

THE MARYLAND WILDLIFE ADVISORY COMMISSION
MINUTES – MARCH 20, 2013

Chairman Jeffrey Plummer called the meeting to order at 9:35 a.m.

Approval for the March 20, 2013 Meeting Agenda

- The March 20, 2013 Wildlife Advisory Commission Meeting Agenda was presented to the Commission.
- Motion:
 1. Commissioner Gulbrandsen motioned to accept the March 20, 2013 Meeting Agenda as presented.
 2. Commissioner Rodney seconded.
 3. All in favor. Motion passed.

Approval for Minutes from February 20, 2013 Meeting

- The February 20th meeting minutes were distributed to the Commission prior to the meeting.
- Motion:
 1. Commissioner Fratz motioned to approve the February 20th meeting minutes as presented.
 2. Commissioner Wojton seconded.
 3. All in favor. Motion passed.

2013 Legislative Session Update – Presentation given by Glenn Therres, Associate Director.

- Associate Director Therres highlighted the bills that are still active that the Wildlife and Heritage Service is following. [ATTACHMENT A] The summary is set-up with the bill number in the first column, second column is the general topic of the bill, third column is the delegate or senator or delegation that introduced the bill, and fourth column is the status of the bill (as of the date this summary was printed).
- The Commission can review natural resources related bills by going to <http://mgaleg.maryland.gov/webmga/frm1st.aspx?tab=home>, then click on By Broad Subject, where you can select Natural Resources (M1) or Hunting and Fishing (M2); this will provide the list of all bills under the Department's jurisdiction or hunting and fishing section.
- A brief discussion about the various bills followed.

Public Introduction

- Chairman Plummer indicated normally the Commission does this later in the meeting.
- Mr. Charles Duvall Smith was present as an individual and also as a representative to the Goshen Hounds Hunt Club in Montgomery County – a fox hunting/chasing organization.

Legislature Involvement with Wildlife Management - Commission Discussion

- Chairman Plummer reminded the members that they are a part of a citizen advisory group to the Maryland Department of Natural Resources. Chairman Plummer expressed his discomfort with the pattern of some of these bills. Chairman Plummer added that this is going to put the citizens at risk for citation and it is because the laws are becoming so complex.
- Chairman Plummer opened the table for discussion on this issue so that the Department can hear the Commission thoughts as a citizen advisory group.
 1. Commissioner Fratz commented that the type of bills that have been presented to the legislature regarding wildlife related topics should be left with the Department in regulatory framework and not by law.
 2. Commissioner Gulbrandsen acknowledged that it seems that the problem is consistency; for example, Sunday hunting on private lands in some counties plus Sunday hunting on public

- lands in some counties. With WMAs (Wildlife Management Areas) that cross over county lines, private public that crosses county lines, and different safety zones per counties, it seems to get more confusing.
3. Commissioner Boyles Griffin mentioned that these things developed from lack of understanding from the public when they have a grievance of some kind, in which it is where these things seem to start. Normally something happens to someone and that person takes it too personally and that person does not want it to happen again. His or her first thought is to take the issue to his or her delegate. The delegate, without consulting with Department of Natural Resources (DNR), agrees that it may be good idea and proceeds with introducing a bill or bills attempting to legislate wildlife management.
 4. Discussion ensued about different safety zones, Sunday hunting scenarios, and deer hunting seasons that have been presented by legislatures that could potentially cause confusion among the hunting and farming community because of the lack of consistency that these changes would have on wildlife management.
 5. Associate Director Jayne reported that some of the Wildlife and Heritage Service staff, especially Director Peditto, reached out to delegates and senators. In fact a lot of these conversations are done prior to a bill being introduced and sometimes these conversations occur after bills are released. The point is our staff members are available to discuss wildlife management with the lawmakers. At times the constituent has come to the Department of Natural Resources and the Department could not agree with what the constituent may want to do and that constituent takes it to his or her delegate. Commissioner Boyles Griffin agreed that is how it should work.
 6. Chairman Plummer asked the Commission and the Department if it would be beneficial for the Commission to send a letter to the legislatures in both the House and Senate side and voice the Commission's concerns for this Session and the 2014 General Assembly that before someone puts a bill forward these things should be vetted to the Department. Chairman Plummer added that the Commission should invite some of the lawmakers to a Commission to see what the Commission goes through and maybe stop some of this from happening.
 7. Commissioner Boyles Griffin suggested that maybe as a group, the Commission should schedule once or twice a year, maybe in the spring or fall, a lobby day with the key legislatures, where the Commission is made aware of some of the issues that are going on either short or long term that need to be addressed. Commissioner Boyles Griffin commented that a letter is a good way but a follow-up meeting with the key legislatures that are serving on committees where these bills are being heard, before votes are taken, should go a long way.
 8. Chairman Plummer asked if there was a vehicle for the Commission to go before these committees.
 - a. Associate Director Therres advised that it is possible. The Commission would meet with the House Environment Matters Committee (House) and the Senate Education, Health, and Environmental Affairs Committee (Senate). Associate Director Therres suggested that it would probably be best to meet with each committee during the summer session.
 - b. Mr. Matt Tefteau suggested that the Commission should consider meeting with the committees the week before bill hearings. Mr. Tefteau indicated during that period of time very few bills have been written.
 - c. Commissioner Wojton reiterated that most of the bills that the Commission has concerns about are not coming from members of those committees.
 9. Chairman Plummer agreed to address this with Director Peditto to see if there is vehicle that the Commission could use to meet with each committee.
 - a. Commissioner Wojton supported that education is always a good thing and it would be great that this group go before the committees and let them know what the Commission is

- all about. Also once legislation is presented that is the time when the Commission could take a more active role.
- b. Chairman Plummer pointed out that there is a lot of legislation and most of the Commission members work so Chairman Plummer emphasized that the idea is to prevent some of these bills from happening that would have the potential be a wildlife management nightmare.
 - c. Commissioner Gulbrandsen suggested inviting Delegate McIntosh and Senator Middleton to a WAC meeting so that they can get a better idea as to what the Commission does and the Commission's role in the regulatory process along with discussing with them about the legislative process and what role in the legislative process in which the Commission would like to get involved.
 - d. Commissioner Rodney also suggested adding Senator Astle and Delegate Beitzel to that invitation list. Senator Astle and Delegate Beitzel are the chair and co-chair of the Maryland Legislative Sportsmen's Caucus.
10. Chairman Plummer thanked the Commission members for their comments. Chairman Plummer will discuss this with Director Peditto to arrange a summer meeting with these key individuals and committees.

Rare, Threatened, Endangered Species List – (Associate Director Jonathan McKnight and Science Program Manager Gwen Brewer)

- Associate Director Jonathan McKnight introduced Gwen Brewer, Science Program Manager for the Natural Heritage Program to the Commission.
- Staff attempts to update the Rare, Threatened, and Endangered Species (RTE) List every two to three years with the data that staff and partners collect around the State. This process ensures that the species have the proper protection status in place for our rare species.
- The State Botanist and State Zoologist work with WHS staff and other partners to review State legal list and to propose needed changes.
- In addition to changes in the legal status of these species, staff will also assess their rarity, there are numbered of species that may be rare in the State that warranted listing and legal protection.
- There are criteria for the State listed species. There are two different legal statuses for plants (endangered or threatened). There are three different legal statuses for animals (threatened, endangered, and in need of conservation).
- Dr. Brewer discussed the Summary of Listing Process for Maryland State Rare, Threatened, and Endangered Species hand out. **[ATTACHMENT B]**
- Dr. Brewer outlined the proposed lists of changes to plant species **[ATTACHMENT C]** and animal species **[ATTACHMENT D]**. The handouts show the current global conservation status (G rank) and current and proposed state conservation status (S rank), in addition to proposed change in legal status.
 1. Conservation status ranks indicate rarity and also vulnerability to threats on a scale from 1 to 5, with 1 indicating critically imperiled and 5 indicating secure.
 2. The plant species list has changes that include delisting of species as staff complete field work that shows that they are more common than previously thought.
 3. Several species have not been documented in the State for over 30 years and are proposed as Endangered Extirpated (X).
 4. The death-camas (plant species) has been recently discovered to occur in the State, which needs special habitat.
 5. Animal species changes include the new listing of several small invertebrates, most of which represent newly- recognized species that are only found in Maryland.

6. Atlantic sturgeon has recently been listed as Endangered by the federal government, and Maryland law states that it must be listed as Endangered.
 7. The majority of animal species proposed for listing changes are birds, as an extensive review of bird species' status was completed after a 5-year breeding bird atlas project coordinated by the Maryland Ornithological Society. This recent information allowed staff to update bird conservation status ranks and listing status where needed.
 8. The Department is planning to propose the listing of three bat species, which are the little brown myotis, northern myotis, and tricolored bat, but staff members have not yet determined the level of listing – thus the “TBD” for “to be determined” in the table. These species have been declining in the region due to White-nose Syndrome (WNS). There are serious concerns for these species. The federal government is considering listing some of these species. Listing changes for the three bat species will be presented for approval at a later time as part of a different listing package.
- The proposed changes were approved by the Wildlife Diversity Advisory Committee on March 15, 2013.
 - The Department is seeking endorsement from the Commission to move forward.
 1. The Commission requested that the documents handed out to be sent to all the members of the Commission with a summary of this presentation. Voting will be taken electronically.
 - Questions and Answers Section:
 1. Chairman Plummer asked what is the procedure for the State to be less restrictive than the Federal Government.
 - a. If the federal government list a species than Maryland has to list it.
 2. Commissioner Rodney asked if any of these plants are in marshlands and hedgerows. Also, when staff members find out that a plant is getting to be endangered does the State send out notification that that species is protected to prevent any building or disturbance.
 - a. Dr. Brewer explained there are a mix of habitats, such as wetlands related plants along with upland related plants, and others.
 - b. In reference to the protection component of Commissioner Rodney's question, the State has wetlands species as a state of concerned that are actually under Maryland Department of Environment regulations. This is one way in a sense that WHS staff can identify the grouping of these species as being special and have some different legal protection.
 - c. The Department has an environmental review process and that is where something, such as development is being proposed, and it could possibly impact a location of some of these species and that is somewhat the process. Counties are differed in what the counties require along the lines of screening. WHS receives over 3,000 environmental review requests a year. There is an online tool (Merlin) on the DNR webpage that anybody may use to look up sensitive species protection areas. Someone can key in the location and the system will show whether that location is in the sensitive species protection areas. It does not have the detailed location. Normally when the lands overlap that targets the process to contact the Department about RTE species. In the letter that our staff provides is the list of species and their protection status. The BioNet Project is used to manage the “hot spots” that overlap a particular rare species across the State.
 3. Chairman Plummer asked what happened to the Canby's Bulrush, which is a wetland plant because the proposed change is E to X.
 - a. Dr. Brewer mentioned that some of these plants have not been seen for so long like the Canby's Bulrush; it is difficult for staff to determine what has occurred to cause the species to be extirpated. The last report was in the 1980's, which pre-dated our current staff.
 4. Mr. Matt Tefteau mentioned that the Delmarva Fox Squirrel is abundant with that in mind, is the State considering delisting it.

- a. Maryland cannot delist a species that is federally listed. Maryland has to list a species the same as federal government.
5. Mr. Matt Tefteau asked what the difference between the potential threat and concern is.
 - a. A potential threat for sea level rise or something that staff members know is coming into an area and staff members know it is going to do something to the habitat. In most cases, staff do not know the exact location and to what extent.

Break – (Ten Minutes)

State Wildlife Action Plan Update - Presentation given by Jonathan McKnight, Associate Director.

- Associate Director Glenn Therres is one of the authors on the Wildlife Diversity Conservation Plan (WDCP). Dr. Gwen Brewer also played a major role in the development of WDCP.
- The next State Wildlife Action Plan Update is due in 2015. Maryland has not officially started the update even though staff members are keeping a watch on the 35 key wildlife habitats and watching for any changes that may need to be implemented along with meeting with Association of Fish and Wildlife Agencies.
- Associate Director McKnight presented a brief overview of the State Wildlife Action Plan in a Power Point Presentation. [ATTACHMENT E]
- All states that participated in the WDCP must have a State Wildlife Action Plan.
- Staff are monitoring the natural areas inventory, which has an inventory of 720 important natural areas that is recorded in BioNet.
- The Teaming with Wildlife as an effort to create something similar to Pitman and Robertson for non-consumptive users' tax, State Wildlife Grants were developed.
- Recently, the National Teaming with Wildlife coalition got together in Washington DC and recognized Maryland Teaming with Wildlife as being the best program in the nation – Glenn Therres accepted the award. Associate Director McKnight gave kudos to Glenn for his hard work for more than a decade.
- Many of these animals need unique habitat. In fact most of the invertebrates could not exist without the rare plants.
- The way that the species and habitat are integrated is that each habitat is represented in the Plan associated with each one of the key wildlife habitats. The recorded of threats and long term management actions are specified in the Plan. This data is recorded for all 35 key habitats. It will help avoid the rarest habitat from disturbance.
- Both key habitats and species are key measurements that are being incorporated into the natural areas inventory, which is going into the Plan Update.
- Maryland will start on the State Wildlife Action Plan update in 2014. The final is due in October of 2015.
- The Plan Update will focus on a greater integration of key wildlife habitats and the data collected by staff.

Marcellus Shale Update - Presentation given by Jonathan McKnight, Associate Director.

- The key thing that has happened since the last update is the Plan that was produced with a series of recommendations by the University of Maryland has been finalized.
- That Plan did incorporate the vast majority of the changes that the DNR suggested, including that fracking should be done in a way that includes significant planning beforehand so that fracking and the associated structures, roads, transmission lines, etc. do not actually occur in rarest to rare habitats and where it is unavoidable that would plan for litigate that the facilities associated with Marcellus Shale Extraction can be to the degree that they can collocated and clustered to minimize

destruction of all surface activities.

- There are numerous Marcellus Shale fracking bills that have been working their way through the legislative process.
- Throughout the east coast, fracking has become a huge issue. Associate Director McKnight has been speaking with other groups about Maryland's natural areas initiatives and after every one of those discussions someone inquired about fracking and what is fracking going to do to rare species and water. Fracking is very much on many individuals' conservation agenda.

Action Item: Chairman Plummer requested that Jonathan McKnight make contact with Commissioner Bonomo about Marcellus Shale Update and State Wildlife Action Plan.

Wildlife Diversity Advisory Committee's Terrapin Letter to Secretary Griffin – Presentation given by Associate Director Jonathan McKnight.

- In response to a discussion that was lead by Scott Smith, Natural Heritage Program Ecologist, about the demise of individual diamondback terrapins in recreational crab pots. Mr. Scott Smith has been observing the diamondback terrapins in recreational crabs for the last couple of years.
- The Wildlife Diversity Advisory Committee decided to write a letter to the Department suggesting a greater look at enforcement of current regulations on crab pots to reduce the mortality to diamondback terrapins.
- The compliance percentage on two key regulations on recreational crab pots is extremely low, far less than 50% and in some areas less than 25% compliance.
- The recommendation is a Bycatch Reduction Device (BRD) on crab pots and that the crab pots are identified with the name and address of the person that is fishing. In doing so, enforcement becomes possible.
- The commercial crab pots are required to be a certain distance offshore; these commercial crab pots are required to be in 4 feet or greater depth and not allowed in tributaries. With these factors the mortality of diamondback terrapins are close to zero from commercial pots.
- The recreational crab pots are allowed to be off of piers, and other areas in diamondback terrapin habitat. Staff are noticing substantial amount of diamondback terrapin mortalities and very low compliance in regard to people using the Bycatch Reduction Device. Any riparian landowner may put out crab pots without a fishing license off his or her property.
- These recreational crab pots do not have the Bycatch Reduction Device and again there is no identification on the recreational crab pots.
- Mr. Scott Smith worked alongside NRP on this issue. They checked the crab pots for compliance in the same areas for consecutive years. These are simple regulations for individuals to follow.
- The Wildlife Diversity Advisory Committee decided to draft a letter outlining the concerns of the diamondback terrapin to the Department. [ATTACHMENT F] The Wildlife Diversity Advisory Committee is requesting the support of the Wildlife Advisory Commission and to go along as cosign on the letter.
- Questions and Answers Section:
 1. Chairman Plummer how does the Department get these regulations out to individuals that do not need to buy a fishing license.
 - a. One of the initiatives that the Department has taken is flier that says "STOP this is not a legal crab trap" until you do the following... and staff members have provided information at different locations that sell crab pots. Staff members have not gone to the manufactures. The Department cannot regulate commerce, so the gear is legal until someone fishes with it illegally. Staff members recognized that some manufactures sell the crab pot with the (BRD) included and others sell them separately. Many people just don't know that BRD is

- a requirement.
- b. Another initiative is to have a small fee based for recreational crab pots for landowners this would assist with the identification on the crab pots for staff and NRP.
- 2. Commissioner Boyles Griffin asked if Mr. Smith has done work on bank traps of crabs in Somerset County. Commissioner Boyles Griffin mentioned that she has reviewed videos of terrapins trying to get out of bank traps and drowning.
 - a. There is not a lot of current data on this issue by Mr. Scott Smith. Somerset County is the only county that allows bank traps and most of Virginia.
- 3. Commissioner Gulbrandsen asked would it be realistic to regulate a requirement that crab pots sold in Maryland must have the BRD attached since theoretically it is illegal to use one without it and it would be a part of the expense anyway. It would be reasonable to say to a dealer that you cannot sell a crab pot that does not have BRD.
 - a. Staff would have to consult with the attorneys before answering that question.
 - b. Generally, the Department has the authority on the Fisheries side to regulate fishing gear but not to regulate trade.
 - c. Keep in mind that the commercial crab pots are not required to have having the BRD because of the location of those pots. This requirement is only for those recreational crabbing pot users.
- 4. Commissioner Gulbrandsen asked if it was still true that riparian landowner must attached the crab pot to his or her property.
 - a. Captain Ingerson indicated that this is not the case now. Riparian landowner may have the recreational crab pots a distance from their property; must be attached to buoy.
 - b. Captain Ingerson expressed that the license fee would help with this issue tremendously. Currently, NRP cannot identify who those crab pots belong to and having the license number on those pots would help with identification purposes for NRP.
 - c. There is no mechanism in enforcement to inform the public of this violation because a lot of times NRP will take these recreational crab pots that do not have the BFD and NRP cannot notify the owner because again there is no information on the crab pots.
 - d. Staff recognized that most people do not know that BFD and identification on crab pots are requirements. Staff have done their best in outreach on this issue including press releases to try to get these requirements out to the public. People do not understand that this is a State reptile and the fact that many of them are in the Chesapeake Bay along with that it is an important species to the ecological system. An important outreach tool is enforcement and the letter addresses that.
- Chairman Plummer requested that Ms. Spencer send this letter out to the Commission via email for a vote.

Maryland Farm Bureau Update – Presentation given by Matt Tefteau, Assistant Director of Government Relations

- Mr. Tefteau agreed that having the Commission speak to the delegates prior to the Legislative Session on wildlife related issues is a great idea.
- Mr. Tefteau sent out to the county farm bureaus about the DNR Farmer of the Year notifications.
- The Maryland Farm Bureau took on a big position on the fracking issue in Maryland. The Maryland Farm Bureau supported the Governor's initiative to put \$1.5 million into the study of fracking. MDA is conducting the study. There is no fracking going on in Maryland and this is how it should be until the \$1.5 million study is completed first.

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

- Captain Ingerson indicated that this is a slow period for wildlife related enforcement issues.

- Effective March 20, 2013, 17 most recent graduates have completed their field training assignments. These officers are now able to do law enforcement on their own.
- NRP received 240 applications for NRP officer positions.
- NRP are in the back-ground check process for the next class. Those that survive the back-ground check process will be put through a polygraph test and then interviews. Ultimately, NRP will develop a list to offer employment.
- The application process for the cadet program was opened for a month or so. NRP received around 204 applications for 13 positions. These applicants still have to go through the same process as NRP officers have to go through. The cadet hiring process is different than the hiring for NRP officers. NRP will not have to wait for a particular number to participate in the cadet program. These cadets will be working in the field with NRP officers as non-sworn officers along with working with many of the staff members within DNR to get a broader outlook on the Department.
- The goal is to get all those in the cadet program on board by the end of June.

Old Business – no report.

New Business

- Chairman Plummer reopened the discussion about the frustration with some of the legislative items. The Commission discussed what this group can do to improve the legislative process on wildlife related items; for example, to meet with some of the legislature and explain to those how difficult all these changes become from a stakeholder and citizens' stand-point. The Commission also discussed meeting with the committee members of the House of Environmental Matters and Senate Health, Education and Environmental Affairs to delineate some of these issues.
 1. Chairman Plummer and Director Peditto will work with Olivia Campbell, the Department Legislative Liaison to arrange for the Commission to learn more about options available to the Commission.
- Commissioner Rodney mentioned that he had a conversation with Bill Miles, Vice-Chairman of the Maryland Legislative Sportsmen's Foundation that the Commission made a request for \$300,000 to promote hunting and fishing tourism in Maryland. This money will help promote outdoor tourism in Maryland.
- Director Peditto provided update to the Commission on SB 619 Wildlife Management and Sustainability Act of 2013. SB 619 was special ordered on March 21, 2013. Special Order is when one member can raise as a measure to delay a vote or further discussion on a bill that is on the floor.
- Director Peditto introduced Ronald Norris, Central Region Wildlife Biologist to the Commission. Mr. Norris has 28 years with the Department. Mr. Norris handles wildlife response for Baltimore, Cecil, and Harford Counties and Baltimore City, which is one small point of what Mr. Norris does.

Adjournment

- The meeting was adjourned at 12:10 P.M.

The next meeting will be held at 9:30 A.M. on Wednesday, April 17, 2013 in the Tawes State Office Building, C-1 Conference Room; Annapolis, Maryland.

Attendance

Members:	S. Boyles Griffin, E. Gulbrandsen, G. Fratz, J. Plummer, C. Rodney, and B. Wojton
Absent:	J. Bonomo ,L. Compton, and T. Gregor
Staff:	G. Brewer, L. Ingerson, P. Jayne, J. McKnight, R. Norris, P. Peditto, T. Spencer, and G. Therres
Guest:	M. Tefteau, and C. Smith

**Summary of 2013 Proposed Legislation
Wildlife and Heritage Service
(as of March 20, 2013)**

HB0066	Dorchester County - Turkey Hunting on Public Land - Sundays	Dorchester County Delegation	In the House - Favorable with Amendments Report by Environmental Matters	Environmental Matters 02/13/2013 - 1:00 p.m.	
HB0214	Queen Anne's County - Deer Hunting on Private Property - Sundays	Delegate Hershey	In the House - Third Reading Passed (122-11)	Environmental Matters 02/13/2013 - 1:00 p.m.	
HB0272	Kent County - Deer Hunting on Private Property - Sundays	Delegate Jacobs	In the House - Unfavorable Report by Environmental Matters Withdrawn	Environmental Matters	
HB0273	Kent County - Turkey Hunting on Private Property - Sundays	Delegate Jacobs	In the House - Unfavorable Report by Environmental Matters Withdrawn	Environmental Matters	
HB0276	Frederick County - Deer Hunting - Use of Rifles	Frederick County Delegation	In the House - Unfavorable Report by Environmental Matters Withdrawn	Environmental Matters	
HB0365	Harford County - Archery Hunting - Safety Zone	Delegate Glass	In the Senate - Hearing 3/26 at 1:00 p.m.	Environmental Matters 02/20/2013 - 1:00 p.m.	Education, Health, and Environmental Affairs 03/26/2013 - 1:00 p.m.
HB0366	Archery Hunting - Safety Zone	Delegate Glass	In the House - Unfavorable Report by Environmental Matters	Environmental Matters 02/20/2013 - 1:00 p.m.	
HB0367	Hunting - Deer Firearms Season - January Days	Delegate Glass	In the House - Unfavorable Report by Environmental Matters Withdrawn	Environmental Matters	
HB0368	Bow Hunting - Possession of Handguns for Protection	Delegate Glass	In the House - Hearing 3/05 at 1:00 p.m.	Judiciary 03/05/2013 - 1:00 p.m.	
HB0369	Hunting - Deer Muzzle Loader Season - January Days	Delegate Glass	In the House - Unfavorable Report by Environmental Matters Withdrawn	Environmental Matters 02/20/2013 - 1:00 p.m.	
HB0499	Natural Resources - Deer Bow Hunting Season - End Date	Delegate Glass	In the House - Unfavorable Report by Environmental Matters	Environmental Matters 02/20/2013 - 1:00 p.m.	
HB0505	Natural Resources - Hunting and Fishing License Applications - Social Security Number	Delegate Glass	In the House - Hearing 2/27 at 1:00 p.m.	Environmental Matters 02/27/2013 - 1:00 p.m.	
HB0510	Wildlife Cooperator Permits - Disposition of Wildlife - Beavers	Delegate Robinson, S.	In the House - Unfavorable Report by Environmental Matters Withdrawn	Environmental Matters	

ATTACHMENT A

HB0514	Hunting, Fishing, and Boat Manufacturer's or Dealer's License Applications - Disclosure of Information	Delegate O'Donnell	In the House - Favorable with Amendments Report by Environmental Matters	Environmental Matters 02/27/2013 - 1:00 p.m.	HB0514
HB0543	Carroll County - Deer Hunting - Sundays	Carroll County Delegation	In the House - Third Reading Passed (124-10)	Environmental Matters 02/27/2013 - 1:00 p.m.	
HB0584	Bow Hunting - Possession of Handguns for Protection	Allegany County Delegation	In the House - Unfavorable Report by Judiciary Withdrawn	Judiciary	
HB0612	Queen Anne's County - Turkey Hunting on Private Property - Sundays	Delegate Hershey	In the House - Unfavorable Report by Environmental Matters Withdrawn	Environmental Matters 02/27/2013 - 1:00 p.m.	
HB0671	Montgomery County - Archery Hunting - Safety Zone MC 2-13	Montgomery County Delegation	In the House - Hearing 3/19 at 1:00 p.m.	Environmental Matters 03/19/2013 - 1:00 p.m.	
HB0708	Natural Resources - Nuisance Organisms - Penalties	Delegate McIntosh	In the House - Favorable with Amendments Report by Environmental Matters	Environmental Matters 02/27/2013 - 1:00 p.m.	
HB0812	Hunting - Certificate of Competency and Safety - Veterans and Active Duty Military	Delegate Beitzel	In the House - Unfavorable Report by Environmental Matters	Environmental Matters 02/22/2013 - 2:00 p.m.	
HB0936	Natural Resources - Maryland Botanical Heritage Workgroup	Delegate Robinson, S.	In the House - Third Reading Passed (137-2)	Environmental Matters 03/01/2013 - 1:00 p.m.	HB0936
HB0990	Garrett County - Deer Hunting - Three-Point Rule	Delegate Beitzel	In the House - Unfavorable Report by Environmental Matters Withdrawn	Environmental Matters	
HB1482	Hunting - Domesticated, Stray, or Feral Animals - Prohibited Acts	Delegate Cane	In the House - First Reading House Rules and Executive Nominations	Rules and Executive Nominations	

ATTACHMENT A

SB0002	Dorchester County - Turkey Hunting on Public Land - Sundays	Senator Colburn	In the House - Hearing 3/27 at 1:00 p.m.	Education, Health, and Environmental Affairs 01/23/2013 - 2:00 p.m.	Environmental Matters 03/27/2013 - 1:00 p.m.
SB0024	Queen Anne's County - Deer Hunting on Private Property - Sundays	Senator Pipkin	In the Senate - Favorable Report by Education, Health, and Environmental Affairs	Education, Health, and Environmental Affairs 01/23/2013 - 2:00 p.m.	
SB0041	Kent County - Deer Hunting on Private Property - Sundays	Senator Pipkin	In the Senate - Unfavorable Report by Education, Health, and Environmental Affairs Withdrawn	Education, Health, and Environmental Affairs 01/23/2013 - 2:00 p.m.	
SB0089	Kent County - Turkey Hunting on Private Property - Sundays	Senator Pipkin	In the Senate - Unfavorable Report by Education, Health, and Environmental Affairs Withdrawn	Education, Health, and Environmental Affairs 01/23/2013 - 2:00 p.m.	
SB0204	Bow Hunting - Possession of Handguns for Protection	Senator Edwards	In the Senate - Unfavorable Report by Education, Health, and Environmental Affairs	Education, Health, and Environmental Affairs 02/05/2013 - 1:00 p.m.	
SB0547	Natural Resources - Nuisance Organisms - Penalties	Senator Middleton	In the House - Hearing 3/27 at 1:00 p.m.	Education, Health, and Environmental Affairs 02/26/2013 - 1:00 p.m.	Environmental Matters 03/27/2013 - 1:00 p.m.
SB0619	Wildlife Management and Sustainability Act of 2013	Senator Astle	In the Senate - Second Reading Passed with Amendments	Education, Health, and Environmental Affairs 03/05/2013 - 1:00 p.m.	
SB0650	Natural Resources - Hunting License Applications - Social Security Number	Senator Getty	In the Senate - Unfavorable Report by Education, Health, and Environmental Affairs	Education, Health, and Environmental Affairs 03/05/2013 - 1:00 p.m.	
SB0754	Hunting - Schools - Expanded Safety Zone	Senator Miller	In the Senate - Hearing cancelled	Judicial Proceedings	
SB0787	Queen Anne's County - Turkey Hunting on Private Property - Sundays	Senator Pipkin	In the Senate - Unfavorable Report by Education, Health, and Environmental Affairs Withdrawn	Education, Health, and Environmental Affairs	
SB0932	Criminal Law - Deadly Weapons on the Property of an Institution of Higher Education	Senator Robey	In the Senate - Hearing 3/20 at 1:00 p.m.	Judicial Proceedings 03/20/2013 - 1:00 p.m.	
SB1031	Hunting - Domesticated, Stray, or Feral Animals - Prohibited Acts	Senator Colburn	In the Senate - Hearing 3/19 at 1:00 p.m.	Education, Health, and Environmental Affairs 03/19/2013 - 1:00 p.m.	

Summary of Listing Process for Maryland State Rare, Threatened, and Endangered Species

Preliminary Review:

- State Botanist and State Zoologist review current State list in light of:
 - data collected since last review by staff or others;
 - other new information relevant to listed or newly-discovered species;
 - any requests received for changes in species status;
 - changes in federal listings;
 - recent taxonomic changes.
- State Botanist and State Zoologist put together a preliminary list of proposed changes.

Professional Consultation:

- Species experts, both internal and external to DNR, are contacted for input on preliminary proposed listing changes. Special review panels may be formed to review particular taxa, groups of species, or individual species.
- Proposed listing changes with justifications are presented at a Threatened and Endangered Species Listing Review meeting. This meeting includes Natural Heritage Program staff as well as other invited experts.

Information Preparation:

- State Zoologist and State Botanist prepare element decision forms and element state ranking forms for species that will be proposed for a listing change or new listing. These forms present basic information about the species and the justification for a proposed listing change.
- A summary of listing changes and accompanying species ranking forms are put together into a packet.

Information Dissemination:

- Proposed species changes are presented to Wildlife Diversity Advisory Committee and Wildlife Advisory Commission.
- Notice of proposed changes is published in the Maryland Register through the regulation promulgation process (following page).
- When notice of proposed changes appears in the Maryland Register, letters are sent to Governors of surrounding states (via state DNR directors), and a number of interested groups are notified that these changes have been proposed. The summary of listing changes and species ranking forms may be requested by any interested groups or individuals.

Public Consultation:

- Public comment is accepted for at least 30 days after the date of publication of proposed changes in the Maryland Register. A public meeting may be held.

Regulation Promulgation Process:

- Formal proposal for listing changes is prepared, including statement of purpose, comparison to federal standards, estimate of economic impact, economic impact on small businesses, impact on individuals with disabilities, opportunity for public comment, and new regulatory text.
- Internal (DNR) approval of proposed listing changes occurs.
 - If proposed listing changes include changes to federally listed species, and the proposed state standards are more restrictive, the proposal is reviewed by the Department of Business and Economic Development (DBED) and forwarded to the Governor's Office.
- The proposal is sent to the Joint Committee on Administrative, Executive, and Legislative Review (AELR) (after approval by DBED and the Governor's Office, if necessary per previous step).
- After approval by AELR, proposal is filed with the Division of State Documents.
- Proposed listing changes are published in the Maryland Register.
- Public comment is accepted for at least 30 days after publication.
- Proposal may be adopted 46 days or later after publication of the notice in the Maryland Register.
- A Notice of Final Action is published in the Maryland Register, indicating the intention to adopt the proposal.
- The regulation (revised listing) takes effect on the 10th day after publication of the Notice of Final Action, or on a specified later date.

Proposed Plant State Listing Changes March 2013					
Scientific Name	Common Name	G-rank	Current >> proposed S-rank	Current >> proposed State Legal Status	Summary of Data Supporting Listing Revision
<i>Agalinis obtusifolia</i>	Blunt-leaved Gerardia	G4Q	S1 to SH	E to X	Recent research demonstrated that this species is evolutionarily distinct from <i>A. decemloba</i> . All records are now historical.
<i>Bromus kalmii</i>	Wild Chess	G5	S1 to SH	E to X	All records are now historical; the reported extant population (1980s) could never be substantiated and may have been in error.
<i>Calamagrostis porteri</i>	Porter's Reedgrass	G4	S1 to S3	E to delist	Additional survey work confirms presence of additional populations and expanded the known within state range.
<i>Carex tetanica</i>	Slender Sedge	G5	SH to S1	X to E	Rediscovery
<i>Carex venusta</i>	Dark Green Sedge	G4	S2 to S3	T to delist	Additional survey work confirms presence of additional populations and expanded the known within state range.
<i>Crotolaria rotundifolia</i>	Rabbit-bells	G5	S1 to SR	E to delist	No records; the reported extant population (1980s) has never been substantiated.
<i>Desmodium lineatum</i>	Lined Tick-trefoil	G5	S1 to SH	E to X	All records are now historical; the reported extant population (1980s) could never be relocated and may have been in error.
<i>Eleocharis albida</i>	White Spikerush	G4G5	S2 to S2S3	T to delist	Additional survey work confirms presence of additional populations and expanded the known within state range.

Scientific Name	Common Name	G-rank	Current >> proposed S-rank	Current >> proposed State Legal Status	Summary of Data Supporting Listing Revision
<i>Festuca paradoxa</i>	Cluster Fescue	G5	SU to S1?	X to delist	Mismatch between historical records and current records indicates an expanding range.
<i>Gaylussacia dumosa</i>	Dwarf Huckleberry	G5	SNR to S1	none to E	Completed inventory of historical and current records confirms rarity and endangerment
<i>Juncus megacephalus</i>	Big-headed Rush	G4G5	SH to S1?	X to delist	Additional survey work confirms presence of a robust population on protected lands.
<i>Krigia dandelion</i>	Potato Dandelion	G5	S1 to S2S3	E to delist	Additional survey work confirms presence of additional populations on protected lands.
<i>Kyllinga pumila</i>	Thin-leaved Flatsedge	G5	S1 to SNA	E to delist	Undergoing a range expansion including occupation of anthropogenic habitats, not a conservation target
<i>Melica mutica</i>	Two-flowered Melicgrass	G5	S1 to S3	E to delist	Additional survey work confirms presence of additional populations and expanded the known within state range.
<i>Potamogeton amplifolius</i>	Large-leaved Pondweed	G5	SH to S1	X to delist	Survey work confirms presence of robust populations on state-owned reservoirs.
<i>Rhynchospora harperi</i>	Harper's Beakrush	G4?	S1- no change	T to E	Survey work confirms loss of populations and lowered estimates of statewide population numbers.

Scientific Name	Common Name	G-rank	Current >> proposed S-rank	Current >> proposed State Legal Status	Summary of Data Supporting Listing Revision
<i>Ruellia strepens</i>	Rustling Wild-petunia	G4G5	S1 to S3	E to delist	Additional survey work confirms presence of additional populations and expanded the known within state range.
<i>Schoenoplectus etuberculatus</i>	Canby's Bulrush	G3G4	S1 to SH	E to X	All records are now historical; the extant population (1980s) cannot be relocated.
<i>Sedum glaucophyllum</i>	Cliff Stonecrop	G4	S1 to S2	E to T	Discovery of a large robust population on protected lands lowers extinction risk.
<i>Solidago curtisii</i>	Curtis' Goldenrod	G4G5	S1 to SR	E to delist	No records; the reported population (1980s) has never been substantiated.
<i>Solidago hispida</i>	Hairy Goldenrod	G5	SH to S3	X to delist	Additional survey work confirms presence of additional populations and expanded the known within state range.
<i>Sporobolus clandestinus</i>	Rough Rushgrass	G5	S2 to S3	T to delist	Additional survey work confirms presence of additional populations and expanded the known within state range.
<i>Sporobolus neglectus</i>	Small Rushgrass	G5	S1? to SNA	X to delist	Undergoing a range expansion including occupation of anthropogenic habitats, not a conservation target
<i>Stenanthium leimanthoides</i>	Death-camas	G4Q	S1- no change	none to E	Rediscovery in critically threatened and globally rare habitat

Proposed Animal State Listing Changes March 2013

Common Name	Scientific Name	Grank	Current		Proposed		Comments
			Srank	Legal Status	Srank	Legal Status	
Amphipod sp.	<i>Stygobromus amicus</i>	G1*			S1	E	GA Co. endemic. 3 locations. Subterranean aquatic amphipod.
Amphipod sp.	<i>Stygobromus cecilius</i>	G1*			S1	E	Single site, CE Co. endemic. Subterranean aquatic amphipod.
Amphipod sp.	<i>Stygobromus felleri</i>	G1*			S1	E	Single site, CE Co. endemic. Subterranean aquatic amphipod.
Amphipod sp.	<i>Stygobromus foliatus</i>	G1G2*			S1	E	Endemic to MD-VA Upper Coastal Plain. 2 MD locations. Subterranean aquatic amphipod.
Amphipod sp.	<i>Stygobromus paxillus</i>	G1*			S1	E	Single site, BA Co. endemic. Subterranean aquatic amphipod.
Isopod sp.	<i>Caecidotea alleghenyensis</i>	G1G2*			S1	E	GA Co. endemic. 9 locations. Groundwater spring isopod.
Holsinger's Cave Isopod	<i>Caecidotea holsingeri</i>	G5			S1	E	One location. Aquatic troglobitic isopod.
Norden's Groundwater Isopod	<i>Caecidotea nordeni</i>	GH*			SH	X	Single site, WA Co. endemic. Subterranean aquatic isopod.
Vandel's Cave Isopod	<i>Caecidotea vandeli</i>	G3G4			S1	E	6 locations; endemic to MD-VA Ridge and Valley and upper Piedmont. Subterranean aquatic isopod.
Acuminate Crayfish	<i>Cambarus acuminatus</i>	G4?	S3		S2	INC	Maryland's rarest crayfish. Historical range limited to Fall Line streams. Intensive MBSS surveys documented major decline. Causes of decline uncertain.
Atlantic Sturgeon	<i>Acipenser oxyrinchus</i>	G3	S1		S1	E	Fed listed as Endangered in 2012. Habitat loss, ship strikes and commercial by-catch are main threats in Md waters.
Comely Shiner	<i>Notropis amoenus</i>	G5	S2	T	S3	DELIS T	Addl populations discovered since 2001 listing. More widespread and less habitat restricted than previously thought.
American Bittern	<i>Botaurus lentiginosus</i>	G4	S1S2 B	INC	S1B	T	Decline in state and long-term regional declines. Primary threats: sea-level rise, invasive plants, nutria and possibly marsh burning.
Barn Owl	<i>Tyto alba</i>	G5	S3		S2B	INC	State and regional declines. Primary threats: sea-level rise, loss of upland grasslands due to sprawl and more intensive farming practices.

Proposed Animal State Listing Changes March 2013

Common Name	Scientific Name	Grank	Current		Proposed		Comments
			Srank	Legal Status	Srank	Legal Status	
Bewick's Wren	<i>Thryomanes bewickii altus</i>	G5T2 Q	S1B	E	SXB	X	Last reliable breeding record - 1980, Dan's Mtn, AL Co. Devastating rangewide population crash during 2nd half of 20th century. May be gone from most of eastern U.S.
Blackburnian Warbler	<i>Dendroica fusca</i>	G5	S1S2 B	T	S3B	DELIS T	Little change in distribution, but it has become more common and widespread within western MD and surrounding region, and has proven to be more adaptive than previously thought.
Common Tern	<i>Sterna hirundo</i>	G5	S4B		S1B	E	Formerly widespread, common nester in coastal areas. Nearly gone from Chesa Bay, only 2-3 sites in Coastal Bays. Primary threats: island loss due to sea-level rise, expanding Great Black-backed Gull populations.
Forster's Tern	<i>Sterna forsteri</i>	G5	S4B		S2B	INC	Formerly widespread, common in coastal areas. Now highly rare in Chesa Bay (2-3 sites), increasingly uncommon in Coastal Bays (8-13 sites). Primary threats: island loss due to sea-level rise, expanding
Golden-winged Warbler	<i>Vermivora chrysoptera</i>	G4	S3B		S2B	INC	State and regional declines but may be undersurveyed in Md. Primary threats: habitat loss, hybridization.
Henslow's Sparrow	<i>Ammodramus henslowii</i>	G4	S1S2 B	T	S2B	INC	More adaptive and widespread during past few decades. Can be locally common on large reclaimed strip-mine grassland sites.
Nashville Warbler	<i>Oreothlypis ruficapilla</i>	G5	S1S2 B	INC	S1B	T	Only four known recent/extant sites, each possibly with just 1-2 breeding pairs. Causes of decline uncertain, possibly climate change. Fracking a concern.
Northern Harrier	<i>Circus cyaneus</i>	G5	S2B		S2B	INC	Part of slow, long-term regional decline. Primary threats: sea-level rise, loss of upland grasslands due to sprawl and incompatible farming practices.
Northern Waterthrush	<i>Seiurus noveboracensis</i>	G5	S2S3 B		S2B	INC	State decline; causes unclear, possibly climate change. Potential threats: fracking, livestock grazing, hemlock
Olive-sided Flycatcher	<i>Contopus cooperi</i>	G4	SHB	E	SHB	X	Last reliable breeding record \approx 1937, at Cranesville Swamp, GA Co. Historically probably always rare breeder. Logging and loss of beavers may have contributed to extirpation.

Proposed Animal State Listing Changes March 2013

Common Name	Scientific Name	Grank	Current		Proposed		Comments
			Srank	Legal Status	Srank	Legal Status	
Saltmarsh Sparrow	<i>Ammodramus caudacutus</i>	G4	S3B		S2B	INC	State and rangewide declines. Primary threats: sea-level rise, invasive plants, nutria and possibly marsh burning.
Swainson's Thrush	<i>Catharus ustulatus</i>	G5	SXB		SHB	X	Last reliable breeding record = 1917, near Oakland, GA Co. Probably disappeared following extensive late 19th-early 20th century logging of red spruce in GA Co.
Porcupine	<i>Erithizon dorsatum</i>	G5	S1S2	INC	S3	DELIST	Has become more common and widespread in MD and surrounding region during past few decades. Although not common, now reestablished throughout historical Md range. Delisting warranted but as Watchlist sp with somewhat specialized habitat needs (rock outcrops, talus, old tree cavities), it still needs some conservation attention.
Little Brown Myotis	<i>Myotis lucifugus</i>	G3	S5		S1	TBD	Status review on-going. Severe, on-going population decline due to WNS. Wind turbine-related mortality also a concern.
Northern Myotis	<i>Myotis septentrionalis</i>	G1G2	S5		S1	TBD	Status review on-going. Severe, on-going population decline due to WNS. Wind turbine-related mortality also a concern.
Tricolored Bat	<i>Perimyotis subflavus</i>	G3	S5		S1	TBD	Status review on-going. Severe, on-going population decline due to WNS. Wind turbine-related mortality also a concern.
*These are proposed Global Ranks, pending acceptance by Natureserve.							

DNR Wildlife and Heritage Service

Maryland Wildlife Diversity Conservation Plan

State Wildlife Action Plan

Required from each state as part of
State Wildlife Grants Program

All 50 States and five U.S. territories
developed a State Wildlife Action Plan
(SWAP) in 2005.

Updates are required in 2015



TEAMING WITH WILDLIFE
a natural investment

*Maryland Wildlife Diversity
Conservation Plan*

502 Species of Greatest
Conservation Need (GCN Species)

35 Key Wildlife Habitats

*Maryland Wildlife Diversity
Conservation Plan*

Species of Greatest Conservation Need

34 Mammals

141 Birds

25 Reptiles

17 Amphibians

40 Fish

245 Invertebrates

Habitat: Delmarva bay

Wildlife: barking tree frog

tiger salamander

aurora damselfly

Issue: Woody succession

Action: Remove trees



John Griffin, Secretary
Department of Natural Resources
Annapolis, Maryland

Dear Secretary Griffin:

The Wildlife Diversity Advisory Committee is very concerned about the serious toll that recreational crab pots exert on Diamondback Terrapin populations. These turtles can drown if they enter crab pots and are unable to escape. This needless source of mortality should be reduced and if possible, eliminated.

Crab pots set by waterfront landowners can accidentally trap and drown diamondback terrapins unless the traps are equipped with a Bycatch Reduction Device (BRD). A BRD allows crabs to enter the pot, but it will keep the larger terrapins from entering. Non-commercial crab pot owners are required by law to have BRDs installed in each funnel entrance and to have their pots marked with their name and address. A person who fails to comply with this law can receive a fine and have their pots seized.

DNR Biologists conducted statewide surveys of recreational crab pots in both 2009 and 2012 to determine public compliance with DNR's regulation requiring BRD's in recreational crab pots. Unfortunately, they found compliance rates of only 21.9% and 36.0%. At the same time they observed that roughly one quarter of docks with crab pots had more than the 2 recreational pots allowed by law. Lastly, in 2012 NONE of the recreational crab pots checked were marked with the owner's name and address as required. This latter regulation was passed last year specifically to help NRP officers identify pot owners and enforce the law.

We believe that two important steps are needed to reduce terrapin captures:

1. Existing regulations need to be better enforced by DNR. We respectfully request that NRP make enforcement of recreational crab pot regulations a higher priority to aid in the conservation of our state reptile and the University of Maryland mascot.
2. Many recreational crab pots that are sold in stores do not have the BRD installed. While it may be easy for a recreational

crabber to install the BRD, not all pot owners do this. It may be more effective to require the crab pot manufacturer to install the BRD before the crab pot is offered for sale.

We also suggest a partnership with DNR Biologists where a few days each season are spent with NRP marine officers in each area checking recreational crab pots for compliance, educating landowners, issuing warnings/citations when warranted, or confiscating pots.

In the interest of preserving diamondback terrapin populations, we encourage the Department increase awareness of recreational crab pot regulations among both the recreational users and within the Natural Resources Police to reduce the unfortunate and unnecessary mortality of this sensitive and declining species.

Sincerely,

The Maryland Wildlife Diversity Advisory Committee