Transcript of

Boat Act Advisory Committee

Date:November 1, 2012

Phone: 1-866-337-6778 Fax: 410-268-7006 Email: corbinandhook@corbinandhook.com Internet: www.corbinandhook.com





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                        MEETING OF THE
             MARYLAND BOAT ACT ADVISORY COMMITTEE
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     IN RE: RAILROAD CREEK
            SUSQUEHANNA RIVER
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                The above-entitled matter came on for
8
    hearing on Thursday, November 1st, 2012, commencing
9
     at 10:01 a. m., at Bush River Yacht Club, 4001 East
10
    Baker Avenue, Abingdon, Maryland 21009, Coles,
11
    Marsh, committee chairman, presiding.
12
13
    COMMITTEE MEMBERS:
14
         Robin Allison
                                 Frederick Levitan
         Amy Craig
                                 Ramona Trovato
15
         John Ferman
                                 Christopher Parlin
         Thornell T. Jones
                                 Kenneth Kloostra
16
        Steve Kling
                                 Coles Marsh, Chairman
17
18
         Mike Grant, State Liaison
         Marianne Dise, Esquire, Counsel to the Board
19
         Lisa Gutierrez, Division Director, Boating
               and Access Planning
20
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     Reported by: Kelly A. Taylor
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1	PROCEEDINGS
2	THE CHAIRMAN: Good morning. We'll get
3	underway here in a few minutes and glad you could
4	make it. Thank you all for coming, we appreciate
5	you being here and we take serious your requests.
6	We have a group here assembled that are all
7	volunteers from all walks of the boating community,
8	they are appointed by the Secretary and so nobody's
9	paid, we're all volunteers and we take your
10	requests seriously and we'll listen to you.
11	The first would be the signer or
12	petitioner, you know, you have 10 minutes to get up
13	and state what it is that you feel needs to be
14	done. And anybody else that would like to speak to
15	that issue, you know, feel free, we want everybody
16	to have a chance to speak and tell us what you
17	think. Address everything to the committee,
18	because we will then after we finish hearing the
19	two sites that we're going to hear today we'll take
20	a break and have lunch. You're welcome to stay.
21	After lunch we will then talk about those issues

1	and we will come to a recommendation to the
2	Secretary. So we will be, have that done this
3	afternoon, so if you want to stay and hear that
4	you're certainly welcome to do so, we'll do it
5	after lunch, but there will be no opportunity to
6	speak at that time because we'll have heard you
7	already, but we want to make sure that you're heard
8	on every issue.
9	So with that, if you would, anybody
10	that's got electronic devices it would be nice if
11	we turn them off so we don't get interrupted as
12	we're going because we're seriously taking your
13	considerations. That would be good, everybody flip
14	them off. Okay. Everybody on the committee, I
15	want them to introduce themselves, starting with
16	down at the end.
17	(Introduction of committee members.)
18	THE CHAIRMAN: I would like to have the
19	staff and everyone else to introduce themselves so
20	you all have a chance to meet them too.
21	(Staff members introduce themselves.)

1	THE CHAIRMAN: We have one more that we
2	didn't introduce you gentlemen to, that's our
3	reporter, and everything is recorded today, so you
4	have a chance to publicly, anybody, to listen to
5	the conversations for sure.
6	First one, Mike, we'll get out and he'll
7	kind of outline our first one, which is Railroad
8	Creek, so we'll ask Mike to kind of have that lined
9	up and we're going to move on.
10	MR. GRANT: I'm sorry I'm up
11	THE CHAIRMAN: You're on.
12	MR. GRANT: Hopefully that will go away.
13	While we're waiting, our first petitioner is
14	Mr. Frank Farinetti from Railroad Creek off of the
15	Bird River off of the Gunpowder River.
16	Mr. Farinetti has requested no wake at all times or
17	idle speed zone in this creek right here, Railroad
18	Creek. We don't have any NRP officers here today
19	so I'll relay their information after Mr. Farinetti
20	speaks to the group here.
21	MR. FARINETTI: Good morning. I hope

1	that everybody fared well from the storm, I know
2	personally I made out very well. I appreciate
3	everybody showing up. Railroad Creek is a narrow
4	feed of creek like Mike pointed out, inside of the
5	railroad bridge and the train bridge there and
6	that Bird River is actually, at least a half a
7	mile wide all the way through, and it narrows down
8	at Railroad Creek and that's about maybe a half a
9	mile long from its, from its source at the, at the
10	railroad tracks going out to the point where, right
11	where that arrow is right now.
12	So where is that? Oh, okay. Right in
13	there. And that, right here is the, is where the
14	railroad track comes through and could I have
15	the next picture, Mike?
16	MR. GRANT: Sure.
17	MR. FARINETTI: Okay. Now, really it's
18	not clearly marked, but the informational buoy is
19	out here and that channel comes within five yards
20	of all the piers on this side here, there's only
21	four, only four homes on this side and a ramp for

1	the Meede at Pay Country, which is leasted here
	the Woods at Bay Country, which is located here.
2	Now, they, they launch their boats in this area
3	here and it's about 200 yards out to open water and
4	they, it's been a lot more traffic since that ramp
5	has been open and they, they use that channel as
6	a and it's right next to the piers, which is
7	causing a whole lot of damage to our boats and our
8	floating piers and our swimmers are in danger.
9	There's kayaks in the creek, because
10	it's quiet and pretty well settled, and there is
11	paddle boats and it's, as far as the wildlife and
12	everything, this whole, this creek right in here,
13	right there where I'm pointing is where the Canada
14	geese have been nesting for the last 12 or 15 years
15	and it's undisturbed, open, no bulkheads because,
16	you know, it's open to wave action and erosion, so
17	the excessive wake action has really caused a lot
18	of damage to that side of the unprotected
19	waterline. And it's as far as the housing,
20	there is no housing on, back in the creek on that
21	one side, that's all protected and inside the Bird

1	River, the whole side, one side, the far side, the
2	north side of the Bird River is all, it's wide open
3	and it's protected from housing. There is no
4	development because it's state owned, so there is
5	plenty of room outside of that creek to enjoy all
6	of the water sports.
7	We have, sometimes we have waterskiers
8	coming back in there and it's very dangerous in
9	that type of water. The PWC is a very annoying
10	situation too and they have a tendency to hang in
11	here where the water is really calm. So the no
12	wake is hard to get, I understand that, but I do
13	have a picture of my boat that has, this is about
14	the third year in a row that I have had damage to
15	my boat, my gunnel, from wave action. So I have
16	that. Like I say, it's a third year in a row I've
17	had to repair that gunnel on my boat. I've moored
18	the boat to the prevailing wind, bow to the
19	prevailing winds and even with a spring line it
20	doesn't protect the boat from side action waves and
21	that's caused by boat traffic and without a speed

1	limit that close in proximity to the piers it just
2	keeps beating my boat personally and neighbors' as
3	well and a speed limit would certainly curtail a
4	whole lot of this.
5	And actually, I have another neighbor
6	who would like to speak at this time about some of
7	the damage that's pertained to him and his
8	neighbors. Steve Upton. Thank you.
9	MR. KLOOSTRA: Which dock is yours on
10	the, on the map?
11	MR. FARINETTI: Okay, let's see if I can
12	locate it.
13	MR. GRANT: Right there.
14	MR. FARINETTI: Okay, okay.
15	MR. KLOOSTRA: Okay.
16	MR. GRANT: That orange line is the
17	channel from the launch ramp, right?
18	MR. FARINETTI: Right, yeah. The
19	channel isn't marked on there as it stands, but
20	it's, like I say, it's five yards from our pier.
21	Thank you.

1	MR. UPTON: Hi, my name is Steve Upton,
2	I've resided down in that neighborhood for 30
3	years, my uncles owned the property since the early
4	'40s so I was born and raised right there. I'm an
5	avid boater, used to be a commercial crabber,
6	fisherman, trapping as a kid growing up, my love
7	and my life is the water like you guys it sounds
8	like.
9	We started having problems with the
10	different boaters when the land got developed
11	across from us, the Woods of Bay Country. The way
12	I went about it was I would run out on the pier and
13	I would make the hand motions of please slow down.
14	And some of them would and wave, you know,
15	acknowledging the fact, I guess they didn't
16	realize. Well, it became, when that development
17	became bigger there was more and more boaters
18	coming in and out of there and after this area got
19	dredged of course the dredging pushed all the
20	boaters to our side of the river or the creek and
21	you go out there and tell them to slow down and

1	they flip you off, so I would, nice calm guy as I
2	am, I would get in my boat and I would drive over
3	to them and I would explain to them that that's not
4	going to be permitted and I had lots of damage. I
5	have been on my boat working, had a full toolchest
6	being knocked overboard because the waves were so
7	big from these boats. They put their bow in the
8	air, their stern would dig down, they might only be
9	going six, eight miles an hour, but they don't
10	realize that wake that they are pushing with a 20-,
11	24-foot boat is three foot high and it would come
12	in there and just take your boat and slam it
13	against the piers causing the damage.
14	The jet skiers would come in there and
15	just do donuts in front of your property and the
16	donuts, they do it so many times that it would
17	create such a big wave the waves would come in and
18	hit your bulkhead and ricochet back out, so your
19	boats would be getting hit from both sides and one
20	of my boats was sunk because of this. One of the
21	other neighbors behind me, his boat also was sunk

1	there. I am approximately right where it says
2	channel four foot, I'm a little bit to the right of
3	that. I'm guessing, yeah, that's probably me
4	there. I've got a boathouse and I never got to see
5	it myself, but when I lowered my lift down and I'm
6	out boating, I have had neighbors tell me that they
7	play games and come through the boathouse with the
8	jet skis and all wide open and just playing, you
9	know, in and out, going through the boathouse.
10	I have done everything. I have asked
11	nicely, I have gone over and tried to reason with
12	them, explaining to them and it's being ignored.
13	It's to the point now where you go out on your pier
14	and yell at them because your boats are being
15	slammed against the pier and they don't even look
16	over at you. So I really appreciate anything that
17	you guys can do to help us out down there. I
18	believe that's about all I had, but thank you.
19	MR. LEVITAN: Is that a natural channel?
20	MR. UPTON: No, that was dredged in
21	2007.
1	

1	MR. LEVITAN: Why was it dredged so
2	close to the shoreline?
3	MR. UPTON: When they did all of their
4	research and came to the conclusion the way that
5	the tide ebbs and flows through there that was the
6	side that was, that would be able to carry the most
7	sediment in and out, the other side is more of a
8	flat land.
9	MR. FARINETTI: Excuse me. Actually, I
10	was told that it was, that to save the expense from
11	the majority of the boat owners and piers are on
12	the north side of creek. There's only four on the
13	other side, so in order to keep the cost down for
14	expensive spurs they would put it closer to our
15	piers where most of the boat owners are. That's
16	the way that I heard, that's why it's so close to
17	our side of the river.
18	MR. LEVITAN: But you saved some money,
19	but also are having boating problems because of it?
20	MR. FARINETTI: Like Steve said, a boat
21	at six miles an hour can push a lot more water than

1	one on plane because they don't drop all the way
2	down in neutral or idle speed and then power up to
3	six miles an hour, which would eliminate the wake,
4	most boaters don't realize that. A lot of them
5	don't, not most, but a lot of them. Thank you.
6	MS. TROVATO: Are these boaters causing
7	these wake problems mostly on the weekends?
8	MR. UPTON: Unless they're on vacation.
9	When they're on vacation, I have had confrontations
10	with them where they would, their attitudes would
11	be such as hey, I'm on vacation, I got this
12	expensive toy and I'm going to play with it and
13	it's too rough and windy outside of the creek so
14	they're going to play in there. But mostly
15	weekends, yes.
16	MS. ALLISON: I've just got one, you
17	obviously have had some up front and personal
18	confrontations with these people, have you ever
19	gotten the numbers off of the vessels and reported
20	them to DNR?
21	MR. UPTON: Called in, yes.

1	MS. ALLISON: Because I was seeing
2	according to this there have been no reports.
3	MR. UPTON: This year I didn't.
4	Unfortunately, I was away so much this summer, I
5	didn't, but over the years I have called in. I
6	used to know one of the marine police that
7	patrolled the area, so I have had conversation with
8	him too, but they would go out there and play
9	chicken with the jet skis at midnight and stuff
10	like that, because they would have parties over
11	there and then they all come and play, but they
12	were called a lot over the past few years.
13	MS. ALLISON: Thank you.
14	THE CHAIRMAN: Questions? No more
15	questions from anybody. Okay. Thank you,
16	gentlemen. We appreciate your concern and we
17	certainly will take that into consideration after
18	we have lunch, so thank you very much. I assume
19	there is no one else to talk, speak for or against
20	that. And the other gentleman there? Nobody else,
21	that's it. Okay. Fine. Thank you, gentlemen.

1 Mike, next one. 2 MR. GRANT: The next request is for the, 3 at the Susquehanna River on the Havre de Grace side 4 from, in an area that's currently regulated from 5 approximately marker 18 up and above to the 6 Tidewater Marina, from the marker into shore. The 7 petitioner is Habern Freeman. The current 8 regulation is six knots Saturday, Sunday and state 9 holidays during the boating season from Heron Point 10 Marina up to the Tidewater, Tidewater Marina and 11 out to the, to marker 18. The request is for six 12 knots at all times from 18 to the Railroad Creek 13 bridge -- I mean to the Amtrak bridge. So the 14 existing is in yellow and the gray hash mark is the 15 requested. Mr. Freeman. 16 MR. FREEMAN: I thank you. My name is 17 Habern Freeman and I have a boat at that marina, at 18 the Heron Marina, I have property on the water and 19 I have been a boater for 50 years, I have never 20 seen a more dangerous situation in that area with 21 tour boats --

1	MR. GRANT: Microphone, flip it on.
2	MR. FREEMAN: With the tour boats, the
3	barges, and every kind of water vehicle that you
4	can think of. I'm the past county executive of
7	can think of. I in the past county executive of
5	Harford County and served as a senator for the
6	state of Maryland and over a year I wrote John
7	Griffin a letter stating the danger that I saw
8	here. I don't usually get involved in these kinds
9	of things, but as a citizen I thought I had to
10	write how I felt. He in turn referred me to Mike
11	Grant, who in turn told me the procedure to use and
12	I gathered over I think 50, 60 petitions of people
13	along the shore there trying to limit the speed
14	limit at all times to six miles an hour.
15	The placement of those buoys there is
16	not there, they have moved in possibly from the
17	storm or something, but they're very close to the
18	marina and very close to the shore. I see no
19	reason why there shouldn't be a limitations in
20	terms of six miles an hour at all times in that
21	there's a lot of boaters including myself that do

1	boat there in the fall and even into the winter.
2	And we also, many of us keep our boat in the water
3	all year long. I have been on the water in terms
4	of property and in fact all my life, and again, I
5	wouldn't be here except for the fact this is an
6	extremely dangerous situation. I won't go into all
7	of the details, but I'm sure you will appreciate it
8	as I appreciate you all as volunteers. That's what
9	makes government work, we all forget that the
10	volunteers are the main people that make government
11	go. You think of the recreation, the people who
12	serve Meals on Wheels and the volunteer fire
13	people, I mean that is the government, so I
14	appreciate it very much and thank you. I won't
15	bore you any longer.
16	THE CHAIRMAN: Questions for you, I
17	think.
18	MR. BUSH: The proposal that you have
19	there, do you think it will affect the whole river
20	or do you think you'll get wakes from boats which
21	are, are quite some distance from the proposed area

that you're requesting?
MR. FREEMAN: Yes. To answer your
question, I think the only way to really solve the
problem would be to have the area from shore to
shore and down to the bridge limited. I also think
there is a problem with enforcement in that if you
say it's limited at all times and you go shore to
shore it's easy to enforce, if you go the other
way, holidays, weekends and you have the markers
let's say out off the shore, they will just cut
them and come close and create the same problem.
I myself have had to go to my knees on
my boat to keep from going off the boat. There was
a drowning in the Tidewater Marina where the police
report states as they arrived on scene the
sailboats were bobbing and weaving and a fellow
fell off the boat right in the marina, and I myself
have been tossed out of a 10-foot Zodiac in the
marina. But I think you just have to limit it all
the way. You can't really go too far towards the
Perry Point side because it gets shallow. But I

1	think the real to solve the problem, and it's a
2	busy, busy place, it's as busy as, you know, almost
3	anyplace that you can find in the bay.
4	THE CHAIRMAN: I have a question for
5	you, sir. Are there any commercial watermen up
6	there by the bridge that use that, crabbers or
7	MR. FREEMAN: Well, there is. They
8	don't really crab in that area, they crab outside
9	of the area. There is, of course there is a big
10	stone quarry up there where the big huge barges go.
11	We have had in Havre de Grace recently tour boats
12	coming in, big tour boats, not the big kind like
13	out in the ocean, but the ones that hold a hundred
14	or 150 people that tour the bay. They have been
15	coming in there almost every weekend and we have,
16	we have one commercial person who has the fly up
17	with a kite and all of that stuff, it's a
18	commercial person, but he is usually savvy enough
19	to get outside and do his business. I don't think
20	it would affect him in any way. We also have the
21	Leonard Queen, which is a big boat that has

1	weddings, and one of the scary things is I sit
2	right where I can see it is when you see the
3	Leonard Queen coming out of there to have a wedding
4	and they throw anchor and get all set up and all of
5	a sudden here comes the performance boats down the
6	river and it really upsets the wedding, believe me.
7	THE CHAIRMAN: Steve, do you
8	MR. KLING: Yeah. I, I went back and
9	scratched the cobwebs and realized that I first
10	sailed, raced up there 41 years ago and I first
11	went fishing in that area 47 years ago, and I would
12	say to you that in my perspective that's been an
13	active commercial waterway for a very long time. I
14	mean you have, I think the steel mill is closed,
15	but you had a steel fabricating plant in Port
16	Deposit that brought all the tubes for the tunnel,
17	but that's been and you have the quarry up
18	there, and so we've had an active waterway for
19	probably a hundred years and from my perspective
20	there are some relatively recent recreational uses
21	of the waterway that arguably are inappropriate in

1	light of the historic use of the river. So my
2	question is how do we justify in my mind shutting
3	down or dramatically limiting the historic use of
4	the river, because people build some boat slips and
5	perhaps didn't attenuate the waves as well as they
6	might have?
7	MR. FREEMAN: Well, I don't know if
8	you're going to any way curtail the activity
9	commercially, most of the activity now has to do
10	with the barges and the stone. Other than tour
11	boats, the Leonard Queen and the fellow who has
12	the, whatever you call it, the business, what's the
13	with the umbrella parachute?
14	MR. PARLIN: Parasailing.
15	MR. FREEMAN: Right, parasailing. But I
16	don't really I really can't, you know, see any
17	other disadvantage to be honest.
18	MR. KLING: I don't want to make this a
19	debate, but that, if you put a six-knot limit in
20	there, you would dramatically curtail the historic
21	use of that body of water, I mean you couldn't run

1	sailboat races in there, which have been going on
2	for a very long time.
3	MR. FREEMAN: Well, the sailboat races
4	are, the ones that I have seen have been down past,
5	right past the lighthouse. I really don't see
6	sailboat races in that area.
7	MR. KLING: They're actively racing in
8	that area, right out of Tidewater Marina.
9	MR. FREEMAN: I sit right there and
10	watch them and they're off to the right of me,
11	which is just past the lighthouse.
12	MR. GRANT: Is that it, Steve?
13	MS. ALLISON: I have a question, Coles.
14	When you were thinking about your proposal had you
15	spoken with anybody at what's now Vulcan, used to
16	be Florida Rock Industries, up at the quarry about
17	how that would affect the commercial tugs and tows?
18	MR. FREEMAN: No, I didn't.
19	MS. ALLISON: It would definitely have
20	an impact, you can't run a tug or tow through
21	there, because I've done it a lot at six knots.

1	Much of the time, particularly like when let's say
2	a fresh ship running, like would be right now, you
3	have got to come through there faster just to have
4	control; otherwise, you're really looking for
5	trouble.
6	MR. FREEMAN: Well, that's a good point,
7	I wasn't aware of that. Let me, they throw quite a
8	wake, but the biggest problem there is the
9	performance boats. That's the ones that come
10	roaring through there and really kick everything
11	around.
12	MR. BUSH: I have one other question,
13	this is a simple, to simplify things, would
14	additional fenders make any difference in reference
15	to the damage to the boats or making it easy for
16	you? Because I have been on, in the Annapolis area
17	on the end of a pier for about, oh, I would say 25
18	years and my, I have also had fenders on both sides
19	to protect the boat and never had damage, but we do
20	get wakes and I'm just saying that it's an obvious
21	question and I guess you're saying that additional

1	
1	fenders would make no difference to you.
2	MR. FREEMAN: Yes, I really can't use
3	the, you know, the conventional, typical fender, I
4	use the big red round fenders, and I have one, two,
5	three, four on one side, which and that helps, I
6	mean there is a big difference between that and the
7	little, you know, long ones, but that's about as
8	big as I can get commercially. It helps, but it
9	doesn't keep the rock and rolling from going on and
10	the damage and
11	MS. TROVATO: Did you consider any other
12	alternatives to making the whole area six knots?
13	Because that does affect a lot of the other boaters
14	who use the waterway.
15	MR. FREEMAN: No, I really think that
16	that's probably the thing that would be, that would
17	help. I don't think that anything else would work,
18	I think it becomes hard to enforce if you have
19	these different close in and close out buoys which
20	they have which no one pays much attention to,
21	number one. Number two, they're too close to the

1	shore, you know, I mean it's either you make a
2	decision to do it or don't, that's fine, that's
3	your decision, but I don't see any other solution
4	that would help.
5	MS. TROVATO: We have considered wake
6	issues a lot in the years that I have been on the,
7	on this committee, and we studied it closely when
8	we were looking at wakeboarding and wakesurfing and
9	we found that, from experts that there is, every
10	hundred feet there is a one foot attenuation in the
11	wave height. I'm wondering is there another way to
12	accomplish your goal without making the entire
13	river in that stretch six knots and if it's one
14	other question too, that's if it's mostly the
15	performance boats, at what speed are they traveling
16	that's creating the problem, would you say?
17	MR. FREEMAN: 50, 60, 70 miles an hour.
18	MS. TROVATO: Do you think there is a
19	way that you would, could achieve your end, which
20	is to reduce damage without making the whole
21	section there six knots?

1	MR. FREEMAN: We keep talking about a
2	whole section, it's not really much of a section,
3	3 it's an area that would slow down, probably within
4	less than five minutes or five minutes they would
5	be through the six mile limit. You're going from
6	basically from a land point of view the lighthouse
7	to the bridge. I don't know, Mr. Grant's been very
8	helpful, he probably might know the exact mileage,
ç) I don't know what it is. Mike, do you know do
10) you know the distance there?
11	MR. GRANT: It's a mile.
12	MR. FREEMAN: One mile, from the Amtrak
13	B bridge to number 18.
14	MR. FREEMAN: Yeah, the first bridge.
15	MR. GRANT: Approximately 5,280 feet.
16	MR. FREEMAN: About a mile.
17	MR. LEVITAN: Do you think watch your
18	3 wake buoys would be effective?
19	MR. FREEMAN: No, sir, I it might be
20) a helpful to some extent, but I don't know how
21	helpful, how much it would curtail the speeding.

1	See, the problem that you have up in Tome's Marina
2	up there, they have a lot of those poker races and
3	they have a lot of the performance boats and when
4	they take off I mean they run, they're running 60,
5	70 miles an hour trying to get to the next place to
6	get the next whatever they get, and they come one
7	right after the another and there is a lot of
8	performance boats through there and an awful lot of
9	canoes, kayaks and, you know, it's a busy, busy,
10	busy place. And I only bring it to the attention
11	in that I was concerned about, number one, the
12	safety part of it and, number two, you know, the
13	quality of the life when you spend most of your
14	time on your boat, essentially pretty much all year
15	long.
16	MR. FERMAN: You mentioned that you had
17	commercial property or property up there.
18	MR. FREEMAN: I just have properties,
19	not commercial property, I have a couple of homes
20	on the water, not here.
21	MR. FERMAN: You don't have anything in

```
1
    here?
 2
                MR. FREEMAN: No, just my boat, I keep
 3
    my boat there.
 4
                THE CHAIRMAN: Any other questions?
5
                AUDIENCE MEMBER:
                                  I hear the term no
 6
    wake zone and I hear five knots --
7
                MS. TROVATO: You can't, you can't ask
8
    questions, sorry.
9
                AUDIENCE MEMBER:
                                  Okay.
10
                THE CHAIRMAN: We don't have any other
11
    questions.
12
                MR. FREEMAN: Well, I thank you and I
13
    don't think there's any way, harm anyone commercial
14
    or otherwise by having an area that we go from the
15
    lighthouse to the first bridge, but I respect your
16
    decision.
17
                THE CHAIRMAN: Often people in the
18
    marina with the boats, do they call NRP? They're
19
    just around the corner for problems, for people
20
     coming too fast past your marina, pier.
21
                MR. FREEMAN: I don't really know, I
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1	have been asked that question and Mike Grant asked
2	me that and really people can be absolutely
3	legitimate and abiding by the law and cause the
4	problems, and I don't know what happened to the
5	markers, it might have been from the storms, but
6	they seemed to have moved in closer and it's
7	awfully hard to enforce there, it really, really
8	is, and I would never in a million years think in
9	terms of saying anyone that's in enforcement there,
10	the marine police would be remiss in terms of their
11	duties and responsibilities. They always do a good
12	job, it's just very hard to deal with that
13	situation.
14	And Mr. Grant was, Mike was up there and
15	viewed the area and it's not unlike any other place
16	you go, you know, in terms of the, where they have
17	the markers that you go into a busy, busy port or
18	anywhere else, they're all over the bay. You have
19	the six mile an hour at all times and you have done
20	a bunch up in Middle River, you have done them down
21	in the Annapolis area and that is about as busy as

1 anyplace around the bay. 2 MS. TROVATO: I have one other question. 3 If that was made six knots at all times, the same 4 yellow area, would that help at all? 5 MR. FREEMAN: Mike, maybe you can help 6 me with the yellow area, that's right from the 7 lighthouse? 8 MS. TROVATO: Exiting speed spoken. 9 MR. FREEMAN: I see, up here. So -- no, 10 I don't think so. See, that's awfully close and I 11 think that's moved, I think that red number 18 has 12 come close to the shore. 13 MR. GRANT: Yeah. 14 MR. FREEMAN: A couple of guys have 15 commented on it, I think it's due to the storm. Ι 16 don't think that anybody has placed it there. 17 MR. GRANT: The buoy or six knot marker? 18 MR. FREEMAN: The buoy, the six mile 19 marker is in from 18. 20 MR. GRANT: Right. 21 MR. FREEMAN: It's in there pretty

1	close. And I think I don't know that they don't
2	abide in that area in there, but they do cut it
3	real close. Sometimes they cut inside of the
4	marker, but it's real close in there. One of the
5	things that you had stated before, which would
6	probably be a helpful thing, if in the summer they
7	would do the wave test, I think they can do that
8	with some kind of a system where they can measure
9	the wake height don't, do they have a system
10	now, Mike, that they do that?
11	MR. GRANT: Well, you can, we would have
12	to do a manual test for the measurement and, you
13	know, and NRP I guess would be involved and
14	hydrographics might be as well.
15	MR. FREEMAN: GPS
16	MR. GRANT: I'm not familiar with that
17	system, it's more in New Jersey.
18	MS. TROVATO: I'm sorry, one of the
19	things I'm trying to look for is a compromise,
20	because we try to protect the waterways for
21	everybody who wants to use them. As you know, I

1	mean, you know, volunteers and elected officials,
2	they're all looking out for the good of everybody.
3	I'm trying to figure out is there a way to satisfy
4	your need, which is not to have your boats knocked
5	all around without slowing down a one mile by three
6	quarter mile section of that river? That's what
7	I'm looking for, sort of something in between.
8	MR. FREEMAN: I really don't think there
9	is an in between, I really don't, and I think, I
10	think it would be more confusing to be very honest.
11	It's very confusing for the boaters coming through
12	there to know exactly where to slow down and not to
13	slow down. If they're outside of that marker a
14	little bit, they're okay, and, you know, easiest
15	way in the world to know that you are to slow down
16	is you see two markers as you enter into an area,
17	that tells you. There it's very, very vague, very
18	hard to know exactly what to do, especially with a
19	lot of traffic. There is that's a busy, busy
20	place. It's hard to imagine how busy that is in
21	terms of every kind of boat, vessel you can

1	imagine.
2	MR. BUSH: Getting back to the barge
3	traffic, I think from one of our she is a
4	tugboat operator, is saying that she cannot slow
5	down to that speed normally in towing a barge and
6	therefore they would have to be excluded and my
7	next question could be what about what effect have
8	you observed from a barge going back at their
9	operational speed?
10	MR. FREEMAN: Well, I think they have
11	various speeds and I really don't know, and that's
12	new information to me and I respect very much that
13	information. My life has been pretty much devoted
14	to lack of rules and regulations that prohibit
15	business folks so I would be sympathetic with her
16	statement as far as the captain of a big tug. I
17	also, that particular stone quarry up there has
18	been a real boon to Harford County, been a big
19	business for years and years and years going way
20	back before development, marinas or anyone else, so
21	I have a high respect for that, so I wasn't

1	aware that I actually thought that the, I don't
2	know how fast the tugs move
3	MS. ALLISON: It depends on how fast the
4	water is pushing it. If you're going through
5	there, sometimes they will shut you down if the
6	flood gates are opened, depending on how many gates
7	are going, sometimes you have to be going 8, 9, 10
8	to compensate for the water. Again, it depends on
9	whether you're pushing light or loaded.
10	MR. FREEMAN: It's rough in there and
11	you get the winds and the tide and the flow coming
12	down from the Conowingo Dam and it's a captain's
13	nightmare.
14	MS. ALLISON: There is a big reserve,
15	anchorage area for the barges outside.
16	MR. FREEMAN: Right.
17	MS. ALLISON. There is a huge amount of
18	traffic, huge amount going through that bridge and
19	this specific area on a daily basis.
20	MR. FREEMAN: Right, you're exactly
21	right. But I wasn't aware of the problem, I always

1	felt that tugs probably moved six knots without
2	even asking to.
3	MS. ALLISON: Sometimes they do and
4	sometimes they don't.
5	MS. TROVATO: Were there any other
6	petitioners in favor of this solution?
7	MR. GRANT: 26 on the petition and
8	MR. FREEMAN: I read the rules and the
9	rules said I had to
10	MR. GRANT: You supplied 26 and I heard
11	from two individuals via phone call.
12	MR. FREEMAN: I could have gotten
13	petitions as long as I had the patience to go and
14	get them to be honest, because there's so many
15	people in the marinas there and there are a lot of
16	sailboat people and the sailboat people, you know,
17	I think they're the ones that probably have more of
18	a problem than the motorboat people like me. You
19	know, they have a lot less ability to maneuver and
20	come out of those marinas. I think they're almost
21	immediately in harm's way in terms of performance

1	boats and we have, we have a whole different
2	attitude in the last years, you know, I don't like
3	to blame it on other people, but it seems like the
4	Marylanders for years and years have been kind,
5	courteous and they wave and quick to help, and my
6	best example of a new boater, I was sitting off of
7	Poole's Island fishing one day and I heard a boat
8	coming from a mile away roaring, coming right at
9	me, I mean just head on, I got a little frightened
10	thinking he's got to see me, it's a beautiful day,
11	pulls right up on me and back wash comes in and
12	rocks me around and he says hey buddy, which way is
13	Baltimore? He's gone, as soon as I pointed, and
14	that it seems to me there is a new group of
15	boaters that just don't, they're just not
16	courteous, no courtesy extended at all, and they
17	really don't the gentleman who got up here
18	before was probably being very kind, but the truth
19	is they really don't care and the only thing they
20	care about is enforcement and the marine police,
21	but other than that they never pay attention to you

1	as a boater saying slow down, they usually get a
2	different gesture when do you this (indicating) so.
3	THE CHAIRMAN: Any other questions,
4	anybody else?
5	MR. FREEMAN: Thank you for your time.
6	THE CHAIRMAN: Thank you for coming and
7	appreciate your concerns.
8	MR. FREEMAN: I respect whatever
9	decision you make. I really do say, you know, best
10	decision would be the one that I requested and
11	probably the other decision be just the way it is.
12	It would cause more confusion to try to mix and
13	match.
14	MR. LEVITAN: Do you think it would help
15	if that existing area was expanded another hundred
16	feet on
17	MR. FREEMAN: Absolutely, that would
18	help. It might even help I've been a bit
19	confused later because it's very hard to know where
20	the marker is because I think it's moved, I think
21	it moves often and I think, I think Natural

1	Resources people must put it where it's supposed to
2	be and then you notice about three weeks later it's
3	not there and it's moved, and there is a lot of
4	current through there, as you know. That's a,
5	that's a heavy when they let those gates up at
6	Conowingo, it's hang on, so I think that probably
7	influences these markers that move and also after
8	storms, but that would help. To be out there
9	further would help. The problem that you have when
10	you get out further, Robin, she may have a problem
11	because you might get it out where there is less
12	water.
13	MS. ALLISON: It would depend on how far
14	you move it out, there's a fair amount of width
15	there.
16	MR. FREEMAN: Okay.
17	MS. ALLISON: Try not to get any closer
18	to the docks than necessary.
19	MR. FREEMAN: That might help. That's a
20	good suggestion, that might help. Thank you.
21	THE CHAIRMAN: Thank you, sir, we

1 appreciate that. 2 MR. FREEMAN: Thank you all very much. 3 THE CHAIRMAN: Appreciate you coming. 4 Mike, shall we move along? 5 (Discussion held off the record.) We can move into the old 6 THE CHAIRMAN: 7 business if you want to. Do you want to do that? 8 MR. GRANT: Marine gatherings, I believe 9 Lisa Gutierrez has, would like to brief you on this 10 regulation. 11 MS. GUTIERREZ: And Marianne Dise. Good 12 morning, everybody, we're tag teaming this morning. 13 As a courtesy to the Boat Act Advisory Committee we 14 are presenting, as a courtesy we are here to 15 present some information on the marine gatherings 16 legislation that was passed from the Maryland 17 General Assembly last year, last legislative 18 session. So in your packets you should have a fact 19 sheet, there's frequently asked questions and, you 20 know, I'm not going to read it, you can look at 21 that and if you have any further questions you

1	should let us know, but we did want the Boat Act
2	Committee to know that regulations that are
3	associated with this legislation are being proposed
4	and Marianne can address that.
5	MS. DISE: The regulations will not be
6	coming to you for approval. And that's because the
7	marine gatherings legislation that Lisa referenced
8	is in Natural Resources Article 8-725.4 no
9	yeah, .4? No, .7, sorry. It's a new section of
10	the law and it has specific regulatory authority
11	requiring DNR to promulgate regulations related to
12	safety. The program is being administered by the
13	Natural Resources police, they were the ones who
14	will be issuing any marine gathering permits that
15	need to be issued and it's on a safety, public
16	safety basis. And the regulations will basically
17	track the statute giving the Natural Resources
18	Police the authority to require security personnel
19	and other safety measures for large gatherings of
20	boats, so that's basically it. It's because the
21	statute gave DNR separate regulatory authority and

1	indeed required DNR to promulgate those regulations
2	and the program is under the police.
3	MS. GUTIERREZ: And just so you know,
4	Jeannine Moaney, who is our regulations processing
5	wizard, is going to be working closely with the NRP
6	to make sure that the regulations that are related
7	to the permit are processed and put into effect, so
8	we're hoping to have that submitted sometime next
9	week.
10	THE CHAIRMAN: Thank you, great. Any
11	other questions for them? Thanks. We have the
12	other one for you to chat about a little bit.
13	MR. GRANT: After the, after last week's
14	meeting Ramona asked about our current membership,
15	which is currently at 18. Maryland Boat Act
16	regulation speaks to 21 total members, no more than
17	21. Mr. Slaff I believe will no longer be a
18	member, his wife reached out to me and left me a
19	voice message and said she would call me back, it
20	sounded like he won't be participating anymore, so
21	that takes it down to 17. I received, when I

1	received Mick's, Mick Blackistone's resignation he
2	also forwarded a name of a person also with the
3	Watermen's Association who should be recommended
4	for the board, for the committee, and I also have
5	the name of a woman who was at the Middle River
6	public hearing last year, she is a Realtor in the
7	Middle River area, she had shown an interest, so I
8	have her name on file. Other than that, we're
9	currently 17 right now, they're our current
10	membership, excluding Mr. Slaff. So the question
11	is do you want to proceed and go back up to 21, is
12	there is number lower than 17, is 17 fine, where do
13	you want to go?
14	THE CHAIRMAN: I think we certainly
15	ought to consider someone from the marine, I mean
16	from the commercial fishing, Watermen's
17	Association, you know, as we don't have anybody
18	representing those.
19	MR. GRANT: I stand corrected, I'm being
20	corrected. It's not actually up to you to how many
21	members to have, but that's something that has to

1	be discussed. In fact, it was discussed towards
2	the end of last year with Bob Gaudette and Lisa
3	and myself, I'm sorry about that. But we're at 17,
4	we'll bring this up with the Secretary that anybody
5	you think should be appropriate please have them
6	submit their name and their resume to my office and
7	we'll forward that to the Secretary for
8	consideration.
9	MS. TROVATO: Could we say we strongly
10	support having a representative from the Watermen's
11	Association?
12	MR. GRANT: I think you can do that.
13	Can't they?
14	MS. GUTIERREZ: Yes.
15	MS. TROVATO: We strongly support that
16	and it would be great for the next meeting if it's
17	possible, I know that things, you know, offers have
18	to be made and people have to have the time to
19	participate, but it would be good to have that
20	perspective that was served before on the
21	committee.
1	

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1	MS. GUTIERREZ: Ramona, that's in the
2	law, Louis has just reminded us, that's part of the
3	statute, so there has to be a representative from
4	the watermen.
5	MS. TROVATO: That would be great. Are
6	we missing, in the 17 we have now are we missing
7	any other group that's required by law or is it
8	only that
9	MR. LEVITAN: How about the Marine
10	Trades, do we have
11	(Discussion held off the record.)
12	MS. GUTIERREZ: We'll confirm, but I
13	think, you know, we've always had
14	MS. TROVATO: Whichever way it goes, by
15	law or not by law, it's a great idea to have
16	somebody from the Watermen's Association. Would it
17	be helpful if any of us know anybody that might be
18	interested and have them write background to submit
19	to you?
20	MR. GRANT: Yep.
21	MS. GUTIERREZ: Absolutely.

1	MS. TROVATO: Mike, at your e-mail
2	address?
3	MR. GRANT: Please.
4	MS. TROVATO: Their boating resume and
5	interest?
6	MR. GRANT: Yes.
7	MR. KLING: Can we agree that there are
8	too damn many powerboaters and we need to broaden
9	the basins?
10	MR. LEVITAN: Absolutely.
11	MR. PARLIN: I would like to make a
12	comment, perfect segue. I think we need to look
13	around and see if there is any other areas of
14	boating that need be to be represented. I think
15	that paddling sports, there has been a lack of, I
16	mean some of us are into paddling sports, but if
17	there was a representative who was from the
18	industry, that might help. Maybe for us to look
19	around and see what other areas can we look for
20	diversity as far as experience.
21	MS. TROVATO: Do we have anybody in the

1	Eastern Shore, maybe down by Ocean City and the
2	bays back there, do we have anybody from there?
3	THE CHAIRMAN: No.
4	MR. GRANT: Not that
5	THE CHAIRMAN: Not Ocean City area.
6	MS. TROVATO: I was thinking geographic
7	diversity. Yeah, I support your recommendation
8	about the diversity across the different kinds of
9	boating.
10	MS. ALLISON: Mike, I have a question,
11	and that is do you think that we're correctly or
12	accurately covered on the commercial world? I can
13	cover some of the tug stuff and some of the
14	commercial things, but would you be interested in
15	having somebody like a bay pilot or that kind of
16	thing? I mean that's just an open-ended question,
17	you know, to cover as much ground as we can in a
18	very large body of water actually.
19	MR. GRANT: I don't see any reason why
20	not, I mean, but a bay pilot would be good person
21	to have aboard.

1	MS. GUTIERREZ: Robin, if you can
2	recommend somebody that with be great, I think that
3	would be a really good addition.
4	MR. GRANT: Paddling sports, Ocean City
5	area.
6	MS. TROVATO: More sailors, Steve said
7	more sailors.
8	MR. KLING: Right, right.
9	THE CHAIRMAN: We have a few.
10	MR. BUSH: You might contact the
11	Solomons area, do you have any representation from
12	the area?
13	MR. GRANT: Southern Maryland.
14	MR. BUSH: Solomons Island.
15	MR. GRANT: Specifically Solomons
16	Island.
17	MR. BUSH: Yeah.
18	MR. PARLIN: Southern Maryland.
19	MR. GRANT: Okay.
20	THE CHAIRMAN: Any other questions?
21	MR. LEVITAN: Marine Trades Association,

1	I know we used to, do we have
2	THE CHAIRMAN: Nobody from the Marine
3	Trades Association. That would be a thought. Have
4	them submit their suggestions to Mike.
5	MR. LEVITAN: I still haven't gotten an
6	answer.
7	MS. TROVATO: What was your question?
8	MR. LEVITAN: Marine Trades Association.
9	MS. TROVATO: If you have somebody, get
10	them to send in an e-mail to Mike. So you
11	specifically want from the people who send
12	something to you a boater's resume?
13	MR. GRANT: Yeah.
14	MS. TROVATO: And how to contact them?
15	MR. GRANT: Letter of interest.
16	MS. TROVATO: And a letter of interest,
17	okay.
18	THE CHAIRMAN: Concerning Bob Slaff, I
19	see there are donations for get well gifts, explain
20	that a little bit.
21	MR. GRANT: We had talked about sending

1	flowers to him from the Boat Act and whether you
2	all cared to contribute to that.
3	THE CHAIRMAN: Absolutely.
4	MR. GRANT: That would be fine and
5	Jeannine will order some flowers.
6	THE CHAIRMAN: That would be great.
7	Does anybody, do you have a report on him from his
8	wife?
9	MR. GRANT: I do not, I mean she reached
10	out and said she would call me back at her
11	convenience, so I didn't bother her, but the last
12	we heard was that he had, he was in a long-term
13	care facility probably for a long term.
14	THE CHAIRMAN: I don't guess that we
15	have anybody that knows what the status of Doc is
16	and if he's Weintraub.
17	MR. GRANT: Who?
18	THE CHAIRMAN: Doc Weintraub.
19	MR. BUSH: Yeah, Bill Weintraub.
20	THE CHAIRMAN: I think the last I heard
21	he was, he was still in that facility there and not

1 doing very well. Maybe we can do that too --2 MR. BUSH: Last I heard he didn't 3 recognize people, Bill Weintraub. 4 THE CHAIRMAN: We did, we want to chat 5 about the conduct policy. I mean, we received that 6 update on that. 7 MR. GRANT: This is the -- the revision, 8 we have --9 THE CHAIRMAN: Revision. 10 MR. GRANT: Mr. Parlin's addition and 11 also the one word financial that Russ Dwyer wanted 12 included, so that's as you all approved last time 13 around. 14 MR. KLING: Nothing to discuss, we 15 approved it. 16 Right, but just --MR. GRANT: 17 THE CHAIRMAN: We, everybody got a copy 18 of the revisions, so are you happy with that, 19 everybody happy with that? Get that part taken 20 care of. 21 MR. GRANT: Anybody not receive a copy

1	or unable to open it we have copies here and I'll
2	put it at the head table.
3	THE CHAIRMAN: Anything else that you
4	all have to discuss or any old business or new
5	business that any of the members have to discuss?
6	Before we move on, I suggest I don't think we
7	have lunch ready yet we just move on and
8	complete the mission and do our executive session,
9	we're not ready for lunch yet, so we'll go on
10	executive session, let's move on.
11	MS. TROVATO: Good idea.
12	THE CHAIRMAN: First one we had was
13	Railroad Creek.
14	MR. GRANT: Railroad Creek. Originally
15	the request was for no wake or idle speed zone at
16	all times.
17	THE CHAIRMAN: Currently we have a
18	MR. GRANT: Microphone. No regulation
19	in the area currently.
20	THE CHAIRMAN: There is nothing there
21	currently. Okay. We'll make a motion.

1	MR. KLING: For purposes of
2	discussion I would offer a motion that we
3	recommend the six knot speed limit Saturday,
4	Sundays and holidays during the boating season.
5	MS. TROVATO: Second.
6	THE CHAIRMAN: Second. Motion and
7	second that we have the six knot speed limit
8	Saturday, Sunday and holidays through the boating
9	season; is that correct? Any discussion?
10	MR. LEVITAN: I was up there with
11	members of the committee during the week I spent
12	some time up there with a few other members of the
13	committee in the middle of the week and there was
14	just absolutely no traffic there at all; however,
15	it is a very small, narrow area and I think
16	particularly, I think the motion would be a good
17	one.
18	THE CHAIRMAN: Any more discussion?
19	MR. KLOOSTRA: What would be the outer
20	limit of the speed limit? The outer barrier or the
21	line? Can you back up the picture, Mike?

1	MS. TROVATO: Can you get a bigger
2	picture, Mike?
3	MR. GRANT: Yep nope. There it is.
4	MR. KLOOSTRA: Is that red line the
5	suggested?
6	MR. GRANT: No, this red line here is
7	the dredged channel from the launch ramp from this
8	community to the actual channel, so this area in
9	here is an average two and a half to three feet of
10	water, this is the channel that runs over to the
11	dredged channel.
12	MS. TROVATO: So where would the line
13	be?
14	MR. GRANT: Well, that's why I was back
15	at this one. There is your launch ramp right
16	there. Mr. Farinetti lives right about there. The
17	channel to and from is approximately here, the
18	entrance there's the open, the mouth to the Bird
19	River, so I guess anywhere from this area to here
20	or here to here? Mr. Farinetti, do you have a
21	comment?

1	MR. FARINETTI: That would be perfect.
2	MR. GRANT: Which one?
3	MR. FARINETTI: The first one you said,
4	that's pretty much the same from here, where the
5	arrow is, the point of the arrow.
6	MR. GRANT: The point of the arrow
7	MS. GUTIERREZ: Mike, we're in executive
8	session.
9	MR. GRANT: I thought we could ask
10	THE CHAIRMAN: You can't ask questions.
11	MS. TROVATO: I thought we were allowed
12	to ask questions.
13	MR. GRANT: Thank you.
14	MS. GUTIERREZ: Of anyone
15	MR. GRANT: Yes.
16	MS. TROVATO: No?
17	MR. LEVITAN: We can ask questions.
18	THE CHAIRMAN: Get a clarification.
19	MR. GRANT: My understanding is if the
20	committee needed clarification from a
21	MS. DISE: You probably designated this

1	as an executive session, that implies that it's
2	closed, and I don't think that's how you all
3	conduct your executive sessions, rather it's more
4	of a discussion and decision-making session.
5	Right? Rather than what would be known in open
6	meetings law as an executive session, which implies
7	that it's closed and it's to discuss say a legal
8	matter, personnel matter, something like that, and
9	so I will, you know, for the future would recommend
10	that you don't call it an executive session, you
11	call it a discussion or decision-making session.
12	And if you, if you want to ask questions I think
13	that's in your right, it's how you want to conduct
14	your decision-making session.
15	MS. TROVATO: We can call it differently
16	though.
17	THE CHAIRMAN: Yeah. Anymore
18	MR. PARLIN: Mike, obviously this
19	request was for six knot for the creek originally,
20	did you have an original point, a reference where
21	you were going to put the line?

1	MR. GRANT: No, I did not. But that
2	this is about where it opens up into the river so I
3	guess the actual dredged channel I believe starts
4	here and runs along here, so that would be an
5	appropriate spot, from this point of land right
6	here leaves this little cove open for activity and
7	this is an open, it's open river here, so I guess
8	you could consider this the beginning of the creek
9	right across here, if everybody can see that.
10	MR. LEVITAN: Yeah.
11	MR. KLING: Got that, Louis?
12	MS. TROVATO: So that closes off two
13	creeks, not one creek, right?
14	MR. GRANT: You have this area, you
15	would, this area is not part of Railroad Creek,
16	this is only Railroad Creek here.
17	MR. KLING: As the person who made the
18	motion, I would say from the point of land, you
19	know back up.
20	MR. GRANT: Here.
21	MR. KLING: No, that's out. More

1	upstream, that there, across the creek.
2	MR. GRANT: Here?
3	MS. TROVATO: Yes.
4	MR. GRANT: So from this point to here?
5	MS. TROVATO: Yes.
6	MR. GRANT: This is okay.
7	MR. KLING: So as to not go outside of
8	public notice, we can't close off the creek, that
9	was not mentioned.
10	MR. WRIGHT: Notice buoy is out there
11	right there.
12	THE CHAIRMAN: Is that up in there
13	MR. FARINETTI: No, it isn't, the other
14	creek is too shallow for any kind of boats to get
15	out at all.
16	THE CHAIRMAN: Canoes and paddle boats
17	only, not even that.
18	MR. FARINETTI: On a low tide you
19	couldn't do it with a canoe.
20	MR. WRIGHT: We're talking right now
21	about here, where he is down to there vertically,

1 almost north/south. 2 MR. GRANT: We can almost go back to the 3 other map here. So you're talking about from this 4 person's dock right here and this area right here 5 up to about here. 6 MR. WRIGHT: Points behind there. 7 MR. GRANT: Yeah. 8 MR. WRIGHT: One thing to consider is up 9 in this area, up above the picture, is there is 10 that concrete platform, it's kind of over the edge 11 of the channel. 12 MR. GRANT: What it is? 13 MR. WRIGHT: Concrete platform with a 14 steel tower on it. 15 MR. GRANT: Right. 16 MR. WRIGHT: And whether people are 17 going to be coming busting out of there and, you 18 know, whether that creates a hazard. 19 MR. PARLIN: Is that a good point of 20 reference then to put the -- we don't have a good 21 picture of that inlet there. Would that be a good

1	point of reference to put the speed zone? You said
2	there was a regulation, notice buoy was out there.
3	MR. WRIGHT: Notice buoy is somewhere
4	out where that pointed arrow is, in between those
5	two points out there. I mean I've got coordinates
6	to this point, that point there and some of the
7	other ones in shore there, so I mean we can put it
8	anywhere, it's just a matter of those, the ones I
9	already have, but the main concern was more with
10	that concrete pad thing, whether that would be, you
11	know, an issue people coming out of there. I don't
12	think anybody's run into it yet, but whether in
13	their excitement to get out of that speed zone
14	MR. PARLIN: Do your points incorporate
15	that concrete pad?
16	MR. WRIGHT: They offset it, yeah, they
17	ought to go across there.
18	MR. PARLIN: Kenny, do you agree that we
19	should put it at the points that Louis has it?
20	MR. KLOOSTRA: Makes sense right where
21	the tower is, yeah. I'm seeing it's marked

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1	perpendicular to the channel, it's easier as a
2	boater to decide, you know, you see two marks.
3	MR. GRANT: Are you talking about this,
4	across here?
5	MR. KLOOSTRA: No, just a little south,
6	there. There's a natural, there's a natural thing
7	just below your pointer right now, there is a
8	natural point.
9	MR. GRANT: There?
10	MR. KLOOSTRA: From there to this that
11	tower, which is almost to the straight northeast.
12	MR. GRANT: Here.
13	MR. KLOOSTRA: That's what I recommend.
14	MR. WRIGHT: The tower is kind of
15	between the end of the arrow point and the end of
16	that point right there. I mean it can
17	MS. TROVATO: Where was that
18	MR. PARLIN: You got a better picture
19	there?
20	MS. GUTIERREZ: See if you can put
21	Louis' machine up so he can project that.

1	MR. GRANT: Yeah, sure.
2	MS. GUTIERREZ: Louis has the chart.
3	MR. KLING: I'm looking at a chart and
4	it's got a dotted line across the mouth of that
5	creek.
6	(Discussion held off the record.)
7	MR. WRIGHT: The tower shows on the
8	chart right here, I'm not sure what that is
9	MR. KLING: I don't either.
10	MR. BUSH: Speak a little louder
11	MS. TROVATO: Take a mic.
12	THE CHAIRMAN: Thanks.
13	MR. GRANT: The tower is right there.
14	MR. WRIGHT: The tower is right here,
15	that's about there. I mean I've got coordinates
16	here and there is the other point that's over here,
17	anywhere there is a little flag is where I have
18	numbers, I mean it's like I kind of picked random
19	spots.
20	MR. KLING: How about the concrete tower
21	to the flag by 152?

1	MR. GRANT: Right there.
2	MR. KLOOSTRA: That's where I recommend
3	from there to the tower.
4	MR. WRIGHT: And then over to the shore
5	wherever it falls so it's closed off.
6	MR. KLOOSTRA: Yep.
7	MS. TROVATO: Where was your buoy
8	announcing the petition?
9	MR. GRANT: Right here. The first one
10	was in here.
11	MS. TROVATO: Where?
12	MR. GRANT: It was in here but then
13	somebody pulled it up and threw it on
14	Mr. Farinetti's lawn, they reset it up here.
15	MR. WRIGHT: When I went up this is
16	where it was.
17	MR. GRANT: Okay.
18	MS. TROVATO: The petition include both
19	of those creeks.
20	MR. GRANT: No, it only pertains to this
21	creek in here.

1	MR. FARINETTI: A point of information
2	if I may, there is only several homes on that
3	point, southwest point there. The yellow one.
4	MR. GRANT: This one.
5	MR. FARINETTI: There is only several
6	homes back in that creek, there's only three and
7	they have their own spur there and anything further
8	of those houses is not navigable at all.
9	MR. GRANT: Here?
10	MR. FARINETTI: That whole creek there
11	goes all the way back to several different roads,
12	but there is no water at all in there.
13	THE CHAIRMAN: What if we took it from,
14	Louis, where from, down at 164, go up to where it's
15	two foot depth?
16	MR. WRIGHT: Here?
17	THE CHAIRMAN: And just come across that
18	and leave that other creek, even though it's not
19	navigable.
20	MR. GRANT: Here or to here?
21	THE CHAIRMAN: There, just leave that

1	other one open.
2	MR. GRANT: So go to 152 and 148
3	THE CHAIRMAN: Where the 148 is go
4	across the two-foot mark straight across.
5	MS. TROVATO: Or up to the tower.
6	THE CHAIRMAN: Up in that little cove
7	area, leave that other creek alone, even though
8	it's not navigable, the people that have homes
9	there don't have a chance to realize they could be
10	affected and that's something, that solves your
11	issue, because your creek
12	MR. FARINETTI: I'll tell you, it's a
13	lot more deceiving as far as looking at the map and
14	the actual it's only like 200 yards in the ramp
15	all the way out to the opening, the farthest
16	opening right there, it's only 200 yards from that
17	ramp and everything in that little cut just below
18	where the laser marker is. There's several homes
19	in there with no bulkhead whatsoever and wave
20	action is sort of eating their, their real estate.
21	MS. TROVATO: Could I ask Marianne a

1	question?
2	MS. DISE: Sure.
3	MS. TROVATO: If this petition was for
4	this one creek and this other creek whose name I
5	don't know
6	MR. FARINETTI: There is no name on that
7	creek, it's part of Railroad Creek.
8	MS. TROVATO: Does anybody know the
9	answer to that?
10	MS. DISE: Louis, is that true?
11	MR. WRIGHT: As far as I know it's all
12	Railroad Creek. When they did that project,
13	there's a main channel that runs up along the side,
14	164, those are the buoys for the main channel, and
15	they also did another channel as part of that in
16	here and I think on their dredge stuff they show
17	all of this as Railroad Creek generally.
18	MS. TROVATO: Both sides?
19	MR. WRIGHT: Yes.
20	MS. TROVATO: That answers my question.
21	THE CHAIRMAN: Railroad Creek.

1	MS. TROVATO: I would like to ask Mr.
2	Farinetti a question. Would those people on that
3	point, that point right there, would they have
4	something to say about putting the line out there?
5	MR. FARINETTI: What point?
6	THE CHAIRMAN: Right there.
7	MR. FARINETTI: Oh, there. No, I think
8	they would be all in favor. I know several of the
9	people there, I haven't spoke to them about it, but
10	they definitely would be in favor of it.
11	MR. WRIGHT: I mean I can show you a
12	picture of that tower, you know, so you get some
13	idea of what I'm talking about.
14	MS. TROVATO: Somebody made a home
15	there.
16	MR. WRIGHT: Mr. Farinetti said
17	apparently it was a swim platform at some point,
18	way long ago.
19	MR. FARINETTI: About, maybe a hundred
20	feet from the shoreline. Even though it's not
21	lighted up, everybody who boats in the area are

1	well aware that it's, it exists and the markers for
2	the channel are well off of that where it's not a
3	danger to navigation if you're following the
4	channel.
5	MS. TROVATO: Is there still a ski jump
6	out there in the river?
7	MR. FARINETTI: No.
8	MS. TROVATO: That's gone?
9	MR. FARINETTI: That's gone.
10	THE CHAIRMAN: Steve, I think we had
11	some request for you to repeat your motion.
12	MR. KLING: I thought I had. My
13	suggestion was to amend it to specify, but,
14	between this doesn't show up well on the
15	transcript, but from the 152 to 147?
16	MR. GRANT: 7.
17	MR. KLING: Yeah. Does that include the
18	platform, Louis, do you know?
19	MR. WRIGHT: No.
20	MS. TROVATO: No.
21	MR. KLING: Where is the platform?

1	MR. GRANT: Right there.
2	MR. WRIGHT: Actually, 146 is where it
3	really is, it's charted there, but it's a little
4	farther down.
5	MR. KLING: Would it make sense to
6	include the platform as a starting point
7	MR. PARLIN: Yes.
8	MR. KLING: for the line, so can we
9	go from 152 to the tower to 146?
10	MR. WRIGHT: Yeah.
11	MR. GRANT: To land.
12	MR. WRIGHT: Somewhere offshore over
13	here.
14	MR. KLING: So we're reflecting the
15	potential danger of that thing.
16	MR. PARLIN: Yes.
17	THE CHAIRMAN: Makes sense.
18	MS. TROVATO: Good idea, Saturday,
19	Sundays and holidays and boating season.
20	MR. KLING: Is that specific enough?
21	MR. WRIGHT: That will work.

1	THE CHAIRMAN: Any more discussion?
2	MS. ALLISON: One comment, I would like
3	to point out there was one resident of the
4	homeowners association of Woods at Bay Country
5	against this saying there is not an issue, they
6	have boated there for 20 years, and I would also
7	like to point out that the DNR police have not,
8	have said there is no problem.
9	THE CHAIRMAN: Thank you. Steve, do you
10	want to repeat that one more time?
11	MR. KLING: Well, the motion would be
12	from the, on the chart identified at 152 to the
13	cement, unlighted cement tower and then to point on
14	shore referenced by 146, Saturdays, Sundays and
15	holidays during the boating season, six knot limit.
16	THE CHAIRMAN: Six knots. Okay. Any
17	more discussion on that? Call for the question?
18	All in favor of Steve's motion raise your hand.
19	MR. GRANT: 10.
20	THE CHAIRMAN: All opposed to that,
21	raise your hand? Okay. Motion carries.

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1	MS. TROVATO: Did anybody abstain?
2	THE CHAIRMAN: No abstention, no.
3	Motion carried. Okay.
4	MR. GRANT: The next one is the
5	Susquehanna at Havre de Grace, the proposed
6	regulation is six knots at all times from red buoy
7	17 across the river, with the river and up to the
8	Amtrak bridge. Currently the regulation, currently
9	the regulation is from 18 up to 20 and
10	approximately to 21. Here's my pointer, from here,
11	from shore to here up to here and then in on an
12	angle, about 200 yards out and about 1700 700
13	yards long. We would like to expand it to width
14	and up to this bridge, six knots at all times.
15	MR. KLOOSTRA: I make a motion, I make a
16	motion we make no change whatsoever.
17	MS. ALLISON: Second.
18	THE CHAIRMAN: Okay, discussion.
19	MR. LEVITAN: I would like to expand the
20	existing speed zone another hundred feet out, that
21	might give them a little relief and then leave the

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1
     rest of the river wide open.
 2
                MS. TROVATO: You're talking about
 3
     width, not length.
 4
                MR. LEVITAN: Width, yes.
 5
                THE CHAIRMAN: Pull that up, Mike, let's
 6
    make sure that everybody understands what we would
7
     like to recommend then.
 8
                MR. GRANT: Change the connections here,
 9
     stand by.
10
                THE CHAIRMAN: Stand by.
11
              (Discussion held off the record.)
12
                MR. GRANT: Let's go to, that's it.
     Yellow is the current area.
13
14
                MR. LEVITAN: Right.
15
                MR. GRANT: And Fred would like to take
16
     it out another hundred feet following the existing
17
     pattern.
18
                MR. LEVITAN: Yes.
19
                MS. TROVATO: This note says it's
20
     already 200 yards wide.
21
                MR. GRANT: That's correct.
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1	MS. TROVATO: And where did this
2	solution come from, perhaps the solution might be
3	to extend the current zone to the Amtrak bridge but
4	maintain the 200 yard width.
5	MR. GRANT: That was my suggestion.
6	MS. TROVATO: And make it enforceable at
7	all times.
8	MR. GRANT: That was my suggestion, I'm
9	not going to
10	MS. TROVATO: I'm just wondering and the
11	interesting thing in here too about the person who
12	drowned.
13	MR. JONES: Nothing to do with this.
14	MR. GRANT: It had nothing to do with
15	it.
16	MS. TROVATO: Nothing to do with it,
17	MS. ALLISON: Coles.
18	THE CHAIRMAN: Robin.
19	MS. ALLISON: Before we make, decide to
20	move 18 out, is that or where does this 18 is
21	right at the corner now, correct?

1	MR. GRANT: Yep.
2	MS. ALLISON: But we decide to move 18
3	or extend the speed limit past 18.
4	MR. GRANT: Out here you mean?
5	MS. ALLISON: Yeah.
6	MR. GRANT: Okay.
7	MS. ALLISON: I don't have a problem, as
8	long as 18 doesn't move, because if 18 moves it
9	will drastically affect the channel.
10	MR. GRANT: That's a marker, that ain't
11	gonna go anywhere.
12	MR. WRIGHT: We don't play with the
13	Coast Guard.
14	MR. GRANT: The Coast Guard owns that
15	one, we'd be in trouble.
16	MS. ALLISON: I figured that was the
17	case, I want to be sure. It's still going to
18	affect commercial traffic on that a little bit.
19	MR. GRANT: The request is going a
20	hundred here and maintain here and come back in
21	here.

1	MR. LEVITAN: Yes.
2	MR. GRANT: Not to extend it out here,
3	just maintain this area.
4	THE CHAIRMAN: Steve.
5	MS. ALLISON: They're going to speed
6	around it anyhow when they have to, but
7	MR. KLING: I'm, as I said before when
8	the gentleman was here, I've been going up here for
9	a long time, there is no complaint from the
10	existing marinas, it's one except this newest
11	marina down at the bottom and there is information
12	that we believe that they, not that the owner
13	acknowledges that he didn't put in good enough wave
14	attenuation, but he's not going to spend the money
15	to improve it, I don't see any need, any evidence
16	to suggest the need to expand or extend that zone,
17	channelward or northward, the only I mean the
18	petitions are from the Heron Point Marina or
19	whatever it is. And, you know, that's the one that
20	arguably didn't do a good enough this is a
21	classic problem we have, the new guy on the block

-	
1	putting in a marina and saying whoa, I got a
2	problem and I just never supported rewarding that
3	behavior by taking away open water.
4	THE CHAIRMAN: Well, Thornell.
5	MR. JONES: I would like to add that
6	outside of 18, if you move east from 18 you're
7	talking about regulating the speed in the
8	commercial channel.
9	MS. ALLISON: Yep.
10	THE CHAIRMAN: Yep.
11	MS. TROVATO: Right.
12	MR. KLOOSTRA: There is 10 feet of water
13	there to the right of 18 and it gets deeper the
14	more north.
15	THE CHAIRMAN: I don't see a hundred
16	feet.
17	MR. KLING. If I can make one other
18	comment, this gentleman talked about the
19	performance boats and the poker runs, and we've had
20	this discussion in the past and it may be we've
21	never tried to regulate behavior, but a poker run
i	

1	can be a problem when they concentrate a whole lot
2	of boats in a confined area. I mean I have
3	encountered that a couple of times, that to me is a
4	different issue, kinda like people asked to put a
5	speed limit on the creek because of wakeboarding
6	when the larger problem is not speed on that creek.
7	And, you know, in a sometimes we look ahead. We
8	may need to look at a policy about and poker
9	runs are fine, but sometimes the organizers in my
10	view are a little dumb and they run them up, they
11	finish them too close to land or too close to a
12	confined space and it's more, it may be more
13	working with those people who are regulating those
14	people to find out how close to something they can
15	finish, you know, I
16	THE CHAIRMAN: More discussion? Want to
17	call for the question? We've got a motion.
18	MS. TROVATO: I'm really troubled at
19	shutting down a mile by three-quarters of a mile
20	river that lots of other people use all the time
21	for all kinds of things. And so I am not in favor

1	of what the petitioner offered. If he, if there
2	is you know, maybe they need to contact the
3	police, the NRP police more often. They're right
4	there at the City Harbor, I mean look where they
5	are. If there is really these issues happening
6	where people are cutting through the six knot area
7	or whatever, I think we need to pursue the
8	enforcement aspect of this rather than shut down a
9	mile by three-quarters of a mile of a river that's,
10	yeah, you have commercial activity, recreational
11	activities, that's widely used, I sympathize, but I
12	just think there is, we have to look at the larger
13	usage of this stretch of this river.
14	MR. GRANT: If I may, at our first
15	meeting the petitioner stated after I recommended
16	that the, did he contact, no, would he, no, would
17	you ask your friends to, no, why not, well, we
18	don't want to cause trouble. I said but you have
19	to understand that NRP is right around the corner
20	and they can be there in a minute and the first day
21	I left him and went up there and sat on the dock

1	and within a few minutes some vessel was going
2	through the area somewhat hot and the NRP was right
3	on the tail, right then and there. So I don't
4	as a matter of fact, that's part of my
5	recommendation, that they really have to be more
6	proactive themselves and not hope to
7	THE CHAIRMAN: We have a motion on the
8	floor to do nothing, we have a Fred wanted to
9	make an amendment to the motion that we extend the
10	current yellow area there just up to not where it
11	curves and goes in am I explaining this right?
12	MR. GRANT: A hundred up here, up here.
13	THE CHAIRMAN: To there.
14	MR. GRANT: And then join here.
15	THE CHAIRMAN: A hundred more feet out.
16	MR. KLING: There is no second to that.
17	THE CHAIRMAN: So we don't have a
18	second, nobody seconded that. We have Ken, you
19	want to state your motion.
20	MR. KLOOSTRA: I'll state the motion
21	that we do nothing.

1	MS. ALLISON: Second.
2	THE CHAIRMAN: Call for the question.
3	All in favor of doing nothing?
4	MR. GRANT: 1, 2, 3, 4, 5, 6, 7, 8, 9.
5	THE CHAIRMAN: Any opposed? Raise your
6	hand.
7	MR. GRANT: One.
8	THE CHAIRMAN: Motion carried. And we
9	moved through that quickly, off the record.
10	(Discussion held off the record.)
11	MS. ALLISON: We keep hearing more and
12	more and more, I don't think the problem is going
13	to go away about PWCs and they're already regulated
14	but we're starting to put regulations on places
15	where the only problem is not regulating the PWCs
16	and I'm just wondering if there is anything that we
17	can do to address it?
18	MR. GRANT: I didn't understand your
19	question.
20	MS. ALLISON: We're starting to, we're
21	hearing more and more about the speeding of PWCs

1	too close to marinas, too close to, through
2	boathouses, and it's almost every meeting now that
3	we're starting to hear more and more about them.
4	They're already regulated, they're just not, it's
5	just not enforced, and I don't know if there's
6	anything that we can do about it or if it needs
7	addressing even or anybody else thinks it needs
8	addressing. It seems like that's the biggest
9	reason for regulating things now, is PWCs that are
10	not being regulated.
11	MR. KLING: Robin, I could, I would tend
12	to agree a little bit, my sense is over a period of
13	say five years there was a period of time when two
14	out of three requests we were getting were for
15	speed limits usually from riparian owners in many
16	cases that wanted to own the creek and keep PWCs
17	out of their front yard, and one guy came in with a
18	video and said that guy is doing donuts and he said
19	that's terrible, we have to stop it. I mean I
20	don't have data but we can probably generate it,
21	Mike has a lot of free time. I think my perception

1	is that we are, that the incidence of people coming
2	in and complaining about PWCs is going down, and
3	we've usually taken the view that's an enforcement
4	action, but I just yes, we're hearing it, but my
5	sense is here's what's other people think, we're
6	hearing less of it than we did five years ago.
7	MS. ALLISON: Okay, cool. I was away
8	for a while.
9	MR. KLING: I know, you know, if you go
10	back in time all we had were conflicts between
11	sailboaters and powerboaters and they pretty much
12	went away
13	MS. ALLISON: Okay.
14	THE CHAIRMAN: Any more discussion for
15	the benefit of the association, anybody before we
16	adjourn? We want to, if you get a chance to thank
17	Deb when you see her for the lunch and just it
18	would be nice hearing it from some of us that we
19	appreciate the Bush River stepping up and providing
20	some nice things this morning for us and I'm sure a
21	very nice lunch that they will provide us here.
4	

1	MR. GRANT: Just so you know, lunch will
2	be served left through here, past the bar in the
3	billiard room and then come back in the bar and
4	grab a seat in the lounge so you have nice
5	comfortable seating in there.
6	MR. PARLIN: Make a motion to adjourn.
7	THE CHAIRMAN: Make a motion to adjourn,
8	second.
9	MS. TROVATO: Second.
10	(Hearing adjourned 11:37 a.m.)
11	* * * * * *
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13	
14	
15	
16	
17	
18	
19	
20	
21	

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1	STATE OF MARYLAND
	COUNTY OF BALTIMORE
2	
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	and a black Party
8	
	Kelly A. Taylor, Notary Public
9	Kelly A. Taylor, Notary Public
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