## Transcript of

## **Meeting of the Maryland Boat Act Advisory Committee**

Date: Tuesday, October 11, 2016

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1	MEETING OF THE MARYLAND BOAT ACT ADVISORY COMMITTEE
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5	The above-entitled matter came on for
6	hearing on Tuesday, October 11th, 2016, commencing
7	at 10:10 a.m., at 2 Pythian Drive, Edgewater,
8	Maryland 21037, Christopher Parlin, committee
9	chairman, presiding.
10	
11	COMMITTEE MEMBERS:
12	Robin Allison John Pepe Amy Craig Coles Marsh
13	Thornell T. Jones Ramona Trovato Steve Kling Jon Sheller
14	Amy Craig John Bush Joseph Hellner Al Simon
15	Kathy Bergen Smith Coles Marsh Bob Lunsford
16	
17	Michael Grant, State Committee Liaison Mark O'Malley, Boating Services
18	
19	Reported by: Kelly A. Taylor
20	
21	

- 1 PROCEEDINGS
- THE CHAIRMAN: Okay, I realize we're
- 3 getting started late here, I want to make sure that
- 4 we get everybody, sign in, and we've got quite a
- 5 turnout here so we're trying to shuffle some chairs
- 6 in here to accommodate the crowd. So I think we're
- 7 to the point where we're going to get started.
- 8 Call the meeting to order, this is the
- 9 Maryland Boat Act Advisory Committee. First thing,
- 10 cellphones, everybody, please silence your
- 11 cellphones. Vibrate, silence, whatever. We want
- 12 to limit our interruptions. It looks like a great
- 13 crowd today and we're in for some spirited
- 14 discussions.
- 15 Also, reminder to the folks on the
- 16 committee and for anybody in the audience who does
- 17 get up to speak, you must have a microphone in your
- 18 hand to be recognized and to speak and to be
- 19 recorded. If do you not have a microphone in your
- 20 hand, Kelly will not record. We do have a court
- 21 reporter here today. She's here everyday, all of



- 1 our meetings. She is recording everything that's
- 2 said so if you say it she's going to, she's going
- 3 to record it as long as you have a microphone in
- 4 your hand, so please wait to be acknowledged and
- 5 get a microphone in your hand before you start
- 6 speaking.
- 7 Let's do some introductions from our
- 8 members here so you can find out who we are and
- 9 where we come from, what areas we represent. And
- 10 we will start down the end.
- 11 (Members, staff, and chairman introduce
- 12 themselves.)
- 13 THE CHAIRMAN: All right. That was
- 14 interesting. The voice from above. Let me go into
- 15 about the workings of the committee and then I'll
- 16 get into the format that we're going to follow
- 17 today.
- 18 So real quick, the members of the
- 19 committee are a diverse group of boaters who come
- 20 from all regions of the state and who collectively
- 21 are familiar with the various uses of our state



- 1 waters. The charge of the committee is to
- 2 represent all users of the water in the state of
- 3 Maryland, sailboaters, swimmers skiers, watermen,
- 4 kayaker, windsurfer, paddleboarders and jet skiers.
- 5 Boat Act Advisory Committee is aware of and
- 6 cognizant of concerns and privileges of waterfront
- 7 property owner but understand that the state
- 8 waterways belong to all. Boat Act Advisory
- 9 Committee takes it's charge seriously and with the
- 10 greatest respect for the Chesapeake Bay and all of
- 11 the waters of the state and those that come before
- 12 us. Deliberations strive to accommodate the
- 13 concerns and needs of all of those that use the
- 14 state waters. At times not everyone will be
- 15 accommodated and sometimes people are displeased
- 16 with our recommendations. If it so happens that
- 17 you're one who ends up displeased please understand
- 18 that we have the utmost respect for your views and
- 19 concerns, but again our charge is to serve the
- 20 needs and safety of all citizens of state and all
- 21 of those who use the waterways. Just as a note



- 1 several of our committee members are owners of
- 2 waterfront property so they understand from that
- 3 viewpoint also.
- 4 Excuse me. All right. We're going to
- 5 get into -- I'm going to have Mike Grant present
- 6 each area one by one. And then basically how it's
- 7 going work is we'll hear the petition request in
- 8 the morning session. It will be presented, Mike
- 9 will present it and then after that we'll allow the
- 10 folks that are here for and against petition to
- 11 present their case, speak their, you know, give us
- 12 their opinions, whether for or against, you know,
- 13 what's before us here and then in the afternoon
- 14 we're going to go backward and come back to
- 15 executive session and at that point it will just be
- 16 the members of the committee who are basically
- 17 discussing each area.
- In the morning when you do present your
- 19 presentation I want the lead person, we'll allow
- 20 you about five to eight minutes to present your
- 21 case for the petition and then anybody who gets up



- 1 to speak after that if you agree with what the lead
- 2 person said please just tell us you agree. If you
- 3 have anything to add, by all means go ahead and add
- 4 it but we would like to limit you to about three
- 5 minutes so we can get through everybody today. And
- 6 then we will get input from our NRP officers who
- 7 work the areas, see what their opinions are, and
- 8 then in the executive session we'll make a motion
- 9 and we will vote on your petition today. So you
- 10 will find out this afternoon. You are welcome to
- 11 come back and view, but you cannot participate in
- 12 the afternoon executive session.
- 13 And also if you do get up to speak
- 14 please be prepared to answer any questions because
- 15 the committee members if they need some
- 16 clarification they may ask you a question.
- 17 Also, speak to the committee, not to
- 18 anybody in the audience. It's tempting for
- 19 somebody in the audience to disagree with something
- 20 that somebody says and there becomes a conversation
- 21 amongst you in the audience. That's not how it



- 1 works. Please talk to the committee. We will ask
- 2 you questions, don't ask questions of anybody in
- 3 the audience and please don't engage in any back
- 4 and forth comments.
- And, oh, and again because we're, we are
- 6 being recorded anybody who gets up to speak you
- 7 have to have a microphone and state your name
- 8 clearly so that Kelly can record it.
- 9 All right. Let's move forward with the
- 10 hearing. Regulation request, Mr. Grant, Frog
- 11 Mortar Creek.
- MR. GRANT: Thank you, Mr. Chairman.
- 13 The request from basically the residents -- not the
- 14 residents -- but the slip holders is to change the
- 15 limit in Frog Mortar Creek from Parkside Marina,
- 16 add a six knot all time April 1st through October
- 17 31st. Currently it's six knot Saturdays, Sundays
- 18 and holidays all year. So they would like it all
- 19 week long, seven days a week, April 1 through
- 20 October 31st.
- 21 According to the petition, boats



- 1 harbored at Parkside and the surrounding property
- 2 are subject to excessive wakes weekly and MDE and
- 3 Lockheed Martin are building a new outflow pipe and
- 4 the slip holders fear it will force more boats
- 5 closer to their pier.
- 6 This is kind of a timeline of what
- 7 transpired when I received the 34 signature
- 8 petition, I explained the process to the
- 9 individual, explained it might be an uphill fight,
- 10 they didn't care, they wanted to see it through,
- 11 and I explained what needed to be presented to the
- 12 committee at the April meeting and he recognized in
- 13 the meantime that other slip holders should contact
- 14 the Natural Resources Police so the NRP could build
- 15 a pattern of incidents and reposition during that
- 16 time frame and he agreed to do so.
- 17 On March 28th I contacted Fred Conrad,
- 18 the owner, he was unaware of the petition at the
- 19 time but agreed it would be a good idea. Also on
- 20 the 28th I contacted MDE and Lockheed Martin. MDE
- 21 said it was approved in 1992 or 1994, somewhere in



- 1 that time frame, and completed in '99. Bob Rushlow
- 2 from MDE said he could not locate the permit, but
- 3 had the permit number. At the time MDE approved
- 4 the construction of the marinas no more than
- 5 one-third the width of the waterway. Now, that
- 6 rule is quarter of the width of the waterway and
- 7 stated this marina in no way would be approved at
- 8 this time currently, it's just too far out into the
- 9 creek.
- 10 According to the owner Mr. Conrad who I
- 11 spoke with recently, they put -- moved the marina
- 12 out because to avoid environmental impact and
- 13 overdredging in the creek and the marina took
- 14 advantage of the one-third rule and built it
- 15 partially into the channel, but there is a question
- 16 as to exactly where the channel is between and Mr.
- 17 Conrad will explain that when he gets up.
- 18 In an e-mail from NRP officer Sergeant
- 19 Noone (phonetic) when the marina was issued the
- 20 permit it was under the stipulation that they would
- 21 not come back and attempt to change the speed



- 1 regulation but there is no official regulation
- 2 documentation to that effect.
- 3 As far as Lockheed Martin they have some
- 4 above normal, but not harmful, levels of chemicals
- 5 along the shoreline across from the marina and
- 6 Lockheed Martin is working with MDE to clean up the
- 7 site and instill the groundwater treatment plant
- 8 with the submerged outflow pipe into the Frog
- 9 Mortar Creek. Lockheed Martin installed yellow
- 10 buoys to identify the submerged pipes which are
- 11 more or less a hundred feet from the edge of
- 12 channel. Originally they were going to use pilings
- 13 with reflective markers, that was changed.
- 14 The marina owner is concerned that
- 15 waterskiing might attracted to the buoys and run
- 16 into the pipe based on the distance 150 tow rope
- 17 into to reach the buoys and pipes. Lockheed Martin
- 18 has been working with Parkside throughout this
- 19 process. Baltimore Marine Trades Association is
- 20 opposed to changing the regulation, this is to
- 21 according to Brian Schneider at Tradewinds Marina.



- 1 NRP Corporal Max Schulte indicates that neither NRP
- 2 or Baltimore County Marine Unit have received
- 3 complaints from the area of Frog Mortar Creek. NRP
- 4 stats from 2000 to 2015, no incidents in 2014 or
- 5 '15. No way to determine if these were the results
- 6 of normal citizen calls or normal NRP patrols
- 7 according to Lieutenant Melissa Scarborough, 12
- 8 reckless and dangerous citations and 17 operating
- 9 under the influence.
- 10 Edwards Boatyard above Parkside is
- 11 against the request, Chesapeake Yachting Center has
- 12 made no comment.
- 13 This is the situation. Parkside of
- 14 course is up here, 1.5 nautical miles down at the
- 15 end of Frog Mortar it's six knots and takes about
- 16 15 minutes. Of course, Saturday, Sunday and
- 17 holidays. Once you get to the main stem of Middle
- 18 River at 35 knots, about two and a half minutes, at
- 19 25 knots at three and a half minutes, and of course
- 20 they're requesting six knots during the boating
- 21 season in front of the marina.



- 1 Location of Edwards Boatyard, Chesapeake
- 2 Yachting Center, Tradewinds and Maryland Marina and
- 3 Parkside. The red area is the approximate size of
- 4 the area they're requesting six knots. That travel
- 5 time is somewhere between 2.3 and 2.5 minutes at
- 6 six knots. Another view. The yellow line depicts
- 7 the current depth of, I won't call it the channel,
- 8 but those, that's the deepest area, five feet down
- 9 to seven feet. Everything on either side of this
- 10 yellow line is pretty shallow. Distances within
- 11 the creek. The outflow pipes are approximately 70
- 12 feet from shore and significantly outside of the
- 13 channel.
- 14 This is from Martin State Airport, this
- 15 is where they depict the channel to be based on
- 16 their survey. Here are the outflow pipes. As you
- 17 can see they're way outside of the channel area.
- 18 The center of the channel coming down through here.
- 19 The channel is approximately 350, the outflow pipes
- 20 are about 460 feet to the marina.
- 21 This is a survey that Natural Resources



- 1 did on April 8th, 2016, the purple is six foot
- 2 area, the dotted yellow line somewhat adjacent to
- 3 it is a five foot area and then it varies from two
- 4 to three to four feet in the squiggly lines going
- 5 back and forth.
- 6 We've received 34 signatures in the
- 7 original petition. Since then I have received two
- 8 for and two against the request, regulation
- 9 request.
- 10 THE CHAIRMAN: Thank you, Mike. Anybody
- 11 on the committee have any questions for Mr. Grant?
- MS. CRAIG: Mike, have we seen a request
- 13 from this morning or before and in what time frame?
- 14 MR. GRANT: I understand one was made
- 15 10, 12 years ago but I don't have a record of it,
- 16 not in my files. Maybe Mr. Lunsford could speak to
- 17 that.
- 18 (Discussion held off the record.)
- 19 THE CHAIRMAN: He said the issue has
- 20 come up before and all he recalls is he left a
- 21 record when he left.



- 1 Let's move forward. I would like to
- 2 hear from the petitioner, Mark Wilson.
- 3 MR. WILSON: Good morning, my name is
- 4 Mark Wilson. I'm the petitioner for the six knot
- 5 speed limit change to Frog Mortar Creek. I want to
- 6 thank the advisory committee and all of those
- 7 concerned with the efforts that you put into all of
- 8 this. This is a really big deal that you do every
- 9 year and we do certainly appreciate it. So thank
- 10 you all for your time.
- I am the petitioner and I'm going to
- 12 join and tag this with the marina owner, Fred
- 13 Conrad, and I'm also going to bring in Mark
- 14 Salvetti who is the engineer with CDM Smith
- 15 representing Lockheed Martin today.
- I have been able to produce the 34
- 17 original signatures with the petition. Since then
- 18 we have gotten a lot more. I have one copy I will
- 19 leave with the chairman today for you all to look
- 20 at, but we have a total of 140 signatures
- 21 requesting this change. Thank you.



- 1 Could I have a slide? As you know,
- 2 things change so how things were requested years
- 3 ago and the circumstances that evolved around that
- 4 are no longer true today. Down there in Frog
- 5 Mortar Creek we have a huge environmental impact
- 6 that is taking place outside of the marina at
- 7 Parkside. We have new regulatory limits. We have
- 8 increased recreation that's taking place on a wide
- 9 variety with watercraft of personal people working
- 10 on kayaks and paddleboards, in addition to the
- 11 other businesses that are having boaters come into
- 12 the area and anchor at various times throughout the
- 13 week.
- We're letting you know that this is a
- 15 unique circumstance. This is something that has
- 16 come about directly in front of Parkside Marina and
- 17 that is what we're talking about. We're not
- 18 looking to get a speed limit change on the entire
- 19 Frog Mortar Creek area. We're not looking to take
- 20 it all of the way up to the head of the creek.
- 21 There is a natural spot just beyond our marina



- 1 where the depth does change and all of the boaters
- 2 naturally slow down to six knots anyway, even
- 3 though there is no current speed limit regulation
- 4 during the week.
- 5 It's come to our attention that during
- 6 the week boating season boaters are down there.
- 7 Boaters are boating, kayakers are kayaking, the
- 8 paddleboarders are paddleboarding, people are
- 9 swimming, people are anchoring. That entire
- 10 channel though it's unmarked has silted in and it's
- 11 changed and most of the boaters tend to go within
- 12 10 to 20 feet of where the boats are moored there
- 13 in the marina.
- We're looking at a very specific change.
- 15 Evolution changes and because of that we need to
- 16 make considerations of changing our regulations in
- 17 what we do. So I'm going to tag team this with
- 18 Mark Salvetti, he's a project engineer with CDM
- 19 Smith, and he is representing Lockheed Martin
- 20 today.
- 21 MR. SALVETTI: Next slide, please.



- Good morning. My name is Mark Salvetti
- 2 with CDM Smith. Just briefly I'm going to explain
- 3 how Lockheed Martin is involved here.
- 4 This is Martin State Airport and the
- 5 airport used to be part of the Glenn L. Martin
- 6 factory. In the 50s and 60s Glenn L. Martin and
- 7 then Martin Marietta operated an industrial
- 8 landfill in this area. Since 2004 Lockheed Martin
- 9 has been investigating the upland area. You can
- 10 see all of the -- you can't really see it, I
- 11 realize that but these number of monitoring balls
- 12 and sample points in the upland. We sample in Frog
- 13 Mortar Creek on a regular basis, 40 sample
- 14 locations there, we currently sample it six times a
- 15 year and the end results are shared with the
- 16 community. In 2010 we found concentrations of
- 17 contaminants from the landfill were higher than
- 18 they were before and this led to a couple of
- 19 events.
- Next slide, please. The design and
- 21 construction of a groundwater treatment facility



- 1 was expedited. This is currently in construction
- 2 right now as we speak. It will consist of 16 wells
- 3 placed along this thousand foot line which will
- 4 pull out the contaminated groundwater, treat it in
- 5 the treatment building, that will be right here,
- 6 and then the clean water is discharged in an
- 7 underwater outfall that extends about 70 feet out
- 8 into Frog Mortar Creek. We have a permit from MDE
- 9 for that discharge.
- 10 Next slide, please. Here's a view from
- 11 above on the left Martin State Airport looking
- 12 across to Parkside Marina. The outfall location is
- 13 marked by these buoys. We have a permit from the
- 14 Coast Guard for those buoys. This facility will be
- 15 operating indefinitely, decades, and it's because
- 16 of this, this package that Mr. Conrad has, which
- 17 includes a letter from Lockheed Martin that
- 18 supports the speed limit change, and it's because
- 19 we feel that it should reduce the risk of a
- 20 watercraft or waterskiers coming into contact with
- 21 the buoys and damaging their equipment or damaging



- 1 themselves.
- Next slide, please. The second event
- 3 that happened is we worked with MDE to evaluate the
- 4 results of the surface water sampling and that's
- 5 led to water contact advisory. It's in this strip
- 6 along the shoreline of the airport, it's about two
- 7 thousand feet long and extends about two hundred
- 8 feet out from the shore and it is in place now
- 9 because of the contaminants that we have detected
- 10 in the water. It's a not a ban from water contact,
- 11 it's just an advisory that contact with the water
- 12 should be limited. We believe that once we start
- 13 treating the groundwater that this advisory should
- 14 be able to be eliminated or certainly reduced and
- 15 we expect to be starting these treatments by late
- 16 spring of 2017.
- 17 Next slide, please.
- 18 Thank you. I'll pass it on to Fred.
- 19 MR. CONRAD: Thank you. I appreciate
- 20 this opportunity to present before the committee
- 21 and I thank also for the support of all our slip



- 1 holders that I see here today that have taken off
- 2 work to attend so I appreciate that very much.
- 3 Just a couple of quick comments on the
- 4 notes that Mike Grant had introduced there is a
- 5 couple of things. As far as the previous
- 6 regulation, that was in 2003 and when that was
- 7 requested it was for the entire Frog Mortar Creek.
- 8 This is very different and very specific.
- 9 The channel markings. Please note for
- 10 the committee, advisory committee, that those
- 11 channel markings are incorrect. I have drawings to
- 12 support that. And when we put our piers in the
- 13 Army Corps of Engineers was there setting every
- 14 piling with the contractor and I do have
- 15 documentation and support drawings to show today,
- 16 if you need to see those.
- Okay. So just a brief history of who we
- 18 are. We are celebrating our 85th year. We're a
- 19 family owned and operated business established in
- 20 1931 and so what I want to show here is we're an
- 21 evolving company. The marina is something that



- 1 evolving changes, you know, created.
- Next slide, please. This was our
- 3 peninsula prior to the marina. It's a 15 acre
- 4 peninsula. We earned our living renting summer
- 5 shacks for less than 500 dollars a year with
- 6 outside outhouses. We rented the land to
- 7 corporate, church functions, and that was our
- 8 income.
- 9 Next slide, please. Parkside Marina due
- 10 to expanding development and the arrival of water
- 11 and sewer in the county it created the need to do
- 12 something else with the property in conjunction to
- 13 our catering or rentals. Residents were not for
- 14 housing, in that case we tore down the summer
- 15 shacks, we removed the outhouses, and all of the
- 16 impervious surfaces. Parkside Marina, it was a 10
- 17 year process that went into planning it. In
- 18 1999 -- we're a 126 slip floating dock marina which
- 19 is important -- and the marina's goal was to have a
- 20 minimal impact on the environment. So dredging,
- 21 land storage, fuel service and on-site mechanical



- 1 repairs were never a part of our business plan. We
- 2 have maintained a clean marina certification since
- 3 2001. We're one of the only marinas in the county
- 4 that has grass parking.
- Next slide, please. This is a view of
- 6 Parkside Marina as it is now.
- 7 Next slide. So what we want to take a
- 8 look at is changes and we're going to touch on the
- 9 changes. We talked about the environmental
- 10 changes. I want to talk briefly on the regulatory
- 11 limits.
- 12 As Mike shared in the minutes this
- 13 marina would not exist under today's regulations.
- 14 Former regulations allowed you to extend one-third
- 15 of the creek. Current regulations allow one
- 16 quarter of the creek. With that, by the estimates
- 17 that were in the minutes -- and these are all
- 18 approximate and changes depending on where you're
- 19 at in the creek -- but Parkside's piers extend out
- 20 235 feet. This would be compromised to 176 feet in
- 21 today's regulation changes.



- 1 That -- given the distance of the
- 2 outfall of Lockheed Martin, that minimizes the area
- 3 of passage by 129 feet to what would be regulated
- 4 today. So that's very important.
- 5 This is very congested area and there is
- 6 very definite safety concerns in this area.
- 7 Next slide. This is just slide I'll go
- 8 through quickly. It's a diagram of our piers. The
- 9 dash line shows the one-third of the creek and
- 10 you'll see that on this drawing that the majority
- 11 of our pilings are set back from that. There is
- 12 only a small section that goes up to that
- 13 one-third, nothing exceeds it, and we're not in the
- 14 channel.
- 15 Next slide. This is just a nice view of
- 16 what this looks like. So you will see the buoys
- 17 that are in place for the outfall, you'll see a
- 18 boat that is anchored, you'll see a boat passing in
- 19 the channel area. This line is just drawn in to
- 20 give you indication, but the boat that you see
- 21 crossing notice how they always favor the marina



- 1 side. They come very, very close to this marina
- 2 when passing and when speeding.
- In the far end of the creek there is two
- 4 marinas, one is High and Dry Marina Services, and
- 5 it favors the go fast boats and sometimes they --
- 6 most, most, most boaters are very courteous -- but
- 7 sometimes we get some that just aren't using their
- 8 heads. So that line that you see at the end,
- 9 current area of speed reduction, right now everyone
- 10 is slowing down at that point, at Fairwinds. It's
- 11 a slow down area automatically because it's so
- 12 narrow and when we're talking -- we're showing
- 13 this -- we're going to be talking about very
- 14 limited area of impact.
- Next slide, please. Now, evolving
- 16 recreational uses. Chris, I thank you for your
- 17 comment when you talked about that you support the
- 18 use of the Chesapeake Bay by all users. We've had
- 19 two new businesses that have come into the area in
- 20 the last year and a half, two years, Ultimate
- 21 Watersports and Eastern Watersports. Each of them



- 1 were kind enough to provide us a letter of support.
- 2 Phil from Eastern Watersports is going to be
- 3 mailing that to you along with KB Divers. He noted
- 4 that -- and you do have -- you do have Ultimate
- 5 Watersports. What you'll see is paddleboarders,
- 6 you'll see kayakers, you'll see jet skiers and
- 7 you'll see motorboaters, they're all using this
- 8 little area that's very congested.
- 9 Next slide, please. This is a map that
- 10 I received from Sunset Cove, actually Ultimate
- 11 Watersports who is operating out of Sunset Cove.
- 12 Phil with Eastern Watersports operates from
- 13 basically the same area, just next door, but all of
- 14 their, all of their rentals and excursions or yoga
- 15 classes, whatever it may be, they go out and
- 16 they're steered away from the southern side going
- 17 out to Middle River. Everything goes into this
- 18 creek.
- 19 Next slide, please. This is a slide
- 20 showing -- this is right out in front, just before
- 21 the outflow area. You'll see the existing six knot



- 1 limit marker for holidays and weekends.
- Next slide. This gives you a good
- 3 idea -- this slide was actually a weekday. You've
- 4 got kayakers, paddleboarders, jet skiers and
- 5 motorboaters, now you can imagine what this can
- 6 look at at times and especially when you get into
- 7 these narrow areas. What we see, it's very hard to
- 8 navigate when you have the users, the recreational
- 9 users, who don't have that power to move out of the
- 10 way, or wakes, large wakes.
- 11 Next slide, please. This is right in
- 12 front of our facility just before our marina. It's
- 13 a favorite area to raft and pass and you can see
- 14 the congestion that is possible.
- Next slide. With all of this now, we've
- 16 talked about the changing environments, we've
- 17 talked about the changing regulations, and we've
- 18 talked about the changing recreational use of the
- 19 waterways. What is the area of impact and what are
- 20 we talking about?
- Next slide, please. This diagram from



- 1 the first red dot to the next red dot that's
- 2 basically from where we asked the buoy to be set to
- 3 where the natural slow down is now. This area by
- 4 Mike Grant's original minutes was 15 hundred feet,
- 5 the estimated travel time is 2.3 minutes.
- 6 Next slide, please. We plotted this, we
- 7 plotted this to get some measurements so we could
- 8 give you an idea of distances. You're seeing 415
- 9 feet from our front piling to the outfall buoy.
- 10 This is the area that gets pinched, that gets
- 11 congested, and I feel it's very dangerous and
- 12 creates a public safety hazard.
- 13 Next slide --
- 14 THE CHAIRMAN: I don't want to cut you
- 15 off, I'll give you a couple of minutes to wrap this
- 16 up. We've seen some of this information already
- 17 and we're over 16 minutes into the presentation.
- 18 MR. CONRAD: We're about done.
- 19 Summarizing. As you can see this is a
- 20 multi-use zone. Just as it would be irresponsible
- 21 to post an unsafe speed limit in a school zone it



- 1 would be equally irresponsible to ignore the
- 2 constraints of the various users in this zone. We
- 3 appreciate your consideration for the needs of all
- 4 the recreational, property and environmental
- 5 interests in this limited area.
- Next slide, please. What's the maximum
- 7 impact to boaters for everyone's improved safety?
- 8 2.3 minutes. Thank you.
- 9 THE CHAIRMAN: Okay. Any questions from
- 10 the committee members for any of the three
- 11 presenters? John Pepe.
- 12 MR. PEPE: Yes. I was just wondering,
- 13 are there any documented damage reports that have
- 14 been filed with DNR for wake damage to any of the
- 15 boats in the marina?
- 16 CORPORAL SCHULTE: Good morning.
- 17 Corporal Max Schulte, I'm assigned to that
- 18 particular area, Baltimore County, Baltimore City
- 19 waters. I've been assigned that patrol station for
- 20 the last nine years. Last summer we -- for the
- 21 past several we've had no documented incidents of



- 1 boat accidents or wake damage. We have received
- 2 complaints of vessels creating too much of a wake
- 3 in that area from time to time and when received
- 4 they were addressed; however, that is, that area,
- 5 entire area is part of our normal patrol and we
- 6 visit on a daily basis. Any questions?
- 7 THE CHAIRMAN: Thank you, Corporal.
- 8 We'll get back to your report in a little bit. Any
- 9 question for the marina owner and any of the other
- 10 presenters? Is that microphone working now?
- 11 MR. HELLNER: The picture we saw of the
- 12 congested use, was that taken during the week or on
- 13 weekend?
- MR. CONRAD: It was taken during the
- 15 week and you can kind of get that sense because the
- 16 jet skier was -- you can tell he was on plane so
- 17 that was a weekday and what we're seeing, it was
- 18 surprising, this year a lot of people with these
- 19 recreational kayaks and paddleboards they will come
- 20 out as a group. It's not someone that just comes
- 21 out and rents a paddleboard, so a lot of times they



- 1 come out on maybe a weekday because I guess they
- 2 feel that, you know, not as many people will be on
- 3 the water but also recognizing, you know, that
- 4 there is no speed limit at that time.
- 5 THE CHAIRMAN: Mr. Kling.
- 6 MR. KLING: If we take away the words
- 7 unique and the emphasis, what is the problem you're
- 8 trying to solve because we're not hearing this from
- 9 the paddleboard and the kayakers, so what is the
- 10 problem you're asking us to solve?
- 11 MR. CONRAD: The problem we're asking
- 12 you to solve is the -- well, first off, the
- 13 paddleboarders are very new, they're brand new
- 14 businesses there. This year, this year Eastern
- 15 Watersports it was their first year on-site
- 16 there --
- 17 MR. KLING: I apologize for
- 18 interrupting, I'm not asking you to speak to those.
- 19 You're the marina owner, what's the problem that
- 20 you're asking us to solve for the marina?
- MR. CONRAD: The area between the



- 1 outflow and the marina is very pinched, it's also
- 2 compromised based on the changing regulations,
- 3 there is an environmental impact that was never
- 4 there before, we're seeing the construction of that
- 5 being completed and in place now, and then we're
- 6 also seeing the changes in recreational, so those
- 7 three things are creating a congested area there
- 8 more so than ever before.
- 9 Mike, if you want to show our slide
- 10 where we show the outfall and the pinched area that
- 11 would be great.
- 12 THE CHAIRMAN: Mr. Pepe.
- 13 MR. PEPE: Yes. Just one quick question
- 14 for, probably the engineer may be able to answer
- 15 this. What is the average depth at that outfall
- 16 pipe where those buoys are?
- 17 MR. SALVETTI: The buoys, the outfall
- 18 sticks up a little bit. The top of the outfall is
- 19 an elevation of minus 3.5 relative to the survey
- 20 data. Figure typical elevation of the creek an
- 21 average tide may be zero so there is probably about



- 1 three feet of water over the outfall, but we've
- 2 seen it much lower than that. Just last week
- 3 because of the storm conditions the tides in
- 4 Baltimore harbor got down to minus 2.5 so at that
- 5 time there were only would have been about a foot
- 6 over the outfall if that tide result was reflected
- 7 here in Frog Mortar Creek.
- 8 MR. PEPE: Thank you.
- 9 MR. BUSH: I have one question here
- 10 concerning the environmental impact, would you like
- 11 to stand on that, please?
- 12 MR. CONRAD: The environmental impact?
- 13 I think Mark may be able to answer that a little
- 14 bit better regarding the environmental impact.
- 15 That would be based on the sampling that's taken
- 16 place, the advisories that are in place, and the
- 17 need and operation that's about to take place with
- 18 the filtration plant. Are you asking for a little
- 19 more history on what, what's brought that about?
- 20 MR. BUSH: I was wondering what we can
- 21 do to change the impact, if anything.



- 1 MR. CONRAD: Well, yes, we can, and
- 2 Lockheed is doing a lot to do that. They have been
- 3 very active with the community service and
- 4 communication and in restoration. So this plant
- 5 that's being put in is actually going to take and
- 6 begin to reduce the hydraulic ground pressure
- 7 creating a negative impact, keeping a negative
- 8 impact, so that this advisory area that you saw
- 9 mapped out hopefully will not be used or needed
- 10 anymore. They will be taking from extraction
- 11 wells, they will be extracting any contaminants,
- 12 filtering it and putting clear water back into the
- 13 creek.
- 14 MR. SALVETTI: I think I can elaborate a
- 15 little bit. So what's happened is the waste that
- 16 was disposed of in the landfill has contaminated
- 17 the groundwater and groundwater tends to flow into
- 18 Frog Mortar Creek. We had a slide that showed
- 19 where the advisory was. It's certainly not that
- 20 entire area where we see these higher
- 21 concentrations. It's almost completely -- the



- 1 highest -- a little bit further back. Okay. Thank
- 2 you. So we do detect and we're talking mostly
- 3 about solvents that were used in the industrial
- 4 processes, trichloroethylene and some of its
- 5 breakdown products, and those are present in the
- 6 groundwater underneath of the land on the upland
- 7 side and we do detect them in Frog Mortar Creek
- 8 along this band. Now, the highest concentrations
- 9 are almost exclusively right along the shore, right
- 10 near this area, very close to where the outfall is
- 11 going to be. So what our treatment system will do
- 12 is it will intercept, it's basically going to put a
- 13 fence along this thousand foot line where all of
- 14 the wells are, it will pull out the groundwater
- 15 before it gets to Frog Mortar Creek, it will treat
- 16 it, and once it's clean then we will discharge it
- 17 into the creek. It may take a little bit of time,
- 18 but I think in probably a year or less we should
- 19 start seeing much lower concentrations in the
- 20 surface water and we've been working very closely
- 21 with MDE and we share these results with the



- 1 community. There is a large poster on the
- 2 boardwalk here out to the boats that we update
- 3 annually that conveys the results of our sampling.
- 4 Lockheed Martin does a lot of community outreach.
- 5 Everybody in the area is pretty familiar with what
- 6 we're doing. So when we start operating this
- 7 system in late spring of 2017 I think we'll start
- 8 seeing significant improvements in the water
- 9 quality in Frog Mortar Creek.
- 10 THE CHAIRMAN: Okay. Thank you.
- 11 Ramona.
- 12 MS. TROVATO: So what we're primarily
- 13 talking about here is a water quality issue,
- 14 nothing related to boating as far as I can tell.
- 15 You're talking about groundwater remediation,
- 16 cleaning up the water, you're going to put the
- 17 clean water back in the creek, and you think this
- 18 problem is going to go away in less than a year,
- 19 which I commend you and MDE for that, but I don't
- 20 see how this is a boating issue.
- 21 MR. SALVETTI: I think -- speaking for



- 1 Mr. Conrad I think it's mostly the physical outfall
- 2 that is associated with our treatment. Right,
- 3 that's new. It's a pretty shallow area. That area
- 4 from photographs I have seen often is pretty well
- 5 trafficked with people tying up in this area. So
- 6 that's where Lockheed Martin's position falls on
- 7 this. The feeling that we know there is a fair
- 8 amount of traffic in Frog Mortar Creek and in
- 9 particular across from the outfall and the support
- 10 that Lockheed has conveyed in their letter is
- 11 strictly based on the feeling that it should reduce
- 12 the risk of somebody striking the outfall. That's,
- 13 I think that's the environmental angle that Fred is
- 14 making. We have an environmental problem, we're
- 15 fixing it, and it may be contributing to the risk
- 16 that Mr. Conrad feels can be reduced by the reduced
- 17 speed limit.
- 18 MS. TROVATO: So your argument is that
- 19 the reduced speed limit will stop boats from
- 20 zooming into your outlet in three feet or less of
- 21 water, do I understand that correctly?



- I understand that's a 1 MR. SALVETTI:
- pretty small draft, but there is also jet skiers 2
- and waterskiers. You know, from our standpoint it 3
- 4 hasn't happened, we don't want it to happen, and it
- seems like a reduced speed limit would make it even 5
- less likely to happen. That's really where we're 6
- coming from, from the Lockheed Martin side. 7 Mr.
- Conrad has other issues.
- 9 MS. TROVATO: Thanks for your answer and
- 10 thanks for the work cleaning up the groundwater.
- 11 MS. CRAIG: As a waterskier just
- 12 changing those buoys to something that says danger
- or caution instead of using a buoy that looks like 13
- 14 the buoys that we see around would make a big
- 15 difference.
- 16 MR. SALVETTI: I understand. Originally
- 17 the idea for marking the outfall was to use pilings
- 18 with large reflective signs and we got feedback
- 19 from the Marine Trades Association, from Mr.
- 20 Conrad, and some of the other marinas in the area,
- 21 I think the feeling was that that would be more of



- 1 a negative impact to the creek and they requested
- 2 us to look at something that was more of a soft
- 3 type of marker. I think the feeling was that there
- 4 might be risks from just having the pilings there,
- 5 so we worked with the Marine Trades Association,
- 6 Paul Plumber (phonetic) was involved, Mr. Conrad
- 7 was involved, and we worked with the Coast Guard
- 8 and they were fine either way so we went to the
- 9 buoy mostly due to input from the community in the
- 10 vicinity of Frog Mortar Creek.
- 11 THE CHAIRMAN: Okay. And there are
- 12 other buoys available out there similar to what the
- 13 state uses, commercially available, that mark
- 14 danger that are floating buoys that I think would
- 15 be appropriate there also.
- 16 Anymore questions for the presenters?
- 17 Okay. None heard.
- 18 All right. For folks who are here in
- 19 support, I don't have on the list who is here in
- 20 support, so if you would like to speak you can line
- 21 up. Again, you need to speak your name clearly so



- 1 that Kelly can record it and if you agree with
- 2 what's already been said please just say so and
- 3 we'll move forward. If you have something to add,
- 4 by all means you've got a couple of minutes to add
- 5 it, but we'll try to keep this moving along.
- 6 Anybody in support of the petition?
- 7 MS. LEHMAN: I'm Christine Lehman and
- 8 we've boated on the Chesapeake Bay for 30 years,
- 9 mostly in the Gunpowder and Middle River area. We
- 10 are boat owners for many years and really enjoy
- 11 using the facilities. I think this is critical
- 12 because we don't want to wait until someone is
- 13 injured or is killed because of the reckless use
- 14 and high speeds that occur. We are in the marina
- 15 every Friday night and with floating piers, of
- 16 course, rock. People have literally fallen over
- 17 and I don't think that anybody is aware that we can
- 18 call and report this to anybody because we
- 19 certainly would have done that. This happens on a
- 20 regular basis, every Friday night. So I think it's
- 21 very dangerous and I really hope that something is



- 1 done before something happens. Thank you.
- THE CHAIRMAN: Thank you.
- 3 MR. DEPALO: Hi, I'm Dr. Phil DePalo,
- 4 the owner of Eastern Watersports and KB Diver
- 5 Services. Actually, KB Divers have been involved
- 6 in a little bit of the Lockheed Martin project and
- 7 helping with the recovery and the samples that work
- 8 with the outfall. But our, Eastern Watersports
- 9 operates next to Parkside Marina, it's our first
- 10 year there on-site and we have noticed from our,
- 11 you know, recreational guys that rent stuff that
- 12 our inexperienced paddlers and inexperienced
- 13 kayakers they go out there for the first time on
- 14 some of these things and what we're hearing from
- 15 them is because of these buoys, because of boats
- 16 anchoring further away, they then move further away
- 17 from those areas, so they're now kayaking and
- 18 paddleboarding in this channel during the weekday
- 19 and that's a safety issue because they're pushing
- 20 themselves further out and then this traffic comes
- 21 through at high speed and you're a paddleboarder or



- 1 on kayak, you know what's going to happen. Our
- 2 kayakers see the sign that says water advisory,
- 3 that's a scary sign to someone who's not used to
- 4 being on the water that says don't touch the water.
- 5 Regardless of how serious the actual impact of that
- 6 is their visual understanding of what that sign
- 7 says is going to make them go, say, wait a second,
- 8 let's stay away because I don't want this water to
- 9 splash on me and again push them further into the
- 10 channel where we have this constricted area and
- 11 high speed traffic going through weekdays.
- We have lots of rentals on the weekend,
- 13 but in the summertime activity we have just as many
- 14 rentals through the weekdays and we find this to be
- 15 kind of issue for our boaters and paddlers going
- 16 out for the first time for that reason.
- I also happen to be on the marine
- 18 emergency team for the Bowleys Quarters Fire
- 19 Department, that is our area. So from a safety
- 20 concern, you know, someone who works in emergency
- 21 services side I mean it's obviously a huge safety



- 1 concern for our people as well. So again, I agree
- 2 with the presentation and the petition and I
- 3 believe there is a huge safety issue for our
- 4 paddlers and kayakers and classes that happen. We
- 5 hold our yoga classes across from Parkside Marina
- 6 because it's a shallow area and they are knocked
- 7 over by wakes of boats going through and it's
- 8 ridiculous. That's a huge safety issue. Thank
- 9 you, sir, for your time.
- 10 THE CHAIRMAN: Stand by for one second.
- 11 Any questions?
- 12 MR. KLING: I almost hate to do this,
- 13 but let me -- just explain to us -- this is where
- 14 the committee grapples with this thing. I'm going
- 15 to paraphrase -- I don't want to be harsh -- you're
- 16 telling us you set up a business in an area where
- 17 sometimes the traffic makes that business difficult
- 18 to conduct and therefore you want us to take water
- 19 away from other boaters in the state? Explain to
- 20 me how that makes sense.
- MR. DEPALO: I don't think we want to



- 1 take water away from --
- 2 MR. KLING: I don't want to argue with
- 3 you, but from our perspective you do. We're taking
- 4 away existing use of the water.
- 5 MR. DEPALO: That's your perspective and
- 6 since I'm giving my perspective, again, we're
- 7 reducing the amount of time they may be able to
- 8 travel over that water, we're not taking it away.
- 9 Let's look at it literally. We setup an operation
- 10 that's in a cove that leads out to this area so our
- 11 cove allows for the safe passage for people who are
- 12 new and learning and getting used to boards and
- 13 paddleboards then move of this area from the map
- 14 that Ultimate Watersports shows, we move out and
- 15 head up the to right because it's slower, safer,
- 16 quieter, less traffic area once you get past these
- 17 areas. There is a little more nature going on.
- 18 When you go left it opens up to the bigger creek,
- 19 it's more activity so we prefer this for the safer
- 20 route of passage for the new and experienced
- 21 paddlers. And we ask them to enjoy the water just



- 1 as well, they're coming to experience for the first
- 2 the water many of them and certainly we think that
- 3 reducing a speed limit which doesn't put a big gate
- 4 down as you just suggested which would reduce the
- 5 actual ability to use the water is a great
- 6 suggestion and compromise.
- 7 THE CHAIRMAN: Thank you. Any other
- 8 questions from the committee? Thank you very much.
- 9 MS. TERRY: Good morning, my name is
- 10 Janet Terry. I have lived on water all of my life.
- 11 I am an avid sailor, powerboater, jet skier,
- 12 waterskier, kayaker, doing all of those things, and
- 13 what I want you to really look at is this area of
- 14 massive congestion and the congestion is there not
- 15 only on the weekends, it's there during the week.
- 16 We see people that are paddleboarding and kayaking
- 17 that are residents who want to enjoy the water. We
- 18 have people -- I also, my husband and I have a boat
- 19 at the marina, we also live on the Bird River where
- 20 we do other watersports as well, but in order for
- 21 all of us to enjoy the water we're just asking



- 1 that -- people now have bigger boats which are
- 2 creating even more destructive wakes, destructive
- 3 to the shoreline, destructive to people who are on
- 4 smaller vessels, that are trying to get through
- 5 that narrow area, and destructive to our resident
- 6 boaters who live on the water, who live on, in
- 7 their boats at our marina, and when these boats go
- 8 by with these big wakes our boats are shaking and
- 9 it is a danger to people that are cooking inside of
- 10 their vessels. People, we have people that are
- 11 disabled that, and older now and their balance is
- 12 not the same and when you're out trying to clean
- 13 your boat and you're on the gunwales and you have
- 14 these massive wakes coming by it's a dangerous
- 15 situation. What we're trying do is look
- 16 proactively. We're trying to prevent issues and
- 17 also too the boats that are coming by at such a
- 18 high speed it's almost impossible to get their
- 19 numbers, their registration, to report them, and
- 20 it's happening on a regular basis with people that
- 21 just aren't thinking.



- 1 THE CHAIRMAN: Okay. Thank you. Any
- 2 questions? Hearing none, next, please.
- 3 MR. SCHAUER: I'm Steve Schauer, I'm a
- 4 boat owner at Parkside Marina. They pretty much
- 5 covered everything that I had to say except we have
- 6 a big sign as you enter the marina area that says
- 7 be responsible for your wake. That pretty much
- 8 wraps it up.
- 9 THE CHAIRMAN: Thank you.
- 10 MR. VICK: Hi, I'm Steve Vick, I tie up
- 11 at Parkside Marina as well and have for about the
- 12 last 10 years. I have seen a number of conditions
- 13 that exist from I would have to call it rampant
- 14 speeding in that creek on a number of occasions --
- 15 I should probably also add I'm probably one of the
- 16 older boaters that the young lady spoke of earlier.
- 17 THE CHAIRMAN: Pull the microphone down
- 18 so it gets everything. Thank you.
- MR. VICK: A few of the conditions I
- 20 have noticed are frightening I think at times. I
- 21 have seen wakes break over those floating piers



- 1 partially due to the speed the boat's going, but
- 2 also partially due to the fact that they're
- 3 frequently within boat length off of those pilings,
- 4 our boat pilings, and they have a tremendous
- 5 tendency to hug that marina that I think that Fred
- 6 alluded to earlier. The distance, you know, the
- 7 wakes degrades a little bit as you go away from the
- 8 line of travel and that distance is often very,
- 9 very small. It doesn't degrade much before it's
- 10 hitting us and it's a very tight area in that
- 11 creek. We definitely need some changes in there.
- 12 THE CHAIRMAN: Any questions for Mr
- 13 Vick? Thank you, sir.
- MR. VICK: Thank you.
- MS. OSKEN: Good morning, my name is
- 16 Mary Susan Osken and I'm a boat owner at Parkside
- 17 Marina. We have a 34 foot motorboat my husband and
- 18 I operate and on nearly every weekend and nearly
- 19 every weekday we attempt to pull out into this
- 20 channel. Now, our boat is almost directly across
- 21 from those buoys and what we see when we attempt to



- 1 pull out and turn left is paddleboarders coming
- 2 very close to our boats because they see the front
- 3 of our boat edging out. We see people coming up
- 4 from Chesapeake Marina who see the paddleboarders
- 5 and us pulling out and trying to then move closer
- 6 to the buoys. We see high speeds through there
- 7 while we're doing this and oftentimes my husband
- 8 and I, I have to stand on the front of my boat and
- 9 look out because it's a bend, it's very obstructed,
- 10 so oftentimes we can't see those kayakers, we can't
- 11 see those boaters coming fast into that creek, and
- 12 oftentimes my husband is putting it in reverse,
- 13 we're backing it back into the slip, we're trying
- 14 to pull out, we're pulling it back. This happens
- 15 regularly and we're afraid, and I hope this
- 16 committee understands what we're talking about here
- 17 is because of Lockheed Martin's environmental
- 18 impact piece, because of all of the new businesses
- 19 with sports, with kayaking and paddleboarding, with
- 20 folks who are pulling people on little tubes going
- 21 way over six knots it's a dangerous situation and



- 1 it happens every time we're down there. And I
- 2 think this committee, Fred, and Lockheed Martin and
- 3 Mark, they should be congratulated for putting this
- 4 in front of you because something is going to
- 5 happen and why should we wait until someone is
- 6 seriously injured before we come back here and have
- 7 that proof for you. I mean this is a serious
- 8 thing. It's not just about being tossed around on
- 9 a boat. And it would be a tragedy, a monumental
- 10 one, if someone loses a limb or a life because we
- 11 did not act accordingly when we know these dangers
- 12 are existing, and because of that pinched area
- 13 these dangers truly do exist. So thank you for
- 14 your time.
- 15 THE CHAIRMAN: Thank you. Any questions
- 16 for her? Next.
- 17 MR. BLAUCH: Hello, my name is Rich
- 18 Blauch, I'm a slip holder at Parkside Marina. I'm
- 19 all for the change in the speed limit in the area.
- 20 My boat is actually located directly across from
- 21 the outfall and what I have noticed over the past



- 1 two years is because of the outfall and because of
- 2 for some reason an increase in the number of boats
- 3 anchored south of the marina it has actually pushed
- 4 all of the traffic closer and closer to our, to our
- 5 slips. And years ago the little bit of rocking you
- 6 would get, you know, it was enjoyable, it would let
- 7 you know you were on the boat, but the last year or
- 8 so it's really been bad because the boats are being
- 9 pushed because of the increased loss of room of
- 10 being pushed closer and closer to the slips so I
- 11 think it's creating a dangerous environment. Thank
- 12 you.
- 13 THE CHAIRMAN: Thank you. Any
- 14 questions? Next.
- 15 MR. BRENTZEL: Ladies and gentlemen, my
- 16 name is Kelvin Brentzel and I have been in this
- 17 area for about 30 years, I have been a boat owner
- 18 and operated a boat in the Middle River area for
- 19 nearly 12 years, so the reason why I'm here is to
- 20 maybe give you a different perspective.
- 21 So I told you what I do when I'm not on



- 1 the clock, but when I'm on the clock I am the
- 2 deputy director at the direct readout laboratory at
- 3 NASA, for those who may not know what that is it is
- 4 the earth monitoring program that NASA is
- 5 responsible for in the constellation of satellites
- 6 that we use at that end. The responsibility of the
- 7 team that I manage is to develop technologies and
- 8 bridge applications to the end users. And what am
- 9 I talking about when I say end users? I'm talking
- 10 about the Environmental Protection Agency and I'm
- 11 talking about the U.S. Forest Service, I'm talking
- 12 about the MDE, I and my colleagues work with these
- 13 organizations so what I'm about to say stems from
- 14 what you have just heard other folks saying in
- 15 front of me and that is even though there are not
- 16 reports of the boat trafficking and the excessive
- 17 speed and the excessive wake over the last few
- 18 years one thing that I can say that I have heard is
- 19 that because of frustration and inaction some folks
- 20 have taken this into their own hands and it has
- 21 resulted in violence. That too has probably not



- 1 been reported, but that is fact. So now what I'm
- 2 here to speak of is that the team of scientist that
- 3 I work with I shared this information presented by
- 4 Lockheed Martin today and although I'm not a
- 5 subject matter expert on this particular type of
- 6 system by any means I certainly understand the
- 7 principals. But beyond the principals, the experts
- 8 that I spoke with about do and our subject matter
- 9 experts.
- 10 Now, I'm not here representing NASA, I'm
- 11 here representing myself so I want to be very clear
- 12 about that, whom I represent. But how this relates
- 13 to the boat trafficking and the excessive wake, you
- 14 know, even Mark himself during his presentation had
- 15 to use the word should because we don't know yet.
- 16 You know, I work in science, I live in science
- 17 everyday. There is more that we don't know than we
- 18 know, but beyond philosophics he used the word
- 19 should a lot and that's because we don't know until
- 20 we make empirical measurements. So the pumping
- 21 system that they've implemented is designed to



- 1 generate low pressure so the leeching from the
- 2 groundwater into the water permeating to the water
- 3 surface is reduced. Okay. Now, we're all boaters,
- 4 everybody on the board is in the boating industry,
- 5 what happens when wake pummels land? It will
- 6 reduce the effectivity of this system. So they're
- 7 hoping to get it to the lower limits, but the fact
- 8 of the matter is -- and it's not an environmental
- 9 issue only, it is both. It is a boating issue an
- 10 environmental issue. Reason being is that the wake
- 11 from boats is exacerbating an environmental issue
- 12 so with that, with the safety, I'm essentially
- 13 begging you to please listen to what the presenters
- 14 have had to say and vote with your conscience.
- 15 Thank you very much.
- 16 THE CHAIRMAN: Any questions? Mr. Pepe.
- 17 MR. PEPE: Sir, I understand what you
- 18 were saying I just don't understand the
- 19 environmental impact that cleaning up a toxic waste
- 20 dump on shore has to do with that.
- 21 MR. BRENTZEL: Sir, thank you for



- 1 asking, I'm sorry if I'm being unclear. The basic
- 2 principles of a pumping system, of course, works on
- 3 draw. We all know that as boaters even. So if the
- 4 differential pressure is altered then the
- 5 effectivity of that pumping system's efficiency is
- 6 greatly reduced. As proportioned to the amount of
- 7 external disturbance we're getting a lot of wake
- 8 and we're getting a high frequency of wake. That's
- 9 my, that's my point, sir.
- MR. PEPE: Thank you.
- 11 THE CHAIRMAN: Thank you. Any other
- 12 questions?
- MR. BUSH: I have one here.
- 14 THE CHAIRMAN: John, microphone, please.
- MR. BUSH: In regard to the wake having
- 16 the impact on the environment you realize that
- 17 boating along that area even at a slow speed is
- 18 going to create movement of the water so I'm trying
- 19 to -- my question to you is in changing the speed
- 20 what effect do you think it's going to have on the
- 21 impact of the environment?



- 1 MR. BRENTZEL: That's a very good
- 2 question, sir. So the principles of a side wake,
- 3 if we apply that, you know, we have 60 Hertz coming
- 4 into our house, 110 volts, as the amplitude
- 5 increases you have higher voltage, as the amplitude
- 6 of the waves increase just like frequency of
- 7 voltage will exacerbate the issue and that's where
- 8 I'm coming from, sir, when I say that. I hope I'm
- 9 clear.
- 10 THE CHAIRMAN: Mr. Hellner.
- 11 MR. HELLNER: I think I follow you
- 12 fairly well but I'm trying to translate that into
- 13 more people speak and I think what you're trying to
- 14 tell us, and correct me if I'm wrong, is the pipe,
- 15 a certain amount of mass flow rate comes out of the
- 16 pipe and every time a boat passes by a wake comes
- 17 backs at that pipe and slows the mass flow rate
- 18 down so I quess my question would be what
- 19 percentage the pipe is sitting there discharging 24
- 20 hours a day? What percentage? When you say we
- 21 have an impact, I have a hard time understanding



- 1 that it's significant.
- 2 MR. BRENTZEL: I understand, sir, so
- 3 qualitatively I would say that it's less of an
- 4 effect on the outflow, restricting the outflow,
- 5 it's more affecting the draw. As, you know, our
- 6 representative from Lockheed Martin has stated
- 7 they're attempting to put a fence around the -- it
- 8 was a figurative reference, of course -- they're
- 9 attempting to put a fence around these contaminants
- 10 that are leeching into our water supply system and
- 11 they're going to very valiant efforts, I must say.
- 12 Let's think about it, I have a friend of
- 13 mine that lives off of Church Creek down here and
- 14 he just put a deck behind his house and that cost
- 15 him a hundred thousand dollars. Lockheed Martin is
- 16 spending an incredible amount of money on this
- 17 facility. Not only are they spending a incredible
- 18 amount of money on this facility, they're
- 19 maintaining it indefinitely, decades. So it's a
- 20 big deal and I wouldn't expect Lockheed Martin to
- 21 talk about it in terms of the big deal element



- 1 because, you know, you don't want to scare people,
- 2 you know, these types of things, we have it under
- 3 control, we're doing things under the advisory, you
- 4 know, the guidelines. But again, what is it that
- 5 we're not seeing? The measurements that are being
- 6 taken, they're looking for very particular elements
- 7 in the water and even today are there elements that
- 8 aren't be measured? We don't know. That's what I
- 9 meant earlier when I said that we don't always know
- 10 everything.
- 11 Think about it this way, sir, 30 years
- 12 ago your car air conditioner or your refrigerator
- 13 leaking Freon did we think it would be like it is
- 14 now? And I'm not sitting here -- I'm trying to
- 15 make a very specific analogy from going there -- is
- 16 we didn't know. If we knew we were doing that, we
- 17 wouldn't have been doing it. This is in the
- 18 aftermath. We're trying to clean up a mess.
- 19 Lockheed Martin at Martin State Airport is trying
- 20 to clean up a mess. There is a very specific area
- 21 being affected by it. The bottom line here is is



- 1 it really being affected by boat traffic --
- 2 MR. HELLNER: Mr. Chairman -- and sir, I
- 3 apologize for interrupting, but I don't think that
- 4 you're -- these are very worthy points that you're
- 5 making, I understand them; however, my question was
- 6 specifically to physics, where you said there is a
- 7 harm by boat wakes to the discharge.
- 8 MR. BRENTZEL: Yeah, due to the low
- 9 pressure on the suction.
- 10 MR. HELLNER: So every once in a while a
- 11 boat wake comes and hits the pipe and we haven't
- 12 done the science and we don't know precise --
- MR. BRENTZEL: That's right.
- MR. HELLNER. Well, I think it's
- 15 reasonable to assume, and I'm an engineer by
- 16 profession -- I don't want to bog this hearing down
- 17 with a technical discussion or we're going to be
- 18 here all afternoon -- all I really wanted to know
- 19 if you can translate for the folks here how that is
- 20 significant? Forget all of the other great work
- 21 that MDE and Lockheed Martin, etc., and magnificent



- 1 work they're doing in regard to the impact to the
- 2 environment, but let's say concisely, we're pressed
- 3 for time --
- 4 MR. BRENTZEL: I apologize for not quite
- 5 completely understanding your question. So getting
- 6 back to the fence principal, there are very
- 7 specific points and as an engineer those are
- 8 discreet points, it's not continuous, it's not a
- 9 continuous fence. So the pressure's imposed, the
- 10 negative pressure's imposed and the suction zones
- 11 are reduced thereby reducing the effectivity of the
- 12 pumping system to remove the contaminates. Does
- 13 that help?
- MR. HELLNER: In theory, for a short
- 15 period of time.
- MR. BRENTZEL: Indeed, indeed.
- 17 MR. HELLNER: Thank you, sir, that
- 18 answers my question.
- 19 THE CHAIRMAN: I believe that
- 20 everybody's faces are glazing over. Lost in
- 21 science. Let's keep it moving forward. Thank you,



- 1 sir.
- MS. WILSON: Hello, my name is Linda
- 3 Wilson and I am a boat slip holder at Parkside
- 4 Marina. I just want to speak general. There are
- 5 small children, there are a couple of handicapped
- 6 boaters at our marina that have to carry their
- 7 child onto their boat that have been thrown around.
- 8 We've had TVs thrown onto the floor, we've had
- 9 major things, and we are told when we try to call
- 10 if we don't have a boat name or any kind of
- 11 recognition of the boat -- because they do fly by
- 12 there -- what good does it do? We've also been on
- 13 our docks at night where we have, some of us have
- 14 been thrown onto the dock because the wakes are so
- 15 strong. Please, help us. We need -- we're talking
- 16 about 15 hundred feet -- we just need them to slow
- 17 down. It's a dead-end creek, and there are two
- 18 other marinas. These boats go by and then they
- 19 stop because they don't take wakes to their
- 20 marinas. We just want the safety of our boaters.
- 21 We want to enjoy our boats. Please, help us.



- 1 Thank you.
- 2 THE CHAIRMAN: Any questions? Thank
- 3 you.
- Is that everyone who spoke for the
- 5 petition who would like to speak?
- 6 Okay. Let's move forward to folks who
- 7 are here to speak against the petition. Is there
- 8 any one point person or is it just several
- 9 individuals? Anybody here to speak against the
- 10 petition and the request? Hearing none, let's go
- 11 back -- no, no, no. Sorry. Corporal Schulte,
- 12 we've got part of your -- we've got a written
- 13 report from Corporal Schulte. And just by the way
- 14 for you folks, anytime we have an area that we are
- 15 considering we do multiple site visits to these
- 16 areas. I know I went to Frog Mortar Creek and I
- 17 know that there was several other days that the
- 18 site was visited by members of the committee, all
- 19 of course during the weekdays since that's the
- 20 requested time frame, and we do have a written
- 21 report from Corporal Schulte and then we'll hear



- 1 his verbal testimony.
- 2 CORPORAL SCHULTE: Okay. And I said
- 3 I've been assigned to this specific area for the
- 4 last nine years. Patrols through the area in the
- 5 last five years have remained constant. There is a
- 6 much greater frequency of boat traffic during the
- 7 boating season due to the activity. We do receive
- 8 occasional complaints from slip holders in Parkside
- 9 of other vessels passing the marina and causing
- 10 wake from the vessels that are moored there. There
- 11 have been no boating accidents or reported damage
- 12 during this time frame. The Baltimore County
- 13 Police Marine Unit is also assigned to Strawberry
- 14 Point as is our unit they would also respond if we
- 15 were not available and I spoke with Sergeant Bouder
- 16 who is the head of the Baltimore County Police
- 17 Marine Unit as to whether they have had any
- 18 complaints or reports of accidents and they had not
- 19 received any of those types of complaints either.
- 20 When they -- of course when they would receive
- 21 reports of reckless operation of any type they



- 1 would respond if we were not available and in many
- 2 cases we would both respond to that area.
- 3 Full-time, six knot limit during the boating
- 4 season, one of the questions that was asked of me
- 5 would this require additional personnel from the
- 6 NRP and if the six knot limit were imposed yes, it
- 7 would probably require additional personnel, but
- 8 unfortunately we have had no increase in personnel
- 9 assigned to our station. I would say on the
- 10 average, on an average weekend, anywhere from one
- 11 hundred to three hundred boats probably use Frog
- 12 Mortar Creek, and that may be an underestimate.
- 13 But within the creek we have, we have fishing,
- 14 crabbing, overnight anchoring which occurs, some
- 15 commercial fishing activities on occasion,
- 16 waterskiing, not so much on the weekends because of
- 17 the six knot limit, and during the course of the
- 18 hunting season we have waterfowl activity occurring
- 19 in Frog Mortar.
- 20 There are a total of six commercial
- 21 marinas in the Frog Mortar complex. I have spoke



- 1 to others. I did not specifically contact Mr.
- 2 Conrad but I spoke to all of the other marina
- 3 owners and Long Beach Marina was the only marina
- 4 that was, would have been in favor of six knots.
- 5 Of course they would like to see the six knots unit
- 6 out in front of their marina because they take,
- 7 they do take considerable wake.
- 8 As far as our boat station we are
- 9 basically across from Long Beach at Strawberry
- 10 Point, we take considerable wake damage -- I won't
- 11 say damage, but we get rocked on a regular basis.
- 12 So but I would say that the patrol that I conducted
- 13 I did not -- on the weekend we responded and we
- 14 were there on a regular basis. During the weekdays
- 15 when the speed limit is not in effect I made it a
- 16 point to be in the area generally between from 5
- 17 p.m. until 8 p.m. during the evening because I felt
- 18 this was when people would be arriving home from
- 19 work or school and perhaps go out on the boat and
- 20 enjoy their leisure time. During that time I
- 21 really did not observe any issues. We did have the



- 1 occasional boat that would come through, but for
- 2 the most part it was not an issue for us. And the
- 3 violations that I did observe, I took action on.
- 4 THE CHAIRMAN: Okay. Thank you,
- 5 Corporal. Any questions for Corporal Schulte? Mr.
- 6 Hellner.
- 7 MR. HELLNER: Yes. You mentioned that
- 8 you had spoken to other marina owners in the area,
- 9 we have a note from a marina owner which I
- 10 understand is upstream that is against the change,
- 11 did you gain any insight from any of the marina
- 12 owners that either are neutral or opposed and why
- 13 they would be opposed to the change?
- 14 CORPORAL SCHULTE: Long Beach was --
- 15 they would like to see it six knots for the entire
- 16 creek. They have no bulkheading in front of their,
- 17 no bulkheading in front of their slips so they --
- 18 as vessels are coming directly in off the Middle
- 19 River they're the first commercial marina on the
- 20 right-hand side.
- 21 MR. HELLNER: Yes. But my question was



- 1 I'm trying to gain insight into opposed -- and I do
- 2 have -- let's look it up -- Edwards Boatyard saying
- 3 they're opposed to the change in the current speed
- 4 limit situation, you know, that currently exists.
- 5 I'm trying to understand what the objection is.
- 6 CORPORAL SCHULTE: They just indicated
- 7 to me that they felt that the current regulations
- 8 were appropriate.
- 9 MR. HELLNER: Thank you, Mr. Chairman.
- 10 THE CHAIRMAN: All right. Thank you.
- 11 Ms. Allison.
- 12 MS. ALLISON: Yes. Corporal Schulte,
- 13 just a quick question because I know this is your
- 14 area. I'm looking on one of the slides that is in
- 15 the PowerPoint presentation, I'm seeing a huge no
- 16 paddle zone, can you tell me why that is? It's not
- 17 on this slide or on this picture.
- 18 You think you can find it, Mike? It's
- 19 the one that says Ultimate and then Sunset Cove
- 20 safe paddling zone, but it says a no paddle zone
- 21 and I'm just curious why.



- 1 THE CHAIRPERSON: I believe that was a
- 2 self-imposed, Robin. That was self-imposed by the
- 3 businesses.
- 4 MS. ALLISON: By the businesses?
- 5 CORPORAL SCHULTE: That was not imposed
- 6 by the state of Maryland or by the Natural
- 7 Resources Police, I can assure you that. The owner
- 8 of the paddleboat facility --
- 9 MS. ALLISON: So the businesses decided
- 10 they could not paddle in a safe area or what
- 11 appears to be a safe area?
- 12 CORPORAL SCHULTE: I believe Mr. Fred
- 13 Conrad here in front of me has a comment on that.
- MS. ALLISON: Thank you, Corporal
- 15 Schulte.
- 16 MR. CONRAD: I'm not sure -- I wasn't
- 17 certain if I was able to comment but I do have a
- 18 answer for your question. So that safe paddle zone
- 19 was created by the owner of the business and the
- 20 reason that they direct the paddlers that way is
- 21 because it's so rough. It's a calmer water going



- 1 into the direction of the right or heading north.
- 2 And Phil, he may be able to speak from his own
- 3 businesses. I'm not sure. Phil, do you direct
- 4 that way as well? Yes. So Phil with Eastern
- 5 Watersports does the same thing. And kayakers are
- 6 both leaving that general area where you see the
- 7 yellow dot for Sunset Cove and they all go out and
- 8 they move to the right into the creek up towards
- 9 Frog Mortar, the pinched areas, where the calmer
- 10 water is or should be.
- 11 THE CHAIRMAN: So the answer is it's
- 12 self-imposed. Any other questions?
- 13 MR. CONRAD: By the rental business.
- 14 THE CHAIRMAN: Okay. I believe that's
- 15 it for Frog Mortar Creek.
- 16 Mr. Grant, would you like to do Broad
- 17 Creek? Seems that we have a much longer sign-up
- 18 sheet for Maynadier.
- 19 Let's do Broad Creek, please.
- 20 MR. GRANT: All right. Broad Creek,
- 21 South River, the request is to relocate the upper



- 1 Broad Creek six knot zone approximately 15 hundred
- 2 feet south of its current line. The petitioners
- 3 believe it will prevent erosion from wake waves,
- 4 protect both 56 private and community docks from
- 5 wake damage, protect bulkheaded shoreline at Broad
- 6 Creek southeast of the current buoys and enhance
- 7 the safety of paddleboarders and kayakers and
- 8 moving the buoy will also protect the living
- 9 shoreline under development between The Preserves
- 10 and the Broadview subdivisions.
- 11 Currently the upper creek area, up here,
- 12 six knots Saturdays, Sundays, state holidays and
- 13 during the week it's 20, 35. There is the current
- 14 line, this is the community pier for Broadview and
- 15 The Preserves, I believe, is right here, in this
- 16 area right here, which looks like they have done
- 17 some planting, and the request is to move this line
- 18 approximately 15 hundred feet to this area here.
- 19 The lower zone is 20 sunset to sunrise and 35
- 20 sunrise to sunset during the boating season. The
- 21 entire creek is approximately .7 nautical miles and



- 1 these are the average chokepoints, if you like,
- 2 throughout the area, throughout the creek.
- 3 Again, this is the current zone and
- 4 there is where they would like to reposition.
- 5 These are the two communities requesting the
- 6 change, and this area right here is the peninsula
- 7 that was mentioned in the 1980 boat wake study as
- 8 area C. That area, this point, is completely
- 9 bulkheaded, back in 1980 it was not. This is just
- 10 a sampling of the rest of the speed limits around
- 11 the South River. And this is the cover from the
- 12 1980 study for boat wakes and shore erosion in Anne
- 13 Arundel County, and again this was done in 1980 by
- 14 the folks who participated in this study. In 2014
- 15 another study was done, April 15th, quite a bit
- 16 more people involved in this one. Bottom line
- 17 concludes, the combined conclusions, shoreline
- 18 erosion is caused by wind-driven waves and to a
- 19 smaller extent boat wakes. The main factor
- 20 influencing shoreline erosion are wind velocity,
- 21 duration and fetch that drive the wave energy



- 1 climate. In addition, the sterile composition,
- 2 sand, silt and clay content of the near shore and
- 3 fast land areas and the presence of vegetation are
- 4 critical for determining erodibility. In the 1980
- 5 study, area C, Broad Creek, was the only area which
- 6 showed erosion associated with boat wake even
- 7 though other sites showed higher amounts of boat
- 8 traffic. The study suggest this was the result of
- 9 soil conditions and boats traveling particularly
- 10 close to the shoreline providing less time for the
- 11 wakes to dissipate. Also during the summer months
- 12 42 to 55 percent of the total annual wind wave
- 13 energy occurred during the boating season. This
- 14 area is currently completely bulkheaded. There
- 15 were 60 signatures from the original petition and
- 16 in addition three people for, 42 against and two
- 17 ambivalent.
- 18 THE CHAIRMAN: Okay. Any questions for
- 19 Mr. Grant from the committee? Hearing none, the
- 20 petitioner.
- 21 MR. DAVIS: Good morning, committee



- 1 chairman, vice chairperson and committee members.
- 2 Thank you for considering our --
- THE CHAIRMAN: Sir, state your name,
- 4 please. The reporter needs to know so she can get
- 5 that down, please.
- 6 MR. DAVIS: Next sentence. Thank you.
- 7 My compliments to you for hearing our petition.
- 8 Thanks for considering our petition to relocate the
- 9 six knot speed limit buoys on Broad Creek near to
- 10 the southern --
- 11 THE CHAIRMAN: Sir, please state your
- 12 name. State your name, please.
- MR. DAVIS: My name is Andrew Davis and
- 14 I live at 379 Broadview Lane in the Broadview
- 15 Estates community. I'm waterfront property owner
- 16 with a private pier on Broad Creek. I
- 17 recreationally operate a 20 foot powerboat, 16 foot
- 18 sailboat, two kayaks and two stand-up paddleboards
- 19 and I'm strongly in favor of relocating the speed
- 20 limit buoy.
- 21 There are three compelling reasons to



- 1 limit powerboat speed on Broad Creek. They are,
- 2 one, to reduce the continuing erosion of the east
- 3 bank of Broad Creek. Two, to improve the natural
- 4 life of the creek by protecting efforts such as our
- 5 new living shoreline project. And three, to
- 6 increase the safety of the increasing number of
- 7 operators of recreational nonpowered craft on the
- 8 creek such as stand-up paddleboards and kayaks.
- 9 I'll address each point more fully.
- 10 While much of the creek is bulkheaded there are
- 11 areas on both banks but primarily the east bank
- 12 that have their bluff leading down to water's edge,
- 13 about a hundred yards upstream of the proposed
- 14 speed limit buoy is one such bald slope area that
- 15 is developing hollowed out caves from erosion.
- 16 In frequent observations few operators
- 17 of high speed watercraft observe the limits on how
- 18 closely you transit the shoreline bank and
- 19 structures. A hundred foot offset regulatory
- 20 requirement for boats towing skiers, wakeboards and
- 21 tubes is simply not observed and not enforced. The



- 1 wave action from high speed craft wakes have been
- 2 exacerbated by the recent popularity of new hull
- 3 form technology designed to actually increase the
- 4 size of wakes. We're seeing fewer waterskiers and
- 5 more wakeboarders. More speed means more wake and
- 6 more erosion.
- Next. Broad Creek is the second most
- 8 polluted creek on the South River and it's the most
- 9 polluted creek if you eliminate the runoff from
- 10 Annapolis Towne Center into Church and Crab Creeks.
- 11 The South River Federation, the state and the
- 12 residential communities along Broad Creek have been
- 13 working for the last two years to mitigate the mud
- 14 and silt blooms from stormwater runoff. The costly
- 15 damming and pooling project along the run between
- 16 Broadview Estates and The Preserves is one
- 17 excellent example of a runoff abatement
- 18 partnership.
- 19 Our next project of the two communities
- 20 at our expense is creation of a living shoreline
- 21 between the community dock of Broadview Estates and



- 1 the community pier of The Preserves. This project
- 2 reviewed, approved and endorsed by the state and
- 3 conservationists will promote the growth of water
- 4 plants and life, further abate erosion, and
- 5 contribute to the natural cleanliness of the creek.
- 6 The living shoreline is located downstream of the
- 7 current speed limit buoys. High speed watercraft
- 8 wave action will threaten the successful living
- 9 shoreline and by moving the buoy downstream it will
- 10 enhance the chances for the living shoreline to
- 11 take root and drive.
- 12 I would like to inject here some
- 13 comments from the South River Federation
- 14 riverkeeper, Mr. Jessie Iliff. First, reducing the
- 15 speed of boats traveling on Broad Creek will
- 16 diminish wave energy and thus reduce erosion.
- 17 Apart from presenting a threat to the shoreline of
- 18 private property owners, erosion delivers
- 19 phosphorous laden sediment to Broad Creek, the
- 20 South River, and ultimately the Chesapeake Bay
- 21 contributing to algae blooms and reducing the



- 1 delivery of light to underwater grasses. There are
- 2 two state of the art living shoreline projects
- 3 installed in Broad Creek through successful
- 4 development maybe hindered by unnecessarily intense
- 5 and unnatural wave action. The approval of this
- 6 request will save thousands of dollars in private
- 7 and public investment in these projects, protect
- 8 private property and protect the Chesapeake Bay at
- 9 the negligible cost of requiring waterskier
- 10 enthusiasts to travel a half a mile to the main
- 11 stem of the river to pursue their leisure
- 12 activities.
- 13 Finally, we have seen a proliferation in
- 14 the last four years of nonpowered personal
- 15 watercraft. A cruise up the creek will show just
- 16 how popular stand-up paddleboards and kayaks have
- 17 become. Virtually every waterfront property has
- 18 them. Just a few years ago stand-up paddleboards
- 19 had not been commercialized. Like wakeboarding
- 20 powerboat hulls paddleboard technology has changed
- 21 the recreational use of the waterways. At our



- 1 shared Broadview Estates and Preserve kayak rack we
- 2 have 24 kayaks stored with a waiting lift. As an
- 3 avid paddleboard and kayaker I can attest how
- 4 difficult it's become to navigate the high traffic
- 5 months when the creek is shared simultaneously by
- 6 waterskiers, wakeboarder, tubers, kayakers and
- 7 paddleboarders. Many is the time I have to kneel
- 8 on my paddleboard to avoid being knocked off by
- 9 powerboat waves. And in August while walking my
- 10 dog on a community lane I encountered a clearly
- 11 disappointed nine year old neighbor girl and her
- 12 mother and her mother who gave up time to safely
- 13 watch and paddle their kayaks. She said she was
- 14 prevented from enjoying the creek due to the wake
- 15 from the numerous high speed powerboats and PWCs.
- 16 It just wasn't safe they thought. Relocating the
- 17 buoys will increase the length of the creek where
- 18 paddlecraft can be safely used.
- 19 Thank you again for considering this
- 20 petition. Preventing erosion, promoting the
- 21 ecology of the creek, and enhancing safety are all



- 1 immediate and long-term benefits for moving the
- 2 speed limit buoy downstream. New location will
- 3 mitigate erosion, protect the living shoreline and
- 4 allow nonpowered craft to safely navigate Broad
- 5 Creek while still allowing significant waterway for
- 6 high speed powercraft. It's a wise compromise.
- 7 Please approve the relocation. Thank you.
- 8 THE CHAIRMAN: Thank you. Any questions
- 9 for Mr. Davis? Ms. Allison.
- 10 MS. ALLISON: Are there any marinas
- 11 above where you are proposing to put your speed
- 12 limit?
- MR. DAVIS: We have no marinas.
- MS. ALLISON: You have no marinas so you
- 15 don't have a lot of boat traffic running in and out
- 16 of the river?
- 17 MR. DAVIS: Only skiers, tubers and
- 18 personal watercraft.
- 19 MS. ALLISON: And how many would you say
- 20 were there on average weekend day?
- MR. DAVIS: Well, I haven't sat on my



- 1 deck for a full day and watched them, but it's
- 2 continuous from about 11 o'clock in the morning
- 3 until dark.
- 4 MS. ALLISON: And my last question, are
- 5 there any fairly high speed powerboats or jet skis,
- 6 PWCs, also moored in that creek?
- 7 MR. DAVIS: Yes, many. In fact, most of
- 8 the docks have high speed powercraft and there are
- 9 many PWCs.
- 10 MS. ALLISON: Thank you.
- 11 THE CHAIRMAN: Okay. Anymore questions?
- 12 Thank you, Mr. Davis.
- 13 Anybody else here to speak in support of
- 14 the petition? And again, please state your name,
- 15 first. If you agree with what he said, please
- 16 state it, and let's try to avoid repeating.
- 17 MR. HATCH: My name is Dr. Kent Hatch,
- 18 H-A-T-C-H, I own 2822 Broadview Terrace. I am the
- 19 first -- second property actually -- not in the
- 20 community of Broadview. So where that red line is,
- 21 if you would take right where the arrow it right



- 1 now, I own that point of land there. I spent 30
- 2 thousand dollars putting in rock to stop the wake
- 3 from the boats. The reason I don't have a
- 4 bulkhead, the Corps of Engineers would not approve
- 5 it at the time. So I had been complimented by
- 6 community people, kinda the best of both -- I'm on
- 7 the board of Severn River Association also, but we
- 8 put in rock to stop the wake and we backfilled with
- 9 sand and we put in marsh grass. I have a living
- 10 marsh, it's kind of a neat thing there. But I'm a
- 11 kayaker, rescue scuba diver, don't own a powerboat,
- 12 and also have a canoe, i have had many occasions
- 13 where I have some real -- and from a guy that would
- 14 do rec diving, I'm not afraid of being on the
- 15 water -- I've had some real close calls with
- 16 powerboaters. One of my former patients is a
- 17 retired police officer and he said well, you need
- 18 to call in. How can you do that, they're gone so
- 19 fast. I noticed part of is in enforcement issue
- 20 and I commend the police for helping us on that.
- 21 But any way I'm in favor of the moving the buoy.



- 1 Kind of interesting, right now they have a
- 2 temporary buoy and it has the number, Mr. Grant and
- 3 I talked to, he was very gracious in answering my
- 4 question, but where that buoy is now it's kind of
- 5 interesting, it's already slowing down people. I
- 6 watched the other day, I was playing down by the
- 7 water and a guy came zooming up and stopped real
- 8 slow because they actually think the speed limit
- 9 has been relocated and I'm in favor of this. I
- 10 think everybody needs to enjoy. The question was
- 11 asked the gentleman ahead of me about boats being
- 12 up, on the weekend a lot of people are tied up and
- 13 a lot of people come by and -- I'll try not to wrap
- 14 it up, other people when I talk -- it's interesting
- 15 the present buoy I have seen people coming out real
- 16 fast pulling skiers and tubers and that they go
- 17 around it, that's their benchmark, so they go past
- 18 the marker, make the turn if that's the speed they
- 19 can keep up and then zoom back the other way and I
- 20 have had several close calls myself with people who
- 21 do not stay away from the shoreline. And I think



- 1 that everybody needs to enjoy it. I don't know how
- 2 many of the people that boat on there really live
- 3 there, but I would like to see it moved. I can --
- 4 it's literally right at the boundary of my property
- 5 and my neighbor' and I'm for it and thank you to
- 6 the committee for your help.
- 7 THE CHAIRMAN: Thank you. Standby. Any
- 8 questions for Mr. Hatch? Thank you, Mr. Hatch.
- 9 MR. BAUERSFELD: Good morning, my name
- 10 is Harry Bauersfeld. I live in the Broadview
- 11 community and I have a boat at the Broadview
- 12 community pier and one of the things I would like
- 13 to say I agree with what Bruce said and would like
- 14 to add a few things of my own. If you look at the
- 15 geometry of the creek you'll see between those two
- 16 lines there is a point that sticks out from the
- 17 western shore, that forces everyone to the right
- 18 side, to the east side of the creek, and brings
- 19 them -- although the distance between that point
- 20 and our, our dock is 450 feet, it shoots everybody
- 21 over to the right side and the natural geometry of



- 1 that creek you see on the western shore is that big
- 2 cutout so people just almost regularly come in the
- 3 right, the east side of the creek, skim along
- 4 within, frequently within the hundred foot limit of
- 5 our dock so they can make that big swing to the
- 6 western shore and come back out. So they come in
- 7 the east, they make that big circle right before
- 8 the speed limit sign, and come back out. So
- 9 frequently boats are well within the hundred foot
- 10 limit, regulatory limit.
- 11 The other point that I want to emphasize
- 12 is the increased popularity of wakeboarding. I
- 13 cannot emphasize that enough. The impact studies
- 14 that have been done there do not take into effect
- 15 or take into account the future of boating. The
- 16 wakeboards, I mean wakeboarding, they're putting up
- 17 as big a wake as they can so people can surf behind
- 18 the boats and you will see those wakes that just
- 19 have been a hinderance before now become very
- 20 dangerous.
- 21 My boat, I mean, it is going back and



- 1 forth like you would not believe and the wakes are
- 2 breaking well over the shoreline.
- 3 The only other point that I would like
- 4 to add is -- two points. One, there are no major
- 5 marinas that we will be inhibiting people or
- 6 slowing a lot of people down across this area, and
- 7 also the closeness to the South River itself, and
- 8 approximately two miles further upstream there is a
- 9 designated area for skiing and this kind of
- 10 activity that is very close to what people are
- 11 using here. This is the only creek that I'm aware
- 12 of that skiing is allowed on the South River and,
- 13 you know, I think for the size of the river it's
- 14 appropriate not to have that kind of activity.
- 15 Thank you.
- 16 THE CHAIRMAN: Any questions? Thank
- 17 you, sir.
- MR. ECHAVARREN: Good morning, my name
- 19 is Daniel Echavarren. My wife and I live in
- 20 Broadview Estates, I'm also the chairman of the
- 21 Waterfront Committee for Broadview Estates, which



- 1 really just means I'm responsible for dock
- 2 maintenance. We keep two boats on lifts at the
- 3 marina there and my experience has been that on the
- 4 weekends we effectively can't take out at least a
- 5 sailboat. You cannot take it out of the lift
- 6 because of the frequency of boats going by and
- 7 putting up big wakes. It's not the waterskiers. I
- 8 spent, you know, my youth waterskiing on the South
- 9 River, although I don't ever remember coming into
- 10 that creek to do it. When there is no speed limit
- 11 no boat is limited in its speed and we have big
- 12 boats coming up and making turns there, as Harry
- 13 just said, and putting up a huge wake into our
- 14 marina. It would benefit me greatly and allow me
- 15 to use my boats on the weekend if the speed limit
- 16 was six miles an hour. Thank you.
- 17 THE CHAIRMAN: Thank you. Mr. Marsh.
- MR. MARSH: Where is your home on the --
- 19 where do you live there? Point that out.
- 20 MR. ECHAVARREN: On the chart?
- 21 MR. MARSH: Yeah.



- 1 MR. ECHAVARREN: Our house is, our house
- 2 is right here. I think this is our house right
- 3 here, and the path to the marina is like this.
- 4 MR. MARSH: Where do you keep your boat?
- 5 MR. ECHAVARREN: Right here. I have one
- 6 on the outside and one on the inside.
- 7 THE CHAIRMAN: His boats are at the
- 8 marina, Coles.
- 9 MR. ECHAVARREN: It's at the marina. I
- 10 have a 42 foot Trawler, but I don't keep it there.
- 11 THE CHAIRMAN: Anymore questions? Thank
- 12 you, sir.
- Okay. Anybody here to speak against the
- 14 petition for Broad Creek? Is there any one point
- 15 person or any spokesperson for the group? Seeing
- 16 there is no spokesperson for the group, again,
- 17 please limit your comments to three minutes,
- 18 please.
- 19 MR. TANG: Daniel Tang, I'm a boater,
- 20 waterskier and wakeboarder and wakesurfer and have
- 21 been doing all the watersports here since probably



- 1 '86. I am out here every weekend, you know, there
- 2 is a pro and con, yes and no, maybe for maybe why
- 3 you do see maybe more waterskiing and wakeboarding
- 4 on this river, it's just the tremendous popularity.
- 5 We've been given some tasks to speak for Annapolis
- 6 Watersports who is a MasterCraft dealer. We had to
- 7 go to New Jersey to buy our MasterCraft because
- 8 there was no dealer in this area. But, you know,
- 9 we're here partly to advocate that we would like to
- 10 continue to waterski and wakeboard, wakesurf, on
- 11 this river and with some of the changes in the
- 12 upper end of the river where it's limiting it to
- 13 just to this course you probably seen more traffic
- 14 over here because you cannot go over and
- 15 recreationally ski outside of that course. And
- 16 everybody who is a beginner wakeboarder,
- 17 waterskier, looks for glassy water. We might be
- 18 pushed to this river because of the wind direction.
- 19 The boat traffic is usually too much to try to
- 20 comfortably waterski, but because of these changes
- 21 that have occurred over the last year to two in the



- 1 upper part of the South River then where are we
- 2 forced to learn, take our kids, is into this area
- 3 where it may be a little bit calmer. Yes, there is
- 4 some areas you can turn a boat, you can get it
- 5 through safely. You can't go with a waterskier too
- 6 close to those docks because it's obviously too
- 7 dangerous, but then you're crisscrossing either
- 8 people pulling inner tubes, bigger boats go in and
- 9 out and you don't have the condition to enjoy that
- 10 type of sport and in this river it's probably not
- 11 ideal for the wakesurfing which we usually will
- 12 sink our boats, add ballast and create some waves,
- 13 it's just not deep enough, you need 10 feet of
- 14 water to create acceptable wake behind to be able
- 15 to surf behind it. Just know my appreciation and I
- 16 have reviewed the minutes of these committee
- 17 meetings and so the other sports that are available
- 18 to us nowadays. The retailer for the MasterCraft
- 19 can't -- a big selling point of this river is to be
- 20 able to go out and enjoy the boats that have been
- 21 created by these, by MasterCraft. And if you start



- 1 limiting access in these ways then you're going to
- 2 effect a big contributor to the economy here.
- 3 That's one of the reasons I located to the South
- 4 River is to be able to access these particularly
- 5 unique areas that we can enjoy waterskiing and
- 6 watersports. It dovetails a little bit into the
- 7 main area because they're trying to apply the same
- 8 rules that are there to the South River, which I
- 9 think is a totally more unique area where there is
- 10 not many homes and things like this, so that's why
- 11 this area becomes more boat traffic. I would have
- 12 no problem shutting it down to six miles, but again
- 13 if you close out another place where else are we to
- 14 go? You can't go out into the main part of the
- 15 river, it's just too much boat traffic and, you
- 16 know, somebody drops off the line, you know, a
- 17 young child, then you have to contend with somebody
- 18 pulling an inner tube behind you or just the
- 19 general boat traffic in general so there is a huge
- 20 safety area there.
- 21 This is a protected area, you know,



- 1 years ago when I was doing the boats I thought that
- 2 there was -- I was looking at property and there is
- 3 a lot of turnover and I thought well, it's because
- 4 at six, seven clock somebody is a running a boat
- 5 back and forth and it's like a canyon there and the
- 6 sound shoots up and who would want to live along
- 7 that area because it gets amplified. I can
- 8 understand people wanting a slower wake. I don't
- 9 think these boats create that much damage and, you
- 10 know, how many people are -- how many on the
- 11 weekends that we see doing these sports is probably
- 12 less than a dozen people at any given time doing
- 13 these kinds of sports so the volume is not
- 14 excessive really as you would kinda think. So
- 15 every weekend for the summer for the last 30 years
- 16 I have been out there, it's not like it's 9 to 5.
- 17 Thank you.
- 18 THE CHAIRMAN: Hold on. One second.
- 19 Questions?
- 20 MS. CRAIG: Can you clarify that when
- 21 you're doing the wakesurfing and that sort of thing



- 1 that you need deeper water for that?
- 2 MR. TANG: Yes. You sink the boat
- 3 because it has an internal ballast, you can
- 4 increase the boat weight to about two thousand
- 5 pounds and you offset it to one side so that the
- 6 weight, plus going at 10 miles an hour, you're not
- 7 creating a wake or a surf going 20 miles an hour,
- 8 so it's a very slow speed. Yes, it does generate a
- 9 wake, but you need it to be able to kind of
- 10 somewhat come up, back up, and you can't do it in
- 11 the back area unless -- in the five, four, six feet
- 12 of water you won't get an acceptable wake to be
- 13 able to surf.
- MS. CRAIG: You're saying that you can't
- 15 do it in the yellow line back which is six miles an
- 16 hour or from the red line back?
- 17 MR. TANG: You could do it coming up
- 18 from the mouth, the mouth there. You can go up to
- 19 the yellow, it's deep enough, but again it's, you
- 20 still, you can't desirably get a wake and then you
- 21 have to turn around so it's better to do it out in



- 1 the main part of the river.
- 2 MS. CRAIG: Thank you.
- 3 THE CHAIRMAN: Any other questions?
- 4 Thank you, Mr. Tang. Next.
- 5 MS. EMERT: Hi, my name is Melissa
- 6 Emert. I'm a waterfront property owner in
- 7 Broadview as well and we're at 2818 Broadview
- 8 Terrace. We have lived there 19 years, moved there
- 9 because of Broad Creek primarily and we've boated,
- 10 my husband and I, about 25 to 30 years and now we
- 11 currently have two young children who enjoy the
- 12 water sports. I have an eight year old and a 14
- 13 year old, we tube, and Broad Creek presents a nice
- 14 safe area for when kids fall off -- and we're now
- 15 teaching how to waterski. My 14 year old daughter
- 16 waterskis and again Broad Creek just presents a
- 17 safer environment than having to be forced out on
- 18 the river. And in moving -- we currently live
- 19 about where the red line is right around there. I
- 20 believe in my opinion moving the speed limit there
- 21 would take away two safe turnarounds. When I drive



- 1 the boat I'm very careful with my kids and utilize
- 2 those and so in my opinion it would be a disservice
- 3 to how we use the creek. And also in addition
- 4 to -- so we have a 19 foot ski boat and also a 29
- 5 foot cruiser, which we don't take up and down very
- 6 fast, that's mainly for the river, but we also own
- 7 two kayaks and a paddleboard and if my eight year
- 8 old knows how to stay on the paddleboard close to
- 9 shore I think that most people can get that idea to
- 10 give the right-of-way to the faster boats, and I
- 11 guess that's it.
- 12 THE CHAIRMAN: Thank you. Any
- 13 questions? Thank you, Ms. Emert.
- 14 Again, we want to make sure that
- 15 everybody gets a chance to speak. If we can make
- 16 it very brief or we'll have to have a very long day
- 17 here.
- 18 MR. LINDBERG: I'm Gunner Lindberg, I'm
- 19 a boater in this area since the age of six, got my
- 20 license at 12 so that now means I have been
- 21 operating a vessel in this exact area in the South



- 1 River for 25 years now. Yes, there is an increased
- 2 popularity of, you know, wakeboarding and
- 3 wakesurfing, waterskiing, that's my primary focus
- 4 down in the South River. I'm primarily against
- 5 this change due to the fact that we're slowly
- 6 getting pushed out further and further into the
- 7 open water. The designated ski course now has
- 8 limited hours of operation. You can only be in
- 9 there using the ski course, you know, you need to
- 10 have your designated sticker, which we now have,
- 11 because we have to have an approved boat for that;
- 12 however, by pushing us out of the ski course during
- 13 certain hours of the day now forces us into more of
- 14 these calm areas and like Dr. Tang said we can't
- 15 really wakesurf back there, it's not deep enough.
- 16 You need more water to suck up and create that
- 17 wake, but the wakeboarders and waterskiers we do
- 18 want that calm water and that is a nice piece of
- 19 calm water; however, at the same time we do respect
- 20 the property owners and stay away from the property
- 21 lines and watch for other traffic. But this is



- 1 twofold, it's a give and take. It seems like
- 2 you're talking away more of our designated ski area
- 3 and our wakeboard area as well. I mean the ski,
- 4 the ski zone is now only for skiers, again, certain
- 5 hours of the day. You know, this is -- and like
- 6 the property owner said this is a growing, you
- 7 know, wakeboarding is becoming extremely popular
- 8 and this is not, this does not bode well for our
- 9 sport and the environment of this water, you know,
- 10 I've had the same experience on this water. Like I
- 11 said since I was six years old, I had a boat at
- 12 Liberty Marina, at Oak Grove, my parents had a boat
- 13 since I was a child, and just recently have seen
- 14 too many changes that are going against everything
- 15 that I have done on this stretch of the water. So
- 16 thank you.
- 17 THE CHAIRMAN: Thank you, any questions?
- 18 Thank you.
- MR. GELB: Hello committee, my name is
- 20 Ira Gelb. I'm a boat owner, a waterskier, and I do
- 21 wakesurf as well, and I have three kids, my wife



- 1 waterskis, we have been doing this for about 10
- 2 years now on the South River. The designated ski
- 3 area that we have been using primarily for years is
- 4 a wonderful place, really no homes to speak of that
- 5 you're bothering and it's a nice enclosed area;
- 6 however, this year that was shut off for all
- 7 recreational skiing. Now, I'm a previous slalom
- 8 skier, I can do the course, but my kids and my wife
- 9 can't do the course. They can go through the
- 10 course, but they're not course skiers. The new
- 11 rules are that you can't ski in that area which is
- 12 probably the only safe area unless you're skiing
- 13 through the course and I was out there with my
- 14 family, it was a new thing -- most people don't
- 15 even realize the change. A lot of people still
- 16 flying through there with tubes all season not even
- 17 realizing there was a change. I was in there, I
- 18 knew the change, I was doing the course, the police
- 19 came and I was finishing, it was two minutes to 12,
- 20 and they said good thing you stopped, we were going
- 21 to ticket you in two minutes, at noon. So the



- 1 course is shut for everyone at noon and on. The
- 2 only time you can ski is from, I guess, 6 a.m. to
- 3 12. So I then tried to ski with my family out in
- 4 the, in the rest -- in the main, in the open area,
- 5 and about every two minutes a 30 foot boat came by
- 6 throwing big wakes, tubers. You cannot waterski,
- 7 you cannot wakesurf. I don't wakesurf, you can't
- 8 wakesurf, you can't definitely waterski. I know
- 9 I'm getting off the Broad Creek, okay, I'll get
- 10 back to it. The Broad Creek issue there is more
- 11 people in Broad Creek to some extent because they
- 12 can't ski in the waterski zone so I'm going to say
- 13 that waterski zones needs to be changed so that
- 14 less people in Broad Creek. I will also say I've
- 15 been skiing there, I ski during the week, in the
- 16 evening and on the weekends and in the evening and
- 17 the number of people that I see waterskiing in
- 18 Broad Creek -- and I'm there all different days of
- 19 the week -- is very small, it's a little overblown,
- 20 but still it does get unsafe if there is two people
- 21 skiing at the same time. The waterski area one



- 1 person at a time allowed to ski all day with -- I
- 2 think you're talking about safety issue and about
- 3 that other thing, this is a real safety issue when
- 4 you're waterskiing and you have a kid on the end of
- 5 a line and there are 30 foot boats and tubers going
- 6 at the same time that's extremely unsafe and that's
- 7 how someone gets killed and I think that designated
- 8 ski area at the end of river needs to be open all
- 9 day with rules.
- 10 THE CHAIRMAN: Okay, please. We're
- 11 talking about Broad Creek and let's wrap it up.
- MR. GELB: Thank you.
- 13 THE CHAIRMAN: Thank you. Any
- 14 questions? Hearing none, next, please.
- 15 MR. HARE: I'm Paul Hare and I live
- 16 currently in the Glen Elk community which is down
- 17 like where Goose Island is written there and I'm a
- 18 competitive and recreational waterskier and I've
- 19 been using the upper South River since the late 80s
- 20 and I would like to add my agreement with what the
- 21 other gentleman said in that mostly that closing



- 1 another area of the South River is going to push
- 2 the skiers out into the main body of the river and
- 3 like I said I live in the Glen Elk community which
- 4 is our beach is right there where the land, island
- 5 is written on Goose Island. I'm often down at the
- 6 beach and I have seen dozens of boats out there
- 7 already on -- especially on weekends, especially --
- 8 probably more than 50 percent with a tow line
- 9 behind so closing another area is just going to add
- 10 more congestion to the rest of the river. And like
- 11 it was mentioned before the ski area is now pretty
- 12 much closed to recreational skiers currently as of
- 13 this year anyway. And I would also like to add,
- 14 you know, I heard a lot of concerns about erosion
- 15 and, you know, like I said I'm right there where
- 16 the Goose Island is and I have seen, you know, 30,
- 17 40 foot boats go up and down the river there, which
- 18 is not much wider than Broad Creek and, yeah, they
- 19 throw big wake but in my experience I have seen our
- 20 beach erode and I believe that much of that erosion
- 21 is due to the high tides that come in not



- 1 necessarily the boats and the waves.
- THE CHAIRMAN: Well, we're well-versed
- 3 on erosion and what causes it. We see that year
- 4 after year.
- 5 MR. HARE: That's all. Thank you.
- 6 THE CHAIRMAN: Thank you. Any
- 7 questions? Thank you, sir.
- 8 MS. WYMAN: My name is Lynne Wyman
- 9 (phonetic) and I'm a property owner on the South
- 10 Haven on the other side of the river right where
- 11 that red line is, that's opposite my dock, and we
- 12 have been living here for since 1982, for over 30
- 13 years now. We saw in the 80s a massive congestion
- 14 with people skiing and all of the problems that
- 15 occurred, that has dropped significantly in the
- 16 last 30 years. We barely have 10, 12 boats on the
- 17 weekend. Speed is not an issue, they're not
- 18 driving next to the docks, they're not causing
- 19 problems with the boats. Erosion, yes, we had
- 20 problems 30 years ago. We put in a bulkhead. We
- 21 still have erosion, more from storms than we do



- 1 from waterskiers. What we're doing in that picture
- 2 is you are eliminating half of the ability to use
- 3 that river for recreational purposes, whether it's
- 4 waterskiing, jet skiing, anything, it drops it all
- 5 down. We are eliminating water for the whole
- 6 reason why people come to Annapolis, which is a
- 7 yachting area, to use the waters of this area for
- 8 recreational purposes and for commercial and
- 9 business purposes and we are allowing people to
- 10 take those rights and abilities away from us and
- 11 you're taking away half of the ability for people
- 12 to use that river. And I live right there, I'm
- 13 right there, we have the problems with the erosion,
- 14 but that's not a reason to turn around and take
- 15 away people's ability to use the water as they see
- 16 fit. Eliminating them to six miles an hour
- 17 eliminates more than two-thirds of that river, that
- 18 creek, for commercial, I mean for recreational
- 19 purposes and I just think that's wrong. Any
- 20 questions?
- 21 THE CHAIRMAN: Thank you. Any



- 1 questions? Thank you. Next.
- 2 MR. RICE: Eric Rice (phonetic), I live
- 3 in Broad Creek and I have lived there for 19 years,
- 4 I have two boats in the marina. I have one of only
- 5 three boats that sit in the water, every other boat
- 6 in the marina is on a lift. Not one time in my
- 7 life have I not been able to get my wakeboard or
- 8 ski boat out from the thing. This is not a very
- 9 congested creek when you compare it other places.
- 10 I was just up in Deep Creek Lake, that's crazy. If
- 11 they only knew how good they have it here. And I
- 12 understand their concerns about the environment and
- 13 I appreciate what they're trying to say. So there
- 14 is not a marina problem, there's not a speed
- 15 problem. I have been kayaking my entire life,
- 16 white water and sea kayaking, I surf in waves in
- 17 the ocean, I do stand-up paddleboarding in big
- 18 waves in California. You shouldn't be out on a
- 19 kayak if you can't get through a little bit of boat
- 20 wake and I appreciate people going out and, you
- 21 know, if something would happen, but there is



- 1 plenty of room for everybody. In the whole back of
- 2 the creek is where the best kayaking would be, but
- 3 not that they can't come out. Most of the kayakers
- 4 stay on the shore and go in. In the entire time I
- 5 have lived there I have never seen a close call, an
- 6 accident or anything like that. Everybody who
- 7 moved into Broad Creek, most of the people who
- 8 signed the petition are not boaters, many are, and
- 9 they live on the water, but I have 20, 30 people
- 10 just in the area that I can represent that asked me
- 11 to talk for them that do use the creek. What is on
- 12 that creek are kids, grandparents and families,
- 13 that's it. Some wakeboarders, it's not even a lot
- 14 of wakeboard boats. It's mainly stern drives,
- 15 center consoles. A lot of people aren't even going
- 16 fast, they're putting up around there. Most of the
- 17 people who wanted to stay this way, a lot, we have
- 18 kids. That's the reason we want it to stay, we
- 19 want to go down to the pier and watch the kids, we
- 20 don't want to have to go out in the middle. There
- 21 are some real safety reasons of going out. When



- 1 you hit the South River anytime after 2 o'clock if
- 2 the sun is shining you cannot see the people on the
- 3 water. There is a glare right across. As soon also
- 4 make the turn, the water is right in your eyes and
- 5 there is a lot of 30, 40 foot boats, you know,
- 6 maybe not 40, the bigger boats are coming down the
- 7 channel so you have to pull up. Broad Creek is
- 8 perfect for safety to go up one side and three or
- 9 four boats at a time could be there and make a
- 10 circle and come back. I have a 34 foot boat in the
- 11 water, I tie it up correctly, never once had any
- 12 problem with waves. My boat's in perfect shape for
- 13 10 years. I just don't -- I don't get the whole
- 14 thing to be quite honest with you. Nobody was
- 15 asked down most of the one side of the creek, this
- 16 was just kind of put in and here we go.
- 17 THE CHAIRMAN: Okay. Any questions?
- 18 Thank you, sir. Anymore? Next.
- MR. CHANDONAIT: Hello, my name is Peter
- 20 Chandonait, C-H-A-N-D-O-N-A-I-T, and I live at 2814
- 21 Broadview Terrace and I am a new boater and I



- 1 probably have some skills to learn, but even with
- 2 my inexperience I haven't had any problem on the
- 3 creek as far as any close calls or any accidents so
- 4 even for an inexperienced boater, I don't see any
- 5 safety hazard there. I do have a child who likes
- 6 to tube, we have guests that like to tube, I'm not
- 7 really risk-averse but I don't like taking my
- 8 children out on the South River to do tubing there
- 9 and part of the reason is because as other people
- 10 have said the big boats that are going by. Another
- 11 part of the reason is that there are a lot of jet
- 12 skis there and on occasion I had jet skis trying to
- 13 jump my wake while I had a child I was towing
- 14 behind and God forbid the child falls off of the
- 15 tube and there could be some close calls and some
- 16 bad accidents due to that. I also think that
- 17 changing the speed limit is going to affect my
- 18 property values. Recently I moved here from
- 19 Massachusetts just because of Annapolis. I've
- 20 loved Annapolis all of my life but finally had an
- 21 opportunity to come here, you know, spent a



- considerable amount of money to buy a property and 1
- 2 I really think the property values would be
- decreased if this speed limit should be put in 3
- 4 place. Other than that, I agree with, you know,
- other people that have spoken and their concerns 5
- about lowering the speed limit. 6
- 7 THE CHAIRMAN: Thank you, sir. Any
- questions? 8
- (Discussion held off the record.) 9
- 10 THE CHAIRMAN: Ma'am, no questions from
- 11 the audience.
- 12 Thank you, sir. Anybody else to speak
- 13 against the petition for Broad Creek? We're going
- to break for lunch for the committee. 14 It is 20
- 15 after 12, I would like to make a quick lunch and
- 16 try to be back in 45 minutes, half an hour.
- 17 (Discussion held off the record.)
- 18 THE CHAIRMAN: Keep going. We're going
- 19 to keep going. We're going on to Maynadier.
- 20 Mr. Grant.
- 21 MS. CRAIG: We're going to have a five



- 1 minute break.
- 2 (Pause in the proceedings.)
- THE CHAIRMAN: Okay. Actually, before
- 4 we start on Maynadier -- it was my mistake -- I
- 5 forgot to call Corporal Martin up for Broad Creek.
- 6 Corporal Martin.
- 7 CORPORAL MARTIN: Good afternoon, I'm
- 8 Corporal Martin with the Maryland Natural Resources
- 9 Police, I'm assigned to the Broadneck office which
- 10 covers the South River. I looked at our CAD
- 11 system, our reporting system, and I could only find
- 12 a few incidents that weren't -- or after 2014 and
- 13 those consisted were a couple of abandoned and
- 14 sunken vessels and commercial fishing inspections
- 15 and two complaints of speeding vessels. And I have
- 16 stopped a jet ski at least once going through the
- 17 creek too close to a dock. And other complaints, I
- 18 think one complaint of a wake hit a vessel at a
- 19 dock. And during my survey I interviewed a number
- 20 of either people who had a vessel on a community
- 21 pier there or people who owned waterfront property



- 1 and inquired whether they were interested in
- 2 expansion and in this case the desire to expand the
- 3 speed, people who owned the property or the owned a
- 4 vessel there were five versus three for
- 5 nonexpansion and the principal concern seemed to be
- 6 wake caused by the towing vessel and in my
- 7 observation I haven't seen more than couple of
- 8 vessels at a given time going through the area.
- 9 It's never a situation 20 or 30 boats. It's one or
- 10 two or three boats and/or jet skis. And I talked
- 11 to also people who just use the creek who don't own
- 12 property there, either they're anchored out in the
- 13 area that's presently the speed zone rafted up
- 14 together or they're motoring through the area and
- 15 in that instance approximately eight of them did
- 16 not want the zone expanded and four for the
- 17 expansion and there is lot of sport crabbing and
- 18 some commercial fishing activity on the South River
- 19 and there is a lot of jet ski and waterskiing and
- 20 water sledding out in the main part of the South
- 21 River heading up towards the top of the correct.



- 1 But in Broad Creek it's really not that much, but
- 2 there are jet skis that do operate in that area and
- 3 waterskiers and water shredders and whatnot.
- 4 That's about 50 vessels I'm guessing approximately
- 5 in that community there and there is only that one
- 6 community group hearing. And in my survey it seems
- 7 like there is a close split between expansion and
- 8 nonexpansion, 9 for expansion and 11 for
- 9 nonexpansion, people I interviewed. And generally
- 10 the way I interviewed if somebody was on a raft or
- 11 boat I would ask the boat owner of the vessel what
- 12 their thoughts were. I wasn't taking a vote, I was
- 13 just asking in that group what are your thoughts
- 14 about expansion or nonexpansion and see if they
- 15 were aware of the request for the expansion and
- 16 explain what I understood about it. So from my
- 17 perspective -- and it's really up to the committee
- 18 and people that testified -- in my instance it can
- 19 go either way. We get additional complaints about
- 20 speeding vessels if we expand the speeding zones
- 21 and then we'll get a complaint about jet skis or



- 1 waterskiers too close to the dock and we'll respond
- 2 to that and if we locate them, we'll site them.
- 3 But otherwise it really shouldn't affect our
- 4 patrols that much.
- 5 THE CHAIRMAN: Thank you Corporal
- 6 Martin. Any questions from the committee? Ms.
- 7 Bergen Smith.
- 8 MS. SMITH: Yes. Corporal, I would like
- 9 to ask you if this zone was extended would there be
- 10 other areas of flat water protected for the kids,
- 11 et cetera, et cetera, like the people are talking
- 12 about, that these skiers do congregate, or is that
- 13 kind of it for the upper reaches of the South
- 14 River?
- 15 CORPORAL MARTIN: A lot of people
- 16 actually do go up the South River beyond the Riva
- 17 Bridge, up towards the designated ski zone area,
- 18 there is a lot of skiing activity there. As a
- 19 matter of fact, in instances there is a lot more in
- 20 the weekend out in the main part of the Severn
- 21 River than there is in Broad Creek. But there is



- 1 activity in Broad Creek too. And beyond that, as
- 2 you get further down the South River, Glebe Bay and
- 3 some of those other areas on the weekends a lot of
- 4 those are closed but during the week they might be
- 5 open.
- THE CHAIRMAN: Any other questions?
- 7 Thank you, Corporal. Appreciate it.
- 8 And real quick, I want to speak to the
- 9 speed zones, I mean the ski zone up at the end of
- 10 South River. We were made aware, the committee was
- 11 just made aware, there may have been an inadvertent
- 12 change in that area. The committee had gone and
- 13 looked at all of the ski zones, the ski areas,
- 14 about a year and a half ago and made some broad,
- 15 broad changes, but we believe there might have been
- 16 an administrative change. We're going to go back
- 17 and look at that ski area and see if we can find
- 18 out what the true reg is and then make sure, you
- 19 know, that it's setup properly. So there may be,
- 20 there may be an inadvertent error in that area.
- Okay. All right. Maynadier Creek.



- 1 (Discussion held off the record.)
- THE CHAIRMAN: Mr. Grant is going to,
- 3 Mike Grant is going to --
- 4 MR. GRANT: We are reviewing this at our
- 5 own request. Basically what Chris said, that we
- 6 made some broad changes and perhaps it has to be
- 7 looked at again.
- 8 This first slide gives you the
- 9 approximate size of the area, the beginning of the
- 10 six knot zone for the whole creek, and then the
- 11 approximate width and length of Maynadier Creek
- 12 itself. This is the realignment of the course. We
- 13 are not talking about that today so people that
- 14 came to speak on the realignment this is not the
- 15 issue. We're talking about the time frame when
- 16 you're allowed to ski, but I only put this up as a
- 17 representation. This is the actually ski zone,
- 18 this is the course within the zone, so this area
- 19 here. This is the original Maynadier controlled
- 20 ski course in the Severn River Management Plan.
- 21 The restrictions, ski course open Monday through



- 1 Thursday noon to sunset, closed March 15th through
- 2 June 15th. In the 2015 regulations, these are for
- 3 all controlled waterski areas, person shall not
- 4 operate or give permission to operate a vessel for
- 5 the purpose of towing a waterskier on the slalom
- 6 course on Saturdays, Sundays and state holidays
- 7 between 12 and sunset during the months of June,
- 8 July and August. And again, this course is for
- 9 practice only. There are no tournaments allowed
- 10 unless you get a special permit from any number of
- 11 different state agencies.
- 12 (Discussion held off the record.)
- 13 MR. GRANT: Anyway. These, I took this
- 14 from the large letter that the committee received.
- 15 This is a comparison of the original operating
- 16 hours and the new operating hours. Part of the
- 17 consideration, or concern from the residents is
- 18 that originally 34 hours and now 84 hours that the
- 19 skiers now have the majority of the time to use the
- 20 course as opposed to people that would just as soon
- 21 kayak or other recreation. We had 32 people



- 1 opposed to the new regulation and 11 in support.
- 2 THE CHAIRMAN: Okay. Any questions for
- 3 Mr. Grant from the committee?
- 4 All right. We're going to move to the
- 5 petitioner for this. And again, for everybody in
- 6 the audience the alignment of the course falls
- 7 under the Army Corps of Engineers so we have
- 8 nothing to do with the alignment of the course. We
- 9 are talking about the hours, available hours for
- 10 skiing on the course. So the petitioner.
- 11 MR. EVANS: Thank you, committee. My
- 12 name is Peter Evans. I'm a boater and user of
- 13 Maynadier Creek and also a resident that lives
- 14 there on the creek. I am one of several people
- 15 that have gotten some folks organized to express
- 16 concerns that we have about the change in the hours
- 17 of operation for the creek and obviously the
- 18 alignment, but we won't talk about that today. I
- 19 represent really sort of a broad swath of people.
- 20 We have boaters that live nowhere near the area
- 21 that have signed letters and sent them into Mike



- 1 and the DNR, they're from the South River, Back
- 2 Creek, all around the Severn River, and certainly
- 3 some folks that are in the community that
- 4 immediately surrounds the creek. We also have a
- 5 member of the Severn River Association that is here
- 6 and that will be talking, talking on our behalf, so
- 7 we've reached out to them as well as the different
- 8 communities around the area. Our county
- 9 Councilman, Chris Trumbauer, has been engaged as
- 10 well. He was intending to be here, but couldn't.
- 11 He made sure that he wanted me to tell you that he
- 12 supported the petition that we have here to reverse
- 13 the decision about the hours of operation. Okay.
- So let me get into a little bit of the
- 15 specifics and again, just focus on the hours
- 16 because that's the topic that will be discussed
- 17 here today. Maynadier Creek is a little bit of
- 18 unique creek in a lot of ways. It's a six mile an
- 19 hour creek from the minute you come into it from
- 20 Round Bay.
- 21 Mike, could you put the overhead shot



- 1 back up that you have? No, this is good. This
- 2 will be fine. This is something I took from a NOAA
- 3 website, this is a screen shot. This gives you an
- 4 idea of Maynadier Creek, part of what makes it
- 5 unique is that most creeks narrow as you come in,
- 6 this is a wide creek that almost looks like a lake.
- 7 As such, it's a very popular place for people all
- 8 around the Annapolis area to come and raft up.
- 9 Over the years it has had the nickname cocktail
- 10 cove because people come and raft up and enjoy a
- 11 cocktail in the evening, I have heard other's refer
- 12 to it as swimming hole because they like to come
- 13 and drop anchor and let their kids swim off the
- 14 back of the boat so it is one of the more popular
- 15 spots for people to come on the Severn River
- 16 because it is shallow, protected, it is wide, and
- 17 it's a six mile an hour creek. Okay. As a result
- 18 of that we have a huge number -- or had, past
- 19 tense -- to some degree a huge number of
- 20 paddleboarders that come into the creek, kayakers,
- 21 rowers. Just a couple of weeks ago we had an 18



- 1 sailboat raft up in the back that spent the night.
- 2 It is sort of known within the sailing community as
- 3 a great place to come and enjoy a calm, protected
- 4 environment. Okay. And then there is also
- 5 fisherman, there is crabbers that go out there with
- 6 three hundred foot trout lines and be back there
- 7 all day doing fishing. So there is a -- almost the
- 8 entire cross section of people that boat use this
- 9 creek and use it on a regular basis. So the change
- 10 that Mike showed up there is really the issue that
- 11 we are concerned about. So for 25 years there is
- 12 an original permit put in place that as I
- 13 understand it, I was not there, it was a bit of
- 14 contentious negotiation back and forth between the
- 15 communities surrounding the creek and the U.S. Army
- 16 Corps that ultimately resulted in them allowing to
- 17 put in a restricted use course. I've passed out
- 18 copies of that regulation, and I think you may have
- 19 it, but those regulations specifically as a
- 20 compromise to people that wanted to use the creek
- 21 beyond just the slalom skiers created a restricted



- 1 use course, Mondays through Thursdays noon to
- 2 sunset, period, that's it. That adds up by my
- 3 calculation to 30, about 34 hours a week assuming a
- 4 normal, you know, day in the summertime. That has
- 5 been increased to 85 hours based on the change in
- 6 this regulation. And the thing we object to and
- 7 the thing that we think needs to be reversed is
- 8 that has effectively turned over the ownership of
- 9 the creek to the waterskiers. Being in the creek
- 10 while the waterskiers are there is not conducive,
- 11 they can't coexist very effectively with the skiers
- 12 there, and it changes the total nature and the
- 13 characteristic of the cove and creek when they are
- 14 there.
- The original, if you look at, it
- 16 looks -- here this is, up here. So the original
- 17 percentage of daylight hours that the course is, or
- 18 the creek is effectively given to the skiers is
- 19 about a third of the time. Now, honestly in my
- 20 opinion that seems like a lot for such a small
- 21 constituent group considering how many people want



- 1 to use the creek, but for 25 years it was 33
- 2 percent of the time. This regulatory change took
- 3 the number of hours to almost 85 hours and that
- 4 represents 83 percent of the daylight hours that
- 5 the slalom skiers can come back and ski the course.
- 6 While they're there -- if you haven't been to the
- 7 creek, it's a quiet and protected creek -- when the
- 8 ski course is in use it's like a drag strip running
- 9 through the middle of what is otherwise a six mile
- 10 an hour creek. It's different from the other
- 11 issues that we talked about because it's really one
- 12 of the few creeks out there that is a fully, one
- 13 hundred percent of time, a six mile an hour creek
- 14 that just so happens to have a drag strip running
- 15 through the middle of it.
- 16 Now, we have talked from time to time to
- 17 the members of ski club and they have said as an
- 18 example well, that may be true but we're not really
- 19 there that often. I would argue if we took the
- 20 full year and narrowed it to the boating season in
- 21 Maryland that's maybe four months, from mid May to



- 1 mid September, the percentage of time that they're
- 2 there skiing is high when you look at that narrow
- 3 group. No one is using the creek in January
- 4 because it's frozen. When you narrow that further,
- 5 you take out rainy days and hurricane days and all
- 6 the rest, the percent goes higher still and if you
- 7 really look at kind of the prime time that people
- 8 want to use the creek, which is in the evenings, on
- 9 the weekends and in the mornings, odds are better
- 10 than not you're going to have a ski boat out there
- 11 skiing in the creek. So I have seen and sort of
- 12 monitored this over this last year after this
- 13 change has been made. My unscientific opinion
- 14 because I live right on the creek so I can see all
- 15 of this happen is the course use is up maybe two or
- 16 three hundred percent from the way it has been over
- 17 the last couple of years, but my unscientific
- 18 opinion too is the usage of the creek by everybody
- 19 else has fallen precipitously, maybe as much 50
- 20 percent. Boats don't really come up and raft up
- 21 back there, there's very few paddleboarders are



- 1 back there anymore. On the rare occasion that they
- 2 are -- with one exception, when the ski boats show
- 3 up, you know, the other people leave. The rafter
- 4 uppers pull up their anchor and they leave. There
- 5 was one exception a while back and that was a boat
- 6 left there by its owner and it was anchored, the
- 7 skiers came and skied and it pulled the anchor up
- 8 and boat drifted across the creek and almost ran
- 9 aground. It was interesting because that was one
- 10 of the few times I have seen a scenario where the
- 11 other people don't leave the creek.
- 12 Okay. I think the biggest problem
- 13 really is that based on the nature of the creek all
- 14 of the other users can coexist. You know, kayakers
- 15 can coexist with paddleboarders, with rafter uppers
- 16 with all of the rest. When the drag strip is in
- 17 force there no one can coexist so in effect the
- 18 ownership of the creek is turned over to the skiers
- 19 and at this point now 83 percent of the time. Now,
- 20 are they there 83 percent of the time, no, but it's
- 21 increased significantly and the problem is and the



- fact is that they can be there, this regulation 1
- 2 allows it. Okay.
- The last thing -- Mike, if you can go 3
- 4 over to the slides I provided. So that slide --
- just to give you a sense too -- so Maynadier Creek 5
- is a wide creek, but as you know it says here it's 6
- a navigable area of the creek that's safe for boats 7
- to travel. If you go out to the outskirts of the
- 9 creek, it's not so safe.
- 10 Mike, go to the next one. When we put
- 11 the course across -- and actually go forward one
- more, okay. This is the submission of the permit 12
- from the ski course that really shows the location 13
- 14 of the course, and I think Mike had it as well.
- 15 And if you go back one more, please, Mike.
- 16 The only other concern we have is a
- 17 safety concern. With the boats presence as they
- 18 ski -- and for those don't know the run takes 30 or
- 19 45 seconds, the turnaround at the end takes about a
- 20 minute, and then they're back up and running again.
- 21 So literally every minute we've got this drag



- 1 strip in force, going back and forth through the
- 2 creek. Okay. Not safe from our perspective. The
- 3 course also -- and I think it does affect DNR that
- 4 it now extends so far out into the narrow neck of
- 5 creek it becomes difficult if not impossible for
- 6 people to navigate safely in and out of the actual
- 7 creek itself. I have seen paddleboards trying to
- 8 do it with the look of terror in their eyes as
- 9 they're hugging along the marinas trying to get out
- 10 of there without getting run over. Sometimes the
- 11 skiers stop and sometimes they don't. I have seen
- 12 that happen many times.
- Navigation is also difficult because on
- 14 the south end of course down where it says 21 slip
- 15 marina, that's the Belvoir Farms marina down there,
- 16 the skiers come so close to the edge of shoreline
- 17 there is no way boats or anyone else can navigate
- 18 safely the south end of course without risking --
- 19 THE CHAIRMAN: Again, we're talking
- 20 about speed limit and not the alignment of the
- 21 course.



- 1 MR. EVANS: Okay. So the, and then I
- 2 guess the other issue, I assume this is a DNR issue
- 3 so if it's not, please let me know, there is
- 4 conditions in the COMAR code, and I talked to Mike
- 5 about this and Mike said if there is skiers present
- 6 I have told Jim Wilson and some of other people if
- 7 somebody is trying to get across the course you are
- 8 to stop no matter what and let them come across the
- 9 course, makes sense and it's logical. I'll read
- 10 from the COMAR regs, it says a person may not
- 11 operate or give permission to operate a vessel
- 12 across or within the permitted course when the
- 13 course is in use by a vessel which displays the
- 14 permit sticker or is towing a skier or assisting a
- 15 fallen skier. The concern there is that this rule
- 16 really states that it's the responsibility of the
- 17 person trying to cross the course that could be at
- 18 fault and could have liability. We have open water
- 19 swimmers that swim back and forth across the
- 20 course, if they get hit I'm inclined to say there
- 21 would be some share of lability because they were



- 1 not allowed to cross the course. So that COMAR
- 2 regulation makes access to this creek for all of
- 3 the boating public difficult, if not impossible,
- 4 and certainly scary if you're trying to come and go
- 5 from that creek.
- Now, I row in the creek, paddleboard in
- 7 the creek, we have a boat so we use the creek all
- 8 of the time, I have been there when the skiers are
- 9 there. People come there to getaway from the chaos
- 10 of the Severn River, people running up and down 35
- 11 miles an hour in the river, people come in there
- 12 for that purpose. When the ski course is present
- 13 there it takes away that characteristic of the
- 14 creek. It's impossible for all of the other boat
- 15 users to kind of coexist when the skiers are there.
- 16 Okay.
- 17 Last thing really guickly, the -- and
- 18 then I quess the conclusion -- so the other issue
- 19 which may not be a DNR as well but so the committee
- 20 knows, along this, let's see, the southeastern
- 21 section of the creek, which is Bayberry Hills, the



- 1 road for that neighborhood runs very close to the
- 2 edge of the creek, there are neighbors there that
- 3 have had no choice at this point but to start a
- 4 project that's estimated to cost about 150 thousand
- 5 dollars to shore up the shoreline so that the road
- 6 for the neighborhood, which is starting to collapse
- 7 into the creek, won't collapse into the creek.
- 8 That would restrict access to all people and the
- 9 property owners that live back there. So I know
- 10 there has been discussions about erosion in a lot
- 11 of different scenarios. Is it only the skiers that
- 12 cause it, probably not, but I'm inclined to say
- 13 they certainly don't help.
- Okay. Bottom line in our opinion or at
- 15 least in my opinion, we want to coexist with the
- 16 ski course, we think that allowing them a
- 17 restricted use pattern is the right way to coexist,
- 18 that's what happened for 25 years. This change
- 19 that was implemented, as Mike said sort of a
- 20 sweeping administrative change more than anything,
- 21 has caused a repercussion to the creek that's



- changed the character and the use of the creek. 1
- You can tell the creek is too small. 2 It can't fit
- a full length ski course and it turns the ownership 3
- 4 of the creek over to the skiers when they are
- 5 there. Okay. I think that's it.
- THE CHAIRMAN: Okay. Any questions from 6
- 7 Hearing none. That was good and thorough. anyone?
- (Discussion held off the record.) 8
- 9 THE CHAIRMAN: Folks here to support,
- 10 speak in support, when you start state your name
- clearly so Kelly can record it and if you agree 11
- 12 with the person in front of you, please say so and
- add anything that has not already been said and try 13
- 14 to keep it moving along.
- 15 MR. WHITEHALL: Good morning, my name is
- James Whitehall, I live in Maynadier, have for 16
- 17 approximately 30 years. I would like to paraphrase
- 18 the chairman's opening statements in that you don't
- 19 always get what you want, but you have to learn to
- 20 live with it. And these new time changes are a
- dramatic change from what the Severn River water 21



- 1 management commission originally saw for Maynadier
- 2 Creek. What they did was considered and sometimes
- 3 in very contentious meetings the use of the creek
- 4 for everyone and during that time they restricted
- 5 the nighttime use, or the weekend use, in order to
- 6 provide pleasure boaters, fisherman, kids that want
- 7 to swim, a reasonable amount of time to use the
- 8 creek. This legislation that you have passed
- 9 unlimited the time use of the creek totally
- 10 contradicts the work of the Severn River water
- 11 management commission. I implore every member of
- 12 this committee to read the document that this
- 13 gentleman put up at the beginning on what was the
- 14 intent of putting that speed course in the creek.
- 15 For the first 15 years the creek was in
- 16 there I worked continually with DNR trying to get
- 17 better signage. Part of the problem is it's
- 18 unclear where the course actually is supposed to
- 19 start and where it's supposed to end. That would
- 20 be corrected.
- 21 The other thing is the use of unapproved



- 1 boats. Any boat using the ski course is supposed
- 2 to have passed the minimum weight requirement that
- 3 competition boats have. A large part of the
- 4 problem of the erosion is caused by unapproved
- 5 boats. They go in and see the course, there is
- 6 nothing there. If the sign says must display
- 7 decal, well, I have talked to people that have
- 8 gone, gone out in my boat and seen people in the
- 9 course and said hey, you don't have a special use
- 10 permit. I have a little square sticker that said
- 11 you paid your fee to use the water in Maryland and
- 12 that's what they think the decal is. So if this
- 13 committee is serious about trying to solve a
- 14 problem one of the issues has to be much better
- 15 signage saying it's restricted to approved boats
- 16 only and its hours of restriction because we find
- 17 the unapproved boats in there that be putting out
- 18 pretty big wakes more on the weekend than we do
- 19 during other times. Thank you.
- THE CHAIRMAN: Thank you. Any questions
- 21 for Mr. Whitehall? Thank you, sir.



- 1 MR. SCHOMIG: Good afternoon, my name is
- 2 Jeff Schomig. I'm at 1171 Parish Place in Arnold
- 3 and I'm here on behalf of the Severn River
- 4 Association. For those of you unfamiliar with it,
- 5 the association is approximately 90 years old, it's
- 6 comprised of individuals and communities along the
- 7 Severn River. I'm actually new to the Severn River
- 8 Association although I'm now it's vice president.
- 9 The issue though is not new to me. I served for
- 10 three terms on the Severn River Commission and
- 11 during that time the issue both specific to
- 12 Maynadier Creek and more generally waterskiing has
- 13 come before the commission so I'm somewhat familiar
- 14 with it. The association more or less incorporates
- 15 the views that were presented in the opening
- 16 presentation here with regard to access to the
- 17 creek, the COMAR regulations are clear that a
- 18 vessel may not cross the course while it's in use,
- 19 and also with respect to the hours. One important,
- 20 one important clarification or point of emphasis I
- 21 would like to make both personally and on behalf of



- 1 the association is that most of the presentations
- 2 we've had here today of course dealt with the issue
- 3 of use apportionment. Everyone wants to use the
- 4 waterways, particularly the creeks. We love our
- 5 creeks in the Chesapeake Bay, we love them to death
- 6 sometimes. And our position to emphasize is not to
- 7 say that waterskiers ought not use Maynadier Creek
- 8 at all. It is simply to say that the previous
- 9 hours were more appropriate given the range of
- 10 folks who use the creek, given the access issues
- 11 imposed about the realignment of the course, and
- 12 given the potential for increased erosion because
- 13 the boat wakes that would be caused by the
- 14 increased use with the hours of operation. So
- 15 those are our primary issues going back to the
- 16 original configuration, which I realize isn't the
- 17 purview of this committee, but going back to the
- 18 original hours of operation in order to make the
- 19 creek more usable for a range of users including
- 20 the skiers. Thank you.
- 21 THE CHAIRMAN: Okay. Thank you. Any



- 1 questions for Mr. Schomig? Thank you, sir.
- 2 MR. FOX: Hello, committee, my name is
- 3 Robert Fox, I'm a Maynadier resident. My boat is
- 4 in the 13 slip marina. I want to thank you for
- 5 skipping lunch for us. It's much appreciated.
- I use my boat more than probably anyone
- 7 on the creek so I run it in and out of there
- 8 numerous times. Previously on September 11th since
- 9 the hour change there were several skiers on the
- 10 course and they were exceeding the course. In
- 11 addition to that, there were several other ski
- 12 boats lined up waiting to use the course so that
- 13 narrows the creek even more. When I tried to pull
- 14 out there is a crabber who -- right along this
- 15 shoreline between the 13 slip marina -- will put
- 16 numerous crab pots out and they don't leave until
- 17 noon, so between the crab pots and the skiers it's
- 18 a very dangerous intersection when the skiers are
- 19 there. I have to time my ingress and egress to my
- 20 slip based on where the ski boat is on the course.
- 21 I have had my boats damaged by ski boat -- minor, I



- 1 shall say -- rip my Rub Rail out because the ski
- 2 boats come out to the end and they will do a hard
- 3 spin turn, that is not a six inch wake. That
- 4 creates a wake that's probably a foot in height and
- 5 it comes right into our marina. So that's what I
- 6 have to add.
- 7 THE CHAIRMAN: Okay. Thank you,
- 8 Mr. Fox. Folks, any questions? Thank you, sir.
- 9 MR. WHITE: I'm Chris White, I live at
- 10 Palisades, 509, we're right on the creek. My wife
- 11 and I we're on Maynadier Creek, we have a number of
- 12 small boats and I think quess I'm really concerned
- 13 about the time change. My children come in on
- 14 weekends and they use the small boats, they're in
- 15 this area, and I am also concerned that other
- 16 people outside of the creek would like to raft up
- 17 there and they won't have the capability of doing
- 18 that once the time has changed or since it has
- 19 changed. I'm in agreement with a everything that's
- 20 said here. Thank you.
- 21 THE CHAIRMAN: Any questions for



- 1 Mr. White? Thank you, sir.
- 2 MR. GOGGINS: Good afternoon, my name is
- 3 Bruce Goggins. I live in Bayberry Hills, roughly
- 4 between the four and the five, and I have been
- 5 living there since 1982. I was involved in the
- 6 original negotiations associated with original ski
- 7 course and as a result of those negotiations we
- 8 ended up with some restricted hours and some
- 9 restricted boats. That was the idea, the realty
- 10 has been quite different. The reality is that in
- 11 addition to the people who are responsible
- 12 waterskiers, there are some that are not, who come
- 13 in there with boats that are not part of the
- 14 approved boats. There are jet skis coming in.
- 15 There are people coming in at hours outside of the
- 16 normal hours for the course as it exists right now.
- 17 Quite frankly, it is an issue of enforcement and we
- 18 have, I have I'll say, pretty much given up trying
- 19 to identify the issues associated with the people
- 20 coming in and misusing the course. As people have
- 21 said before people are going through so quickly



- 1 that you could not, even with a good set of
- 2 binoculars, identify the boats. By the time you
- 3 call DNR if they come out or they don't come out,
- 4 if they do come out what can you say, someone was
- 5 here. That was it.
- The issue of the course itself as you
- 7 can see it's one of two things. Either you're
- 8 going to have waterskiers here or you are having
- 9 nothing. There is no room for anybody to do
- 10 anything but waterskiing when waterskiing is
- 11 approved. This in effect means that the new hours
- 12 that have been proposed are going to be the worst
- 13 of all possible worlds. You're taking away this
- 14 water from the use of people who are currently
- 15 using it, you are denying the use of this water for
- 16 all intents and purposes for the people that want
- 17 to raft up, people that want to fish, people that
- 18 want to swim. In addition to that, you are
- 19 increasing the effects of erosion by the additional
- 20 use of the course.
- 21 My final comment is I've just gone



- 1 through five years of trying to get a permit from
- 2 DNR to control the erosion here and it has been
- 3 time consuming and it has been expensive and it has
- 4 not been pleasant so I'm opposed to the additional
- 5 hours for all of the reasons that I have given.
- Does anyone have any questions?
- 7 THE CHAIRMAN: Any questions for the
- 8 gentleman? Thank you, Mr. Goggins.
- 9 MR. READ: Good afternoon, my name is
- 10 George Read. I'm the dockmaster for the Maynadier
- 11 community pier, I have been the dockmaster for
- 12 quite a number of years. I have lived in
- 13 Maynadier, I was the first owner in Maynadier.
- I think there is two very, very
- 15 important points that we have to keep in focus, one
- 16 is shared use. The new hours of operation for this
- 17 course restrict the use to other than -- only to
- 18 the skiers. The second point that's critical is
- 19 unauthorized use. This is a restricted ski course.
- 20 The original permit required that the ski club come
- 21 in on Thursday afternoon, a Thursday evening, and



- 1 remove the buoys to demark, to mark the course was
- 2 the not to be used during the, during the off
- 3 times. During the, just the recent past we went
- 4 through a revalidation of the course with the Army
- 5 Corps of Engineers and the ski club was really,
- 6 really good, they brought in a buoy and set it at
- 7 the end of course and it really made a big impact
- 8 on the unauthorized use. Now that the course is
- 9 open at the hours that you all have allowed that
- 10 buoy is now gone, the outer turn buoys remain in
- 11 position 24/7 during the entire boating season.
- 12 Anybody coming into this creek they see oh, look at
- 13 this beautiful ski course, it's wide open for us to
- 14 use, I can pull my tube, I have seen 28 foot
- 15 Robalos with tubes, children with the tubes trying
- 16 to negotiate the ski course. So it's shared use of
- 17 the creek and unauthorized use of the course. I
- 18 think those are the two things that we have to keep
- 19 in mind. Thank you. Any questions?
- 20 THE CHAIRMAN: Any questions for
- 21 Mr. Read? Mr. Pepe.



- 1 MR. PEPE: Mr. Read, it's not a big
- 2 issue, but do you know how long the two community
- 3 docks have been in Maynadier Creek?
- 4 MR. READ: We built -- the Maynadier
- 5 community dock was permitted and it was constructed
- 6 in 1991. If Mr. Whitehall is still in the room he
- 7 can tell you exactly, but in '91, and it was about
- 8 the same time we had the original negotiations for
- 9 the original position of the ski course.
- 10 THE CHAIRMAN: Anymore questions? Thank
- 11 you, Mr. Read. Next.
- 12 MR. TAVENER: Hi, my name is Jim
- 13 Tavener. I have been in Maynadier since '88, and I
- 14 have had a sailboat in that Maynadier marina ever
- 15 since. I'm very concerned. You know, I'm not
- 16 against shared use, but I really would rather not
- 17 see a ski course crammed into that beautiful area;
- 18 however, that issue was already settled some time
- 19 ago. But now extending it into the weekend I think
- 20 is a huge mistake. I'm a little troubled, and I
- 21 have trouble getting my sailboat in and out of my



- 1 small slip as it is, and if there is going to be
- 2 ski boats around I don't think I'll be doing that.
- 3 I'll just have to wait until they're done. Thank
- 4 you.
- 5 THE CHAIRMAN: Any questions for
- 6 Mr. Tavener? Thank you, sir.
- 7 MR. DAVIS: I'm Jim Davis. I'm a
- 8 kayaker, boater, property owner in Maynadier Creek
- 9 and I'm sort of last here, almost last, so I want
- 10 to confirm that what everyone else has said -- I
- 11 don't want to repeat it, because I know it's gone
- 12 pretty long anyway -- but there is one point that
- 13 hasn't seem to come up and, Mike, maybe you can
- 14 help me with your pointer. There is a dock just at
- 15 the end of the ski -- on the other side of creek,
- 16 down two docks to the right. Top, straight across.
- 17 That dock right there, that is my dock. And what
- 18 this depiction doesn't show is that the ski course
- 19 although it is supposed to stop up here further
- 20 than that everyone, and I say everyone, I have
- 21 never seen -- maybe one person -- start before my



- So in other words they're out on the open 1 dock.
- side, not quite that far up, but right where that
- dot is, starting the course so that limits the 3
- 4 access even more in my mind compared to what this
- depiction shows. 5
- THE CHAIRMAN: Any questions for 6
- Mr. Davis? 7
- 8 MS. TROVATO: I have a question. Do you
- 9 have any idea how often there are skiers out on
- 10 that course?
- MR. DAVIS: Well, actually, I do. 11
- 12 pretty regularly. And I won't say it's all of the
- time but when there is good weather and smooth 13
- 14 water it's quite frequently.
- 15 MS. TROVATO: So would you characterize
- 16 that as an hour a day?
- 17 MR. DAVIS: No, much more than that.
- 18 MS. TROVATO: What would you say?
- 19 MR. DAVIS: When I'm there it's usually
- in the evening and I'll see them there for couple 20
- of hours in the evening, and I'm assuming that it's 21



- 1 the qualified people but it may not be. And then I
- 2 see them there in the morning, so it's more than
- 3 that. I guess what I would also speak to is people
- 4 have learned, people in the boating community
- 5 learned, that's opened to the skiers and when
- 6 they're not there people are stopping using the
- 7 creek because of the skiers are there or they may
- 8 wake up on Saturday morning and see them there. So
- 9 that's what I'm seeing, significantly reduced use
- 10 by anybody other than skiers and significantly
- 11 increased use by skiers.
- MS. TROVATO: Thank you.
- 13 THE CHAIRMAN: Anymore questions? Thank
- 14 you, Mr. Davis. Next.
- MR. RETTIE: Good morning, my name is
- 16 Scott Rettie, I'm a Maynadier homeowner, and I
- 17 agree with everything that has already been said.
- 18 I won't repeat. I would like to emphasize that the
- 19 point though that regarding the change that was
- 20 made to the hours seem to run contrary to what this
- 21 committee's focus has clearly been through your



- 1 statements and your questions, which is balancing
- 2 the needs of the constituent petitioner or other
- 3 user against the needs of all users of the water.
- 4 And we've heard many, many people talk already
- 5 today about the fact that the water's getting more
- 6 crowded, there is more uses of the water, there is,
- 7 you know, paddleboarding, which I don't remember
- 8 being around 20 years ago, there is all of these
- 9 new people on the water, the constituent of the
- 10 skiers, and it's not even really the approved
- 11 skiers, it's really more of the unapproved users of
- 12 these ski course, that's a declining constituent.
- 13 So it really seems so have run against the intent
- 14 of the committee which is to keep those needs in
- 15 balance to allow the, basically a very, a
- 16 declining, small and declining constituent more
- 17 access to the water which clearly if not deprives
- 18 certainly impacts all of the other users who are
- 19 out there trying to enjoy the same piece of water.
- 20 Thank you for listening.
- 21 THE CHAIRMAN: Thank you. Any



- 1 questions?
- Okay. Folks who are against. Who do we
- 3 have? Ma'am, do you want to speak for the
- 4 petition?
- 5 MS. GOGGINS: My name is Mary Anne
- 6 Goggins (phonetic) and I'm a property owner in the
- 7 creek. I quess in sitting here this morning
- 8 listening to all of the discussions on the pros and
- 9 cons I have not had clarification of the
- 10 transparency involved by this committee on how you
- 11 perhaps inadvertently or intentionally changed the
- 12 hours for Maynadier Creek's waterskiing after
- 13 putting out a public hearing notice in the
- 14 newspapers, never holding one hearing and having
- 15 any public discussion, so my points of interests
- 16 are a full explanation from the committee members
- 17 on how you determined and decided to increase the
- 18 hours of operation, the transparency involved by
- 19 not holding hearings for the public had been put in
- 20 the paper and also how you would address the
- 21 enforcement of these hours with all of the concerns



- that people have stated as far as the universal use 1
- 2 of the creek. How are you going to enforce these
- hours on a weekly basis? And I would like all of 3
- 4 this published in the Annapolis paper.
- 5 I'm sorry, that's not THE CHAIRMAN:
- going to happen, ma'am, but I can speak to some of 6
- your points. 7
- 8 MS. GOOGINS: Excuse me, why wouldn't it
- 9 happen? Isn't it --
- 10 THE CHAIRMAN: Ma'am --
- 11 MS. GOOGINS: There's a notice for
- 12 public hearing and we had none.
- 13 THE CHAIRMAN: Ma'am, ma'am, let me
- 14 answer your questions.
- 15 Okay. First of all, the enforcement is
- the responsibility of Maryland Natural Resources 16
- 17 Police, so that's their job. It's not the
- committee's job to enforce those rules, it's the 18
- 19 job of the Maryland Natural Resources Police. And
- 20 they take their job very seriously and they're
- spread throughout the state trying to enforce all 21



- 1 of the rules in all of the areas so I'll divert
- 2 that to them but I would at least like to put those
- 3 words in.
- 4 Secondly, these areas, the reason we are
- 5 here today is these, all of the ski areas were
- 6 looked at by a committee, a subcommittee within the
- 7 Boat Act Advisory Committee. The intent was to
- 8 gather all of these ski areas and make them as
- 9 universal as possible so that a NRP officer
- 10 investigating a skiing complaint on the Upper
- 11 Severn River or Upper South River would be looking
- 12 at the same rules and applying them equally.
- Now, the meeting was published and there
- 14 was discussion; however, there was one thing that
- 15 we were concerned that this created some changes
- 16 that I believe not everybody is happy with and so
- 17 we are revisiting this to allow you to, everybody,
- 18 to speak on this. So we may or may not change this
- 19 based on what we hear today. So we are being
- 20 transparent about this and we were, we were in the
- 21 past. Although it wasn't -- I don't think people



- saw it on their radar so that's why we're here, so 1
- 2 we're trying to be open. That's what we're doing.
- MS. GOOGINS: Do you have in writing 3
- 4 when the hearings were held to the public and who
- 5 the discussion consisted of?
- THE CHAIRMAN: Mr. Grant, I'll turn that 6
- over to Mr. Grant. He has when all the meetings 7
- were held and all of the transcripts are online
- 9 so --
- 10 MS. GOOGINS: Thank you, very much.
- 11 THE CHAIRMAN: -- you can deal with him
- 12 afterwards. Thank you. Okay. For the folks
- 13 against the petition.
- 14 MR. TANG: Daniel Tang again.
- 15 want to advocate for the waterskier. You know, it
- 16 really comes into play where this is such a
- 17 different situation than what we have on the South,
- 18 but again it's contraction of boundaries and things
- 19 like that they apply universally and I think each
- 20 area has its own unique set of circumstances.
- 21 am, I feel I'm a pretty thick guy. I can ski the



- 1 majority of the times I go but, you know, I don't
- 2 think I can ski more than 10 to 15 minutes at a
- 3 particular time. I'm looking at this ski course
- 4 etiquette that the Severn River Ski Club puts out
- 5 and they say that during crowded sessions you limit
- 6 yourself to six passes or three falls and you
- 7 cannot -- in the course you're doing 10, 15 minutes
- 8 per set so I think that in general you just -- it's
- 9 not like you can just go up and back and forth and
- 10 back and forth and do that for a half an hour like
- 11 you could do maybe snow skiing. It's just a
- 12 totally different activity level. And so that, you
- 13 know, one person falls it's going to take a while
- 14 to get the guy out and pull him out and there are
- 15 periods and breaks that people want to get out of
- 16 their marina or get past, you know, recognizing
- 17 that there is an interval that, you know, people
- 18 can pass. You just to kind of use your common
- 19 sense. To speak of the volume of the people, you
- 20 know, I don't know about the Severn River, how big
- 21 it is, but the South River solicits for memberships



- 1 and there is like 10 families, 10 boats, you know.
- 2 So it's not a huge volume of people using that
- 3 particular ski course and I would assume that it
- 4 applies somewhat to the Severn River. I do have to
- 5 criticize the DNR, you know, for putting out maybe
- 6 new rules, buoys, things like this, and it's not
- 7 just the people who use them, but the people who
- 8 don't use them, who don't understand this is an
- 9 area that you shouldn't be pulling an inner tube
- 10 through or a jet ski going through. However people
- 11 learn about what the rules on the water are, it's
- 12 just poorly publicized. It should almost go with
- 13 your registration that these are the things, these
- 14 are the things you should do whether you -- whether
- 15 people pay attention to it or not -- but that's
- 16 just as disruptive to the people who are trying to
- 17 follow the rules and the people who don't, you
- 18 know, know the rules. Like we said in six mile an
- 19 hour, the two buoys and people are still going past
- 20 it because they don't look, it's so small or they
- 21 don't realize the change and it's not very well



- 1 advertised to the public. Thank you.
- 2 THE CHAIRMAN: Thank you. Any questions
- 3 for Mr. Tang? Thank you, sir.
- 4 And we're hearing some of the same
- 5 things over and over, some of it is enforcement,
- 6 and again, unfortunately we as the Boat Act are not
- 7 the enforcer of the rules and regulations that we
- 8 recommend to the secretary so we understand. We
- 9 feel your pain. We deal with this year after year
- 10 also.
- 11 MR. WILSON: Jim Wilson and I represent
- 12 the Severn and Magothy River Ski Club and I put a
- 13 lot of hours in trying to get things straight with
- 14 this. But I live on the water myself, I have a
- 15 waterfront home. I know about erosion, and it has
- 16 nothing to do with boats. I skied on the Severn
- 17 River since the mid 70s, including in Maynadier all
- 18 during the 70s and 80s. I cruise, sale, ski, I'm
- 19 on the water all of the time. I mean that's my
- 20 life. I'm on the water probably at least three
- 21 days a week and I do a lot of raft, I used to raft



- 1 ups in the Maynadier all of the time and still do.
- 2 I don't live on the Severn River right now, but
- 3 anyway. I had submitted a lot of questions and
- 4 answers to the committee earlier, a week or so ago,
- 5 that addressed almost every issue here but what I
- 6 would like to do is just hit the highlights here on
- 7 what's going on.
- 8 The current permitted hours for the ski
- 9 course as of this year are what should have been
- 10 done in 1990 when this course was originally
- 11 approved. There were a whole lot of things that
- 12 went on that said we're going to do this
- 13 temporarily to see what happens, that type of
- 14 thing, and basically the only -- there is no
- 15 factual reasons to restrict the hours. It's only
- 16 potential issues and possible interference with
- 17 other folks. And I have been on the course -- just
- 18 to let you know, we kind of keep a semi-calendar on
- 19 how much we use the course. The most times this
- 20 year we have used the course are six times in a
- 21 week. That's approximately an hour and a half to



- 1 two hours per time, six times a week, at most.
- 2 Average has been three. So just to let you know
- 3 how many times we use it.
- 4 There are currently 14 boats that are
- 5 permitted to use the ski course and I believe some
- 6 of those might be on the South River. We have
- 7 probably about 10 boats that I know of on the
- 8 Severn River that use the course. We don't use it
- 9 24-7. We don't use it all of the time. We work, I
- 10 mean all of us are professionals, we all work. We
- 11 try to go when we can get there.
- 12 Maynadier is very good because it's
- 13 protected. We can go there almost anytime, the
- 14 wind is blowing, other boats are out, doesn't
- 15 matter we can go there and it's convenient. You
- 16 can't ski Sunrise Beach, the other ski course,
- 17 except early in the morning, that's it, and if it's
- 18 windy, forgot about it. I have been many times
- 19 when there are paddleboarders, raft up people, we
- 20 went the other day and there were three boats
- 21 rafted up that had been there two or three nights



- 1 and we just went over to them and said we're going
- 2 to ski the course, we didn't want to startle you in
- 3 case you see us going fast, they said no problem,
- 4 people were here the other day doing the same
- 5 thing. You want us to judge for you? We said
- 6 okay, you know. Well, while we were skiing we
- 7 watched three kayaks who were paddling around the
- 8 creek, I mean that's not a big deal. We have
- 9 pictures of a Heron sitting about a hundred feet
- 10 from where the skier's dropped at the far end of
- 11 creek. He sits there almost every time we're
- 12 there, he is there all of the time. We're not
- 13 affecting the wildlife. We hear the erosion thing,
- 14 you guys know about the erosion, all of the studies
- 15 that have gone on, ski boats have a very small
- 16 wake, smaller than windblown wakes. I don't even
- 17 want to go into that. And the course as you see it
- 18 was approved by the Corps of Engineers, originally
- 19 approved by, Maynadier Creek was originally
- 20 approved by boating advisory folks back in 1987
- 21 through 1990 as the best place upon the Severn to



- 1 set up a ski course and the buoys are basically 850
- 2 feet by about 75 feet wide which is less than two
- 3 percent of the river that it effects. It does not
- 4 affect any raft ups, they raft up on both sides of
- 5 the course. And when we're in there we have had
- 6 crabbers, we have had fisherman, we have had
- 7 kayakers, we have had waterboards -- or
- 8 paddleboarders. Sorry, not waterboards. No, we
- 9 don't do that. We have shells. I mean Peter Evans
- 10 came out in a shell and we accommodate everyone.
- 11 The way that we ski, just to make sure it's very
- 12 clear, we only go down one place, right down the
- 13 middle of that ski course, we stop at both ends.
- 14 We do not make high speed turns, we stop at both
- 15 ends. We always idle when we're making the turns,
- 16 so when we stop the boat we're at idle and we
- 17 average approximately 12 passes per hour. That
- 18 means one way down, approximately 12 per hour.
- 19 It's 45 seconds a pass so that's nine minutes per
- 20 hour that the boat is on plane.
- We always have an observer. When the



- 1 boat goes down there we see what's in front of us,
- 2 if there is any other boat -- and we are under the
- 3 regulations of DNR's rules of a hundred feet, we
- 4 cannot go up within a hundred feet of other vessel
- 5 or anything in the water -- so almost all of our
- 6 guys are expert driver's, we have to be because
- 7 we've been doing this a long time -- we stop and at
- 8 the end, we turn around, and we go back.
- 9 Approximately nine minutes an hour on plane, that's
- 10 the average. But it's always in one spot, so it's
- 11 very predictable, very easy for anyone that's in
- 12 there. And we've talked to a lot of people that
- 13 come in and out and tell them what we're doing and
- 14 a lot of folks, you know, it's great. You have
- 15 crabbers sitting right there next to us and they
- 16 have, you know, trout lines, the whole thing. But
- 17 anyway, what we try to do is be courteous whenever
- 18 we can and we just like to enjoy our sport.
- 19 Now, one of the issues is that they're
- 20 saying it's too many hours. I mean this is a
- 21 passion for us. We like to waterski and cutting



- 1 the hours back -- I mean heaven forbid we use the
- 2 water. There is nobody there, I would say 90
- 3 percent of the time there isn't anybody in that
- 4 creek and, you know, a few times there are -- I
- 5 have been there on Saturday mornings a couple of
- 6 times there's usually a couple of fishermen and
- 7 crabbers, we talk to them and that's that, they
- 8 don't have any issue with it, they continue on with
- 9 whatever they're doing. so the thing -- let me see
- 10 the other issues were -- anyway, the point is that
- 11 we are not disrupting the creek, there's not an
- 12 environmental problem and the only -- whenever a
- 13 boat comes in and out we're stopped almost all of
- 14 the time. Most of the time we're stopped, only
- 15 nine minutes an hour are we up on plane so that
- 16 means, what, is that 41 minutes we're sitting
- 17 there. That's it. So anyway if you have any
- 18 questions I can probably answer them. I have been
- 19 involved in this since the 1990 permit.
- 20 THE CHAIRMAN: Thank you. Any questions
- 21 for Mr. Wilson? Thank you, sir. Next.



- 1 MR. GELB: I apologize, I know I'm, I'm
- 2 from the South River. I appreciate what you said
- 3 before --
- 4 MS. CRAIG: Name.
- 5 MR. GELB: Ira Gelb. I appreciate what
- 6 you said about looking at the South River again. I
- 7 want to -- just so you know where we're coming
- 8 from. The South River, very different situation.
- 9 And everything he said makes a whole lot of sense.
- 10 The South River we're not near any other home,
- 11 boat, there is no issue. That's a completely
- 12 segregated area, where there is no in and out flow
- 13 of traffic, only people are waterskiers,
- 14 wakeboarders and tubers. What I ask you is when
- 15 you look at it that the hours, like keeping it
- 16 restricted from noon on Saturday and Sunday, those
- 17 are the hours when it should be open on the South
- 18 River to keep people in the safe area.
- 19 THE CHAIRMAN: We're talking about
- 20 Maynadier so please --
- 21 MR. GELB: I wanted to give you some



- 1 information.
- THE CHAIRMAN: Thank you. We want to
- 3 keep this moving on Maynadier.
- 4 MR. SCHAFFER: My name is Roger
- 5 Schaffer. I'm a resident of Severna Park, retired
- 6 naval architect and professional engineer. I have
- 7 skied on the Severn River since 1973. If all of
- 8 this has a sense of deja vu, it's because it's
- 9 true. The first public hearing on this matter was
- 10 held in 1987. 24 years ago almost to the day I
- 11 testified before this committee to effectively ask
- 12 the committee to relax the then in force
- 13 regulations to be what they are now. I think if
- 14 the committee goes back, looks at their notes, they
- 15 will see that at that time the committee agreed
- 16 that the initial restrictions that were put on the
- 17 course during the first year of operation on the
- 18 trial basis were unjustified. specifically the
- 19 restriction on the March 15th to June 15th period
- 20 was the study of a DNR supported report of
- 21 Dr. Dennison. Dr. Dennison's report clearly



- 1 indicated that the skiing had no effect on the
- 2 growth of submerged aquatic vegetation in the
- 3 creek. Despite the scientific evidence that was
- 4 not an issue and despite the community's
- 5 recommendation at the time the secretary at DNR did
- 6 not approve any changes to the then in force
- 7 regulations and I believe that was just under
- 8 political pressure. I have documentation that
- 9 summarizes the entire episode of 24 years of -- I
- 10 won't say contentious -- activity here, but this
- 11 issue has been gone over so many times it's
- 12 ridiculous and we're back now where we were
- 13 basically 24 years ago.
- I will provide the committee with that
- 15 information.
- I would like to make one special point.
- 17 The contention that the controlled ski area is a
- 18 drag strip it's patently an exaggeration. It bears
- 19 no resemblance of what actually goes on there and
- 20 the committee is fortunate Amy Craig is a member
- 21 and she can attest to the nature of our activity.



- 1 It's completely compatible with the activities that
- 2 have historically been performed in the creek. The
- 3 only thing that's changed over the past 24 years is
- 4 the watershed has become developed, piers have been
- 5 put in that has increased the use of the waterway.
- 6 That has been dealt with, we have behaved
- 7 responsibly, and the only issue here is basically a
- 8 not my backyard situation. The waterfront property
- 9 owners objecting seeing the creek as a needed
- 10 resource, it's not their lake. I'll leave it at
- 11 that. Thank you.
- 12 THE CHAIRMAN: Any questions for
- 13 Mr. Schaffer? Thank you, sir, no questions.
- 14 Next.
- MR. YEARWOOD: My name is Captain
- 16 Christopher Yearwood. I have a U.S. Coast Guard
- 17 license, a Navy Masters, an ocean license, I'm a
- 18 licensed bay and harbor pilot. I have a 19 foot
- 19 ski boat, I paddleboard, ski in that creek, and
- 20 even raft up in that creek and as far as the access
- 21 in the chokepoint where the narrow's coming in and



- the rest of the Maynadier Creek, I don't see it. 1
- 2 You have 345 feet in the chokepoint there. The C&D
- Canal is 450 feet wide, I bring 800 foot ships 3
- 4 through there and meet tugs and barges and other
- ships and have pleasure craft come by me, here 5
- again, it's never been a problem. There is no 6
- 7 evidence to support any of these charges. That's
- all that I have to say. Thank you.
- 9 THE CHAIRMAN: Thank you. Any
- 10 questions? Thank you, sir.
- 11 MR. VILLES: My name is Ben Villes
- 12 (phonetic), I'm one of the users, waterskiers. All
- 13 I want to say is we have people out all the time
- and anchor while I'm there, they don't leave, they 14
- 15 come in most of the time and I have never seen
- 16 anybody leave because we're there. That's all I
- 17 want to say. Thank you.
- 18 THE CHAIRMAN: Any questions from
- 19 anybody on the committee? No. Thank you.
- 20 MR. HAMPSON: My name is John Hampson,
- realizing I'm standing between you and guys and 21



- 1 lunch, I will say that I appreciate the committee's
- 2 efforts and I have skied and Maynadier for many
- 3 years and have rafted in there and enjoyed the
- 4 water in many, many ways. Appreciate it.
- 5 THE CHAIRMAN: Thank you, sir. Any
- 6 questions?
- 7 MR. LAWHON: My name is Ed Lawhon, I'm
- 8 another waterskier that uses Maynadier regularly.
- 9 In terms of the unauthorized users I would like to
- 10 say we are at a hundred percent in agreement, we
- 11 would like to keep the unauthorized users out.
- 12 We're the ones that have to replace the ski balls
- 13 that gets torn up by those running over them.
- 14 Everything else pretty much has been said and I
- 15 agree with it. Thank you.
- 16 THE CHAIRMAN: Any questions? Thank
- 17 you, sir.
- 18 MR. VERPLOEG: I'm Tom VerPloeg and I
- 19 live in Baltimore, Maryland, and I have been skiing
- 20 and on the Severn for about 12 years and I'm pretty
- 21 much in agreement with what was said. The idea



- 1 that there's -- we cannot coexist with other boats,
- 2 I take issue with that. The big yellow blob there
- 3 shows the overall course, but as it's been stated
- 4 boats go and stop and they go from end to end and
- 5 so we can always see what is entering Maynadier
- 6 Creek and what lies ahead. Thanks.
- 7 THE CHAIRMAN: Any questions? Thank
- 8 you, sir.
- 9 MR. MALEY: I'm Ed Maley, my family has
- 10 owned property on the Severn River since I was five
- 11 years old. I spent most of my adult -- most of my
- 12 life on the weekends on the river. I don't live
- 13 there, I live in Harford County. I grew up in
- 14 Rockville. But with the exception of the 12 years
- 15 I was in Navy the majority of my summers I spent my
- 16 weekends at the Severn River. By adding these
- 17 additional hours has allowed me to share the Severn
- 18 River ski course with my family and it's been
- 19 greatly appreciated. I thank you for your effort.
- 20 THE CHAIRMAN: Any questions?
- 21 MR. MALEY: One more thing, I have some



- 1 written comments that I have e-mailed to Mr. Grant
- 2 and I'm going to provide some copies.
- THE CHAIRMAN: Thank you, sir.
- 4 MR. GIST: I'm Ronnie Gist, Severna
- 5 Park, not on the water, but I keep my boat on a
- 6 lift on the Severn. I'm one of the Severn Ski Club
- 7 members who has a boat that skis in Maynadier with
- 8 permit, and I would just like to add I agree with
- 9 everything on this side of the table, of course,
- 10 but I would just like to add that we often are the
- 11 folks that help to enforce in that if we are in
- 12 there skiing and other folks come in in
- 13 nontournament boats, jet skis, et cetera, and then
- 14 they see us and they think they can go above six
- 15 knots we often, always if we're there, say to them
- 16 and say hey, you have to have a permit and have a
- 17 tournament ski boat to ski here. We do that and
- 18 otherwise I agree with everything else.
- 19 THE CHAIRMAN: Any questions? John
- 20 Pepe.
- 21 MR. PEPE: Yes, sir. Just to expound a



- little bit on what you said about unauthorized use 1
- 2 of the course, do you see as a big problem as far
- as unauthorized boats coming in and using your 3
- 4 course when you're not there?
- 5 MR. GIST: You know, it's a low
- 6 percentage, I would say. I'm -- I mean again, none
- of us are there all that much. I don't remember 7
- for sure, but I think is literally maybe 10 boats
- 9 that are in our club that have the permit. But when
- 10 it happens we always do. I mean this summer for
- 11 example, it hasn't happened one time, but in the
- past years -- I have been skiing there for 19 years 12
- on the Severn -- and I would say it's been a 13
- 14 handful of times. So not very often.
- 15 THE CHAIRMAN: Any other questions?
- 16 Thank you, sir.
- 17 MR. CUNNINGHAM: Good morning, Dave
- 18 Cunningham, I've been a resident of Severna Park
- for approximately 40 years and skiing on the Severn 19
- 20 River that entire time. One point I would like to
- reiterate is that shared use of the creek occurs 21



- 1 everyday and one -- our use does not preclude
- 2 others. Thank you.
- 3 THE CHAIRMAN: Any questions for
- 4 Mr. Cunningham? Thank you, sir. Next.
- 5 MR. HEFFNER: Royal Heffner, I'm a
- 6 waterfront property owner for 20 years on Asquith
- 7 Creek off of the Severn and the thought would never
- 8 occur to me to restrict the use of Asquith Creek,
- 9 which I overlook, let alone tell people that are
- 10 using it that they should use it at a certain time
- 11 of day, that they should adjust their work
- 12 schedules so they can be there when it suits me. I
- 13 think it's outrageous that other waterfront
- 14 homeowners presume to have the right to do that.
- 15 Thank you.
- 16 THE CHAIRMAN: Any questions for
- 17 Mr. Heffner? Thank you, sir. Next
- 18 MR. PARKER: My name is Mike Parker, I
- 19 have been skiing on the Severn River both at
- 20 Sunrise and Maynadier probably since 1993. I have
- 21 never seen somebody come in to Maynadier and not be



- 1 able to pass the ski course, not once in my life.
- 2 I raft up there almost every weekend, there is
- 3 plenty of room for people to raft up and ski. When
- 4 I have been skiing there and I see people rafting
- 5 up, they love to watch us. We provide
- 6 entertainment, and I see absolutely no reason to
- 7 change anything right now as it is. I think we
- 8 should just leave everything, the time right now is
- 9 fine.
- 10 THE CHAIRMAN: Any questions for
- 11 Mr. Parker? Thank you, sir. Next.
- MS. RICHARDSON: My name is Robin
- 13 Richardson. I'm a waterskier, a member of the
- 14 Severn River and the Magothy River Ski Club. I
- 15 would like to thank Mr. Parlin, Ms. Craig, Mr.
- 16 Jones, Mr. Grant, the entire committee, we very
- 17 much appreciate your work. I submitted written
- 18 comments. If you have any questions on them, I
- 19 will be happy to answer them; otherwise, there is
- 20 just a few highlights I would like to make.
- Number one, there is room on the river



- 1 for all of us. This notion that somehow the hours
- 2 of access is translated into hours of actual
- 3 operation is simply incorrect. As I note in my
- 4 comments, it's just a matter of access. I would
- 5 like to thank the committee for this increased
- 6 access because it allows my high schooler to ski
- 7 after school, Will, who is a straight A student,
- 8 almost ready to be an Eagle Scout, we keep track of
- 9 those things at my house. He's busy, he has an
- 10 internship at local hospital and he is in the
- 11 surgical unit there, he's runs track for his high
- 12 school, so skiing on the weekend is in fact his
- 13 only opportunity and I thank you very much for
- 14 allowing him that access. The ski club a has not
- 15 grown any in the last couple of years. I believe
- 16 we have the same number of boats, I believe we have
- 17 about the same number of skiers. Occasionally we
- 18 have a quest skier who will ski with us and is
- 19 usually from the Naval Academy or someone who has a
- 20 skier in town, a friend, and if any of you want to
- 21 ski that would be lovely too. But the number of



- 1 skiers hasn't change so the actual use at Maynadier
- 2 hasn't changed so this whole notion that somehow
- 3 this increased access translates into somehow
- 4 increased usage is fundamentally incorrect. It
- 5 also doesn't comport with the whole notion of what
- 6 the waterskiing is and what a toll it takes on your
- 7 body. Trust me, we would love to ski and ski and
- 8 ski but unfortunately six passes is darn pretty
- 9 good, two sets is about the most of us ever do so.
- 10 I suggest to you that the information that was
- 11 reflected in one of the comments that I saw,
- 12 Mr. Lance Brasher (phonetic), that's incorrect, the
- 13 notion that increased use somehow is related with
- 14 the hours of accessibility. Importantly this
- 15 comment that the ski course becomes a drag racing,
- 16 a drag race, that is a little bit inexplicable and
- 17 hard to understand. There is no drag racing, there
- 18 is no racing with waterskiing. I ski at 26, I'm up
- 19 to 27 now, I'm delighted with that. I don't
- 20 anticipate going faster. My kid skis 36 and he's
- 21 delighted, that's as fast as they get. The rest of



- 1 the folks I ski with are all expert and they ski
- 2 faster and shorter lines and most don't go over 36,
- 3 most ski at 30. So this suggestion of either
- 4 reckless behavior or unsafe behavior is simply
- 5 incorrect. There are no facts, there are no
- 6 incidents that would support any such allegation.
- 7 Finally, with respect to what I really
- 8 seeing happening is a long-term goal to shut down
- 9 the Maynadier Creek course. We very much ask that
- 10 you do not let this happen. The course has been in
- 11 existence for 26 years, most of these landowners,
- 12 with the exception of these folks over here,
- 13 reflected that in their testimony that they had
- 14 moved in after the course had been established.
- 15 It's an important course, it's a valuable resource.
- 16 It's one of only three controlled ski areas in the
- 17 state of Maryland. Maryland is a tough area, tough
- 18 state to ski in if you like to waterski. It's a
- 19 fabulous sport, but it's a technical sport. It
- 20 requires three, a skilled driver, of which we have
- 21 many, it requires an observer, and it requires a



- 1 waterskier. It's not a sport for folks who do it
- 2 recklessly or who do it idly. Folks can be very
- 3 involved in this sport and we're also very involved
- 4 with the folks that come to watch us. I think I
- 5 have been out there, most of the time I have been
- 6 out there some people come up and ask us about the
- 7 sport, ask if they can sit and watch. As you heard
- 8 one of my friends mention that sometimes they like
- 9 to judge us and we're okay with that. We really
- 10 appreciate it. We appreciate the fellowship on the
- 11 water. I have never seen and instance where a ski
- 12 boat driver did not allowed and afford another
- 13 boater or user right-of-way and we do this for
- 14 several reasons. One is it's polite and two is it
- 15 comports with the boating regulations as we
- 16 understand them and, three, whoever it is may leave
- 17 a wake and that's not safe. So for all sorts of
- 18 good reasons but primarily safety the user always
- 19 get the right-of-way.
- I don't have any questions other than
- 21 with respect to unauthorized use. I have been out



- 1 there once or twice and someone has done it. We
- 2 have taken advantage of both of those instances and
- 3 Dave was with us one time and did a fabulous job of
- 4 educating the kids that were improperly using the
- 5 course. They didn't realize, they were kids, so we
- 6 took it as an opportunity for education and we've
- 7 never had another problem with those kids. If the
- 8 committee has any questions, I'm happy to answer
- 9 them.
- 10 THE CHAIRMAN: Ms. Allison.
- 11 MS. ALLISON: You just led that into a
- 12 question I have been thinking about asking for the
- 13 last three or four or five people. Any suggestions
- 14 on how the neighboring community who faces the
- 15 water may be able to help you with unauthorized
- 16 vessels using the water? And the second question
- 17 is any suggestions about how to better educate the
- 18 populous about what they can and can't do?
- MS. RICHARDSON: I'm always all about
- 20 education so I think anything we can do. If we
- 21 have a waterski day, we all come out and bring



- 1 coffee and donuts and share our sport, it might
- 2 bring some folks into the sport. Importantly we
- 3 increase knowledge. What I have been hearing from
- 4 the folks that are opposed today and the comments I
- 5 have read are folks that do not understand the
- 6 sport and it's a lack of education, waterskiing is
- 7 a difficult sport. It takes a substantial
- 8 investment of time and money. You got to have a
- 9 boat, you got to have a boat driver, so I think
- 10 anytime we get together with boats and teach them
- 11 about the sport provides some information about the
- 12 sport we help foster a greater understanding of it.
- 13 Some of these things are going to have to be on a
- 14 case-by-case basis, but in terms of your question
- 15 can we get together with the community I would be
- 16 delighted to. I would be delighted to have a
- 17 morning coffee with them, I would be delighted to
- 18 bring the coffee. I think a lot of this is just a
- 19 question of misunderstanding. There is room in the
- 20 river for everyone and room for everyone to
- 21 peacefully coexist. The amount of time on the



- 1 water is so slight compared to the total daylight
- 2 hours that it would be almost amusing except for
- 3 the fact it threatens what we love to do and what
- 4 we live for. So in terms of can we improve the
- 5 signage, I think signage can always be improved. I
- 6 would be happy to talk to the community about that.
- 7 I have a couple of ideas. I believe that Ed Maley
- 8 of our group had an idea about signage. Anytime we
- 9 can promote visibility, safety, and a greater
- 10 understand of waterway and everyone's
- 11 responsibility I think would be helpful.
- 12 THE CHAIRMAN: Thank you. Anymore
- 13 questions? Thank you, Ms. Richardson.
- MS. RICHARDSON: Thank you, very much.
- 15 THE CHAIRMAN: Next.
- 16 MR. WALKER: Good afternoon, my name is
- 17 Ken Walker, I'm the president of Severn and Magothy
- 18 River Ski Club. Just a couple of things, a lot of
- 19 our members have been here today said it all. I
- 20 want to point out I'm not sure how many boats are
- 21 actually registered and have a sticker. I thought



- 1 it was more than 10, but in any case, we have about
- 2 50 members in our e-mail list and they come out
- 3 pretty regularly. Just having the boat is
- 4 important, but we have, as a boat owner we have to
- 5 have other people to watch and to ski with and so
- 6 it's actually a bigger community than that and the
- 7 question about what we can do to help. One of the
- 8 issues that we've had in Maynadier comes done to
- 9 enforcement where DNR gets a call because we're in
- 10 there using the course properly and lawfully and
- 11 the officer comes down and he pulls up next to us
- 12 and we have a chat for a while and he says okay,
- 13 you guys are doing a good job and he leaves so
- 14 essentially the residents are calling for no reason
- 15 and at that point after so many calls the DNR is
- 16 not going to respond as quickly because they don't
- 17 know whether it's actually a call or not.
- 18 One of the other ways is we could use
- 19 some better education. I have a son who's 15 years
- 20 old and took the boater safety course and there is
- 21 never any discussion in the boater safety course



- 1 about restrictions within the, you know, ski
- 2 courses or elsewhere and there is talks about speed
- 3 limits and stuff like that, but certainly they
- 4 could put something in that course that would, give
- 5 some clue that hey, when you see these buoys that
- 6 say six mile an hour speed limit except if you have
- 7 a controlled ski area sticker for your boat and
- 8 then how you go about getting one of those would
- 9 probably be a good addition to that course. That's
- 10 all that I have.
- 11 THE CHAIRMAN: Mr. Hellner.
- 12 MR. HELLNER: Since you're the president
- 13 of the ski club you're probably the perfect person
- 14 for me to ask this question. Earlier we heard
- 15 testimony about turn buoys that your ski club had
- 16 agreed to remove when the course is not in use.
- 17 The testimony was the buoys are always there or
- 18 they don't get taken up, is that true or not true?
- 19 What's the deal with the turn buoys?
- 20 (Discussion held off the record.)
- MR. HELLNER: Whomever can answer the



- 1 question.
- 2 PARTICIPANT: That has to do with the
- Corps of Engineers, that's in the Corps of 3
- 4 Engineers' permit and the original one back in 1990
- which was a stipulation to remove the six turn 5
- buoys which was a hazard of navigation and then the 6
- 7 current one we do not remove them so we don't have
- a hazard; in other words, when we take them off
- there is nothing marking those anchors and a boat 9
- 10 can run over them. The sub buoys are there two to
- 11 three feet down.
- MR. HELLNER: I think I understand, the 12
- 13 buoys are present and in compliance with the Army
- 14 Corps.
- 15 PARTICIPANT: That's correct, it's
- 16 called a permanent course now.
- 17 MR. HELLNER: Nothing to do with the
- 18 hours.
- 19 PARTICIPANT: No.
- 20 MR. WALKER: We did have a buoy that we
- made up as part of the suggestion discussion, issue 21



- that we had earlier, and we put it in front of the
- 2 forth when we weren't using it, we still have it,
- because we didn't include that in the permit that 3
- 4 we --
- 5 (Discussion held off the record.)
- 6 THE CHAIRMAN: Okay.
- 7 MS. CRAIG: Can you tell us the average
- age of your club members?
- 9 MR. WALKER: Probably average age is
- 10 probably early 50s, I would guess.
- 11 MS. CRAIG: Do you have children that
- 12 are members as well?
- 13 MR. WAKER: Sure, yeah. I mean a lot of
- us take our kids out to ski. We have families that 14
- 15 are -- it's a family club. I would say the people
- 16 that are using the course primarily are people that
- 17 have been skiing for some time and they are in the
- 18 40s and 50s, a few us in our 60s.
- 19 THE CHAIRMAN: Anymore questions for
- Mr. Walker? 20 Thank you, sir. Anymore speaking
- against the petition? Okay. None seen. We do not 21



- have a NRP officer to speak on behalf of this.
- 2 Thank you. Okay.
- 3 Alrighty. One last one, Mattawoman
- 4 Creek. We're going do that real quick and then we
- 5 break.
- Folks, I would like to thank everybody 6
- 7 that came here and spoke today. It was a lot of
- information and we truly appreciate everybody's
- 9 input.
- 10 (Discussion held off the record.)
- 11 THE CHAIRMAN: Mr. Grant, are you ready?
- 12 MR. GRANT: Mattawoman Creek. Bottom
- 13 line is that has 11 in support, zero opposed, and
- 14 the one of the supporting groups is the Navy -- let
- 15 me turn this on.
- 16 THE CHAIRMAN: I was going to say, so we
- 17 can see it.
- 18 MR. GRANT: Okay. Potomac River, Indian
- 19 Head area. The original six knot line is here.
- 20 Petitioner present, Bob Lunsford, asked it to be
- moved over to here. We have heard from Naval 21



- 1 Support Activities South Potomac they have no
- 2 problem with it. Evidently there is a very large
- 3 US Air Force ski club in this area and they're
- 4 thrilled to have it moved up to this point, it
- 5 gives them more room to make it around Thoroughfare
- 6 Island down here. Let me back up. Maybe there is
- 7 a better picture, they ski up in this area here, so
- 8 it's, that's the way that it is.
- 9 THE CHAIRMAN: Thank you. Any questions
- 10 for Mr. Grant? Okay. Anybody here to speak in
- 11 favor of the changes at Mattawoman Creek?
- 12 Mr. Lunsford, would you like to speak as the
- 13 requester?
- MR. LUNSFORD: As petitioner I can only
- 15 say for years where the line is being requested to
- 16 be moved, for years it was thought to be the speed
- 17 limit just because the buoys were misplaced over
- 18 several years and it's wide open, navigable
- 19 thoroughfare, it's wide open through there and it
- 20 doesn't seem to be any reason for the speed limit
- 21 in that section.



- 1 THE CHAIRMAN: Okay, any questions for
- 2 Mr. Lunsford? Thank you, sir. Anybody here to
- 3 speak against the petition? Hearing none and no
- 4 one from NRP to speak on this also. Okay, I
- 5 suggest that we break for lunch. 30 minutes,
- 6 please.
- 7 (Luncheon recess.)
- 8 THE CHAIRMAN: All right, we're
- 9 reconvening our meeting. Back on the record.
- 10 Executive session, deliberation here for
- 11 different areas, Parkside Marina, Frog Mortar Creek
- 12 and the request specifically is, Mike.
- MR. GRANT: Oh, to extend six knot in
- 14 front of the marina at all times during the boating
- 15 season. Currently it's just weekends.
- 16 Specifically asked for April 1st through October
- 17 31st, just 15 days earlier than your boating season
- 18 and 15 days later.
- 19 THE CHAIRMAN: Okay.
- 20 MR. GRANT: It would be probably
- 21 requested to keep it within the boating season.



- THE CHAIRMAN: If that's within the 1
- boating season, that's the request. Any motion on
- the Frog Mortar, Parkside? Mike, could you bring 3
- 4 that back up on the screen, please?
- 5 MR. KLING: For purposes of discussion I
- would offer a motion that we recommend no change in 6
- 7 regulation.
- 8 MR. HELLNER: Second.
- 9 THE CHAIRMAN: So motion was no change
- 10 to the current regulations by Steve Kling and
- seconded by Joe Hellner. Okay. Discussion. 11
- MR. KLING: Well, I would say that we 12
- looked at this previously. I don't think it was 13
- 14 2003, I think it was more like seven years ago, but
- 15 I don't see any material change. We heard a lot of
- emotionally laden words but substantively I don't 16
- 17 think we see a change. We've been up there and
- looked at it during the week and it's very little 18
- 19 traffic. I think we are -- I think we acknowledge
- and realize there is a situation that the marina 20
- may have extended perhaps inappropriately into the 21



- 1 channel and we try not to solve those problems.
- MS. TROVATO: So primarily what we heard
- 3 was there was a concern about congestion and yet
- 4 when we see the report from Corporal Schulte he
- 5 says that he has not observed any violations. He
- 6 doesn't endorse the speed zone in this area, at
- 7 this time. And he is evidently stationed right
- 8 there, sees a lot of what is happening there in
- 9 that creek at that time and I think he's, I totally
- 10 would like to support his recommendation. And
- 11 secondly, there has been no documented incidents of
- 12 wake damage or other problems. There was some
- 13 concern about the outfall pipe from Lockheed
- 14 Martin, which is in about three feet of water and
- 15 very close to the shoreline, I don't think that's
- 16 an issue and I also don't think that the
- 17 groundwater treatment system in place by Lockheed
- 18 Martin has anything at all to do with boating. So
- 19 whatever those actions are they're independent of
- 20 boating.
- 21 Also, living on the Severn River I can



- 1 say clearly that the stand-up paddleboarders and
- 2 the kayakers on that very busy river manage to win
- 3 their way safely with all of the other uses of the
- 4 water at that time. So I really do support Steve's
- 5 proposal.
- 6 THE CHAIRMAN: Any other discussion?
- 7 Kathy.
- 8 MS. SMITH: Well, at the risk of being
- 9 devil's advocate I would just like to say that, you
- 10 know, there did seem to be a lot of people
- 11 representing, some owners at the marina who were
- 12 voicing their safety and other concerns. Now,
- 13 personally having been there also during the week
- 14 for the visit there really wasn't much activity to
- 15 support it and it seemed to me, on the other hand,
- 16 this is such a dense area of Baltimore County that
- 17 you can well imagine high traffic volumes after
- 18 work or during what we would consider boating
- 19 hours. And I don't know, I just feel like I would,
- 20 you know -- I'll just take the position of those
- 21 who did make those safety concerns. They feel



- 1 threatened in some way.
- THE CHAIRMAN: Mr. Pepe.
- MR. PEPE: Yes. As to what Kathy said,
- 4 we did hear from a number of people at the marina,
- 5 they talked about rough boat wakes and things being
- 6 knocked off the boats and damage, but there is no
- 7 reports of it. There is nothing presented to us,
- 8 there is no incidents from NRP. We hear this a lot
- 9 when this type of situation comes up and, you know,
- 10 I would like to see some evidentiary information.
- 11 I would like to see pictures, I would like to see
- 12 some reports. Obviously, we don't want to see
- 13 anybody get injured and not have made -- but to
- 14 make regulation changes based on what people are
- 15 telling us and not having any evidence to back it
- 16 up I think we would be heading down the wrong path
- 17 at this point.
- 18 THE CHAIRMAN: Any other discussion?
- 19 Mr. Lunsford.
- 20 MR. LUNSFORD: I'll make one quick
- 21 comment and that's if the committee were to



- 1 recommend in favor of the proposed regulation
- 2 people on the in slips on, especially on the south
- 3 end are probably going to experience much worse
- 4 wakes of boats coming on and off plane than they
- 5 are getting now at boats going by at speed. We've
- 6 had that condition before where we put the speed
- 7 limit too close to the facility that was requesting
- 8 them and it actually made the situation worse. So
- 9 we're not talking about 15 hundred feet, that's a
- 10 bare minimum, but we need a buffer on either side
- 11 of that would be my guess in order to accomplish
- 12 what is actually being asked for and I think that
- 13 closes down a disproportionately large section of
- 14 the creek.
- 15 THE CHAIRMAN: Thank you. Robin.
- 16 MS. ALLISON: Last time we visited this
- 17 we had representatives from the fishing, commercial
- 18 fishing industry here that testified that it would
- 19 encumber them, if I remember correctly, if there
- 20 was a speed limit put -- and I think it was all
- 21 year at that time -- but that it would impede them



- from their jobs as they saw them. I would also 1
- agree with both, Bob, about creating worse wakes on 2
- either end of this. Thank you. 3
- 4 THE CHAIRMAN: All right. Thank you.
- Anybody else? Mr. Hellner. 5
- MR. HELLNER: Without repeating what 6
- other members of the committee said I would, I 7
- would agree with what's been said so far. I'm not
- compelled to see why the additional restriction 9
- 10 based on the evidence and the facts, while
- 11 respectful of the testimony.
- Also I wanted to add by direct 12
- observation, I was out with Mike inspecting a few 13
- 14 months ago this area. I couldn't see a problem
- 15 there. As we've said many times our function is
- 16 not to enforce and I don't see that the, what is
- 17 under the purview of this committee will be a
- solution to the issues they raise or the best 18
- 19 possible solution.
- 20 I operate both large boats and small
- boats and my small boat I was out with Mike, he was 21



- 1 running the DNR boat, I was running the little one,
- 2 and I zipped along just to see where the wake went
- 3 and what kind of impact I would have and my little
- 4 boat didn't do a thing. Maybe if I ran a few feet
- 5 up on the boats on that long pier I would possibly
- 6 disrupt them. Now, if I pulled up on the big
- 7 boat -- I didn't directly test that -- but I think
- 8 that as a recreational boater there is a balance
- 9 beyond, you know, we all have to share the water,
- 10 paddleboaters, et cetera. We don't just run along
- 11 next to another boater and disrupt them. I would
- 12 throttle back if this didn't look right and I saw
- 13 paddleboaters, I wouldn't say I have a right to go
- 14 fast so those paddleboaters be damned. No, part of
- 15 your obligation as boaters -- I know I'm preaching
- 16 to the choir -- I just want to make a point for the
- 17 record, just because there is not a speed limit
- 18 does not mean that boaters get to do what they
- 19 want. We all have an obligation to avoid harming
- 20 other boaters and ourselves in an indiscriminate
- 21 situations. The rules of the road the highest



- 1 obligation of the road is to avoid damaging others
- 2 and boats and property, et cetera. I would like to
- 3 believe as a long-term recreational boater most of
- 4 us are that way. We're very serious about not
- 5 doing or causing the things that the testifiers
- 6 reported would happen.
- 7 I think I'll go back to the point
- 8 earlier made if there was more evidence to say that
- 9 somehow the rule of restricting speed during the
- 10 week would somehow -- first of all, I need to know
- 11 what it is we're correcting, and I think that was
- 12 asked during the testimony, what do you think we
- 13 can do correct the issue you're saying, I need some
- 14 evidence and some correlation between the two and I
- 15 didn't hear any. Thank you.
- 16 THE CHAIRMAN: Thank you, Joe. Go
- 17 ahead, Robin.
- 18 MS. ALLISON: I brought it up before but
- 19 there is one whole area -- and I don't know if Mike
- 20 can find it again or not -- about the know no
- 21 paddle zone, which looks like a very private and



- 1 secluded, flat area. When you're talking about
- 2 paddleboards and kayaks having an area in which to
- 3 paddle, I'm wondering why the people that lease
- 4 those things would have closed it off because DNR
- 5 didn't, so I'm just curious why that's closed off.
- 6 THE CHAIRMAN: That was -- if you look
- 7 at that map that came from the presenters and it's
- 8 on their own personal self-imposition. It would be
- 9 like anybody that runs a rental company that says
- 10 you can run our little 21 foot boat around the bay
- 11 but you can't run it out into the ocean. So it was
- 12 their own self-imposed rule that hey, we don't want
- 13 you to go to the left.
- MS. ALLISON: But if we're addressing a
- 15 congestion issue and they have personally closed
- 16 off one area I basically am saying why aren't they
- 17 allowing people in that area if they're concerned
- 18 about congestion?
- 19 THE CHAIRMAN: All right. Any other
- 20 comments, discussion? Ready for a vote? All
- 21 right. The motion is to make no change to the



- current regulations. All in favor signify by
- 2 saying aye.
- 3 (Vote taken.)
- THE CHAIRMAN: Opposed? Hearing none, 4
- it's unanimous. 5
- Mr. Grant, Broad Creek was the next area 6
- 7 of review. Okay, microphone.
- MR. GRANT: Yep. Oh, I'm sorry, 8
- 9 microphone, yep.
- 10 Broad Creek, South River, relocate the
- upper Broad Creek six knot zone approximately 15 11
- hundred feet to the south. From here to here. 12
- THE CHAIRMAN: Okay. Is there a motion 13
- 14 on Broad Creek?
- 15 MS. CRAIG: I make a motion that there
- 16 is no change to the speed zone on Broad Creek.
- 17 MR. MARSH: I second that.
- 18 THE CHAIRMAN: Motion was seconded by
- 19 Coles Marsh. Discussion on the motion?
- Mr. Lunsford. 20
- MR. LUNSFORD: Mike, isn't there, real 21



- 1 quick, a six knots zone at all time at the very end
- 2 of Broad Creek?
- 3 MR. GRANT: Yeah, that's this right
- 4 here -- no, it's six knots Saturdays --
- 5 MR. LUNSFORD: Saturdays, Sundays and
- 6 holidays -- I'll repeat it -- and 35 knots weekdays
- 7 during the day. Okay, thank you, I was -- I
- 8 thought there was a six knot all time, all year at
- 9 the very head of creek but I'm mistaken. So thank
- 10 you.
- 11 MS. SMITH: I would like to say that I
- 12 was watching this creek this summer just because
- 13 it's in my neighborhood and tried to go out there
- 14 at different times of the week at different times
- 15 of the day and I would venture a guess that I was
- 16 out there at least a half a dozen times, so that's
- 17 like not a huge number, but probably more like 10
- 18 times, and I have to say during those 10 times
- 19 everybody that was using the creek was using it as
- 20 intended. Like I saw a couple of people tubing in
- 21 the mouth, it just lends itself to that, and I



- 1 would say that it seemed like a nonissue in terms
- 2 of coexisting uses.
- 3 THE CHAIRMAN: Thank you, Kath. Other
- 4 discussion? Ramona.
- 5 MS. TROVATO: Mike, could you go back
- 6 one page to that list? So the petitioners were
- 7 guite concerned about erosion from wake waves and
- 8 we have reports from the state as well as the study
- 9 that we read some number of meetings ago that
- 10 indicate that the boat wakes are typically not the
- 11 problem, that it is typically erosion from wind.
- 12 The -- which means the shoreline is, continues to
- 13 be protected except from mother nature. I think
- 14 the paddleboarders and kayakers know what safe
- 15 activities are and know how to conduct safe
- 16 activities in the presence of other boats. I think
- 17 there is becoming less and less calm water and safe
- 18 enclosed waterways for waterskiers to ski on. I
- 19 think they're also a use that should be protected
- 20 and I think that it would be in the best interest
- 21 of the citizens of the state to have this small



- 1 little area of this creek to waterski in where I
- 2 think the other activities you'd continue as well.
- MS. CRAIG: I would like to comment that
- 4 both my children learned to ski in this creek
- 5 because it is a small, protected area and we do
- 6 have to go over six knots in order to get those
- 7 little bodies up on plane and if we did not have
- 8 the creek as an enclosed, somewhat, controlled area
- 9 for them to learn how to ski they would be out on
- 10 the main body of the river and I would not feel
- 11 comfortable even being a so called expert
- 12 waterskier putting my little children out in that
- 13 big body of water with boats speeding by, just
- 14 rough water. This is one of the few areas where
- 15 you can teach children to ski, children or adults,
- 16 and actually I have taught a physically disabled
- 17 person how to ski in that area as well and you
- 18 can't do that everywhere so it's very important
- 19 that we have those areas and we all coexist. There
- 20 is plenty of six knot area at the head of that
- 21 creek where paddleboarders can go if they want a



- 1 completely calm area.
- THE CHAIRMAN: Thank you, Amy.
- 3 THE CHAIRMAN: Mr. Hellner.
- 4 MR. HELLNER: Yeah. For the same
- 5 argument that I made with the other issue that we
- 6 just saw I think the -- I won't repeat that -- but
- 7 I would say again what I was hearing throughout the
- 8 testimony was the issues more have to do with
- 9 basically getting along and I think we can all
- 10 agree here as boaters and boating professionals
- 11 that are here as well that everything we do out
- 12 there is more or less a coalition of will. You can
- 13 pass laws and regulations to try to keep idiots and
- 14 people, criminals, if you will, but people that do
- 15 the wrong thing, and the burden I think is on this
- 16 committee not to punish the 99 that do the right
- 17 thing because of the idiots so therefore I see that
- 18 this is an area that we heard a lot of testimony
- 19 that indicates it's a wonderful, protected place
- 20 for many types of boat users and by God, I'm
- 21 committed to taking care of the paddleboarders, et



- 1 cetera, and I think they are actually committed to
- 2 understanding, educating themselves about their
- 3 responsibility as vessel operators. It may be a
- 4 paddleboard, but it's still a vessel, and we can
- 5 all get along together and restricting the creek is
- 6 not the right answer. Thank you.
- 7 THE CHAIRMAN: Thank you, Joe. Any
- 8 other discussion?
- 9 MS. ALLISON: One last comment. It
- 10 sounded -- I agree completely with you, Joe, and
- 11 part of the other problem I think we're continuing
- 12 to hear is wakeboard boats and wakeboards and I
- 13 know they don't necessarily build as big a wake in
- 14 that small area and shallow area as they would like
- 15 to but that doesn't mean they don't go in there and
- 16 at some point in time I think we need to address
- 17 wakeboards again.
- 18 MR. KLING: Robin, to that point, we --
- 19 you might have been out of town for a couple of
- 20 weeks -- we did a very extensive look at the
- 21 whole -- I mean one guy was talking about



- 1 wakesurfing and wakeboarding being different
- 2 ventures. We were looking at proposed trying to
- 3 define a creek width below which you couldn't
- 4 wakeboard and then we got the data from the
- 5 professor from the Naval Academy on wave
- 6 attenuation. Maybe we can still dig that up. It
- 7 was pretty clear, it was really a nonissue.
- 8 MS. ALLISON: It's a moot point?
- 9 MR. KLING: Yeah. Mike, maybe you can
- 10 bring that data up?
- 11 MR. GRANT: Yes.
- 12 MR. KLING: Next month.
- 13 THE CHAIRMAN: Ramona.
- MS. TROVATO: I just want to support
- 15 that recommendation because it comes up at every
- 16 public hearing that the boat wakes are causing the
- 17 erosion, I think it would behoove the committee to
- 18 revisit the reports from the experts that we've had
- 19 before.
- 20 MR. GRANT: The Maynard study.
- MS. TROVATO: That study, and the study



- on the wave attenuation and those two, I think, but 1
- 2 especially the one on wave attenuation because they
- went out of their way to explain to us -- it was an 3
- 4 amazing short distance when the waves actually
- 5 dissipated to being gentle. Remember that study?
- MR. GRANT: Are you talking about the 6
- 7 graph, the interactive graph that you plug in the
- Boston Whaler or 36 Sea Ray or whatever and it will
- 9 tell you at what speed and what distance the wake
- 10 will dissipate?
- 11 MS. TROVATO: I would like my memory
- 12 refreshed at the next meeting, please.
- 13 MR. GRANT: Wouldn't we all.
- 14 THE CHAIRMAN: Anymore discussion on the
- 15 motion to make no change to Broad Creek regulation?
- Okay. All in favor of making no change signify by 16
- 17 saying aye.
- 18 (Vote taken.)
- 19 THE CHAIRMAN: All opposed? Hearing
- 20 none, motion passes unanimously.
- 21 MR. KLING: Just one comment another



- 1 study if we're going to revisit this stuff. Bob,
- 2 Len Casanova, maybe five, six years, before he
- 3 retired he pulled together all of the then current
- 4 data and brought us, gave us a briefing of research
- 5 materials, I probably have that somewhere. On the
- 6 impact of boat wakes and it was a broader view.
- 7 MR. GRANT: Got it.
- 8 MR. KLING: Isn't that who it was?
- 9 MR. LUNSFORD: I'm pretty sure it was,
- 10 yeah. At the time Len Casanova was in charge of
- 11 the department's shoreline erosion control and
- 12 Mike, the place to look is C3, or D3, the library.
- 13 MR. GRANT: I can get it through Tom
- 14 Brower who went out in the boat on Broad Creek, so
- 15 I'm sure we can get it for you.
- 16 THE CHAIRMAN: Okay.
- MS. TROVATO: So you've already
- 18 mentioned that we're going to take a look at the
- 19 upper South River ski area, I just want to make
- 20 sure that that stays on the agenda for the next
- 21 time.



- 1 THE CHAIRMAN: Yes. And we have
- 2 something back to us by next meeting.
- 3 MR. GRANT: On what?
- 4 THE CHAIRMAN: On looking at the upper
- 5 South River.
- 6 MR. GRANT: Yes.
- 7 THE CHAIRMAN: Ann has indicated yes.
- 8 Okay.
- 9 MS. TROVATO: We're seeing thumbs up.
- 10 MR. HELLNER: On the subject of
- 11 understanding the science behind boats versus
- 12 erosion, I know we're -- we now know have the
- 13 minutes to review again, when we talked about that
- 14 it occurred to me that maybe if it's possible this
- 15 could, these things could be posted on the DNR
- 16 website somehow so that the general public as with
- 17 ourselves can educate themselves about where the
- 18 science stands, what the studies look like, because
- 19 we hear a lot of testimony by people that are
- 20 absolutely convinced that boats are a problem and
- 21 understanding the facts and the science I think



- might help everybody come to better resolutions on 1
- issues like this. 2
- 3 THE CHAIRMAN: Thank you. Okay. Let's
- 4 move forward to Maynadier Creek. Maynadier ski
- 5 area.
- 6 MR. GRANT: To be precise there was no
- petition per se to turn back time to the original 7
- time frame, that was an agreement on our part to
- 9 hold another public meeting to discuss the
- 10 dissatisfaction that some people had in the
- community with changes that we implemented last 11
- 12 year.
- 13 THE CHAIRMAN: Correct. So whoever
- 14 makes a motion make sure it's very specific as to
- 15 what exactly you want to either change or put in
- 16 place or leave it as is.
- 17 MR. KLING: I don't have a motion to
- 18 make. Bob and I were having this discussion about
- 19 this. I mean my personal view was I think we got
- 20 to this situation because we didn't put up a buoy
- and give public notice. 21



- 1 MR. GRANT: That's one issue.
- 2 MR. KLING: And on the other hand we've
- 3 had very comprehensive presentation from both sides
- 4 and it would seem a shame to bring people back to
- 5 do that all over again.
- THE CHAIRMAN: Buoy was put out -- I'm
- 7 sorry -- that's why we're back here and that's why
- 8 the buoy was put for this specific, to address the
- 9 requirements for this meeting. That's why we're
- 10 back here and that's why everybody has their chance
- 11 and notification.
- 12 MR. LUNSFORD: The original change when
- 13 we went -- but there was no buoy in place when we
- 14 changed it and made the uniform -- when we expanded
- 15 the hours, there was no notice to the public.
- 16 THE CHAIRMAN: Correct, that's kind of
- 17 why did -- yeah, we're back here now and we're kind
- 18 of at the right place and time to go ahead and move
- 19 forward with this.
- 20 MR. KLING: All right. Then I would
- 21 offer a motion that we recommend that we maintain



- 1 the extending hours of operation.
- 2 MS. CRAIG: Second.
- 3 (Discussion held off the record.)
- 4 THE CHAIRMAN: Okay. So I'll rephrase
- 5 it. Mr. Kling said was to maintain the current
- 6 expanded hours and take no action to restrict those
- 7 back to what they were before and they were
- 8 seconded by Amy. Make sure that everybody is on
- 9 the same page here. Okay. Discussion?
- 10 MR. JONES: I would like to just
- 11 recognize the fact that it's 25 years later and a
- 12 lot of things have changed in those 25 years and
- 13 even though the number of skiers hasn't changed
- 14 there is a reason to be looking at this and I think
- 15 the outcome of our discussions so far is very
- 16 appropriate.
- 17 (Discussion held off the record.)
- 18 THE CHAIRMAN: Sorry. Continued
- 19 discussion, Mr. Pepe.
- 20 MR. PEPE: Yeah, Chris. Mike, could you
- 21 pull up that table of percentages?



- 1 MS. ALLISON: The hours.
- 2 MR. GRANT: No. Yes.
- 3 MR. PEPE: Hours. I mean when you look
- 4 at this -- now, this is something that was new to
- 5 me today -- we knew there was a change that was
- 6 implemented. This does seem to me in my estimation
- 7 a little bit out of kilter. As far as percentage
- 8 of how things were changed, I would like to see
- 9 maybe a middle ground, maybe a little bit more
- 10 usage on every day and limiting the hours in the
- 11 afternoon. I just open that up for discussion
- 12 because just that number kind of caught me by
- 13 surprise when I saw it.
- 14 MR. JONES: This is Thornell. And I
- 15 think the numbers are misleading when you talk
- 16 about the percentages because the actual time is
- 17 nowhere near the amount of time and it would be
- 18 very hard for the actual time to be the allowed
- 19 time because you can't stay on plane forever and
- 20 it's the on plane time that really counts here.
- 21 MR. PEPE: I was actually addressing it



- 1 to the actual hours of usage, not the times that
- 2 boats are on the water, but the allowable time.
- 3 When you go from 34 to 84 percent, those numbers
- 4 are very skewed. I think there could be a little
- 5 bit of a middle ground, usage of the course for
- 6 skiers all week long and not limiting them, you
- 7 know, not allowing them there Saturday and Sunday,
- 8 giving them a more uniform time every day of the
- 9 week to use the course.
- 10 MS. CRAIG: I believe this is giving
- 11 them the option of use it during the full daytime,
- 12 in the morning and in the evening. Obviously the
- 13 majority of these skiers being in their 40s, they
- 14 probably go to work from 9 at that 5 so there is a
- 15 large percentage of the day that's not, the course
- 16 is not being used. This is for my personal
- 17 experience, we would be at the river at 5:30 in the
- 18 morning and at the course by 6 to ski and be gone
- 19 by 7:30 and that's when there were a lot of people
- 20 skiing. The number of skiers has, at least on the
- 21 South River, has dwindled, so there isn't that big



- 1 group out there anymore. And, you know, having the
- 2 hours in the afternoon, especially for
- 3 Mrs. Richardson and her son and my children, at
- 4 this point, I'm not going to get them up there at
- 5 5:30 in the morning. I have a teenager now and
- 6 she's a no go on that sort of thing so that
- 7 would -- in the original hours that would limit us
- 8 to four days a week and a certain period of time
- 9 and that's if we can make it and if the conditions
- 10 are good and a whole lot of ifs that don't
- 11 necessarily need to be restricted because we're not
- 12 going to be there for eight hours.
- I mean, I personally find it very hard
- 14 to get the ski time in between weather and other
- 15 commitments. Having it further restricted for
- 16 something that doesn't seem to be an obvious
- 17 problem -- I mean most of the complaints were that
- 18 the people in there were not supposed to be in
- 19 there using the course anyway -- so I think we're
- 20 punishing the wrong people.
- MR. KLING: I would just say -- I've



- 1 been on this committee a while -- this was some of
- 2 the most compelling, distinguishing of pros and
- 3 cons, some of the most compelling and comprehensive
- 4 testimony that I have heard. I think from the
- 5 people wanting to roll back the hours we heard just
- 6 the general, vague, erosion, other use. I mean the
- 7 kind of things we often hear. And the skiers were,
- 8 I thought, as organized and as fact-driven as
- 9 anybody I can remember hearing. And the fact that
- 10 we're talking about at most 14 boats, I was rafted
- 11 up in that creek in June, six boats, skiers came
- 12 in, absolutely no problem, there was people using
- 13 the creek, it was absolutely not an issue. I don't
- 14 have a dog in this fight. I don't waterski, I
- 15 don't have a dog in this fight, but I think the
- 16 evidence was great.
- 17 THE CHAIRMAN: Hard to waterski behind a
- 18 sailboat, isn't it? As the chairman I try to let
- 19 you let, you know, folks drive the conversation,
- 20 but I'll say from growing up right next to this
- 21 creek I have never seen the conflicts that have



- 1 been portrayed, I have haven't seen the center of
- 2 that creek used as a drag strip, you know, so
- 3 people tell you, tug on your heart strings a lot,
- 4 implications what is going on in there, but the
- 5 skiers have some very good points and like I said
- 6 with Ms. Richardson and her son being able to
- 7 waterski. My son is a waterskier and yeah, if you
- 8 can get out in the afternoon after school that's
- 9 wonderful time to get out there and spend family
- 10 time together so I'm all for it.
- MR. HELLNER: I would add to the
- 12 comments already made that is -- and correct me,
- 13 Mike, or anybody if I have got this wrong -- that's
- 14 a six knot area all of the time, 24/7, seven days a
- 15 week, so any boats going fast in there,
- 16 regardless -- I shouldn't say it this way, because
- 17 you I think I'm advocating -- if the ski course
- 18 wasn't there anybody racing around there without
- 19 the correct permits to properly operate on that ski
- 20 course is in violation of the law so I would argue
- 21 that the presence of the ski course and the



- 1 expanded hours in theory should not change or
- 2 impact the fair use of the waterway by all
- 3 concerned. The issues we've heard a lot in the
- 4 testimony had to do with violating the law and
- 5 that's not -- the fact the ski course is open I
- 6 don't think at least on the evidence that we've had
- 7 before us so far creates a magnet of let's go mess
- 8 around in the creek and make, raise a ruckus and
- 9 race our boats that can't go there regardless of
- 10 whether the ski course is there or not, so I fail
- 11 to see the correlation between the ski course and
- 12 the bad behavior. The only folks that can go fast
- 13 in there and we've heard the testimony, as you
- 14 pointed out, Mr. Chairman, very experienced, very
- 15 committed, very skilled people, three needed every
- 16 time a boat goes up that course for a really small
- 17 amount of time and there is only so many as the
- 18 testimony has pointed out. I think somebody looked
- 19 up the permits, I think Ramona you looked up the
- 20 permits in the state.
- 21 MS. TROVATO: 25.



- 1 MR. HELLNER: 25 permits in the whole
- 2 state for boats that can legally operate in that
- 3 creek and that's in the whole state so I just want
- 4 to make these points out. Mr. Chairman, I don't
- 5 see any issue that we can correct by changing the
- 6 hours.
- 7 MS. CRAIG: I just have an interesting
- 8 fact. The ski course takes up one one hundredth of
- 9 one percent of water within Maryland.
- 10 THE CHAIRMAN: And actually, I want to
- 11 dovetail to that. We talked about equal and trying
- 12 to share the use of the water, state waters,
- 13 amongst all user groups. One of the folks had a
- 14 very good comment and that is there are only three
- 15 regulated ski courses in the state of Maryland so
- 16 for our professional waterskiers or those striving
- 17 to be professionals or highly skilled waterskiers,
- 18 not your weekend folks going out and finding a
- 19 smooth body of water I think we're, we're
- 20 accomplishing that goal by giving them a place to
- 21 ski and giving them the hours to ski.



- 1 Ramona.
- MS. TROVATO: I understand that the,
- 3 there are evidently serious concerns with
- 4 enforcement and perhaps education in Maynadier
- 5 Creek and so perhaps what needs to happen is a
- 6 better enforcement program next year to see if they
- 7 can control whoever the bad actors are out there so
- 8 the creek is used as regulated and maybe they can,
- 9 we can have a buoy that's more clear about who can
- 10 use the ski course and how you can use it which
- 11 would help mitigate the concerns of the homeowners
- 12 in that area because clearly they have concerns
- 13 that need to be addressed. Being a waterskier
- 14 myself and also a Severn River waterfront homeowner
- 15 I have not experienced waterskiers being other than
- 16 courteous and enormously professional. I lived
- 17 behind the Sunrise Beach ski course, I see
- 18 waterskiers all of the time, all year long, and I
- 19 have only found them to be very courteous and to
- 20 make way for anybody who needs to go through when
- 21 they need to go through. So my experience is very



- 1 different, I don't see the enforcement and
- 2 education issues, but clearly they do, and clearly
- 3 I think it would be good to make some
- 4 recommendation regarding enhanced enforcement in
- 5 that area and better education at that ski course.
- 6 MS. ALLISON: Yeah, me too. The first
- 7 impression is and maybe that's the homeowner's
- 8 impression is that you more than doubled the time
- 9 available for use on the course, but if there is
- 10 only 14 or even if there is 20 boats using it how
- 11 much are they going to use it, so I don't have a
- 12 problem after I thought about how much more can
- 13 they be there; however, there seems to be a
- 14 problem, I agree completely with Ramona, there is
- 15 an enforcement problem. It looks likes it's for
- 16 boats that are not authorized. What about a buoy
- 17 with the authorized sticker on it saying you see a
- 18 boat that doesn't have this sticker, please report
- 19 it. Or yeah, but there should be a way to --
- 20 placate is the wrong word -- but we understand that
- 21 the homeowners have an issue and that we're --



- think about how to address it. 1
- 2 THE CHAIRMAN: Correct. All right.
- Anymore questions discuss on the motions to leave 3
- 4 it as expanded hours? All in favor of?
- 5 MS. ALLISON: Repeat the motion.
- 6 THE CHAIRMAN: The motion is to leave
- 7 the expanded hours unchanged as they were put in
- 8 place.
- 9 MR. LUNSFORD: No action.
- 10 THE CHAIRMAN: Correct. No action on
- what the current regulation is. All in favor? 11
- 12 (Vote taken.)
- 13 THE CHAIRMAN: All opposed?
- 14 MR. PEPE: No.
- 15 THE CHAIRMAN: Only one opposed. All
- 16 right. Motion passes.
- 17 Mike, can you follow-up with the buoy
- folks and see what we can do with NRP on the 18
- 19 enforcement and what we can do for better signage
- 20 for that area?
- 21 MR. GRANT: Uh-huh.



- 1 THE CHAIRMAN: Thank you. Last one
- Mattawoman Creek.
- 3 MR. GRANT: To move the current line to
- 4 the north about 4.5 miles. Again, move the current
- line north to this position right here. 5
- THE CHAIRMAN: Okay. Do you have a 6
- 7 motion on moving the line back to the proposed
- location? 8
- MR. PEPE: I'll make a motion that we 9
- 10 accept the change to move the line back.
- 11 THE CHAIRMAN: Motion by John Pepe.
- Second? 12
- 13 MR. MARSH: Second.
- THE CHAIRMAN: Coles Marsh seconded. 14
- 15 Discussion? Go ahead, John.
- 16 MR. PEPE: Is this from now on going to
- 17 be called the Lunsford line?
- (Discussion held off the record.) 18
- 19 THE CHAIRMAN: Okay. Anymore discussion
- 20 on the motion? All right. Call the question, all
- in favor signify by saying aye. 21



1	(Vote taken.)
2	THE CHAIRMAN: Opposed?
3	MR. LUNSFORD: Abstained.
4	THE CHAIRMAN: Mr. Lunsford abstains.
5	The motion passes. That was fun.
6	We're going to move on to new business.
7	(Hearing adjourned at 3:14 p.m.)
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1	STATE OF MARYLAND COUNTY OF BALTIMORE
2	COUNTI OF BALITMONE
3	I, Kelly A. Taylor, a Notary Public in
4	and for the State of Maryland, County of Baltimore,
5	do hereby certify that the aforegoing is a true and
6	accurate transcript of the proceedings indicated.
7	A MAKE TA AMANA
8	My Unne 19401
9	Kelly A. Taylor, Notary Public
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MARYLAND BOAT ACT ADVISORY COMMITEE
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