

THE MARYLAND WILDLIFE ADVISORY COMMISSION
MINUTES – JUNE 20, 2012

Chairman Jeffrey Plummer called the meeting to order at 9:36 a.m.

Approval for the June 20, 2012 Meeting Agenda

- The June 20, 2012 Wildlife Advisory Commission Meeting Agenda was presented to the Commission.
- Motion:
 1. Commissioner Boyles Griffin motioned to accept the June 20, 2012 Meeting Agenda as presented.
 2. Commissioner Rodney seconded.
 3. All in favor. Motion passed.

Approval for Minutes from May 16, 2012 Meeting

- The May 16th meeting minutes were distributed to the Commission prior to the meeting.
- Motion:
 1. Commissioner Bonomo motioned to approve the May 16th meeting minutes as presented.
 2. Commissioner Rodney seconded.
 3. All in favor. Motion passed.

Natural Heritage Program Update – Presentation given by Jonathan McKnight, Associate Director, Wildlife and Heritage Service.

- With the approval of the Commission, Mr. Jonathan McKnight, the Associate Director of Natural Heritage Program, combined four subjects into one presentation [ATTACHMENT A].
- The Maryland Wildlife Diversity Plan
 1. Maryland Wildlife Diversity Plan is the guiding plan for the expenditures of State Wildlife Grants and a plan for conserving natural areas and rare species in the State of Maryland.
 2. The State Wildlife Action Plan (SWAP) is an initiative in 50 states and it is associated with the State Wildlife Grants, which is one of the largest funding sources for the Natural Heritage Program. The next iteration is due September 2015. Currently, the criteria and terms are being revised on a regional level. It would make more sense that since every state has a SWAP to make the language the same within the State Wildlife Action Plans.
 3. Greatest Conservation Need (GCN) – there are 502 species that fit in that category. Many states focused on species conservation as the backbone of their plan. Maryland decided to do a habitat based initiative.
 4. State Wildlife Grants Funding has declined tremendously from \$92M to \$30M nationwide. This is being debated in Congress.
 5. SWAP Coordinator is needed to manage the State Wildlife Grants for Maryland. Maryland had a consultant when the original Wildlife Diversity Plan was written but because of the lack of funding, we will not be able to have a SWAP Coordinator - which leaves those duties to staff who are already overbooked.
 6. Questions and Answers Section
 - a. Commissioner Bonomo asked what regional body is coordinating the SWAP to ensure common language among the states.
 - i. There is an AD HOC Group from the Northeast Fish and Wildlife Diversity Technical Committee. Mr. McKnight attended one meeting in person with this group and Mr. McKnight has been involved in some conference calls. There are personnel from USFWS along with representatives from all the states in the Northeast.
 - ii. In Maryland, our Natural Heritage Program and Wildlife Diversity Plan are together because the Maryland Natural Heritage Program has the responsibility to manage non-

game species. In many states the Natural Heritage Program and Wildlife Diversity Plan are separated. In this situation, there is a competition within these groups to get the funding. In most of these situations, only one of the programs gets the funding from the State Wildlife Grants.

- b. Chairman Plummer asked if the consultant that Natural Heritage Program (NHP) had to write the State Wildlife Grants.
 - i. The consultant actually worked with the NHP staff to coordinate the formulation of the Wildlife Diversity Plan.
 - ii. The grants are written annually by the staff with input from the Wildlife Diversity Advisory Committee.
- Maryland Natural Heritage Program
 - 1. There are so many great things that the Natural Heritage Program staff are doing. Mr. McKnight extended an invitation to the Commission to take the members out on a field day with the Natural Heritage Program staff.
 - 2. There are 25 staff members and four programs within Natural Heritage.
 - a. Science Program is the group that uses direct technology, focus on restoration work, and record the status rank on RTE species.
 - b. Habitat Conservation Program does the work on the ground that includes restoration work and management. This is group that often deals with conflicts between endangered species and land development issues or other initiatives.
 - c. Conservation Technology Program is the center of NHP. This program maintains the NHP database.
 - d. Farm Resources Conservation Program focuses on as being the Maryland representative for the Conservation Reserve Enhancement Program (CREP). CREP is a stream buffer program that has about 78,000 acres enrolled. CREP pays farmers to enroll their land into CREP.
 - 3. Mr. McKnight reminded the Commission about the NHP project to build a State Natural Areas System in Maryland. The first step is to establish an outreach component to build some partnerships and to build a constituency.
 - a. Phase II will be a Maryland Natural Areas Inventory. Staff is using a model that is similar to Maryland's approach to endangered species.
 - b. Virginia and Pennsylvania have an inventory of their natural areas. BioNet provides locations of RTE species that include global and state species. Mr. McKnight explained the BioNet Tiers.
 - c. Our goal for next year is to bring about Maryland Natural Areas inventory for the public.
 - 4. Questions and Answers Section:
 - a. Commissioner Bonomo asked will there be field work activities on these Natural Areas or will staff be working from the data that has been already collected that is located in the database.
 - i. Staff will be working from both. Staff members do not want to produce an inventory that has outdated information. Our staff will continue doing the regular functions plus targeting and fulfilling information needs for these Natural Areas Inventory.
 - b. Chairman Plummer asked how often staff will have to update the Natural Areas Inventory when you are talking about mobile species that may or may not inhabit these targeted areas.
 - i. The advantage of these Natural Areas is the focus on habitat as opposed to species. Staff members believed that a dynamic eco-system 10-year cycle would be appropriate for updating the inventory of these areas. Many of these resources are already closely managed. For the mobility species, staff will focus on the nest areas. For example,

staff members already have a log of the nesting colonial waterbirds.

- c. Chairman Plummer asked if DNR has to approve developments prior to the time the building permits are issued.
 - i. That is not always the case but generally we are asked to review other agency permit requests (e.g. MDE or county). DNR has the authority based on several regulations; however, the key regulation has to do with the Endangered Species Act.
- d. Commissioner Boyles Griffin is concerned that some people will bring about harm on some of these species that are rare, threatened, and endangered (RTE).
 - i. That has been a deep concern within our Unit. Staff members know there are small amount of people that will try to collect RTE species. However, we are confident from looking at other state's examples that we can manage against this outcome.
- Shale Gas Extraction in Maryland:
 - 1. Jonathan McKnight is on the Department Technical Committee for Marcellus Shale and the mission of this Committee is to evaluate how the State of Maryland will deal with potential natural gas extraction.
 - 2. Marcellus Shale has been defined as a clean alternative fuel.
 - 3. Many feel that natural gas is a natural resource in Maryland.
 - 4. There is Marcellus Shale under lands in Western Maryland, specifically, Garrett and Allegany Counties
 - 5. Mr. McKnight explained briefly the process of fracking to the Commission.
- Wildlife Diversity Advisory Committee:
 - 1. Chairman Thomas Franklin from the Wildlife Diversity Advisory Committee was unable to attend this meeting. This is a group of nine members with up to twelve authorized.
 - a. Commissioner Bonomo and Mr. Kurt Fuchs are on the Wildlife Diversity Advisory Committee.
 - b. Mr. McKnight and Chairman Franklin have three interested candidates, one has already been approved and the other two individuals' information will be sent to the Department for approval before a formal invitation goes out to the potential new members.
 - c. This group meets on Friday afternoons from 1:00 p.m. to 4:00 p.m. in Howard County and the member's travel from different parts of the State.
 - 2. This group advises the Department on all aspects of wildlife diversity including threatened and endangered species along with non-game wildlife. This group is also involved in the implementation of the Wildlife Diversity Plan along with spending priorities for State Wildlife Grants and securing additional funding and other wildlife diversity issues that warrants the Wildlife Diversity Advisory Committee's attention. This Committee is a sub-committee of the Wildlife Advisory Commission.
 - 3. Questions and Answers Section:
 - a. Commissioner Bonomo commented that it appears gas development would avoid natural areas currently being divided between Tier 1 and Tier 2. It seems that it reads that fragmentation for forest interior species that are present and it also reads that Audubon important bird areas that are present are potentially subject to litigation. Commissioner Bonomo indicated that this is problematic.
 - b. Commissioner Bonomo asked would there be opportunity for stakeholders' involvement on the SWAP.
 - i. Yes, there is a prescribed stakeholders' involvement component to the criteria. The SWAP development process is very inclusive.
 - c. Commissioner Fratz asked about what are the impacts from the storage wells on Savage River State Forest.
 - i. There are approximately eight storage wells there. Mr. McKnight is not qualified to

answer that question since WHS does not manage that property.

Break 10:45 am to 10:50 am

WAC Legislative Concepts – Commission Discussion

- Director Peditto explained the stage that the Department is in with legislative concepts. The Commission considers ideas for the coming Session for either the Department to sponsor or to seek private sponsorship. Departmental sponsored bills should be submitted in August for internal discussion so now is a good time for the Commission to consider new ideas or items that have been ongoing for the Commission.
- Director Peditto mentioned the hunting increase fee and non-consumptive user fee (groups that use WMAs that do not contribute to management of these properties) are items for discussion for the Commission to consider along with a fee for environmental reviews. In addition to these items, another item for consideration is giving the authority of Sunday hunting to the Department.
 1. Staff are getting inquiries on WMAs from individuals who want to photograph sunflowers on WMAs and staff are getting complaints because WHS was late in planting this year because of lack of staff due to budgetary decisions. The photographers do not contribute to the funds to manage these properties but staff are still compelled to be responsive to these non-consumptive users on WMAs.
 2. Chairman Plummer requested the timeframe for the Commission to provide letters of support for these items to the Department.
 - a. Director Peditto indicated that staff would need these letters by the July 25th WAC meeting.
 3. Commissioner Compton asked if the Department would agree to meet with the sportsmen's groups to discuss strategies for getting the hunting increase fee bill passed and gets these groups on board prior to the Session. Chairman Plummer agreed with Commissioner Compton about getting these groups together early in process to get the needed support.
 - a. Director Peditto indicated that the Department would gladly meet again with the public to discuss these issues. Director Peditto urged the stakeholder groups to organize around a single leadership group.
 4. Commissioner Rodney was at that meeting where the hunting increase fee bill was revised. It seems that the hunters that were present supported those changes. Commissioner Rodney indicated the MLSF would be good group to gather the organizations and public again.
 5. Commissioner Compton felt that lack of time was a contributing factor for the bill failure because a lot of hunters did not understand that there were changes made after the initial hunting increase fee bill.
 - a. Director Peditto responded that this is the reason these items are being brought to the Commission's attention now.
 6. Commissioner Compton stressed that the Commission should do something about getting more general funds to the WHS.
 - a. Director Peditto explained that many units in DNR have individuals or groups who 'lobby' on their behalf.
 7. Commissioner Compton suggested to the Commission that the Commission write a letter to the Governor requesting more general funds to be allocated to WHS along with the support for these fees based concepts.
 8. Commissioner Bonomo agreed that Commission needs to write these letters. The letters should be reviewed by the Commission before the letters are sent out.
 9. Chairman Plummer added the hunting license fee is going to require all groups getting together and getting on the same side to support the increase in hunting license fees.

10. Chairman Plummer agreed to draft a letter to the Governor that articulates the Commission concerns related to general funds. The Commission agreed that Chairman Plummer will draft a letter and circulate it to the Commission for approval prior to sending it to the Governor.
11. Commissioner Boyles Griffin expressed that it is a good idea to have a non-consumptive user fee for those who do not hunt to use WMAs.
 - a. Director Peditto added that WHS used to receive approximately \$1M in General Funds.
12. Chairman Plummer agreed to draft a letter to Secretary Griffin requesting a meeting with Secretary Griffin and the sportsmen's groups to try to get support for the hunting license fee increase. The Commission is also in agreement with a letter going to Secretary Griffin.
- Commissioner Compton motioned to continue support for the concept of giving regulatory authority for Sunday hunting to the Department as opposed to through the legislative process.
 1. Commissioner Gregor seconded.
 2. Discussion: Commissioner Boyles Griffin explained that the constituency she represents would be in opposition to such a concept.
 3. Motion carried with 4-support and 1-oppose.

Maryland Farm Bureau Update – Presentation given by Kurt Fuchs, Maryland Farm Bureau (MFB) Government Relations Assistant Director

- Mr. Fuchs indicated that the MFB is developing a wildlife issues email list to help communicate with MFB members better.
- The MFB policy development process has started. These policies are decided on at the MFB December Annual Meeting.
- Wheat and barley are ahead a week or two because of the mild spring that Maryland had.

Natural Resources Police (NRP) Update – Presentation given by Captain Lloyd Ingerson.

- Captain Ingerson provided an update on the NRP Academy Class. The Class started out with 18 new recruits and NRP lost two of those new recruits. However, NRP was able to replace one and now there are 17 new recruits. Things seem to be coming along well with the new class.
- Captain Ingerson mentioned the reinstatement of the NRP Cadet Program will start on January 1, 2013. This will allow the cadets to get on the job training before the NRP Academy.
- NRP just went through some promotions within the ranks in different areas of the State.
- There were no major turkey hunting cases for the 2012 Spring Turkey Season.
- Commissioner Compton mentioned that he has observe a trend with NRP officers since the merger with Park Service rangers related to general traffic relations. Commissioner Compton questioned the sense of NRP officers doing that since NRP primary mission is to protect our natural resources. Commissioner Compton added that it seems that NRP is becoming an additional arm to Maryland State Police (MSP).
 1. NRP receives grant money to manage traffic just like NRP gets grant money for patrolling underage drinking.
 2. NRP officers are sworn law enforcement officers – NRP are bound to take action.
- Captain Ingerson agreed to supply statistical data on violations and citations over a 12-month period. Captain Ingerson will try to provide this data by the July 25th meeting.

Old Business – no report.

New Business- no report.

Public Comment

- Dr. Joe Lamp addressed the Commission about the change in the bag limit for river otter. Dr. Lamp thought that river otters were not trapped as a targeted species prior to the 2012-2014 Hunting and Trapping Seasons. Dr. Lamp also mentioned that a trapper was required to turn the otter pelt into DNR if a trapper inadvertently caught one. Dr. Lamp added that now a trapper can trap an otter and not turn it in to DNR.
 1. Associate Director Pete Jayne clarified that WHS requires trappers to tag otters so that means when a trapper takes an otter it must have a sealed tag on the pelt, which comes from DNR. The only two counties that changed were Allegany and Garrett counties where the otter trapping season was formally closed and now it is open with a limit of 1 per year.
 2. Dr. Lamp was satisfied with this response and no further discussion or action was required.

Adjournment

- The meeting was adjourned at 11:45 A.M.
The next meeting will be held at 9:30 A.M. on Wednesday, July 25, 2012 in the Tawes State Office Building, C-1 Conference Room; Annapolis, Maryland.

Attendance

Members:	J. Bonomo, L. Compton, G. Fratz ,T. Gregor, S. Boyles Griffin, J. Plummer, and C. Rodney
Guests:	K. Fuchs and J. Lamp
Staff:	L. Ingerson, P. Jayne, J. McKnight, P. Peditto, T. Spencer, and G. Therres
Absent:	E. Gulbrandsen

DNR Wildlife and Heritage Service

Maryland Wildlife Diversity Plan

Maryland Natural Heritage Program

Shale Gas Extraction in Maryland

Wildlife Diversity Advisory Committee



DNR Wildlife and Heritage Service

*Maryland Wildlife
Diversity Action
Plan*

State Wildlife Action Plan:

Drives State Wildlife Grant Efforts

Next Iteration due September 2015

Criteria and Terms Being Revised
Regionally

GCN Species:

34 Mammals

141 birds

42 Reptiles and Amphibians

40 Fishes

245 Invertebrates

Habitat-based Plan

35 Key Wildlife Habitats

502 Species of Greatest
Conservation Need (GCN)

Wildlife Diversity Action Plan

Strategy:

Two Years Focused Implementation

Participate in SWAP Revisions

Watch SWG Funding

Find SWAP Coordinator



DNR Wildlife and Heritage Service

*Maryland Natural
Heritage Program*

Four Programs:

Science Program

Habitat Conservation Program

Conservation Technology Program

Farm Resources Conservation Program

Habitat Conservation Program



An aerial photograph of a landscape featuring terraced green hills, likely a rice paddy field. The hills are arranged in a series of parallel, undulating ridges and valleys, creating a rhythmic pattern of light and shadow. The vegetation is a vibrant green, and the overall scene conveys a sense of agricultural harmony and natural beauty.


Farm Resources Conservation Program



Conservation Technology Program

Science Program

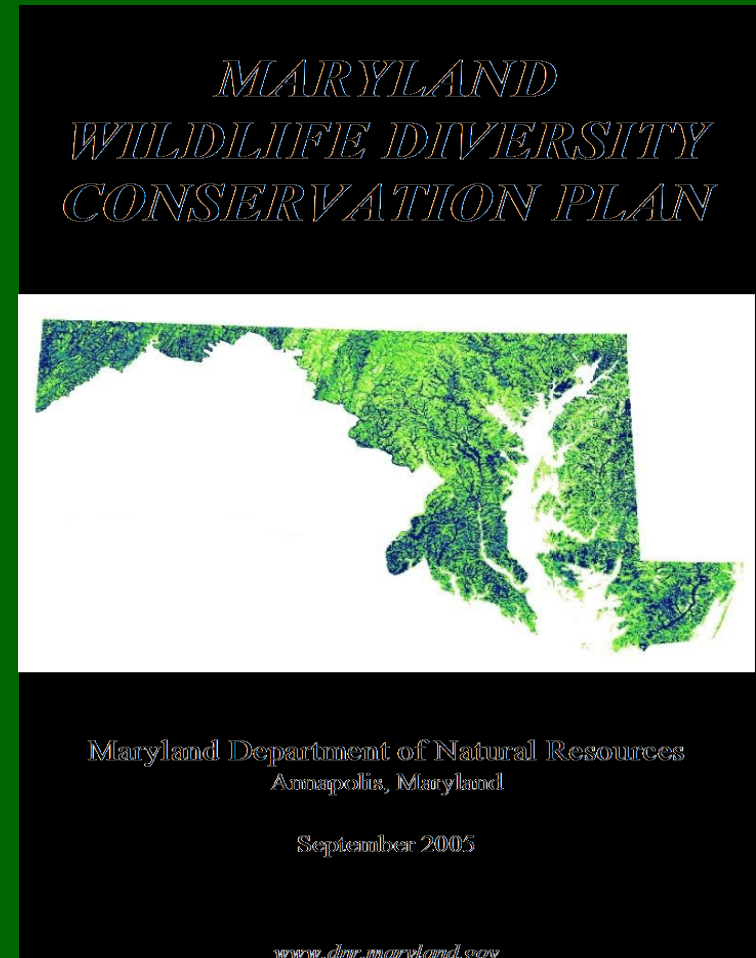


A scenic landscape photograph showing a range of blue-toned mountains under a clear sky. In the foreground, the dark green, pointed tops of several evergreen trees are visible. The text "Establishing a State Natural Areas System in Maryland" is centered over the middle of the image in a large, black, sans-serif font.

Establishing a State Natural Areas System in Maryland

Wildlife Diversity Conservation Plan

- Comprehensive
- Statewide
- Multiple partners
- GCN species
- Key wildlife habitats
- Conservation actions
- 10 year Plan



(http://www.dnr.maryland.gov/wildlife/divplan_wdcp.asp)

Outreach Strategy:

1. Develop a list of Natural Areas appropriate for visitation.
2. Develop a concept User's Guide to Maryland Natural Areas
3. Present concept to DNR and Partners
4. Present the product to the world

Phase II:

Maryland Natural Areas Inventory

BioNet Resources

- Only known occurrences of species and habitats in the State
- Globally rare species and habitats
- State rare species and habitats
- High quality examples of common habitats
- Animals of Greatest Conservation Need
- Watch List plants, as indicators of high quality habitats
- Animal assemblages (e.g., colonial nesting waterbirds, forest interior species)
- “Hotspots” for rare species and habitats
- Wildlife corridors and concentration areas

BioNet Tier I:

- Any population of a species found nowhere else in Maryland;
- Any example of a habitat that is found nowhere else in Maryland;
- Any population of a globally critically imperiled species or habitat;
- Excellent to fair populations of globally imperiled species or habitats;
- Excellent populations of globally rare species or habitats;
- Any example of an old growth forest;
- Excellent to fair examples of highly rare habitats in Maryland;
- The largest animal assemblages (e.g., colonial waterbird colonies);
- “Hotspot” concentrations of 10 or more state or globally rare species.



BioNet Tier I Site: Cranesville Swamp

BioNet Tier II

- Remaining populations of globally imperiled species or habitats;
- Good to fair populations of globally rare species or habitats;
- Excellent to fair populations of State Endangered species;
- Remaining examples of highly rare habitats in Maryland;
- Excellent to good examples of rare habitats in Maryland;
- “Almost” old growth forest;
- Critically significant wildlife corridors and concentration areas;
- Second-largest animal assemblages (e.g., colonial waterbird colonies);
- “Hotspot” concentrations of 6 - 9 state or globally rare species.



BioNet Tier II Site: Devil's Hole Cave

BioNet Tier III

- Remaining populations of globally rare species or habitats;
- Good populations of species listed as State Threatened or In Need of Conservation;
- Remaining examples of rare habitats in Maryland;
- Highly significant populations of Species of Greatest Conservation Need;
- Audubon's Important Bird Areas that meet specific criteria;
- Excellent to good examples of uncommon habitats in Maryland;
- Extremely significant wildlife corridors and concentration areas;
- The third largest animal assemblages (e.g., colonial waterbird colonies);
- “Hotspot” concentrations of 3 - 5 state or globally rare species.



BioNet Tier III Site: Laurel Run

BioNet Tier IV

- Remaining populations of rare species in Maryland;
- Remaining examples of uncommon habitats in Maryland;
- Moderately significant populations of Species of Greatest Conservation Need;
- High quality potential habitat for Forest Interior Dwelling Species (FIDS);
- Highly significant wildlife corridors and concentration areas;
- Excellent to good examples of common habitats in Maryland;
- The fourth largest animal assemblages (e.g., colonial waterbird colonies);
- Highly significant wildlife corridors and concentration areas.



BioNet Tier IV Site: Distillery Run

Bionet Tier V

- **significant populations of Species of Greatest Conservation Need;**
- **remaining significant examples of common habitats in Maryland;**
- **remaining potential habitat for Forest Interior Dwelling Species;**
- **remaining animal assemblages (e.g., colonial waterbird colonies);**
- **moderately significant wildlife corridors and concentration areas.**



BioNet Tier V Site: Salt Block Run



DNR Wildlife and Heritage Service

*Planning for Shale
Gas Extraction in
Maryland*





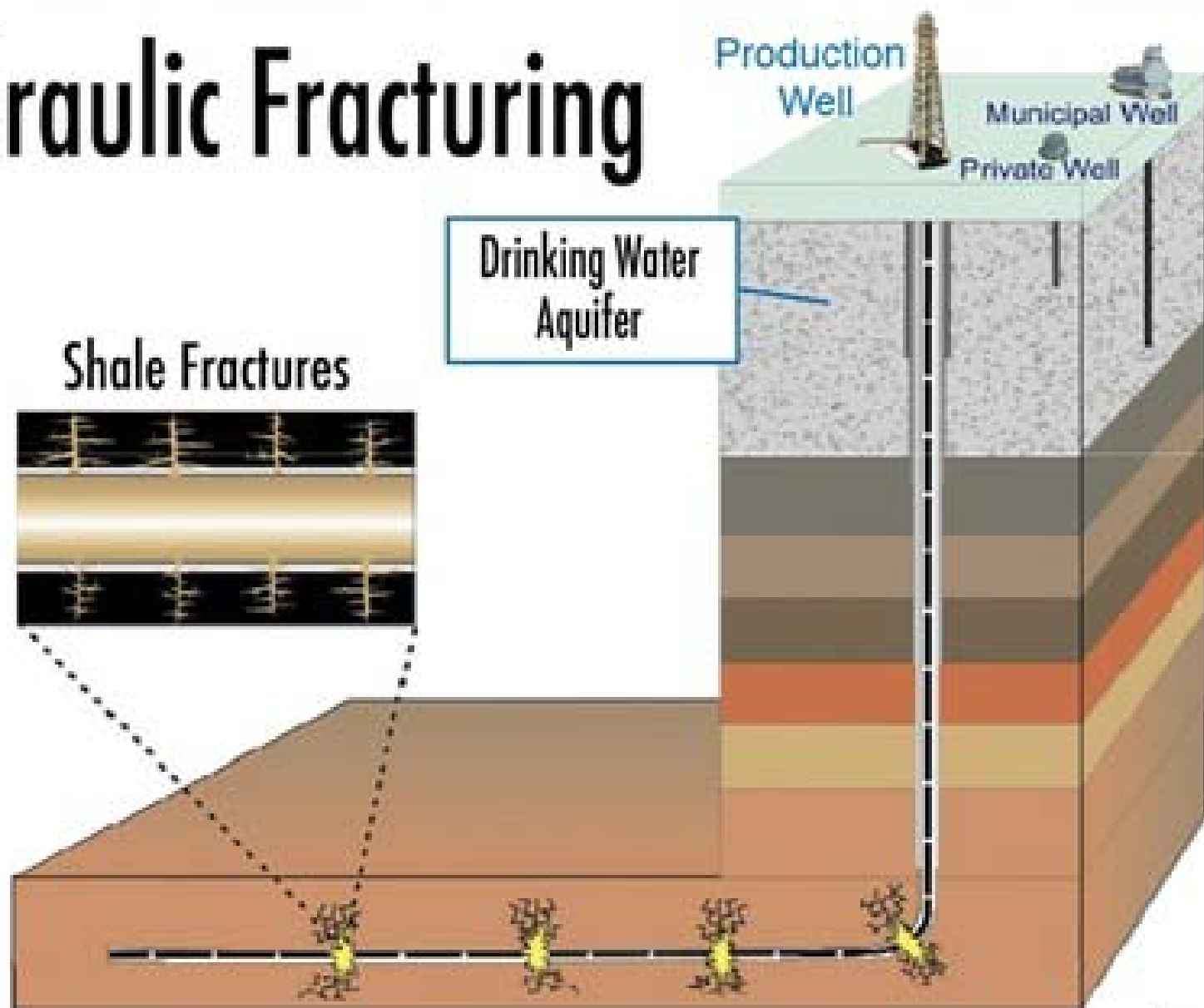
Clean Energy™







Hydraulic Fracturing

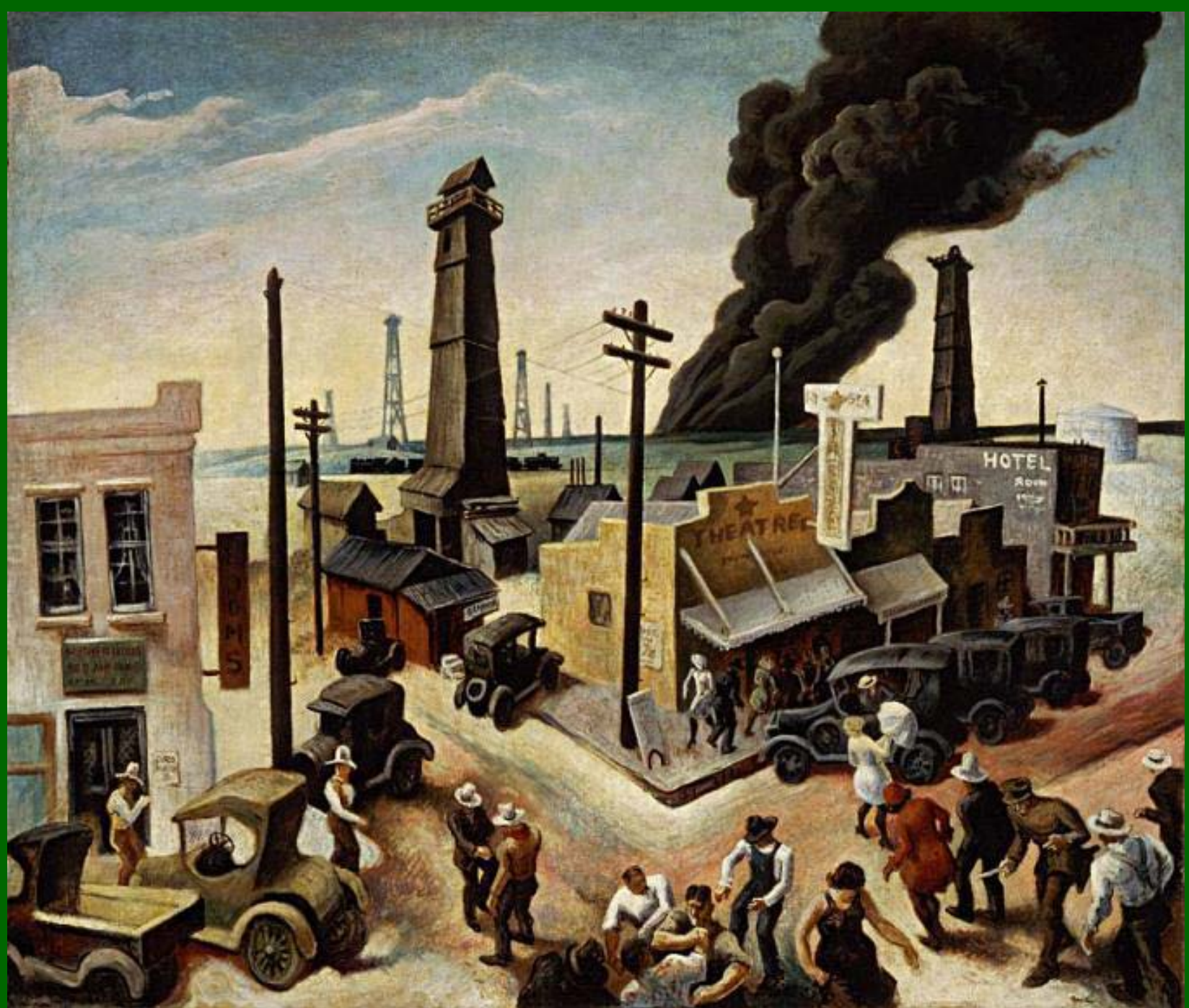


Source: EPA

Lower 48 states shale plays



Source: Energy Information Administration based on data from various published studies.
Updated: May 9, 2011



Major Short-term Natural Gas Issues for Maryland Natural Areas:

Landscape Disturbance

Road and Pipeline Infrastructure

Fracking Fluid Storage and
Disposal

Maryland Response to the Challenge of Natural Gas Extraction:

Executive Order

Commission

Severance Tax Legislation

Permit Conditions Legislation

Bond Legislation

DNR Response to the Challenge of Natural Gas Extraction:

Avoidance of “Irreplaceable Natural Areas”

Leadership Position in Commission

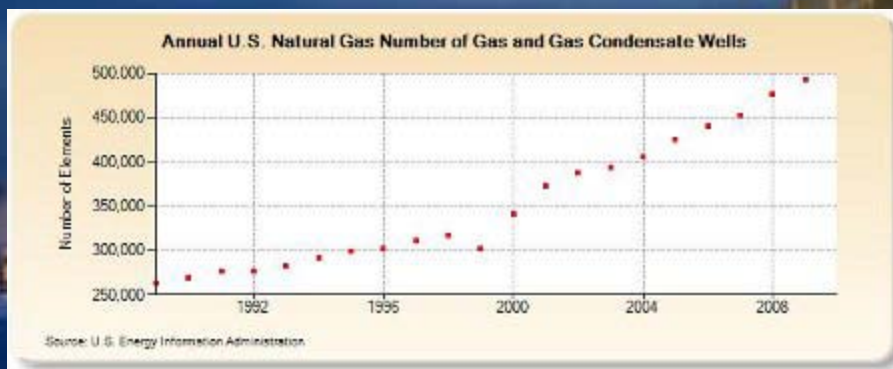
State Lands Moratorium

Irreplaceable Natural Areas: BioNet

Tier I and II: No Activity

Tiers III, IV, V:

Avoidance followed by Best
Management Practices and
Mitigation





Natural Gas Prices



Per Million BTU's

FOR SALE!





DNR Wildlife and Heritage Service

*Maryland Wildlife
Diversity Advisory
Committee*

The purpose of the WDAC is to advise the Department on all aspects of wildlife diversity, including threatened and endangered species listings, nongame wildlife, and implementation of the Wildlife Diversity Conservation Plan, spending priorities for federal and State Wildlife Grant funds, securing additional funding, and other wildlife diversity issues that the committee believes warrants attention.

Committee Membership:

Jacqui Bonomo Kurt Fuchs Rich Raesley

Tom Franklin Chris Swarth Jim Rapp

Joel Snodgrass Stephanie Mason

Phil Norman

