.

16 MR. LUNSFORD: They have to sign anyway.

17 MR. NICKEL: Mandate has to be parental
18 guidance and signed, 14 and up.

19 MS. HENNINGER: I say 14 and up.

20 THE CHAIRPERSON: 14 with parental
21 signature?

1 MR. NICKEL: That's my recommendation.

2 THE CHAIRPERSON: Anybody else?

3 Officers?

4 OFFICER DITMARS: My only thought would
5 be I understand where we're going with this when
6 somebody is controlling the ski, but what are you
7 going to do when the wealthy parents buy their 14
8 year old kid and cut him loose and he's controlling
9 the thing by himself?

10 MR. NICKEL: Parental guidance, you buy
11 it for your son --

12 MR. LUNSFORD: Supervision of parents.

13 THE CHAIRPERSON: Ann.

14 MS. WILLIAMS: You can't do that as much
15 when you own it. It's just a different world when
16 you're doing it in sets of regulations for owning
17 and livery, you know. There is just two different
18 world's there. You know, you might be able to do
19 it in the livery operation only that you can do the
20 age change, but the owner should stay 16 like the
21 jet ski.

1 THE CHAIRPERSON: Right.

2 MR. NICKEL: Maybe make it like livery
3 operators.

4 THE CHAIRPERSON: Kelly needs us to talk
5 only one at a time. Thank you.

6 Julie, go ahead.

7 MS. BROWN: It's better like Ann was
8 saying to keep the regulations basically consistent
9 for the most part as opposed to having 14, 12, 11,
10 10, 9, for all of these different activities. So
11 if for the personal operator we keep 16 just like
12 the personal watercraft and then as a
13 differentiation into the livery operator's world we
14 allow 14 for livery operators. Such as the same
15 with the livery operators right now they have to
16 issue a test to the renter of a personal
17 watercraft, you don't have to give your kids and
18 your friend's kids and everybody else a test if you
19 own one yourself, you just have to have a boating
20 safety certificate. But if we're changing ages
21 constantly we have 16, 15, 14 --

1 THE CHAIRPERSON: How would you
2 accommodate the under 16 in the livery?

3 MS. BROWN: Well, if we put it in the
4 special regulation, you know, make the change to
5 the regulation that we have now to 14, if that's
6 where you all agree upon, you know --

7 MR. NICKEL: With consent.

8 MS. BROWN: -- with consent. And I
9 think that would have to do a lot with their
10 insurance as well.

11 THE CHAIRPERSON: Louis.

12 MR. WRIGHT: You could have something in
13 the regulations that says otherwise provided, which
14 you otherwise provided, basically in your livery
15 contract and then in the livery contract you could
16 get into specifics of if there was some age
17 specific thing and that particular operator with
18 that particular equipment would need that depth or
19 whatever --

20 MS. BROWN: We can put that in the
21 contract.

1 MR. WRIGHT: That would be
2 individualized and monitored on that specific basis
3 and basically the rest of the regulations would
4 stay more or less the same for all of the public.

5 MS. WILLIAMS: I guess the interesting
6 thing there is if you say for all livery operations
7 the footboard everybody has issues with and now
8 they have a new flyboard and tomorrow something all
9 new and everybody will say wow, who let a 14 year
10 old do that one, where overall livery operations
11 says we're making the changes. If you keep all of
12 the nuance changes with the relationship of the
13 Department of Natural Resources then when they come
14 up with a new device tomorrow, the snowboard ski
15 thing they're doing, Julie then says I don't think
16 14 year olds should do this yet and we'll give it a
17 year at 16 and see how that goes and then the
18 contract the next year that could be the age thing,
19 they have to do the yearly thing and keep
20 themselves following all of the other rules to be
21 okay, so it kind of forces that.

1 MR. LUNSFORD: I think that Louis' point
2 that you can put it in the livery contract
3 operation, when they are tethered or operating out
4 of the livery, the boat rental regs you can write
5 in whatever age is appropriate because there are
6 several devices. Like Ann said, they might have
7 hovers next year, who knows. But for a private
8 owner, a kid whose parents is going to buy him one
9 and say have fun, 16, if it's 16 for personal
10 watercraft and 16 for one of these gizmos seems
11 reasonable and that keeps some consistency, but if
12 you're a livery operator and you're there on scene
13 and you have some control, where a parent can go
14 over and smack your kid if you're misbehaving on
15 your gizmo, that gives us another level of control,
16 that provides the safety that we're trying to get
17 to, trying to provide. It puts more burden on you.

18 MS. BROWN: So basically it means that
19 we will have several, we could very easily have
20 several different contracts pertaining to certain
21 things and that makes it a lot easier than seven

1 different regulations about something. If we keep
2 account regulations generic and work on the changes
3 through the contract that's --

4 MR. MARSH: Makes it easier.

5 MS. BROWN: Yeah. Is that okay?

6 MR. MARSH: You can always adjust that
7 without going out --

8 MS. WILLIAMS: One of the things that
9 Julie said with the contracts is they have to keep
10 a good behavior schedule, that is one of the other
11 rules. If we don't have some relationship with
12 them and giving them the younger ages and giving
13 them a little bit deeper, they can just start up
14 and not have a contract with the Department of
15 Natural Resources and you require everybody to have
16 the, the boating safety course, and so this would
17 build that livery relationship with us and we know
18 who and what they are doing and what their track
19 record is and how they're following the Natural
20 Resources Police, it just enforces that
21 relationship much stronger.

1 THE CHAIRPERSON: Okay. So then we have
2 two more items and then maybe we can make a motion
3 about all three at once. Does that seem
4 reasonable? Al.

5 MR. GRANT: What's your question, Al?

6 MR. SIMON: Are we infringing in any way
7 on the Coast Guard regulations here, we're on tidal
8 waters?

9 MR. GRANT: No, we're fine.

10 THE CHAIRPERSON: We're fine.

11 So the next one was the depth
12 requirement. It's at six feet and the
13 recommendation is to make it four or five feet.

14 MR. PEPE: Remain at six feet. Knowing
15 Ocean City's back bay, they're flirting with that
16 six foot mark anyway. No, no, in all seriousness,
17 considering the, considering the tidal flow and
18 everything in the back bay I think six feet should
19 be kept as a minimum for safety.

20 THE CHAIRPERSON: Any other discussion
21 on this?

1 MS. WILLIAMS: I would just say if that
2 one device, the bike device, really had just cause
3 there is always the ability that the contract, that
4 they could to the contract and Natural Resources
5 Police can adjust it appropriately to any single
6 issue, but not make any broad, scoping change.

7 MR. CROSARIOL: That's perfect for us.

8 MS. BROWN: So not mess with the
9 regulation. So if we have a, you know, a specific
10 contract generated for that's something --

11 MR. CROKER: We have had a relationship
12 with DNR for 18 years.

13 MS. BROWN: Absolutely. And our
14 relationship is good.

15 THE CHAIRPERSON: Flag issue is you want
16 no flag.

17 MR. VONBUSSENIUS: I personally don't
18 want the flag in.

19 MR. GRANT: Speak up, folks.

20 MR. PEPE: How about a little flag
21 having an orange stripe on the helmet?

1 MR. VONBUSSENIUS: We put like an orange
2 vest that you wear, like a road worker, we put it
3 around the pack. Obviously the pack is up there.
4 Or like with the bottom, the bottom portion, I mean
5 ours is bright red, it wasn't like you're going to
6 miss it, but I agree, yeah, something bright at
7 least the person flying in the air although they're
8 very noticeable. When they're in the water they're
9 not very noticeable, when they're in the water.
10 Yeah, I agree, it should be something like an
11 orange something on the device or helmet that would
12 be good. Orange helmet.

13 MR. CROSARIOL: Orange helmet and vest
14 on my guy that operates the jet ski.

15 THE CHAIRPERSON: And the flags are
16 required to be on the boat now?

17 MR. CROSARIOL: I have one on my boat.
18 That's what I was saying, they fell off.

19 LIEUTENANT RICHARDSON: My people tell
20 me it serves no purpose, it's not an issue.

21 THE CHAIRPERSON: The flag. What about

1 requiring the orange or bright colored helmet and
2 vest?

3 LIEUTENANT RICHARDSON: All parties
4 involved are visible anyway.

5 MR. CROKER: Requirement for the jet
6 skis that all of the vests are orange.

7 MS. BROWN: They are required to wear
8 orange vests already, the riders are wearing orange
9 vests already.

10 MR. CROSARIOL: Yeah. We treat it like
11 a jet ski guide. I think we came to Julie's class,
12 myself, we all got our guide cards, upper level
13 precaution, so, again that's --

14 THE CHAIRPERSON: Anybody, motion or any
15 further discussion on the flags? Motion?

16 MS. CRAIG: I make a motion that we do
17 away with the flag requirement.

18 THE CHAIRPERSON: How about the depth
19 and the -- leave the depth alone?

20 MR. LUNSFORD: No motion there.

21 THE CHAIRPERSON: No motion there. And

1 the age?

2 MR. LUNSFORD: Unless otherwise provided
3 should be added to the regulation so that the
4 contract can provide for different ages for
5 different devices in the livery operations.

6 MR. KLING: I thought there was some
7 sense as otherwise provided on the age also.

8 MR. LUNSFORD: That's what I --

9 MR. KLING: On the depth.

10 MS. CRAIG: On the hoverboard.

11 THE CHAIRPERSON: For both. Then the
12 whole motion would be?

13 MR. LUNSFORD: Oh, right.

14 MS. CRAIG: No flag, depth requirement
15 would be six feet unless otherwise provided.

16 MR. KLING: Unless otherwise provided.

17 MS. CRAIG: And no age change unless
18 otherwise provided.

19 MR. LUNSFORD: Second.

20 MR. JONES: Second.

21 THE CHAIRPERSON: How about any opposed?

1 No? All in favor?

2 (Vote taken.)

3 THE CHAIRPERSON: Okay. Carried through
4 then with the recommendation.

5 (Discussion held off the record.)

6 THE CHAIRPERSON: Mike, do you want to
7 go on to Sandy Point State Park?

8 MR. GRANT: Sure.

9 THE CHAIRPERSON: We're going to skip
10 the Potomac River regulation, it's been tabled
11 based on requests from elsewhere and we're going to
12 move onto this. Sandy Point.

13 MR. GRANT: As you recall in the fall we
14 had a request to create a prohibited vessel area
15 around the main beach at the Sandy Point State
16 Park, we needed some more information and
17 clarification and we have Ranger Steve McCoy to
18 enlighten us. And there is a pointer right here.

19 RANGER MCCOY: This is the existing
20 with -- first off, I'm Steve McCoy and the I'm the
21 park manager at Sandy Point. Thank you for having

1 me out this day. I wanted to show you with Mike's
2 help here also what our existing conditions are
3 here at Sandy Point.

4 Currently we have roughly a mile and a
5 half of beach line along the point itself. The
6 element here we have a number of buoys that are
7 marked along here, we have two or three designated
8 swim areas right in here, here and here
9 (indicating). This area here is open all year long
10 and it is a small craft launch, it's a soft launch
11 right around the point, jet skis, paddleboards,
12 kayaks, what have you. And this area during the
13 boating season is at times prohibited
14 (indicating) -- these buoys here -- and the whole
15 reason for this request is because in concert with
16 the Department of Natural Resources Police is to
17 keep boating traffic out of here is confusing
18 because there are no specific regulations that help
19 to prohibit boating traffic out of that area and
20 quite often we do have boats as they're coming
21 around this point will try to cut this point close

1 either way and it does begin to infringe on the
2 swimming areas. There is also a fishing area right
3 here on the point adjacent to the small craft
4 launch as well. So these are existing conditions.

5 Mike, if you could move on to the next.

6 What we're trying to accomplish here is basically
7 taking this whole area all along the, from the rock
8 jetty at the -- this is Mezick Pond with your
9 marina right here, from this area all around the
10 point to all the way to the other northernmost
11 jetty up here as well, to make that a prohibited
12 area during the boating season or during our
13 operative season for park use, which we're looking
14 at ideally from April to beginning of October, end
15 of September. It could be April 1, it could be
16 April 15th, whatever you all decide, but we're
17 really looking to have that ability. And again,
18 it's not just us with the Park Service, it's the
19 Natural Resources Police also trying to have
20 regulation that they can better enforce that area,
21 to prohibit motorized vessels through that area

1 with the exception of this soft launch through here
2 (indicating).

3 One thing we would like to add to that
4 if at all possible, because the jet ski traffic in
5 and out of that area, is perhaps a speed
6 restriction. Not as critical, but certainly
7 something that could be considered as motorized.
8 Small craft do, personal watercraft do come in and
9 out of that. So it's actually pretty, this map or
10 graphic that I believe, Ann, you created for us, it
11 really kind simplifies what we're asking for here.

12 MR. KLING: You just said two different
13 things.

14 RANGER MCCOY: I apologize if I did.

15 MR. KLING: You want to limit that area
16 to all boats or just powerboats?

17 RANGER MCCOY: To all motorized vessels,
18 to all powerboats.

19 MR. KLING: Okay. That's a huge
20 difference.

21 RANGER MCCOY: Sure, sure.

1 MS. WILLIAMS: I think when you say all
2 you're not meaning you're not going to allow kayaks
3 in and --

4 RANGER MCCOY: Yes, you are correct in
5 that. We talked about making the terminology for
6 motorized vessels, yes, it would be this area here
7 I think that's where I was confusing everyone.

8 THE CHAIRPERSON: No kayaks either?

9 MS. WILLIAMS: In the enclosed areas?

10 RANGER MCCOY: Not in this area here,
11 I'm not as concerned. This is the swim area. As
12 you can see there are buoys that denote -- Mike,
13 could you go back to the other one?

14 MR. GRANT: I don't know.

15 RANGER MCCOY: Okay. As you can see
16 there are a number of buoys that outline our swim
17 areas, these are the key areas that we do not want
18 any vessels at all.

19 If there are some kayaks that in are in
20 area it is not as problematic. Certainly,
21 motorized vessels in that area. If we want to make

1 a full restriction of all vessels, that I'll defer
2 to the Natural Resources Police.

3 Is that going to be difficult to enforce
4 at that point?

5 OFFICER DITMARS: I'm not the one to
6 comment on this, because I don't work in that area,
7 but I don't know if you want to open that door.

8 MS. WILLIAMS: It's just the way you
9 would write the regulation. Again, you guys are
10 going to have a hard time with that, but if you
11 write a prohibited regulation except for
12 non-motorized stuff, I don't know. But the current
13 buoy marking is swim on the outside and swim in the
14 inside. And a swim regulation means no boats. It
15 doesn't say we like kayaks, emergency vessels only
16 can cross the line. The problem is right now it's
17 not authoritatively regulated. We just always,
18 forever have had that exterior swim buoy line. And
19 when people challenged it this year the officer
20 said what regulation is written to put the exterior
21 swim buoy line out and we found we didn't have one,

1 so that's what they're coming to do to mark all of
2 that.

3 THE CHAIRMAN: So you're saying right
4 now the only regulations for the swimming area is
5 the small swim areas?

6 MS. WILLIAMS: Right now there is no
7 regulation for anything at Sandy Point.

8 MR. LUNSFORD: Except Mezick Pond.

9 MS. WILLIAMS: Except for Mezick Pond,
10 there's a speed area in there.

11 MS. WILLIAMS: Buoys are there. The
12 only swim areas that we have regulated are in the
13 Severn River. We do not have a swim area
14 regulation written for Sandy Point. Anybody can
15 put a swim buoys up and Natural Resources Police
16 usually enforce that as a swim area, but there is
17 no regulation, there is no -- you can't find a
18 COMAR that says don't go in Sandy Point swim area.

19 OFFICER DITMARS: In other words, if
20 somebody goes in there, there is nothing that we
21 can charge them with. We really can tell we can't

1 tell them to leave, but for safety reasons they
2 have to.

3 THE CHAIRPERSON: Steve.

4 MR. KLING: I have no issue with keeping
5 boats out of the swim areas along the beach. I
6 have a huge problem with keeping non-motorized
7 vessels out of that water.

8 I appreciate that windsurfing is not as
9 popular as it was, but there are still people doing
10 it. We now have kite boarding, to enforce somebody
11 to learn that offshore, this is a prime place to
12 go, and to force those people that far offshore I
13 think creates for them a safety problem. You've
14 got a fatigue issue and keeping them out, you know,
15 out of the immediate areas where people swim,
16 that's fine, but why? What's the issue and, you
17 know, I don't think this -- you don't write it no
18 boats except motorized boats, you write it the
19 other way and so no power vessels in here, I mean I
20 don't see any reason to take that water away from
21 non-motorized vessels.

1 THE CHAIRPERSON: John.

2 MR. PEPE: I don't have any problem,
3 that was my comment too, I don't have any problem
4 with powerboat prohibited area. I think that's a
5 big area to force all boats outside, kayaks,
6 windsurfers, whatever, that's restricting the
7 entire beach.

8 THE CHAIRMAN: Coles.

9 MR. MARSH: Do you have a lot of
10 windsurfers or kite surfers that use that beach to
11 launch from, to go out?

12 RANGER MCCOY: No. We have not seen a
13 huge interest in windsurfing anymore. We're
14 getting paddleboards, certainly kayaks. We haven't
15 seen much in the way of kite surfing either off of
16 the point.

17 MS. HENNINGER: Which side is it, is it
18 more north end, the south end? Right where this
19 is, the soft launch area?

20 RANGER MCCOY: Right. Coming in and out
21 of the soft launch and going more so up into this

1 area here from what I see.

2 THE CHAIRPERSON: If we said it's a boat
3 prohibited area that means no paddleboards, no
4 kayaks?

5 RANGER MCCOY: I assume that he would
6 the regulation.

7 OFFICER DITMARS: Just so I'm straight
8 on this, are you looking at moving the entire swim
9 area out to this outside line or are you looking at
10 buoying off the swim area and setting a regulation
11 for no boats at all and then the outside be a
12 restricted area for no motorized vessels?

13 RANGER MCCOY: That is the intent here.
14 These are the swim areas. You can see the swim
15 areas are well demarcated and no vessels at all are
16 allowed.

17 OFFICER DITMARS: So you're looking at
18 two, basically two different regulations?

19 RANGER MCCOY: Right. There is this
20 outer, restricted area, it protects and provides a
21 buffer for the swim area.

1 OFFICER DITMARS: I understand that. I
2 just didn't know if you wanted to move that swim
3 area all the way to the outside --

4 RANGER MCCOY: No. We don't want to
5 change the depth of the swim area.

6 MS. WILLIAMS: Currently they are marked
7 as swim areas, so you realize, and they have been
8 for a long, long time.

9 THE CHAIRPERSON: The ones far out.

10 MS. WILLIAMS: They have been for a
11 long, long, long time.

12 RANGER MCCOY: That's because there is
13 no regulations.

14 MS. WILLIAMS: I'm just letting you know
15 you have been asking whether or not that prohibited
16 has been there, it is has been effectively, until
17 it got challenged this year, acted as a boat,
18 prohibited boat zone. I have been here about 15
19 years and all 15 years there have been swim buoys
20 on the outside line, so we get history as to what's
21 marked on the line.

1 MR. MARSH: In the swim area, I was
2 questioning if we had a boat challenge, a marine
3 police officer that came up in the swim area, and
4 it's clearly marked that it's a swim area --

5 THE CHAIRPERSON: So what I'm --

6 MR. MARSH: I'm a little confused
7 about --

8 THE CHAIRMAN: So what I'm hearing among
9 the committee members, this is just what I'm
10 hearing, is keep the swim areas swim areas. The
11 ones in close to shore, wherever they are, no
12 vessels at all. In the soft launch area let the
13 soft launch occur, motorized or not motorized,
14 that's fine. That's what you're saying, right?

15 RANGER MCCOY: Uh-huh.

16 THE CHAIRPERSON: And then in the rest
17 of that space allow for non-motorized vessels,
18 paddleboard, kayaks --

19 RANGER MCCOY: Correct.

20 THE CHAIRPERSON: -- is that what I'm
21 hearing from the committee members?

1 MR. KLING: I would make a motion. So
2 we have something to discuss, I would put a motion
3 on the table that we recommend a regulation to
4 designate the three traditional swim areas and bar
5 all vessels; however, we define that outer area,
6 Louis, no motorized vessels. Soft launch area
7 would have a six knot speed limit.

8 MR. LUNSFORD: I second that.

9 RANGER MCCOY: Could I ask one question,
10 just to be sure, would this regulation in anyway
11 identify the size or the area of the traditional
12 swim beach? My concern would be we are looking --

13 THE CHAIRPERSON: Yes. The answer is
14 yes.

15 MR. KLING: If you want to give us -- or
16 I assume you guys know what that is.

17 RANGER MCCOY: We do. There's some
18 discussion about extending this down a little
19 farther and enlarging some of the swimming area, so
20 I want to make sure.

21 MR. LUNSFORD: Do it before Mike writes

1 the reg. Just tell us where you want the buoys.

2 OFFICER DITMARS: Right now currently
3 are they restricted to swimming only in those areas
4 or they get in the water anywhere along that beach?

5 RANGER MCCOY: No -- well, technically,
6 during the protected season while we have guards,
7 we do keep people in those areas. The guards will
8 whistle them back. When it's not guarded, we have
9 it signed as no swimming in particular areas. Like
10 in the fishing area there is no swimming. In the
11 soft launch area no swimming right by the jetty.
12 So we have it signed, but there is no one other
13 than our rangers or officers that are in the park
14 that can whistle people back in.

15 THE CHAIRPERSON: So we have a motion on
16 the floor, let's discuss that motion and see how we
17 move forward. John.

18 MR. PEPE: I would like to know what
19 promulgated this, this regulation or this request
20 for regulation? Was this because of a powerboat
21 incident or paddleboat incident or are we trying to

1 restrict powerboating in this area?

2 RANGER MCCOY: Well, kind of all of the
3 above. Not as much paddleboarding incidents, by
4 all means. It's really because there is no
5 regulation as Ann said that really prohibits
6 motorized vessels in this area other than it's
7 being identified as a swim area.

8 MR. PEPE: More of a danger from
9 powerboats than kayaks?

10 RANGER MCCOY: Absolutely.

11 THE CHAIRPERSON: Folks, I'm going to
12 ask Steve to state the motion again, because I
13 think we've had --

14 MR. SHELLER: I'd like a little
15 clarification. You're talking about swim area, you
16 keep saying you can't swim outside of the swim
17 beach but then you have this line defined out into
18 the water that's called a swim area.

19 MR. KLING: That's the problem.

20 MR. SHELLER: I don't understand why
21 you --

1 RANGER MCCOY: We're calling this the
2 swim area because that's the way we've
3 traditionally marked that to keep boating out of
4 the area.

5 MR. SHELLER: Actually, you have been
6 preventing people from using the state water.

7 RANGER MCCOY: For safety reasons to
8 protect the swim areas. This area out here
9 provides that buffer area so if a guard sees, one
10 of the lifeguards sees a vessel drifting or coming
11 in or encroaching upon the swim area there is the
12 time to react and a time to whistle them off or get
13 Natural Resources Police to get them out of this
14 overall protected area.

15 THE CHAIRPERSON: Is there any further
16 discussion on the motion? Amy, go ahead.

17 MS. CRAIG: The external, the furthest
18 out buoys that say swim area, if they're replaced
19 they will not say swim area?

20 RANGER MCCOY: That's correct. The
21 regulation would say prohibited, so we would not be

1 calling this all a swim area.

2 MR. SHELLER: It says prohibited, you
3 have to have all or no vessels or restricted?

4 MR. KLING: Restricted.

5 MS. WILLIAMS: Modified. Because
6 restricted and --

7 THE CHAIRPERSON: Hold on. One
8 conversation at a time. One, please. Al.

9 MR. SIMON: Has there been any instances
10 or were there any major accidents in that area,
11 swimmers or boaters?

12 RANGER MCCOY: I wouldn't say there were
13 major accidents, no. We've had in recent years
14 there has not been any major incident, but there's
15 very frequent encroachment into this area of
16 powerboats especially right around the point as
17 they come either from, you know, out of the Magothy
18 cutting the point or coming around the peninsula up
19 into the Magothy, so we're trying to just keep this
20 area much safer than it has been.

21 THE CHAIRPERSON: Any further discussion

1 on the motion? John.

2 MR. SHELLER: What's the distance to the
3 outer marker?

4 RANGER MCCOY: We're looking at three
5 hundred feet out from shoreline.

6 MR. KLING: I guess I would have a
7 question for staff, is there a reason -- I assume
8 there is going to be a line of buoys on the outer
9 line -- is there any reason that are famous white
10 buoys couldn't say restricted area, no powerboats?

11 MR. SIMON: Who's going to put those
12 buoys out there?

13 MS. WILLIAMS: Steve, in a few minutes
14 I'm going to show you a wonderful list of all your
15 speed zones.

16 MR. KLING: It's a simple question.

17 MS. WILLIAMS: It's too hard to manage.
18 Yes, it can say whatever you want.

19 THE CHAIRMAN: Hold on.

20 MR. KLING: This is not -- it's too hard
21 to manage, that's not a good answer here. We're

1 talking about taking a major hunk of waterway away
2 from people for no good reason and, you know, it's
3 not a complicated thing, no power -- but there are
4 other places we say no powerboats. We have a
5 restricted around Jones Creek Park. This is not
6 hard. You have a discrete swim area, that's great,
7 and I haven't thought about the stand up
8 paddleboards, those are the guys that you don't
9 want to push offshore. Those guys fall off and get
10 exhausted real fast.

11 RANGER MCCOY: If I can clarify, we're
12 not asking for any more of a prohibited zone than
13 we've had for many, many years, we're simply
14 looking for better clarification and marking along
15 this outer barrier to give the Natural Resources
16 Police the ability to enforce that. So we're not
17 looking at increasing or taking any more away than
18 we always had as a restricted area.

19 THE CHAIRPERSON: So I'm going to ask
20 Steve to restate the motion and then I'm going to
21 call the vote.

1 MR. KLING: The motion is that we
2 recommend a regulation that identify the three
3 discrete swim areas as swim areas by appropriate
4 buoys and in all of those three discreet areas all
5 boats, all vessels are prohibited. That we mark
6 the outer boundary on the chart, the three hundred,
7 approximately three hundred foot buffer around the
8 park as restricted, prohibiting powerboats in that
9 area, and that we acknowledge the soft launch area
10 in regulation and provide a six knot speed limit in
11 the soft launch area.

12 MR. JONES: Well done.

13 THE CHAIRPERSON: Those in favor? Those
14 opposed?

15 (Vote taken.)

16 THE CHAIRMAN: The motion passes
17 unanimously and we will make that reg
18 recommendation.

19 Thank you, thank you all very much for
20 that. Mike, do you want to comment on the Potomac?

21 (Discussion held off the record.)

1 MR. GRANT: Do you want me to comment on
2 the Potomac?

3 THE CHAIRPERSON: Yes, please do.

4 MR. GRANT: Very briefly. The Potomac
5 River we've been asked to table it for the time
6 being until more information can be gathered. And
7 I'll have some discussions with some people over
8 the wintertime. So it's off the table.

9 Now, website regulations map. If you
10 have been on our website there is a section under
11 regulations that right now is a static map that
12 shows very unclearly that there are regulations
13 existing in different parts of the bay. It
14 doesn't -- just has little hash marks and doesn't
15 give any information whatsoever. Through an awful
16 lot of work Ms. Williams and Louis have come up
17 with a plan to create an active map for charting,
18 designating current regulations.

19 MS. WILLIAMS: The packet that you have
20 like this (indicating), we're going to go over this
21 a little bit.

1 As you requested four years ago, we
2 began digitizing all of your speed zones and your
3 regulations. That is where you might find them.
4 On the back sheet of that would be the codes that
5 we have tried to attach to the regulations which
6 we'll now add a new one, which will be restricted
7 modified.

8 THE CHAIRPERSON: Thank you very much.

9 MS. WILLIAMS: As you can see when you
10 put a map up when you have six knots, six knots at
11 seven foot, 26, 25, 35, 36, plus Saturday, Sunday,
12 holiday it gets really creative so we're going to
13 be working on coming up with a way to show your
14 data so that users can get some more information
15 out of it.

16 The original request for this data was
17 to come up with something similar to the boat
18 access sites. Well, boat access sites were a
19 point. I could do them all solid, but as you can
20 see on the Severn River the whole thing is
21 regulated and we know that every river and creek

1 has a regulation and each one is a little bit
2 different. So for this data, it's very raw and
3 very draft -- I finished it late last night, Louis
4 will be verifying my editorial work -- as we go
5 through it what I have done for each and every
6 polygon I have created a summary of what your
7 regulation might be, and that will be what your
8 printout is, so that particular polygon as
9 highlighted, which will eventually some day be on
10 your little cell phone near to your heart, it will
11 say Anne Arundel County, Severn River, 35 knots
12 during the boating season, a.m., during the boating
13 season at night it's 20 knots, during the
14 non-boating season it's 20 knots. And do you see
15 that bottom one, complex? This one doesn't have a
16 complex check and we'll go over a couple of them in
17 a minute. The bottom would have the COMAR code,
18 which is 18.024.01. If you want to go and look it
19 up, and you didn't believe what I wrote you, you
20 can go there and you can read it for yourself and
21 so everything will be highlighted so you can go and

1 find 18.024.01. So each of these speed zones will
2 be drawn so that you can look at it. So Bob's
3 interest when he launched in the Nanticoke and
4 wasn't quite sure how far the speed zone was would
5 now be resolved because you can zoom over the to
6 Nanticoke, zoom down and see -- come back.

7 MR. LUNSFORD: Wicomico, Salisbury.

8 MS. WILLIAMS: Wrong river.

9 MR. LUNSFORD: That's okay.

10 MS. WILLIAMS: I fixed that one too.

11 So you can zoom in and again it's a
12 searchable, zoomable, it has your data researched
13 on it.

14 Found a place you don't have any speed
15 zones. How did that happen? I'm in Virginia.

16 So as you go zooming through you would
17 find all of your little speed zones, you'd find
18 where they are, click on them. As you can see like
19 lower Perryville, easy to find. It tells you
20 exactly where it is, but when you go to some of the
21 more creative ones as we go up into the South and

1 Severn and the places that you love so much you
2 write regulations on top of regulations that have
3 some interesting interpretive factors.

4 Ski areas, for example, if you go and
5 look at the regulation of what a ski area says,
6 without boundaries and things some of them are
7 really difficult to quite understand what you're
8 expecting the average boater to do or not do. The
9 ski boaters really get what they're allowed to do,
10 but if you were an average boater and you clicked
11 on that, so that's why it will have some reference
12 to go read those that have a little bit more than
13 20 knots, or six knots or, you know, just like the
14 new regulation we just wrote with non-motorized
15 boats I'll have a restricted modified on it. We
16 have a six knots plus 17. You drive into that
17 area, you see a 6 with a 17 on it, it's hard to
18 know if your boat is over 17 foot you can't go six
19 knots, but if it's under you can go as fast as you
20 want. But if you click on the regulations you can
21 read that. It is hard for us to put this much

1 information on stuff especially when you have some
2 areas that are six knots Saturday, Sunday and
3 holidays, 20 during the day and 35 at night boating
4 and non-boating, and you have 35 during the day and
5 20 the night, when you get all of these
6 combinations going it is hard for the average
7 boater to know what we expect them to do and how to
8 behave in there. This is the first cut in doing
9 that. It has lots of good and bad. We are limited
10 by some of the things -- the software the state has
11 bought has a limited number of visual things that
12 you can add to it. You can't add a whole lot. We
13 are not going to be Google. We do not own a
14 license with Google. We'll be doing it through
15 this ART GIS thing that the state of Maryland has
16 bought and worked out an agreement for us. The
17 limit of that screen as you notice is you click on
18 that screen, sometimes it looks pretty good,
19 sometimes I have to scroll down to see it. That
20 again is governed by the state of Maryland.
21 Apparently they have a lot of designs on how maps

1 can look. It's not up to me to change that a whole
2 lot. I can put whatever information in it, but I
3 can't change the way some of the things look. So
4 again, like I say, other than trying to come up
5 with 35 different colors or 36 different colors for
6 the different speed zones it's going to be a little
7 bit interesting. The overall display we have
8 chosen is that speed limit for during the boating
9 season during the day, we assumed that the average
10 boater that's the time frame they're looking at,
11 even though we regulate during the boating season
12 at night and during the non-boating season both day
13 and night, all of the color choices, so that key is
14 only for your average daily boating pleasures.

15 But that's where we're going. It's
16 gotten, taken us four years to get this far. Bob
17 is laughing at me. He remembers when we did this
18 two and a half years ago.

19 MR. LUNSFORD: I remember starting this
20 and being around for it.

21 (Discussion held off the record.)

1 THE CHAIRPERSON: I think it is
2 terrific.

3 (Applause.)

4 MS. WILLIAMS: Comments, suggestions,
5 concerns?

6 MR. LUNSFORD: Keep up the good work.

7 THE CHAIRPERSON: Well said.

8 (Discussion held off the record.)

9 MR. WRIGHT: You want to show one of the
10 complex ones?

11 MS. WILLIAMS: Did you want to see some
12 of the complex ones?

13 THE CHAIRPERSON: Sure, show us one.

14 MR. WRIGHT: These are the ones that
15 caused us nightmares.

16 MS. WILLIAMS: The South River, one of
17 my loves.

18 MR. MARSH: Yeah. South River that's a
19 good one.

20 MS. WILLIAMS: Well, that's not complex.
21 And in this particular scenario the way I color

1 coded these, I used -- these are jet ski, the ski
2 areas. Louis, can you point to an area that you
3 know is --

4 MR. WRIGHT: Upper area.

5 MS. WILLIAMS: That one is all of the
6 ski issues, which we went over. Some of the ones
7 that had the day, night, Saturday, Sunday, holiday,
8 something different during the boating season.

9 MR. WRIGHT: Most of the work is up in
10 the Severn, that was where they really got --

11 MR. KLING: Up by Amy's house.

12 MS. WILLIAMS: There is some other
13 things. Like this ski area here (indicating), this
14 ski area is a complex one. That one is quite
15 interesting because that ski area doesn't have
16 coordinates.

17 THE CHAIRPERSON: It's usually in the
18 same general place.

19 MS. WILLIAMS: And there is, there's
20 usually, maybe a buoy there, but I wouldn't
21 guarantee on either one though, but the average

1 boater can't do something when it is there and so
2 it is very difficult for the non-skiers to
3 understand what's going on. So some of that should
4 have some interest and some love given to them
5 without modifying speed zones.

6 Here we go, this is a triplex, triplex.
7 That's because even I couldn't understand quite
8 what I thought you were trying to say.

9 So let's go back. Which one are we
10 looking at? We're looking at 18.24.03.C, just for
11 your viewing pleasures. You have six knots,
12 Saturday, Sunday and holidays and weekdays sunset
13 to sunrise during the boating season. You have six
14 knot sunset to sunrise during the non-boating
15 season. You have 26 weekdays sunrise, sunset day
16 during the boating season, you have 36 knots during
17 the boating season.

18 MR. KLING: That's what we need to fix.

19 MS. WILLIAMS: With no day or night,
20 just 36. That's what we -- that's what you were
21 talking about. I read it three times and I can't

1 figure out what four does. Does four do that if we
2 didn't give you enough things to think about just
3 do 26? I'm not quite sure. What's the difference
4 between 26 and 25, why does the Severn get 26 and
5 the South get 25? Was it the day?

6 MR. LUNSFORD: It depends on what side
7 of the bed we got up on.

8 MS. WILLIAMS: Again when you go mapping
9 these things and you try to make it so the public
10 sees it, we kind of show our details to the point
11 that people question what we were doing, and so
12 that's why I think that you should have a shopping
13 list of general speed zones, and this is what we'll
14 give you one of and try not to do too many of but
15 on Sundays we'll do it differently. We have ones
16 that are during the nights aren't the same. We
17 have some that go from 6 p.m. to 12 midnight. We
18 have some that go during boating season. During
19 fishing season we have some. It is the most
20 amazing thing when you read the regulations and
21 then to expect somebody on the water to kind of

1 figure out it turned, it's now spawning season,
2 watch out, it's minimum wake.

3 But as one of the things Louis would say
4 some of these places -- I mean this wonderful
5 little place here has all of that time and
6 consideration on it. It's a real little, tiny
7 area.

8 We have some places that I -- because I
9 draw, this not on a Google Earth -- I draw online.
10 I had to draw streams and shorelines for you. You
11 have regulations that on 1 to 24 quad sheet has no
12 shoreline. Really, there is that much boating in
13 this (indicating)? So when and if you do create
14 your team of looking at these speed zones I think
15 there is a tremendous amount of overregulation that
16 could be thinned out and save us all a lot of time
17 on things. Just saying, anyway.

18 THE CHAIRPERSON: That is really well
19 done.

20 (Applause.)

21 MR. GRANT: Do you want to go to ad hoc

1 before or after lunch?

2 THE CHAIRPERSON: I think before lunch.

3 Folks what do you think?

4 Old business? We have a committee, we
5 wanted to set up a committee to take a look at some
6 of these inconsistencies in regulations and look
7 for opportunities going forward to be more
8 consistent and based on availability of resources
9 to address what we had in the past and, Mark, I
10 don't know if you want to chime in on this one
11 because there is the question of how much time
12 does, do Louis and Ann really have to go back in
13 time?

14 MR. O'MALLEY: Extraordinarily little.

15 THE CHAIRPERSON: Right. So is there a
16 way to look for the shopping list as was just
17 mentioned as we're going forward and revisit some
18 of these regs that we have done in the past as they
19 arise?

20 MS. WILLIAMS: Well, you now have a
21 shopping list that as Ann's shopping list suggests

1 with Xes and triple Xes that gives you someplace to
2 begin if you want close to home.

3 THE CHAIRMAN: The criteria was along
4 the lines of your shopping list, isn't that --
5 that's what I was thinking.

6 MR. JONES: I asked is the spreadsheet
7 available to us and she said yes.

8 THE CHAIRPERSON: Electronically.

9 THE CHAIRPERSON: So Steve, you brought
10 this up at the last meeting, do you want to talk a
11 little more about it?

12 MR. KLING: Yeah. Make a point, this is
13 just what Ann was pointing out, we know there is
14 lots of regulations have been put in effect a long
15 time ago that haven't been revisited, we know there
16 are inconsistencies, we know in some cases
17 unnecessarily complex, 26, 25, I mean, and what we
18 were just talking about was a, a long-term
19 systematic review of what's out there and, you
20 know, I don't think that anybody is under the
21 illusion that we're going to look at the whole

1 thing in, you know, a couple of months over the
2 winter and say, you know, okay, change six thousand
3 buoys around the bay. You know, we have no
4 immediate regulatory issues so the idea was, we
5 talked about this for a long time, let's start a
6 systematic review of what's out there and we can,
7 you know, we can, we can get to a point of, okay,
8 here we know we want to change this, the next time
9 something comes up let's incorporate all of this
10 stuff for an area. You know, it's all about
11 resources and staff. We're not trying to overwhelm
12 anybody, but we're trying to do the boating public,
13 make the place a little more rational and a little
14 more boater friendly and also probably simplify the
15 work of -- I mean I wonder how well calibrated the
16 radar guns are to distinguish between 25 and 26
17 knots.

18 OFFICER DITMARS: Supposed to be right
19 on.

20 MR. KLING: Are you -- I know, I can't
21 imagine somebody's going to get nabbed for doing 25

1 here but get a ticket for doing 26 over here, so we
2 don't know those sorts of things. The whole goal
3 is to start a process to, you know, slowly,
4 methodically start to address some of these.

5 THE CHAIRPERSON: Right. So we want to
6 be sensitive to the resource issues at DNR, but I
7 think what I, I would suggest is that we start with
8 coming up with a criteria and proposed methodology,
9 form a committee formally, come up with the
10 criteria and methodology and then start the
11 shopping list, which would be the criteria as we
12 move forward, so when regs come up, you pick from
13 the shopping list unless there is some good reason
14 not to and then over time, over a long time, see
15 what we can do with the regs.

16 MR. LUNSFORD: One of the outcomes is we
17 could develop a list of inconsistencies and provide
18 them to those that follow and say if a reg comes up
19 and, if a request for a regulation comes up in area
20 X and you go to our chart and see that we have an
21 issue with area X, and I'm looking like at Lake

1 Ogleton 26 knots and everything else on the Severn
2 is 25, there should be some consistency there. So
3 if Ogleton ever comes up and the opportunity comes
4 up you can make it consistent. There is no need
5 for us to generate a regulatory request to the
6 department to rewrite a dozen regulations, but we
7 can put down a list of things like that that need
8 to be done and even if those on the committee don't
9 get to it maybe it will simplify things for
10 somebody in the future. Because if you're an out
11 of state boater and come to Maryland and try to go
12 and down some of our rivers it's a terror if you're
13 trying to be law abiding.

14 THE CHAIRPERSON: So Mark, could that be
15 accommodated, that approach that Bob just laid out?

16 MR. O'MALLEY: Yes, if you do this
17 systematically, and it sounds like that's the way
18 you're going to do it, because Ann showed you
19 really just the surface and beneath there's all
20 sorts of roots going into different areas that need
21 to be cleaned up and if you, if you were to do it

1 geographic region at a time and then give us the
2 results, yes, we can, we can handle that. Just
3 know that again Ann pointed out it took four years
4 to do this. I have got her working on a similar
5 thing for dredging projects --

6 MS. WILLIAMS: That will take four
7 years.

8 MR. O'MALLEY: -- and that will take
9 four years. And Louis is up to his neck in
10 fishery's issues that don't ever seem to get
11 better, so that's why their time is so valuable.
12 So yes, if you were to break it into manageable
13 pieces that's the way to go.

14 MR. KLING: We formed the committee,
15 just waiting for Mark's blessing.

16 THE CHAIRPERSON: Yes. Do you remember
17 who it was? It was Steve, Chris, Bob.

18 MR. JONES: And me.

19 THE CHAIRPERSON: Okay. I think I was ex
20 officio.

21 MR. KLING: And Bob McLean wanted to be

1 on it.

2 MS. WILLIAMS: If you were thinking
3 about doing something like once a month meeting and
4 we took a chunk of this and went through it. I
5 mean that digital stuff is actually in the Cloud.
6 I don't know if you noticed I hooked up to the
7 network and I put it up and they get published so
8 we can see it one day and pull it down. We don't
9 want the rest of the world finding it yet. We can
10 probably work on a good chunk of time going through
11 any of the areas of it because it's all virtual.
12 Now and you can go and read and then, like I said,
13 all of it is digital so we can bring it down and
14 make the modifications to any section quickly and I
15 mean it wouldn't be that hard to do it that way.

16 THE CHAIRPERSON: So then it sounds like
17 your website and your database are going to be so
18 helpful to all of us and so that's a great offer.
19 If it's okay then with Mark we get the blessing
20 from the department we'll start working on it, on
21 the criteria and methodology.

1 MR. O'MALLEY: You can start this
2 afternoon if you would like. All kidding aside,
3 this is a very worthwhile and noble project so our
4 committee taking it on it's long overdue. Like we
5 mentioned it's a brutal task. We were working this
6 last week and if you're a boater you have no way of
7 knowing, you know, absent, you know, John putting
8 out signs at every quarter of a mile and, you know,
9 you're on your throttle and out, you sailors you do
10 whatever you do --

11 MR. KLING: We'll go out once.

12 MR. O'MALLEY: It is a challenge and
13 it's probably when you really -- some of them are
14 unnecessary and we will refrain from the Severn
15 from calling the Severn River, the Ramona River. I
16 think most of that is your doing. Prioritize the
17 areas that you go for and then bite them off a
18 piece at a time.

19 MS. WILLIAMS: One last thing and
20 something that's on the agenda, the officers
21 request for the JetPack. He made this little

1 statement preset fines need to be established for
2 violations in this section. We have no speed limit
3 fines and I don't know if you know that but a speed
4 limit -- there is not one speed ticket -- it's
5 always negligent operation because there's not a
6 speed limit set of fines for anyone.

7 MR. LUNSFORD: NRP does the fine and
8 bond schedule, we don't.

9 MS. WILLIAMS: We need to make a
10 recommendation. They won't do it if we don't tell
11 them what is being considered --

12 MR. LUNSFORD: I make a motion.

13 MS. WILLIAMS: -- in that committee.
14 You need to think about that. It's real fast for
15 us to put the signs and all this stuff up and the
16 boaters are calling and saying they're going faster
17 than your sign, and it's like -- anyway, we need to
18 work with them and get that set up.

19 OFFICER DITMARS: I'm not sure what
20 you're talking about. Just for the JetLev?

21 MS. WILLIAMS: For the public. If you

1 do six knots, what is the ticket that you would
2 get?

3 OFFICER DITMARS: There has always been
4 fines there for that, exceeding six knots.

5 MR. WRIGHT: The way it's explained to
6 us it's a negligent operation.

7 MS. WILLIAMS: When talking to us it's a
8 negligent operation.

9 OFFICER DITMARS: The way we generally
10 do this, and this came from a long series of the
11 court cases, unless you have it on radar you're
12 writing a negligent operation. If you do get it on
13 radar, that's exceeding the speed limit.

14 MS. WILLIAMS: I can't find any
15 violations of speed limit. I asked them how many
16 speed limit violations do you have in these areas,
17 because we were doing this research?

18 THE CHAIRPERSON: So let me --

19 OFFICER DITMARS: If it's not on radar
20 citation, it's going to go to court --

21 THE CHAIRPERSON: Could you find a

1 penalty schedule for speeding when it's captured on
2 the radar?

3 OFFICER DITMARS: It was 50 dollars. I
4 can go out and pull the reg.

5 THE CHAIRPERSON: And let Ann and Louis
6 know.

7 MS. WILLIAMS: We have people that call
8 us all of the time and that's what we're told.

9 OFFICER DITMARS: Every area should have
10 a section, but like I said unless it's on radar
11 it's generally not written.

12 MR. WRIGHT: Most of the cases it's
13 probable cause for like DWI. They see somebody go
14 blowing through a speed area and go over and stop
15 them then they have cause to stop that vessel and
16 see whether it's, you know, operating under the
17 influence or something.

18 OFFICER DITMARS: Another perfect
19 example here like this daytime and nighttime speed
20 limits, like Ann said I worked there for 13 years
21 and never wrote a single citation on that, because

1 unless you have the radar gun in your hand and that
2 boat is coming at you or going your way and nothing
3 is in your way and no angle you can't get a speed
4 on it. You can look at it and say I know he's
5 doing 60 and it's 25 at night, you can stop him and
6 write a warning for negligent operation or
7 something like that to get on the boat. Unless you
8 have it on radar it's not going to be written.

9 THE CHAIRPERSON: Thank you. So there's
10 a penalty schedule?

11 OFFICER DITMARS: There is.

12 THE CHAIRPERSON: Let them know. So any
13 other old business?

14 MR. KLING: Do we need more radar guns
15 for you guys?

16 OFFICER DITMARS: We can always use it,
17 but to be quite honest unless you set up an
18 operation to do that it's very difficult.

19 MR. KLING: It's hard. But it needs a
20 lot of attention.

21 THE CHAIRPERSON: Okay. So back to, any

1 other old business? Any new business?

2 MR. GRANT: Couple of things. Those of
3 you that have been up for renewal this coming year
4 have received letters today from -- what's her
5 name -- Jeannine.

6 THE CHAIRPERSON: Jeannine.

7 MS. MOANEY: We will talk.

8 MR. GRANT: Perhaps you should introduce
9 yourself. And also we have a current --

10 MR. O'MALLEY: Excuse me, Mike?

11 MR. GRANT: Yes, sir.

12 MR. O'MALLEY: You'll be listening.

13 MR. GRANT: Yes, sir.

14 There are currently two openings and we
15 met the last couple of days about some potential
16 new members and Boating Services has recommended
17 two to fill the two positions. The first person is
18 Julie Winters who has been endorsed by a number of
19 you here in the room. She's an avid sailor, a
20 world class sailor, and spends a lot of time on
21 committees and judging. I mean the whole nine

1 yards. She's been everywhere according to her
2 resume. The second person is Joe Helner
3 (phonetic), Naval Academy graduate, Marine,
4 submariner, very heavily involved in the yacht club
5 business around the bay, also has come very highly
6 recommended. John, you have someone to commiserate
7 on the same level.

8 MR. SHELLER: Another bubblehead.

9 MS. WILLIAMS: That's been up given up
10 the chains to the secretary. Hopefully when we
11 contact them they will be willing to serve. That's
12 all that I have.

13 THE CHAIRPERSON: Well, if there is
14 nothing else.

15 MR. MARSH: Anything else coming up at
16 all?

17 MR. GRANT: Nothing yet. Nothing yet.

18 THE CHAIRMAN: We took care of it all.

19 MR. MARSH: On my watch.

20 THE CHAIRPERSON: That's right.

21 (Discussion held off the record.)

1 THE CHAIRPERSON: I guess we stand
2 adjourned. Next meeting, that's right. Sorry.

3 MR. GRANT: Traditionally it's the
4 December meeting. The purpose for that, I guess,
5 would be to go over what the ad hoc committee has
6 come up with.

7 MR. LUNSFORD: Pending legislation.

8 MR. GRANT: Any pending legislation
9 that's pending or going in.

10 MR. MARSH: Any dates in mind?

11 (Discussion held off the record.)

12 THE CHAIRPERSON: So Thorny suggested
13 December 11. Does that work for folks?

14 MR. JONES: It's a Thursday.

15 THE CHAIRPERSON: 11th, is it bad for
16 anybody?

17 MR. GRANT: December 11.

18 THE CHAIRPERSON: Okay. It looks like
19 that's the day.

20 MR. GRANT: We'll get back to you on a
21 location.

1 **THE CHAIRPERSON: Great. Officially**

2 **adjourned.**

3 **(Hearing adjourned 11:46 a.m.)**

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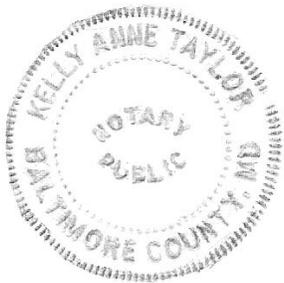
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1 STATE OF MARYLAND
2 COUNTY OF BALTIMORE

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



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Kelly Anne Taylor

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Kelly A. Taylor, Notary Public

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