# Transcript of <br> Boat Act Advisory Committee 

## Date:November 1, 2012

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## Transcript of Boat Act Advisory Committee Taken November 1, 2012

| 1 | MEETING OF THE |
| :---: | :---: |
|  | MARYLAND BOAT ACT ADVISORY COMMITTEE |
| 2 | * * * * * * * * |
| 3 | IN RE: RAILROAD CREEK |
|  | SUSQUEHANNA RIVER |
| 4 |  |
| 5 |  |
| 6 |  |
| 7 | 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 |  |
| 21 | Reported by: Kelly A. Taylor |

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1

21 After lunch we will then talk about those issues

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1 and we will come to a recommendation to the Secretary. So we will be, have that done this afternoon, so if you want to stay and hear that you're certainly welcome to do so, we'll do it after lunch, but there will be no opportunity to speak at that time because we'll have heard you already, but we want to make sure that you're heard on every issue.

So with that, if you would, anybody that's got electronic devices it would be nice if we turn them off so we don't get interrupted as we're going because we're seriously taking your considerations. That would be good, everybody flip them off. Okay. Everybody on the committee, I want them to introduce themselves, starting with down at the end.
(Introduction of committee members.)
THE CHAIRMAN: I would like to have the staff and everyone else to introduce themselves so you all have a chance to meet them too.
(Staff members introduce themselves.)

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

THE CHAIRMAN: We have one more that we didn't introduce you gentlemen to, that's our reporter, and everything is recorded today, so you have a chance to publicly, anybody, to listen to the conversations for sure.

First one, Mike, we'll get out and he'll kind of outline our first one, which is Railroad Creek, so we'll ask Mike to kind of have that lined up and we're going to move on.

MR. GRANT: I'm sorry -- I'm up --
THE CHAIRMAN: You're on.
MR. GRANT: Hopefully that will go away. While we're waiting, our first petitioner is Mr. Frank Farinetti from Railroad Creek off of the Bird River off of the Gunpowder River. Mr. Farinetti has requested no wake at all times or idle speed zone in this creek right here, Railroad Creek. We don't have any NRP officers here today so I'll relay their information after Mr. Farinetti speaks to the group here.

MR. FARINETTI: Good morning. I hope

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1 that everybody fared well from the storm, I know personally I made out very well. I appreciate everybody showing up. Railroad Creek is a narrow feed of creek like Mike pointed out, inside of the railroad bridge and the train bridge there and that -- Bird River is actually, at least a half a mile wide all the way through, and it narrows down at Railroad Creek and that's about maybe a half a mile long from its, from its source at the, at the railroad tracks going out to the point where, right where that arrow is right now.

So where is that? Oh, okay. Right in there. And that, right here is the, is where the railroad track comes through and -- could I have the next picture, Mike?

MR. GRANT: Sure.
MR. FARINETTI: Okay. Now, really it's not clearly marked, but the informational buoy is out here and that channel comes within five yards of all the piers on this side here, there's only four, only four homes on this side and a ramp for

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1 the Woods at Bay Country, which is located here.

21 one side, that's all protected and inside the Bird

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

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

21 that's caused by boat traffic and without a speed

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

21 Thank you.

MR. GRANT: Right there.
MR. FARINETTI: Okay, okay.
MR. KLOOSTRA: Okay.
MR. GRANT: That orange line is the channel from the launch ramp, right?

MR. FARINETTI: Right, yeah. The channel isn't marked on there as it stands, but it's, like $I$ say, it's five yards from our pier.

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1

2

MR. UPTON: Hi, my name is Steve Upton, I've resided down in that neighborhood for 30 years, my uncles owned the property since the early '40s so $I$ was born and raised right there. I'm an avid boater, used to be a commercial crabber, fisherman, trapping as a kid growing up, my love and my life is the water like you guys it sounds like.

We started having problems with the different boaters when the land got developed across from us, the Woods of Bay Country. The way I went about it was $I$ would run out on the pier and I would make the hand motions of please slow down. And some of them would and wave, you know, acknowledging the fact, $I$ guess they didn't realize. Well, it became, when that development became bigger there was more and more boaters coming in and out of there and after this area got dredged of course the dredging pushed all the boaters to our side of the river or the creek and you go out there and tell them to slow down and

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1 they flip you off, so $I$ would, nice calm guy as I

21 other neighbors behind me, his boat also was sunk

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1 there. I am approximately right where it says
$21 \quad 2007$.

MR. LEVITAN: Is that a natural channel? MR. UPTON: No, that was dredged in

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

21 at six miles an hour can push a lot more water than

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

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

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1

21 that's it. Okay. Fine. Thank you, gentlemen.

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1 Mike, next one.

MR. GRANT: The next request is for the, at the Susquehanna River on the Havre de Grace side from, in an area that's currently regulated from approximately marker 18 up and above to the Tidewater Marina, from the marker into shore. The petitioner is Habern Freeman. The current regulation is six knots Saturday, Sunday and state holidays during the boating season from Heron Point Marina up to the Tidewater, Tidewater Marina and out to the, to marker 18. The request is for six knots at all times from 18 to the Railroad Creek bridge -- I mean to the Amtrak bridge. So the existing is in yellow and the gray hash mark is the requested. Mr. Freeman.

MR. FREEMAN: I thank you. My name is Habern Freeman and $I$ have a boat at that marina, at the Heron Marina, I have property on the water and I have been a boater for 50 years, I have never seen a more dangerous situation in that area with tour boats --

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1

MR. GRANT: Microphone, flip it on.
MR. FREEMAN: With the tour boats, the barges, and every kind of water vehicle that you can think of. I'm the past county executive of Harford County and served as a senator for the state of Maryland and over a year I wrote John Griffin a letter stating the danger that $I$ saw here. I don't usually get involved in these kinds of things, but as a citizen I thought I had to write how I felt. He in turn referred me to Mike Grant, who in turn told me the procedure to use and I gathered over I think 50, 60 petitions of people along the shore there trying to limit the speed limit at all times to six miles an hour.

The placement of those buoys there is not there, they have moved in possibly from the storm or something, but they're very close to the marina and very close to the shore. I see no reason why there shouldn't be a limitations in terms of six miles an hour at all times in that there's a lot of boaters including myself that do

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

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

21 are, are quite some distance from the proposed area

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1
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

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1 think the real -- to solve the problem, and it's a

21 Leonard Queen, which is a big boat that has

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

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

THE CHAIRMAN: Steve, do you --
MR. KLING: Yeah. I, I went back and scratched the cobwebs and realized that $I$ first sailed, raced up there 41 years ago and I first went fishing in that area 47 years ago, and I would say to you that in my perspective that's been an active commercial waterway for a very long time. I mean you have, I think the steel mill is closed, but you had a steel fabricating plant in Port Deposit that brought all the tubes for the tunnel, but that's been -- and you have the quarry up there, and so we've had an active waterway for probably a hundred years and from my perspective there are some relatively recent recreational uses of the waterway that arguably are inappropriate in

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

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

21 use of that body of water, I mean you couldn't run

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

sailboat races in there, which have been going on for a very long time.

MR. FREEMAN: Well, the sailboat races are, the ones that $I$ have seen have been down past, right past the lighthouse. I really don't see sailboat races in that area.

MR. KLING: They're actively racing in that area, right out of Tidewater Marina.

MR. FREEMAN: I sit right there and watch them and they're off to the right of me, which is just past the lighthouse.

MR. GRANT: Is that it, Steve?
MS. ALLISON: I have a question, Coles. When you were thinking about your proposal had you spoken with anybody at what's now Vulcan, used to be Florida Rock Industries, up at the quarry about how that would affect the commercial tugs and tows?

MR. FREEMAN: No, I didn't.
MS. ALLISON: It would definitely have an impact, you can't run a tug or tow through there, because I've done it a lot at six knots.

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

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

MR. FREEMAN: Well, that's a good point, I wasn't aware of that. Let me, they throw quite a wake, but -- the biggest problem there is the performance boats. That's the ones that come roaring through there and really kick everything around.

MR. BUSH: I have one other question, this is a simple, to simplify things, would additional fenders make any difference in reference to the damage to the boats or making it easy for you? Because $I$ have been on, in the Annapolis area on the end of a pier for about, oh, I would say 25 years and my, I have also had fenders on both sides to protect the boat and never had damage, but we do get wakes and I'm just saying that it's an obvious question and I guess you're saying that additional

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1 fenders would make no difference to you.

21 number one. Number two, they're too close to the

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

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

21 section there six knots?

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1

21 helpful, how much it would curtail the speeding.

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1 See, the problem that you have up in Tome's Marina up there, they have a lot of those poker races and they have a lot of the performance boats and when they take off $I$ mean they run, they're running 60, 70 miles an hour trying to get to the next place to get the next whatever they get, and they come one right after the another and there is a lot of performance boats through there and an awful lot of canoes, kayaks and, you know, it's a busy, busy, busy place. And $I$ only bring it to the attention in that $I$ was concerned about, number one, the safety part of it and, number two, you know, the quality of the life when you spend most of your time on your boat, essentially pretty much all year long.

MR. FERMAN: You mentioned that you had commercial property or property up there.

MR. FREEMAN: I just have properties, not commercial property, I have a couple of homes on the water, not here.

MR. FERMAN: You don't have anything in

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

here?
MR. FREEMAN: No, just my boat, I keep my boat there.

THE CHAIRMAN: Any other questions?
AUDIENCE MEMBER: I hear the term no wake zone and $I$ hear five knots --

MS. TROVATO: You can't, you can't ask questions, sorry.

AUDIENCE MEMBER: Okay.
THE CHAIRMAN: We don't have any other questions.

MR. FREEMAN: Well, I thank you and I don't think there's any way, harm anyone commercial or otherwise by having an area that we go from the lighthouse to the first bridge, but I respect your decision.

THE CHAIRMAN: Often people in the marina with the boats, do they call NRP? They're just around the corner for problems, for people coming too fast past your marina, pier.

MR. FREEMAN: I don't really know, I

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

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

21 in the Annapolis area and that is about as busy as

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

anyplace around the bay.
MS. TROVATO: I have one other question.
If that was made six knots at all times, the same yellow area, would that help at all?

MR. FREEMAN: Mike, maybe you can help me with the yellow area, that's right from the lighthouse?

MS. TROVATO: Exiting speed spoken.
MR. FREEMAN: I see, up here. So -- no, I don't think so. See, that's awfully close and I think that's moved, $I$ think that red number 18 has come close to the shore.

MR. GRANT: Yeah.
MR. FREEMAN: A couple of guys have commented on it, I think it's due to the storm. I don't think that anybody has placed it there.

MR. GRANT: The buoy or six knot marker?
MR. FREEMAN: The buoy, the six mile marker is in from 18.

MR. GRANT: Right.
MR. FREEMAN: It's in there pretty

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

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

21 everybody who wants to use them. As you know, I

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

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

21 terms of every kind of boat, vessel you can

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1 imagine.

21 I have a high respect for that, so -- I wasn't

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

21 right. But I wasn't aware of the problem, I always

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

21 immediately in harm's way in terms of performance

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

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

21 but other than that they never pay attention to you

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1 as a boater saying slow down, they usually get a

21 it moves often and I think, I think Natural

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1 Resources people must put it where it's supposed to be and then you notice about three weeks later it's not there and it's moved, and there is a lot of current through there, as you know. That's a, that's a heavy -- when they let those gates up at Conowingo, it's hang on, so I think that probably influences these markers that move and also after storms, but that would help. To be out there further would help. The problem that you have when you get out further, Robin, she may have a problem because you might get it out where there is less water.

MS. ALLISON: It would depend on how far you move it out, there's a fair amount of width there.

MR. FREEMAN: Okay.
MS. ALLISON: Try not to get any closer to the docks than necessary.

MR. FREEMAN: That might help. That's a good suggestion, that might help. Thank you.

THE CHAIRMAN: Thank you, sir, we

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1 appreciate that.

21 that and if you have any further questions you

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1 should let us know, but we did want the Boat Act

21 statute gave DNR separate regulatory authority and

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1 indeed required DNR to promulgate those regulations and the program is under the police.

MS. GUTIERREZ: And just so you know, Jeannine Moaney, who is our regulations processing wizard, is going to be working closely with the NRP to make sure that the regulations that are related to the permit are processed and put into effect, so we're hoping to have that submitted sometime next week.

THE CHAIRMAN: Thank you, great. Any other questions for them? Thanks. We have the other one for you to chat about a little bit.

MR. GRANT: After the, after last week's meeting Ramona asked about our current membership, which is currently at 18. Maryland Boat Act regulation speaks to 21 total members, no more than 21. Mr. Slaff I believe will no longer be a member, his wife reached out to me and left me a voice message and said she would call me back, it sounded like he won't be participating anymore, so that takes it down to 17. I received, when $I$

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

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

21 members to have, but that's something that has to

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

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

21 committee.

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

MS. GUTIERREZ: Ramona, that's in the law, Louis has just reminded us, that's part of the statute, so there has to be a representative from the watermen.

MS. TROVATO: That would be great. Are we missing, in the 17 we have now are we missing any other group that's required by law or is it only that --

MR. LEVITAN: How about the Marine Trades, do we have --
(Discussion held off the record.)
MS. GUTIERREZ: We'll confirm, but I think, you know, we've always had --

MS. TROVATO: Whichever way it goes, by law or not by law, it's a great idea to have somebody from the Watermen's Association. Would it be helpful if any of us know anybody that might be interested and have them write background to submit to you?

MR. GRANT: Yep.
MS. GUTIERREZ: Absolutely.

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

MS. TROVATO: Mike, at your e-mail
address?
MR. GRANT: Please.
MS. TROVATO: Their boating resume and
interest?
MR. GRANT: Yes.
MR. KLING: Can we agree that there are too damn many powerboaters and we need to broaden the basins?

MR. LEVITAN: Absolutely.
MR. PARLIN: I would like to make a comment, perfect segue. I think we need to look around and see if there is any other areas of boating that need be to be represented. I think that paddling sports, there has been a lack of, I mean some of us are into paddling sports, but if there was a representative who was from the industry, that might help. Maybe for us to look around and see what other areas can we look for diversity as far as experience.

MS. TROVATO: Do we have anybody in the

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

21 to have aboard.

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

MS. GUTIERREZ: Robin, if you can
recommend somebody that with be great, I think that
would be a really good addition.
MR. GRANT: Paddling sports, Ocean City
area.
MS. TROVATO: More sailors, Steve said
more sailors.
MR. KLING: Right, right.
THE CHAIRMAN: We have a few.
MR. BUSH: You might contact the
Solomons area, do you have any representation from
the area?
MR. GRANT: Southern Maryland.
MR. BUSH: Solomons Island.
MR. GRANT: Specifically Solomons
Island.
MR. BUSH: Yeah.
MR. PARLIN: Southern Maryland.
MR. GRANT: Okay.
THE CHAIRMAN: Any other questions?
MR. LEVITAN: Marine Trades Association,

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

I know we used to, do we have --
THE CHAIRMAN: Nobody from the Marine
Trades Association. That would be a thought. Have
them submit their suggestions to Mike.
MR. LEVITAN: I still haven't gotten an answer.

MS. TROVATO: What was your question?
MR. LEVITAN: Marine Trades Association.
MS. TROVATO: If you have somebody, get
them to send in an e-mail to Mike. So you specifically want from the people who send something to you a boater's resume?

MR. GRANT: Yeah.
MS. TROVATO: And how to contact them?
MR. GRANT: Letter of interest.
MS. TROVATO: And a letter of interest, okay.

THE CHAIRMAN: Concerning Bob Slaff, I see there are donations for get well gifts, explain that a little bit.

MR. GRANT: We had talked about sending

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

flowers to him from the Boat Act and whether you all cared to contribute to that.

THE CHAIRMAN: Absolutely.
MR. GRANT: That would be fine and

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Jeannine will order some flowers.
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THE CHAIRMAN: That would be great.
Does anybody, do you have a report on him from his wife?

MR. GRANT: I do not, I mean she reached out and said she would call me back at her convenience, so I didn't bother her, but the last we heard was that he had, he was in a long-term care facility probably for a long term.

THE CHAIRMAN: I don't guess that we have anybody that knows what the status of Doc is and if he's -- Weintraub.

MR. GRANT: Who?
THE CHAIRMAN: Doc Weintraub.
MR. BUSH: Yeah, Bill Weintraub.
THE CHAIRMAN: I think the last I heard he was, he was still in that facility there and not

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

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doing very well. Maybe we can do that too --
    MR. BUSH: Last I heard he didn't
    recognize people, Bill Weintraub.
    THE CHAIRMAN: We did, we want to chat
    about the conduct policy. I mean, we received that
    update on that.
    MR. GRANT: This is the -- the revision,
    we have --
    THE CHAIRMAN: Revision.
    MR. GRANT: Mr. Parlin's addition and
        also the one word financial that Russ Dwyer wanted
        included, so that's as you all approved last time
        around.
            MR. KLING: Nothing to discuss, we
        approved it.
                            MR. GRANT: Right, but just --
                            THE CHAIRMAN: We, everybody got a copy
        of the revisions, so are you happy with that,
        everybody happy with that? Get that part taken
        care of.
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            MR. GRANT: Anybody not receive a copy
    
## Transcript of Boat Act Advisory Committee Taken November 1, 2012

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or unable to open it we have copies here and I'll
put it at the head table.
    THE CHAIRMAN: Anything else that you
    all have to discuss or any old business or new
    business that any of the members have to discuss?
    Before we move on, I suggest -- I don't think we
    have lunch ready yet -- we just move on and
    complete the mission and do our executive session,
    we're not ready for lunch yet, so we'll go on --
    executive session, let's move on.
    MS. TROVATO: Good idea.
    THE CHAIRMAN: First one we had was
Railroad Creek.
    MR. GRANT: Railroad Creek. Originally
the request was for no wake or idle speed zone at
all times.
    THE CHAIRMAN: Currently we have a --
    MR. GRANT: Microphone. No regulation
    in the area currently.
    THE CHAIRMAN: There is nothing there
        currently. Okay. We'll make a motion.
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## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1

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MR. KLING: For purposes of
discussion -- I would offer a motion that we recommend the six knot speed limit Saturday, Sundays and holidays during the boating season.

MS. TROVATO: Second.
THE CHAIRMAN: Second. Motion and
second that we have the six knot speed limit Saturday, Sunday and holidays through the boating season; is that correct? Any discussion?

MR. LEVITAN: I was up there with members of the committee during the week -- I spent some time up there with a few other members of the committee in the middle of the week and there was just absolutely no traffic there at all; however, it is a very small, narrow area and I think particularly, $I$ think the motion would be a good one.

THE CHAIRMAN: Any more discussion?
MR. KLOOSTRA: What would be the outer limit of the speed limit? The outer barrier or the line? Can you back up the picture, Mike?

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

MS. TROVATO: Can you get a bigger
picture, Mike?
MR. GRANT: Yep -- nope. There it is.
MR. KLOOSTRA: Is that red line the
suggested?
MR. GRANT: No, this red line here is the dredged channel from the launch ramp from this community to the actual channel, so this area in here is an average two and a half to three feet of water, this is the channel that runs over to the dredged channel.

MS. TROVATO: So where would the line be?

MR. GRANT: Well, that's why I was back at this one. There is your launch ramp right there. Mr. Farinetti lives right about there. The channel to and from is approximately here, the entrance -- there's the open, the mouth to the Bird River, so I guess anywhere from this area to here or here to here? Mr. Farinetti, do you have a comment?

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

MR. FARINETTI: That would be perfect.

MR. GRANT: Which one?

MR. FARINETTI: The first one you said, that's pretty much the same from here, where the arrow is, the point of the arrow.

MR. GRANT: The point of the arrow --

MS. GUTIERREZ: Mike, we're in executive session.

MR. GRANT: I thought we could ask --

THE CHAIRMAN: You can't ask questions.

MS. TROVATO: I thought we were allowed to ask questions.

MR. GRANT: Thank you.

MS. GUTIERREZ: Of anyone --

MR. GRANT: Yes.

MS. TROVATO: No?

MR. LEVITAN: We can ask questions.

THE CHAIRMAN: Get a clarification.

MR. GRANT: My understanding is if the committee needed clarification from a --

MS. DISE: You probably designated this

Corbin and Hook Reporting 410-268-6006 1-866-337-6778

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

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
8

21 you were going to put the line?

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1

MR. GRANT: No, I did not. But that --
this is about where it opens up into the river so I guess the actual dredged channel I believe starts here and runs along here, so that would be an appropriate spot, from this point of land right here leaves this little cove open for activity and this is an open, it's open river here, so I guess you could consider this the beginning of the creek right across here, if everybody can see that.

MR. LEVITAN: Yeah.

MR. KLING: Got that, Louis?

MS. TROVATO: So that closes off two creeks, not one creek, right?

MR. GRANT: You have this area, you would, this area is not part of Railroad creek, this is only Railroad Creek here.

MR. KLING: As the person who made the motion, $I$ would say from the point of land, you know -- back up.

MR. GRANT: Here.

MR. KLING: No, that's out. More

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

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upstream, that there, across the creek.
    MR. GRANT: Here?
    MS. TROVATO: Yes.
    MR. GRANT: So from this point to here?
    MS. TROVATO: Yes.
    MR. GRANT: This is -- okay.
    MR. KLING: So as to not go outside of
    public notice, we can't close off the creek, that
    was not mentioned.
    MR. WRIGHT: Notice buoy is out there
    right there.
    THE CHAIRMAN: Is that up in there --
    MR. FARINETTI: No, it isn't, the other
creek is too shallow for any kind of boats to get
```

out at all.
THE CHAIRMAN: Canoes and paddle boats
only, not even that.
MR. FARINETTI: On a low tide you
couldn't do it with a canoe.
MR. WRIGHT: We're talking right now
about here, where he is down to there vertically,

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

    almost north/south.
    MR. GRANT: We can almost go back to the other map here. So you're talking about from this person's dock right here and this area right here up to about here.

MR. WRIGHT: Points behind there.
MR. GRANT: Yeah.
MR. WRIGHT: One thing to consider is up in this area, up above the picture, is there is that concrete platform, it's kind of over the edge of the channel.

MR. GRANT: What it is?
MR. WRIGHT: Concrete platform with a steel tower on it.

MR. GRANT: Right.
MR. WRIGHT: And whether people are going to be coming busting out of there and, you know, whether that creates a hazard.

MR. PARLIN: Is that a good point of reference then to put the -- we don't have a good picture of that inlet there. Would that be a good

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

point of reference to put the speed zone? You said there was a regulation, notice buoy was out there.

MR. WRIGHT: Notice buoy is somewhere out where that pointed arrow is, in between those two points out there. I mean I've got coordinates to this point, that point there and some of the other ones in shore there, so I mean we can put it anywhere, it's just a matter of those, the ones I already have, but the main concern was more with that concrete pad thing, whether that would be, you know, an issue people coming out of there. I don't think anybody's run into it yet, but whether in their excitement to get out of that speed zone --

MR. PARLIN: Do your points incorporate that concrete pad?

MR. WRIGHT: They offset it, yeah, they ought to go across there.

MR. PARLIN: Kenny, do you agree that we should put it at the points that Louis has it?

MR. KLOOSTRA: Makes sense right where the tower is, yeah. I'm seeing it's marked

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

21 Louis' machine up so he can project that.

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

MR. GRANT: Yeah, sure.
MS. GUTIERREZ: Louis has the chart.
MR. KLING: I'm looking at a chart and it's got a dotted line across the mouth of that creek.
(Discussion held off the record.)
MR. WRIGHT: The tower shows on the chart right here, I'm not sure what that is --

MR. KLING: I don't either.
MR. BUSH: Speak a little louder --
MS. TROVATO: Take a mic.
THE CHAIRMAN: Thanks.
MR. GRANT: The tower is right there.
MR. WRIGHT: The tower is right here, that's about there. I mean I've got coordinates here and there is the other point that's over here, anywhere there is a little flag is where $I$ have numbers, $I$ mean it's like $I$ kind of picked random spots.

MR. KLING: How about the concrete tower to the flag by 152?

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

MR. GRANT: Right there.
MR. KLOOSTRA: That's where I recommend
from there to the tower.

MR. WRIGHT: And then over to the shore
wherever it falls so it's closed off.

MR. KLOOSTRA: Yep.
MS. TROVATO: Where was your buoy
announcing the petition?

MR. GRANT: Right here. The first one was in here.

MS. TROVATO: Where?
MR. GRANT: It was in here but then somebody pulled it up and threw it on Mr. Farinetti's lawn, they reset it up here.

MR. WRIGHT: When $I$ went up this is where it was.

MR. GRANT: Okay.
MS. TROVATO: The petition include both of those creeks.

MR. GRANT: No, it only pertains to this creek in here.

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1

MR. FARINETTI: A point of information
if $I$ may, there is only several homes on that point, southwest point there. The yellow one.

MR. GRANT: This one.
MR. FARINETTI: There is only several
homes back in that creek, there's only three and
they have their own spur there and anything further of those houses is not navigable at all.

MR. GRANT: Here?
MR. FARINETTI: That whole creek there goes all the way back to several different roads, but there is no water at all in there.

THE CHAIRMAN: What if we took it from, Louis, where from, down at 164, go up to where it's two foot depth?

MR. WRIGHT: Here?
THE CHAIRMAN: And just come across that and leave that other creek, even though it's not navigable.

MR. GRANT: Here or to here?
THE CHAIRMAN: There, just leave that

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

other one open.
MR. GRANT: So go to 152 and 148 --
THE CHAIRMAN: Where the 148 is go
across the two-foot mark straight across.
MS. TROVATO: Or up to the tower.
THE CHAIRMAN: Up in that little cove
area, leave that other creek alone, even though it's not navigable, the people that have homes there don't have a chance to realize they could be affected and that's something, that solves your issue, because your creek --

MR. FARINETTI: I'll tell you, it's a lot more deceiving as far as looking at the map and the actual -- it's only like 200 yards in the ramp all the way out to the opening, the farthest opening right there, it's only 200 yards from that ramp and everything in that little cut just below where the laser marker is. There's several homes in there with no bulkhead whatsoever and wave action is sort of eating their, their real estate.

MS. TROVATO: Could I ask Marianne a

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

question?
MS. DISE: Sure.
MS. TROVATO: If this petition was for this one creek and this other creek whose name I
don't know --

MR. FARINETTI: There is no name on that creek, it's part of Railroad Creek.

MS. TROVATO: Does anybody know the answer to that?

MS. DISE: Louis, is that true?
MR. WRIGHT: As far as $I$ know it's all
Railroad Creek. When they did that project, there's a main channel that runs up along the side, 164, those are the buoys for the main channel, and they also did another channel as part of that in here and $I$ think on their dredge stuff they show all of this as Railroad Creek generally.

MS. TROVATO: Both sides?
MR. WRIGHT: Yes.
MS. TROVATO: That answers my question.
THE CHAIRMAN: Railroad Creek.

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

MS. TROVATO: I would like to ask Mr. Farinetti a question. Would those people on that point, that point right there, would they have something to say about putting the line out there?

MR. FARINETTI: What point?
THE CHAIRMAN: Right there.
MR. FARINETTI: Oh, there. No, I think they would be all in favor. I know several of the people there, $I$ haven't spoke to them about it, but they definitely would be in favor of it.

MR. WRIGHT: I mean $I$ can show you a picture of that tower, you know, so you get some idea of what I'm talking about.

MS. TROVATO: Somebody made a home there.

MR. WRIGHT: Mr. Farinetti said apparently it was a swim platform at some point, way long ago.

MR. FARINETTI: About, maybe a hundred feet from the shoreline. Even though it's not lighted up, everybody who boats in the area are

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

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well aware that it's, it exists and the markers for
the channel are well off of that where it's not a
danger to navigation if you're following the
channel.
    MS. TROVATO: Is there still a ski jump
out there in the river?
    MR. FARINETTI: No.
    MS. TROVATO: That's gone?
    MR. FARINETTI: That's gone.
    THE CHAIRMAN: Steve, I think we had
some request for you to repeat your motion.
    MR. KLING: I thought I had. My
suggestion was to amend it to specify, but,
between -- this doesn't show up well on the
transcript, but from the 152 to 147?
    MR. GRANT: 7.
    MR. KLING: Yeah. Does that include the
platform, Louis, do you know?
    MR. WRIGHT: No.
    MS. TROVATO: No.
    MR. KLING: Where is the platform?
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## Transcript of Boat Act Advisory Committee Taken November 1, 2012

MR. GRANT: Right there.
MR. WRIGHT: Actually, 146 is where it
really is, it's charted there, but it's a little
farther down.

MR. KLING: Would it make sense to
include the platform as a starting point --
MR. PARLIN: Yes.
MR. KLING: -- for the line, so can we
go from 152 to the tower to 146?
MR. WRIGHT: Yeah.
MR. GRANT: To land.
MR. WRIGHT: Somewhere offshore over
here.
MR. KLING: So we're reflecting the
potential danger of that thing.
MR. PARLIN: Yes.
THE CHAIRMAN: Makes sense.
MS. TROVATO: Good idea, Saturday,
Sundays and holidays and boating season.
MR. KLING: Is that specific enough?
MR. WRIGHT: That will work.

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

21 raise your hand? Okay. Motion carries.

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1

MS. TROVATO: Did anybody abstain?
THE CHAIRMAN: No abstention, no.
Motion carried. Okay.
MR. GRANT: The next one is the
Susquehanna at Havre de Grace, the proposed regulation is six knots at all times from red buoy 17 across the river, with the river and up to the Amtrak bridge. Currently the regulation, currently the regulation is from 18 up to 20 and approximately to 21. Here's my pointer, from here, from shore to here up to here and then in on an angle, about 200 yards out and about 1700 -- 700 yards long. We would like to expand it to width and up to this bridge, six knots at all times.

MR. KLOOSTRA: I make a motion, I make a motion we make no change whatsoever.

MS. ALLISON: Second.
THE CHAIRMAN: Okay, discussion.
MR. LEVITAN: I would like to expand the existing speed zone another hundred feet out, that might give them a little relief and then leave the

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

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    rest of the river wide open.
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    rest of the river wide open.
    MS. TROVATO: You're talking about
    MS. TROVATO: You're talking about
    width, not length.
    width, not length.
    MR. LEVITAN: Width, yes.
    MR. LEVITAN: Width, yes.
    THE CHAIRMAN: Pull that up, Mike, let's
    THE CHAIRMAN: Pull that up, Mike, let's
    make sure that everybody understands what we would
    make sure that everybody understands what we would
    like to recommend then.
    like to recommend then.
    MR. GRANT: Change the connections here,
    MR. GRANT: Change the connections here,
    stand by.
    stand by.
                            THE CHAIRMAN: Stand by.
                            THE CHAIRMAN: Stand by.
    (Discussion held off the record.)
    (Discussion held off the record.)
    MR. GRANT: Let's go to, that's it.
    MR. GRANT: Let's go to, that's it.
    Yellow is the current area.
    Yellow is the current area.
    MR. LEVITAN: Right.
    MR. LEVITAN: Right.
    MR. GRANT: And Fred would like to take
    MR. GRANT: And Fred would like to take
    it out another hundred feet following the existing
    it out another hundred feet following the existing
    pattern.
    pattern.
                            MR. LEVITAN: Yes.
                            MR. LEVITAN: Yes.
                            MS. TROVATO: This note says it's
                            MS. TROVATO: This note says it's
        already 200 yards wide.
        already 200 yards wide.
            MR. GRANT: That's correct.
    ```
            MR. GRANT: That's correct.
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## Transcript of Boat Act Advisory Committee Taken November 1, 2012

MS. TROVATO: And where did this
solution come from, perhaps the solution might be
to extend the current zone to the Amtrak bridge but
maintain the 200 yard width.

MR. GRANT: That was my suggestion.
MS. TROVATO: And make it enforceable at
all times.
MR. GRANT: That was my suggestion, I'm not going to --

MS. TROVATO: I'm just wondering and the interesting thing in here too about the person who drowned.

MR. JONES: Nothing to do with this.
MR. GRANT: It had nothing to do with
it.
MS. TROVATO: Nothing to do with it,
MS. ALLISON: Coles.
THE CHAIRMAN: Robin.
MS. ALLISON: Before we make, decide to move 18 out, is that -- or where does this -- 18 is right at the corner now, correct?

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

21 here.

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

MR. LEVITAN: Yes.

MR. GRANT: Not to extend it out here, just maintain this area.

THE CHAIRMAN: Steve.

MS. ALLISON: They're going to speed around it anyhow when they have to, but --

MR. KLING: I'm, as I said before when the gentleman was here, I've been going up here for a long time, there is no complaint from the existing marinas, it's one -- except this newest marina down at the bottom and there is information that we believe that they, not that the owner acknowledges that he didn't put in good enough wave attenuation, but he's not going to spend the money to improve it, $I$ don't see any need, any evidence to suggest the need to expand or extend that zone, channelward or northward, the only -- I mean the petitions are from the Heron Point Marina or whatever it is. And, you know, that's the one that arguably didn't do a good enough -- this is a classic problem we have, the new guy on the block

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1 putting in a marina and saying whoa, I got a

21 never tried to regulate behavior, but a poker run

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

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
speed limit on the creek because of wakeboarding
when the larger problem is not speed on that creek.
And, you know, in a -- sometimes we look ahead. We
may need to look at a policy about -- and poker
runs are fine, but sometimes the organizers in my
view are a little dumb and they run them up, they
finish them too close to land or too close to a
confined space and it's more, it may be more
working with those people who are regulating those
people to find out how close to something they can
finish, you know, I --

THE CHAIRMAN: More discussion? Want to call for the question? We've got a motion.

MS. TROVATO: I'm really troubled at shutting down a mile by three-quarters of a mile river that lots of other people use all the time for all kinds of things. And so $I$ am not in favor

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

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

21 I left him and went up there and sat on the dock

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1 and within a few minutes some vessel was going

21 that we do nothing.

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

21 hearing more and more about the speeding of PWCs

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

1 too close to marinas, too close to, through

21 Mike has a lot of free time. I think my perception

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

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

21 very nice lunch that they will provide us here.

## Transcript of Boat Act Advisory Committee Taken November 1, 2012

| 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 |  |
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Corbin and Hook Reporting

## Transcript of Boat Act Advisory Committee Taken November 1, 2012



## Transcript of Boat Act Advisory Committee

Taken November 1, 2012

| A | activity $21: 8$ | 22:19 34:3 | 43:4 44:17 | 32:16 34:15 | 24:20 27:10 |
| :---: | :---: | :---: | :---: | :---: | :---: |
| abide 31:2 | 21:9 56:6 | 34:14,17 | 45:21 46:2 | 34:19 37:15 | 36:21 |
| abiding 29:3 | 77:10 | 35:3 38:13 | 49:7,15 | 42:7 46:5 | attenuate |
| ability 35:19 | actual 53:8 | 38:17 46:10 | 50:21 65:8 | 47:5,11,12 | 21:5 |
| Abingdon | 56:3 64:14 | 69:2 70:17 | 70:1 80:7 | 51:19 52:15 | attenuation |
| 1:10 | add 75:5 | 72:17,19 | 81:15 | 53:8,19 | 25:10 74:14 |
| able 12:6 | addition 47:3 | 73:2,5,7,16 | anybody's | 56:14,15 | attitude 36:2 |
| aboard 46:21 | 50:10 | 74:5 75:9 | 59:12 | 58:4,9 64:7 | attitudes |
| above-entit... | additional | 79:1,11,20 | anymore | 66:21 71:13 | 13:10 |
| 1:7 | 23:14,21 | 81:7,13 | 41:20 55:17 | 74:3 76:2 | AUDIENCE |
| absolutely | address 2:17 | allowed | anyplace | 77:6 78:2 | 28:5,9 |
| 29:2 37:17 | 40:4 45:2 | 54:11 | 19:3 30:1 | 78:10 | authority |
| 44:21 45:10 | 79:17 | alternativ | apparently | areas 45:13 | 40:10,18,21 |
| 49:3 52:14 | addressin | 24:12 | 66:17 | 45:19 | Avenue 1:10 |
| abstain 70:1 | 80:7,8 | amend 67:13 | appointed | arguably | average 53:9 |
| abstention | adjourn | amendment | 2:8 | 20:21 74:20 | avid 9:5 |
| 70:2 | 81:16 82:6 | 78:9 | appreciate | arrived | aware 23:7 |
| Access 1:19 | 82:7 | amount | 2:4 5:2 | 18:15 | 34:1,21 |
| accomplish | adjourned | 34:17,18 | 11:16 14:16 | arrow 5:11 | 67:1 |
| 25:12 | 82:10 | 38:14 | 17:7,8,14 | 54:5,5,6 | awful 27: |
| accurate | administer... | Amtrak | 37:7 39:1,3 | 59:4 60:15 | awfully 29:7 |
| 83:6 | 40:12 | 15:13 26:12 | 81:19 | Article 40:8 | 30:10 |
| accuratel | Advisory 1: | 70:8 72:3 | appropriate | asked 11:10 | a.m 82:10 |
| 46:12 | $39: 13$ affect 17:19 | Amy 1:14 | 43:5 56:5 | $\begin{aligned} & 29: 1,1 \\ & 39 \cdot 1941 \cdot 14 \end{aligned}$ |  |
| achieve | affect 17:19 19:20 $22: 17$ | anchor 20:4 <br> anchorage | approval | $\begin{aligned} & 39: 19 \text { 41:14 } \\ & 76: 4 \end{aligned}$ | back 6:20 7:8 |
| 25:19 | 19:20 22:17 24:13 73:9 | anchorage 34:15 | 40:6 approved | 76:4 asking 35:2 | $\begin{gathered} \text { back 6:20 7:8 } \\ \text { 10:18 20:8 } \end{gathered}$ |
| 74:13 | 73:18 | angle 70:12 | 50:12,15 | aspect 77:8 | 33:2,8,20 |
| acknowled... | aforegoing | Annapolis | approxima... | assembled | 36:11 41:19 |
| 9:15 | 83:5 | 23:16 29:21 | 11:1 15:5 | 2:6 | 42:11 46:2 |
| Act 1:1 39:13 | afternoon | announcing | 26:15 53:17 | Assembly | 49:10 52:21 |
| 40:1 41:15 | 3:3 | 62:8 | 70:10 | 39:17 | 53:14 56:19 |
| 49:1 | ago 20:10,11 | annoying 7:9 | area 6:2 9:18 | associated | 58:2 63:6 |
| action 6:16 | 66:18 81:6 | answer 18:2 | 14:7 15:4 | 40:3 | 63:11 73:20 |
| 6:17 7:15 | agree 45:7 | 48:6 65:9 | 15:20 17:21 | association | 81:10 82:3 |
| 7:20 64:20 | 59:18 80:12 | answers | 18:4 19:8,9 | 42:3,17 | background |
| 81:4 | ahead 76:7 | 65:20 | 20:11 22:6 | 43:11 44:16 | 44:18 |
| active 20:13 | ain't 73:10 | anybody | 22:8 23:16 | 47:21 48:3 | Baker 1:10 |
| 20:18 | air 10:8 | 2:14 3:9 | 24:12 26:3 | 48:8 69:4 | Baltimore |
| actively 22:7 | Allison 1:14 | 4:4 14:15 | 28:14 29:15 | 81:15 | 36:13 83:1 |
| activities | 13:16 14:1 | 22:15 30:16 | 29:21 30:4 | assume 14:18 | $\begin{gathered} 83: 4 \\ \text { bar } 82: 2,3 \end{gathered}$ |
| 77:11 | 14:13 22:13 | 37:4 42:17 | 30:6 31:2 | attention | bar 82:2,3 |

Transcript of Boat Act Advisory Committee
Taken November 1, 2012

| barge 33:2,5 | 80:8 | 48:12 | 26:7,13,14 | C | 1:11,16 2:2 |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 33:8 | Bill 49:19 | boathouse | 28:15 34:18 | C 2:1 | 3:18 4:1,11 |
| barges 16:3 | 50:3 | 11:4,7,9 | 70:8,14 | call 21:12 | 14:14 17:16 |
| 19:10 21:10 | billiard 82:3 | boathouses | 72:3 | 28:18 35:11 | 19:4 20:7 |
| 34:15 | Bird 4:15 5:6 | 80:2 | brief 39:9 | 41:19 49:10 | 28:4,10,17 |
| barrier 52:20 | 6:21 7:2 | boating 1:19 | bring 27:10 | 55:10,11,15 | 37:3,6 |
| basically | 53:18 | 2:7 11:6 | 43:4 | 69:17 76:17 | 38:21 39:3 |
| 26:6 40:16 | bit 11:2 | 12:19 15:9 | broaden 45:8 | 79:2 | 39:6 41:10 |
| 40:20 | 32:14 37:18 | 45:4,14 | brought | called 13:21 | 42:14 46:3 |
| basins 45:9 | 41:12 48:20 | 46:9 52:4,8 | 20:16 | 14:5,12 | 46:5 47:9 |
| basis 34:19 | 73:18 80:12 | 68:19 69:15 | buddy 36:12 | calm 7:11 | 47:20 48:2 |
| 40:16 | Blackiston... | boats 6:2,7 | build 21:4 | 10:1 | 48:18 49:3 |
| bay 6:1 9:11 | 42:1 | 6:11 10:7 | bulkhead | Canada 6:13 | 49:6,14,18 |
| 19:3,14 | blame 36:3 | 10:19,20 | 10:18 64:19 | canoe 57:19 | 49:20 50:4 |
| 29:18 30:1 | block 74:21 | 11:14 15:21 | bulkheads | canoes 27:9 | 50:9,17 |
| 46:15,20 | board 1:18 | 16:2 17:20 | 6:15 | 57:16 | 51:3,12,17 |
| 69:4 | 42:4 | 19:11,12 | bunch 29:20 | captain | 51:20 52:6 |
| bays 46:2 | boat 1:1 7:13 | 20:5 21:11 | buoy 5:18 | 33:16 | 52:18 54:10 |
| beating 8:2 | 7:15,17,18 | 23:9,15 | 30:17,18 | captain's | 54:18 55:17 |
| beautiful | 7:20,21 8:2 | 25:15 27:3 | 57:10 59:2 | 34:12 | 57:12,16 |
| 36:10 | 10:2,5,11 | 27:8 28:18 | 59:3 62:7 | care 36:19,20 | 61:12 63:13 |
| beginning | 10:12,21 | 32:4 36:1 | 70:6 | 49:13 50:20 | 63:17,21 |
| 56:8 | 12:11,15,20 | 40:20 57:14 | buoys 16:15 | cared 49:2 | 64:3,6 |
| behavior | 15:17 17:1 | 57:16 66:21 | 24:19 26:18 | carried 70:3 | 65:21 66:6 |
| 75:3,21 | 17:2 18:13 | 75:19 76:2 | 65:14 | 79:8 | 67:10 68:17 |
| believe 11:18 | 18:13,17 | Bob 43:2 | Bush 1:9 | carries 69:21 | 69:1,9,16 |
| 20:6 39:8 | 19:21 21:4 | 48:18 | 17:18 23:12 | carry 12:6 | 69:20 70:2 |
| 41:17 56:3 | 23:19 27:14 | bobbing | 33:2 47:10 | case 73:17 | 70:18 71:5 |
| 74:12 | 28:2,3 | 18:16 | 47:14,17 | cases 80:16 | 71:10 72:18 |
| benefit 81:15 | 32:21 36:7 | body 21:21 | 49:19 50:2 | cause 29:3 | 74:4 75:4 |
| best 36:6 | 39:13 40:1 | 46:18 | 61:10 81:19 | 37:12 77:18 | 75:10,15 |
| 37:9 | 41:15 49:1 | boon 33:18 | business | caused 6:17 | 76:16 78:7 |
| better 60:18 | boated 69:6 | bore 17:15 | 19:19 21:12 | 7:21 | 78:13,15,17 |
| big 10:7,17 | boater 9:5 | born 9:4 | 33:15,19 | causing 6:7 | 79:2,5,8 |
| 19:9,10,12 | 15:19 36:6 | bother 49:11 | 39:7 51:4,5 | 10:13 13:6 | 81:14 82:7 |
| 19:12,21 | 37:1 60:2 | bottom 74:11 | busting | cement 69:13 | chance 2:16 |
| 24:4,6,8 | boaters 9:10 | bow 7:18 | 58:17 | 69:13 | 3:20 4:4 |
| 33:16,18 | 9:17,20 | 10:7 | busy 19:2,2,2 | certainly 3:4 | 64:9 81:16 |
| 34:14 | 13:4,6 | break 2:20 | 27:9,9,10 | 8:3 14:17 | change 70:16 |
| bigger 9:17 | 16:21 24:13 | bridge 5:5,5 | 29:17,17,21 | 42:14 | 71:8 |
| 53:1 | 32:11 36:15 | 15:13,13 | 32:19,19,20 | certify 83:5 | channel 5:19 |
| biggest 23:8 | boater's | 18:5 19:6 |  | chairman | 6:5 8:17,19 |

Corbin and Hook Reporting

## Transcript of Boat Act Advisory Committee

Taken November 1, 2012

| 11:2,19 | Coast 73:13 | 75:877:10 | 76:2,12 | 59:5 61:15 | creating |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 53:7,8,10 | 73:14 | commercia... | confirm | copies 51:1 | 25:16 |
| 53:11,17 | cobwebs | 21:9 24:8 | 44:12 | copy 50:17 | creek 1:3 4:8 |
| 56:3 58:11 | 20:9 | committee | conflicts | 50:21 | 4:14,17,18 |
| 60:1 65:13 | Coles 1:10,16 | 1:1,11,13 | 81:10 | corner 28:19 | 5:3,4,8 6:9 |
| 65:14,15 | 22:13 72:17 | 2:17 3:14 | confrontati... | 72:21 77:19 | 6:12,20 7:5 |
| 67:2,4 73:9 | come 3:1 | 3:17 25:7 | 13:9,18 | correct 52:9 | 9:20 12:12 |
| 75:8 | 10:11,14,17 | 39:13 40:2 | confused | 71:21 72:21 | 13:13 15:12 |
| channelward | 11:714:11 | 42:4 43:21 | 37:19 | corrected | 51:13,14 |
| 74:17 | 18:11 23:3 | 52:11,13 | confusing | 42:19,20 | 55:19 56:8 |
| chart 61:2,3 | 23:9 27:6 | 54:20 | 32:10,11 | correctly | 56:13,15,16 |
| 61:8 69:12 | 30:12 35:20 | community | confusion | 46:11 | 57:1,8,14 |
| charted 68:3 | 63:17 72:2 | 2:753:8 | 37:12 | $\boldsymbol{\operatorname { c o s t }}$ 12:13 | 61:5 62:21 |
| chat 41:12 | 73:20 82:3 | compensate | connections | Counsel 1:18 | 63:6,10,18 |
| 50:4 | comes 5:14 | 34:8 | 71:8 | Country 6:1 | 64:7,11 |
| chicken 14:9 | 5:19 20:5 | complaining | Conowingo | 9:11 69:4 | 65:4,4,7,7 |
| Christopher | 36:11 | 81:2 | 34:12 38:6 | county 16:4 | 65:12,17,21 |
| 1:15 | comfortable | complaint | consider | 16:5 33:18 | 76:5,6 |
| citizen 16:9 | 82:5 | 74:9 | 24:11 42:15 | 83:1,4 | 80:16 |
| City 46:1,5 | coming 2:4 | complete | 56:8 58:8 | couple 27:19 | creeks 56:13 |
| 47:4 77:4 | 7:89:18 | 51:8 | considerati... | 30:14 76:3 | 62:19 |
| clarification | 19:12,15 | compromise | 14:17 43:8 | course 9:19 | current 15:7 |
| 54:18,20 | 20:3 28:20 | 31:19 | considerati... | 19:9 | 38:4 41:14 |
| classic 74:21 | 32:11 34:11 | concentrate | 3:13 | courteous | 42:9 71:13 |
| clearly 5:18 | 36:8,8 37:6 | 76:1 | considered | 36:5,16 | 72:3 78:10 |
| close 8:1 12:2 | 39:3 40:6 | concern | 25:5 | courtesy | currently |
| 12:16 16:17 | 58:17 59:11 | 14:16 59:9 | contact 47:10 | 36:16 39:13 | 15:4 41:15 |
| 16:18 18:11 | 81:1 | concerned | 48:14 77:2 | 39:14 | 42:9 51:17 |
| 24:19,19,21 | commencing | 27:11 | 77:16 | cove 56:6 | 51:19,21 |
| 30:10,12 | 1:8 | Concerning | contribute | 64:6 | 70:8,8 |
| 31:1,3,4 | comment | 48:18 | 49:2 | cover 46:13 | curtail 8:3 |
| 57:876:11 | 45:12 53:21 | concerns | control 23:4 | 46:17 | 21:8,20 |
| 76:11,14 | 69:2 75:18 | 37:7 | convenience | covered | 26:21 |
| 80:1,1 | commented | conclusion | 49:11 | 46:12 | curves 78:11 |
| closed 20:14 | 30:15 | 12:4 | conventional | crab 19:8,8 | cut 18:10 |
| 55:2,7 62:5 | commercial | concrete | 24:3 | crabber 9:5 | 31:2,3 |
| closely $25: 7$ | 9:5 19:5,16 | 58:10,13 | conversation | crabbers | 64:17 |
| 41:5 | 19:18 20:13 | 59:10,15 | 14:7 | 19:6 | cutting 77:6 |
| closer 12:14 | 22:17 27:17 | 61:20 | conversati... |  |  |
| 29:6 38:17 | 27:19 28:13 | conduct 50:5 | 4:5 | create 10:17 | D |
| closes 56:12 | 42:16 46:12 | 55:3,13 | $\boldsymbol{\operatorname { c o o l }} 81: 7$ | 18:11 | D 2:1 |
| Club 1:9 | 46:14 73:18 | confined | coordinates | creates 58:18 | daily 34:19 |

Transcript of Boat Act Advisory Committee
Taken November 1, 2012

| Dam 34:12 | designated | distance | E | especially | 37:15 |
| :---: | :---: | :---: | :---: | :---: | :---: |
| damage 6:7 | 54:21 | 17:21 26:10 | E 2:1,1 | 32:18 | expense |
| 6:18 7:14 | details 17:7 | diversity | early 9:3 | Esquire 1:18 | 12:10 |
| 8:7 10:4,13 | developed | 45:20 46:7 | easier 60:1 | essentially | expensive |
| 23:15,19 | 9:10 | 46:8 | easiest 32:14 | 27:14 | 12:14 13:12 |
| 24:10 25:20 | development | Division 1:19 | east 1:9 75:6 | estate 64:20 | experience |
| damn 45:8 | 7:4 9:16 | DNR 13:20 | Eastern 46:1 | everybody | 45:20 |
| danger 6:8 | 33:20 | 40:11,21 | easy 18:8 | 2:15 3:13 | experts 25:9 |
| 16:7 67:3 | devices 3:10 | 41:1 69:7 | 23:15 | 3:14 5:1,3 | explain 10:3 |
| 68:15 | devoted | Doc 49:15,18 | eating 64:20 | 31:21 32:2 | 48:19 |
| dangerous | 33:13 | dock 8:9 58:4 | ebbs 12:5 | 39:12 50:17 | explaining |
| 7:8 15:20 | difference | 77:21 | edge 58:10 | 50:19 56:9 | 11:12 78:11 |
| 17:6 | 23:14 24:1 | docks 38:18 | effect 33:7 | 66:21 71:6 | extend 72:3 |
| data 80:20 | 24:6 | doing 50:1 | 41:7 | evidence | 73:3 74:2 |
| day 36:7,10 | different | 79:3 80:18 | effective | 74:15 | 74:16 78:9 |
| 77:20 | 9:10 24:19 | donations | 26:18 | exact 26:8 | extended |
| de 15:3 19:11 | 36:1 37:2 | 48:19 | eight 10:9 | exactly $32: 12$ | 36:16 |
| 70:5 | 46:8 63:11 | donuts 10:15 | either 25:1 | 32:18 34:20 | extent 26:20 |
| deal 29:12 | 76:4 | 10:16 80:18 | 61:9 | example 36:6 | extremely |
| Deb 81:17 | differently | dotted 61:4 | elected 32:1 | excessive | 17:6 |
| debate 21:19 | 55:15 | dramatically | electronic | 6:17 | e-mail 45:1 |
| deceiving | dig 10:8 | 21:3,20 | 3:10 | excitement | 48:10 |
| $64: 13$ decide 60.2 | Director 1:19 | drastically | eliminate | 59:13 |  |
| decide 60:2 72:19 73:2 | disadvanta... | 73:9 dredge 65:16 | 13:3 | $\begin{array}{\|c} \hline \text { excluded } \\ 33: 6 \end{array}$ | $\frac{\mathrm{F}}{\text { fabricating }}$ |
| decision 25:2 | discuss 50:14 | dredged 9:19 | $76: 3$ | excluding | 20:15 |
| 25:3 28:16 | 51:4,5 55:7 | 11:20 12:1 | enforce 18:8 | 42:10 | facility 49:13 |
| 37:9,10,11 | discussed | 53:7,11 | 24:18 29:7 | Excuse 12:9 | 49:21 |
| decision-m... | 43:1,1 | 56:3 | enforceable | executive | fact 9:15 |
| 55:4,11,14 | discussion | dredging | 72:6 | 16:4 51:8 | 17:4,5 |
| deeper 75:13 | 39:5 44:11 | 9:19 | enforced | 51:10 54:7 | 39:18 43:1 |
| definitely | 52:2,9,18 | drive 10:2 | 80:5 | 55:1,3,6,10 | 78:4 |
| 22:19 66:10 | 55:4,11 | drop 13:1 | enforcement | existing | fair 38:14 |
| depend | 61:6 69:1 | drowned | 18:6 29:9 | 15:14 37:15 | fall 17:1 |
| 38:13 | 69:17 70:18 | 72:12 | 36:20 77:8 | 70:20 71:16 | falls 62:5 |
| depending | 71:11 75:20 | drowning | 81:3 | 74:10 | familiar |
| 34:6 | 76:16 79:10 | 18:14 |  | exists 67:1 | 31:16 |
| depends 34:3 | 81:14 | due 30:15 | enter 32:16 | Exiting 30:8 | far 6:11,19 |
| 34:8 | Dise 1:18 | dumb 76:10 | entire 25:12 | expand | 7:1 18:20 |
| Deposit | 39:11 40:5 | duties 29:11 | entrance | 70:13,19 | 33:16 38:13 |
| $\begin{aligned} & 20: 16 \\ & \text { depth } 63: 15 \end{aligned}$ | $\begin{aligned} & 54: 21 ~ 65: 2 \\ & 65: 10 \end{aligned}$ | Dwyer 50:11 | $53: 18$ | 74:16 expanded | $\begin{aligned} & 45: 20 \text { 64:13 } \\ & 65: 11 \end{aligned}$ |

Corbin and Hook Reporting

## Transcript of Boat Act Advisory Committee

Taken November 1, 2012

| fared 5:1 | 24:1,4 | flows 12:5 | 38:16,19 | 14:21 | 81:2 |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Farinetti | Ferman 1:15 | fly 19:16 | 39:2 | geographic | gonna 73:11 |
| 4:14,16,19 | 27:16,21 | folks 33:15 | frequently | 46:6 | $\operatorname{good} 2: 23: 13$ |
| 4:21 5:17 | figure 32:3 | following | 39:19 | gesture 37:2 | 4:21 23:6 |
| 8:11,14,18 | figured | 67:3 71:16 | fresh 23:2 | getting 10:19 | 29:11 32:2 |
| 12:9,20 | 73:16 | foot $10: 11$ | friends 77:17 | 33:2 80:14 | 38:20 39:11 |
| 53:16,20 | file 42:8 | 11:2 25:10 | frightened | gifts 48:19 | 43:19 46:20 |
| 54:1,3 | financial | 63:15 | 36:9 | give 70:21 | 47:3 51:11 |
| 57:13,18 | 50:11 | forget 17:9 | front 10:15 | giving 40:17 | 52:16 58:19 |
| 63:1,5,10 | find 19:3 | forward 43:7 | 13:17 80:17 | glad 2:3 | 58:20,21 |
| 64:12 65:6 | 76:14 | forwarded | full 10:5 | go 4:12 9:21 | 68:18 74:13 |
| 66:2,5,7,16 | fine 14:21 | 42:2 | further 38:9 | 11:13 14:8 | 74:20 |
| 66:19 67:7 | 25:2 42:12 | found 25:9 | 38:10 39:21 | 17:6,11 | gotten 13:19 |
| 67:9 | 49:4 76:9 | four 5:21,21 | 63:7 | 18:7,8,12 | 35:12 48:5 |
| Farinetti's | finish 2:18 | 11:2 12:12 | future 55:9 | 18:20 19:10 | government |
| 62:14 | 76:11,15 | 24:5 |  | 28:14 29:16 | 17:9,10,13 |
| farther 68:4 | fire 17:12 | Frank 4:14 | G | 29:17 35:13 | GPS 31:15 |
| farthest | first 2:11 4:6 | Fred 71:15 | G 2:1 | 42:11,13 | grab 82:4 |
| 64:15 | 4:7,13 20:9 | 78:8 | games 11:7 | 51:9 57:7 | Grace 15:3 |
| fast 28:20 | 20:10 26:14 | Frederick | gates 34:6,6 | 58:2 59:17 | 19:11 70:5 |
| 34:2,3 | 28:15 51:12 | 1:14 | 38:5 | 63:14 64:2 | Grant 1:18 |
| faster 23:3 | 54:3 62:9 | free 2:15 | gathered | 64:3 68:9 | 4:10,12 |
| favor 35:6 | 77:14,20 | 80:21 | 16:12 | 71:12 73:11 | 5:16 8:13 |
| 66:8,10 | fisherman | Freeman | gathering | 79:13 81:9 | 8:16 15:2 |
| 69:18 76:21 | 9:6 | 15:7,15,16 | 40:14 | goal 25:12 | 16:1,11 |
| 79:3 | fishing 20:11 | 15:17 16:2 | gatherings | goes 44:14 | 22:12 26:11 |
| feed 5:4 | 36:7 42:16 | 18:2 19:7 | 39:8,15 | 63:11 78:11 | 26:15 29:1 |
| feel $2: 13,15$ | five 5:19 8:20 | 21:7,15 | 40:7,19 | going 2:19 | 29:14 30:13 |
| feet $25: 10$ | 26:4,4 28:6 | 22:3,9,18 | Gaudette | 3:12 4:9 | 30:17,20 |
| 26:15 37:16 | 80:13 81:6 | 23:6 24:2 | 43:2 | 5:10 10:4,9 | 31:11,16 |
| 53:9 66:20 | flag 61:17,21 | 24:15 25:17 | geese 6:14 | 11:9 13:12 | 35:7,10 |
| 70:20 71:16 | flat 12:8 | 26:1,12,14 | General | 13:14 18:13 | 39:8 41:13 |
| 75:12,16 | flip 3:13 10:1 | 26:16,19 | 39:17 | 21:8 22:1 | 42:19 43:12 |
| 78:15 | 16:1 | 27:18 28:2 | generally | 24:9 26:5 | 44:20 45:3 |
| fell 18:17 | floating 6:8 | 28:12,21 | 65:17 | 33:8,19 | 45:6 46:4 |
| fellow 18:16 | flood 34:6 | 30:5,9,14 | generate | 34:4,7,7,18 | 46:19 47:4 |
| 21:11 | floor 78:8 | 30:18,21 | 80:20 | 39:20 41:5 | 47:13,15,19 |
| felt 16:10 | Florida | 31:15 32:8 | gentleman | 55:21 58:17 | 48:13,15,21 |
| 35:1 | 22:16 | 33:10 34:10 | 14:20 36:17 | 72:9 73:17 | 49:4,9,17 |
| fender 24:3 | flow 34:11 | 34:16,20 | 74:875:18 | 73:19 74:5 | 50:7,10,16 |
| fenders | flowers 49:1 | 35:8,12 | gentlemen | 74:8,14 | 50:21 51:14 |
| 23:14,18 | 49:5 | 37:5,8,17 | 4:2 14:16 | 78:1 79:12 | 51:18 53:3 |

Corbin and Hook Reporting

## Transcript of Boat Act Advisory Committee

Taken November 1, 2012

| 53:6,14 | 56:3,7 | Harford 16:5 | Hi 9:1 | hydrograp... | 22:16 |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 54:2,6,9,13 | guessing | 33:18 | high 10:11 | 31:14 | industry |
| 54:15,19 | 11:3 | harm 28:13 | 33:21 | I | 45:18 |
| 56:1,14,20 | gunnel 7:15 | harm's 35:21 | historic 21:1 | I | influences |
| 57:2,4,6 | 7:17 | hash 15:14 | 21:3,20 | idea 44:15 | 38:7 |
| 58:2,7,12 | Gunpowder | Havre 15:3 | hit $10: 18,19$ | 51:11 66:13 | information |
| 58:15 60:3 | 4:15 | 19:11 70:5 | hold 19:13 | 68:18 | 4:19 33:12 |
| 60:9,12 | Gutierrez | hazard 58:18 | holidays 15:9 | identified | 33:13 39:15 |
| 61:1,13 | 1:19 39:9 | head 36:9 | 18:9 52:4,8 | 69:12 | 63:174:11 |
| 62:1,9,12 | 39:11 41:3 | 51:2 | 68:19 69:15 | idle 4:17 13:2 | informatio... |
| 62:17,20 | 43:14 44:1 | hear 2:19 3:3 | home 66:14 | 51:15 | 5:18 |
| 63:4,9,20 | 44:12,21 | 28:5,6 80:3 | homeowners | ignored | inlet 58:21 |
| 64:2 67:16 | 47:1 54:7 | heard 3:6,7 | 69:4 | 11:12 | inside 5:4 |
| 68:1,11 | 54:14 60:20 | 12:16 35:10 | homes 5:21 | imagine | 6:21 31:3 |
| 69:19 70:4 | 61:2 | 36:7 49:12 | 27:19 63:2 | 32:20 33 | interest 42:7 |
| 71:8,12,15 | guy 10:1 | 49:20 50:2 | 63:6 64:8 | immediately | 45:5 48:15 |
| 71:21 72:5 | 74:21 80:17 | hearing 1:8 | 64:18 | 35:21 | 48:16 |
| 72:8,14 | 80:18 | 2:18 42:6 | honest 21:17 | impact 22:20 | interested |
| 73:1,4,6,10 | guys 9:7 | 79:11,21 | 32:10 35:14 | implies 55:1 | 44:18 46:14 |
| 73:14,19 | 11:17 30:14 | 81:4,6,18 | hope 4:21 | 55:6 | interesting |
| 74:2 77:14 |  | 82:10 | 78:6 | improve | 72:11 |
| 78:12,14 | $\frac{\mathrm{H}}{\text { Habern }}$ | heavy $38: 5$ | Hopefully | 74:15 | interrupted |
| 79:4,7,18 | Habern | height 25:11 | 4:12 | inappropri... | 3:11 |
| 82:1 | 15:17 | 31:9 | hoping 41:8 | 20:21 | introduce |
| Grant's 26:7 | half 5:6,8 | held 39:5 | hot 78:2 | incidence | 3:15,19,21 |
| gray 15:14 | 53:9 | 44:11 61:6 | hour 10:9 | 81:1 | 4:2 |
| great 41:10 | hand 9:13 | 71:11 79:10 | 12:21 13:3 | include | Introduction |
| 43:16 44:5 | 69:18,21 | help 11:17 | 16:14,20 | 62:18 67:17 | 3:17 |
| 44:15 47:2 | 79:6 | 24:17 25:4 | 25:17 27:5 | 68:6 | involved |
| 49:6 | hang 7:10 | 30:4,5 36:5 | 29:19 | included | 16:8 31:13 |
| Griffin 16:7 | 38:6 | 37:14,18,18 | houses 63:8 | 50:12 | Island 36:7 |
| ground | happened | 38:8,9,19 | housing 6:19 | including | 47:14,16 |
| 46:17 | 29:4 | 38:20 45:18 | 6:20 7:3 | 16:21 | issue 2:15 3:8 |
| group 2:6 | happening | helpful 26:8 | huge 19:10 | incorporate | 59:11 64:11 |
| 4:20 36:14 | 77:5 | 26:20,21 | 34:17,18 | 59:14 | 69:5 76:4 |
| 44:7 | happy 50:18 | 31:6 44:17 | hundred | indicated | issued 40:15 |
| growing 9:6 | 50:19 | helps 24:5,8 | 19:13 20:19 | 83:6 | issues 2:21 |
| Guard 73:13 | Harbor 77:4 | Heron 15:9 | 25:10 37:15 | indicating | 25:6 77:5 |
| 73:14 | hard 7:12 | 15:18 74:18 | 66:19 70:20 | 37:2 | issuing 40:14 |
| guess 9:15 | $24: 1829: 7$ $29 \cdot 1232 \cdot 18$ | hey 13:11 | 71:16 73:20 | individuals $35: 11$ |  |
| 23:21 31:13 49:14 53:19 | 29:12 $32: 18$ $32: 20 ~ 37: 19$ | $36: 12$ | $75: 1578: 12$ | 35:11 <br> Industries | $\frac{J}{\text { Jeannine }}$ |
| 49:14 53:19 | 32:20 37:19 | he'll 4:6 | $78: 15$ | Industries | Jeannine |

Corbin and Hook Reporting

Transcript of Boat Act Advisory Committee
Taken November 1, 2012

| 41:4 49:5 | 20:8 21:18 | 27:9,12 | law 29:3 | lift 11:5 | loaded 34:9 |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Jersey 31:17 | 22:7 45:7 | 28:21 29:4 | 40:10 44:2 | light 21:1 | locate 8:12 |
| jet 10:14 | 47:8 50:14 | 29:16 31:1 | 44:7,15,15 | 34:9 | located 6:1 |
| 11:8 14:9 | 52:1 56:11 | 31:13,21 | 55:6 | lighted 66:21 | long 5:9 17:3 |
| job 29:12 | 56:17,21 | 32:1,12,14 | lawn 62:14 | lighthouse | 20:13 22:2 |
| John 1:15 | 57:7 61:3,9 | 32:15,18 | leave 63:18 | 22:5,11 | 24:7 27:15 |
| 16:6 | 61:20 67:12 | 33:11 34:2 | 63:21 64:7 | 26:6 28:15 | 35:13 49:13 |
| join 78:14 | 67:17,21 | 35:16,19 | 70:21 | 30:7 | 66:18 70:13 |
| Jones 1:15 | 68:5,8,14 | 36:2 37:9 | leaves 56:6 | limit 8:1,3 | 73:8 74:9 |
| 72:13 75:5 | 68:20 69:11 | 37:19 38:4 | left 41:18 | 16:13,14 | longer 17:15 |
| jump 67:5 | 74:7 75:17 | 39:20 40:1 | 77:21 82:2 | 18:19 21:19 | 41:17 |
| justify 21:2 | 78:16 80:11 | 40:2 41:3 | legal 55:7 | 26:5 52:3,7 | long-term |
| K | 81:9 Kloostra | 42:17 43:17 | legislation | 52:20,20 | 49:12 |
|  | Kloostra | 43:17 44:13 | 39:16 40:3 | 69:15 73:3 | look 11:15 |
| kayaks 6:9 | 1:15 8:9,15 | 44:17 46:17 | 40:7 | 76:5 | 31:19 39:20 |
| 27:9 | 52:19 53:4 | 48:1 55:9 | legislative | limitations | 45:12,18,19 |
| keep 12:13 | 59:20 60:5 | 56:19 58:18 | 39:17 | 16:19 | 76:7,8 77:4 |
| 17:2 18:13 | 60:10,13 | 59:11 60:2 | legitimate | limited 18:5 | 77:12 |
| 24:9 26:1 | 62:2,6 | 65:5,8,11 | 29:3 | 18:7 | looking 23:4 |
| 28:2 79:11 | 70:15 75:12 | 66:8,12 | length 71:3 | limiting 21:3 | 25:8 32:2,7 |
| 80:16 | 78:20 | 67:18 74:19 | Leonard | limits 80:15 | 61:3 64:13 |
| keeps 8:2 | knees 18:12 | 76:7,15 | 19:21 20:3 | line 7:19 8:16 | lot 6:4,7,17 |
| Kelly 1:21 | knocked | 77:2 80:5 | 21:11 | 52:21 53:4 | 8:4 12:21 |
| 83:3,9 | 10:6 32:4 | 81:9,9 82:1 | letter 16:7 | 53:6,12 | 13:4,5 |
| Ken 78:18 | knot 30:17 | known 55:5 | 48:15,16 | 55:21 61:4 | 14:12 16:21 |
| Kenneth | 52:3,7 | knows 49:15 | let's 8:11 | 66:4 68:8 | 22:21 24:13 |
| 1:15 | 55:19 69:15 |  | 18:10 23:1 | lined 4:8 | 25:6 27:2,3 |
| Kenny 59:18 | 77:6 | L | 51:10 71:5 | Lisa 1:19 | 27:7,8 |
| kick 23:10 | knots 15:8,12 | lack 33:14 | 71:12 | 39:9 40:7 | 32:19 35:15 |
| kid 9:6 | 22:21 24:12 | 45:15 | Levitan 1:14 | 43:2 | 35:19 38:3 |
| kind 4:7,8 | 25:13,21 | land 9:10 | 11:19 12:1 | listen 2:10 | 64:13 76:1 |
| 16:3 19:12 | 28:6 30:3 | 12:8 26:6 | 12:18 26:17 | 4:4 | 80:21 |
| 31:8 32:21 | 35:1 69:16 | 56:5,18 | 37:14 44:9 | little 11:2 | lots 10:4 |
| 36:4,18 | 70:6,14 | 68:11 76:11 | 45:10 47:21 | 24:7 32:14 | 76:20 |
| 46:15 57:14 | know 2:12,15 | large 40:19 | 48:5,8 | 36:9 41:12 | louder 61:10 |
| 58:10 60:14 | 5:1 6:16 | 46:18 | 52:10 54:17 | 48:20 56:6 | Louis 44:2 |
| 61:18 | 9:14 11:9 | larger 76:6 | 56:10 70:19 | 60:5 61:10 | 56:11 59:19 |
| kinda 76:4 | 14:6 19:2 | 77:12 | 71:4,14,18 | 61:17 64:6 | 60:21 61:2 |
| kinds 16:8 | 21:7,16 | laser 64:18 | 74:1 | 64:17 68:3 | 63:14 65:10 |
| 46:8 76:21 | 24:3,7 25:1 | launch 6:2 | Liaison 1:18 | 70:21 73:18 | 67:18 |
| kite 19:17 | 26:7,8,9,9 | 8:17 53:7 | life 9:7 17:4 | 76:10 80:12 | lounge 82:4 |
| Kling 1:16 | 26:10,20 | 53:15 | 27:13 33:13 | lives 53:16 | love 9:6 |

Corbin and Hook Reporting

Transcript of Boat Act Advisory Committee
Taken November 1, 2012

| low 57:18 | 33:20 35:15 | 25:1 27:4 | 52:13 | 4:21 39:12 | 63:8,19 |
| :---: | :---: | :---: | :---: | :---: | :---: |
| lower 42:12 | 35:20 74:10 | 32:1 36:9 | midnight | 39:12 81:20 | 64:8 |
| lowered 11:5 | 80:1 | 42:15 45:16 | 14:9 | motion 51:21 | navigation |
| lunch 2:20 | marine 14:6 | 46:16,20 | Mike 1:18 | 52:2,6,16 | 67:3 |
| 2:21 3:5 | 29:10 36:20 | 49:9 50:5 | 4:6,8 5:4,15 | 56:18 67:11 | necessary |
| 14:18 51:7 | 39:8,15 | 59:5,7 | 15:1 16:10 | 69:11,18,21 | 38:18 |
| 51:9 81:17 | 40:7,14 | 60:16 61:15 | 26:9 29:1 | 70:3,15,16 | need 32:4 |
| 81:21 82:1 | 42:15 44:9 | 61:18 66:11 | 29:14 30:5 | 76:17 78:7 | 40:15 45:8 |
|  | 47:21 48:2 | 73:4 74:17 | 31:10 39:4 | 78:9,19,20 | 45:12,14 |
| M | 48:8 | 76:2 77:4 | 45:1 46:10 | 79:8 82:6,7 | 74:15,16 |
| m 1:9 | mark 15:14 | 80:19 | 48:4,10 | motions 9:13 | 76:8 77:2,7 |
| machine | 64:4 | measure 31:8 | 52:21 53:2 | motorboat | needed 54:20 |
| 60:21 | marked 5:18 | measurem... | 54:7 55:18 | 35:18 | needs 2:13 |
| main 17:10 | 8:19 59:21 | 31:12 | 71:5 80:21 | mouth 53:18 | 80:6,7 |
| 59:9 65:13 | marker 15:5 | measures | mile 5:7,9 | 61:4 | neighbor 8:5 |
| 65:14 | 15:6,11 | 40:19 | 26:5,11,12 | move 4:9 | neighborh... |
| maintain | 30:17,19 | meet 3:20 | 26:16 29:19 | 34:2 38:7 | 9:2 |
| 72:4 73:20 | 31:4 32:13 | meeting 1:1 | 30:18 32:5 | 38:14 39:4 | neighbors |
| 74:3 | 37:20 64:18 | 41:14 43:16 | 32:6 36:8 | 39:6 51:6,7 | 8:2,8 10:21 |
| majority | 73:10 | 77:15 80:2 | 76:19,19 | 51:10 72:20 | 11:6 |
| 12:11 | markers 18:9 | meetings | 77:9,9 | 73:2,8 75:6 | nesting 6:14 |
| making | 29:5,17 | 55:6 | mileage 26:8 | moved 16:16 | neutral 13:2 |
| 23:15 24:12 | 32:16 38:7 | member 28:5 | miles 10:9 | 29:6 30:11 | never 11:4 |
| 25:12,20 | 67:1 | 28:9 41:18 | 12:21 13:3 | 35:1 37:20 | 15:19 23:19 |
| maneuver | marks 60:2 | members | 16:14,20 | 38:3 79:9 | 29:8 36:21 |
| 35:19 | Marsh 1:11 | 1:13 3:17 | 25:17 27:5 | moves 37:21 | 75:2,21 |
| manual | 1:16 | 3:21 41:16 | mill 20:14 | 73:8 | new 31:17 |
| 31:12 | Maryland | 42:21 51:5 | million 29:8 | N | 33:12 36:6 |
| $\operatorname{map}_{58} 8: 10$ | 1:1,10 16:6 | 52:11,12 | mind 21:2 | N | 36:14 40:9 |
| 58:3 64:13 | 39:16 41:15 | membership | minute 77:20 | N 2:1 | 51:474:21 |
| Marianne $1: 1839: 11$ | 47:13,18 | 41:14 42:10 | minutes 2:3 | name 9:1 | newest 74:10 |
| 1:18 39:11 | 83:1,4 | mentioned | 2:12 26:4,4 | 15:16 42:2 | nice 3:10 |
| 40:4 64:21 | Marylanders | 27:16 57:9 | 78:1 | 42:5,8 43:6 | 10:1 81:18 |
| marina 15:6 | 36:4 | message | missing 44:6 | 65:4,6 | 81:20,21 |
| 15:10,10,17 | match 37:13 | 41:19 | 44:6 | narrow 5:3 | 82:4 |
| 15:18 16:18 | matter 1:7 | mic 61:11 | mission 51:8 | 52:15 | nicely 11:11 |
| 18:14,17,19 | 55:8,8 59:8 | Mick 42:1 | mix 37:12 | narrows 5:7 | nightmare |
| 22:8 27:1 | 78:4 | Mick's 42:1 | Moaney 41:4 | natural | 34:13 |
| 28:18,20 | Meals 17:12 | Microphone | money 12:18 | 11:19 37:21 | nobody's 2:8 |
| 74:11,18 | mean 15:13 | 16:1 51:18 | 74:14 | 40:8,13,17 | nope 53:3 |
| 75:1 | 17:13 20:14 | middle 29:20 | moored 7:17 | 60:6,6,8 | normally |
| marinas | 21:21 24:6 | 42:5,7 | morning 2:2 | navigable | 33:5 |

Corbin and Hook Reporting

## Transcript of Boat Act Advisory Committee

Taken November 1, 2012

| north 7:2 | officers 4:18 | opportunity | paid 2:9 | 35:16,16,18 | pertains |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 12:12 75:14 | officials $32: 1$ | 3:5 | parachute | 36:3 38:1 | 62:20 |
| northeast | offset 59:16 | opposed | 21:13 | 43:18 48:11 | petition 35:7 |
| 60:11 | offshore | 69:20 79:5 | parasailing | 50:3 58:16 | 62:8,18 |
| northward | 68:12 | orange 8:16 | 21:14,15 | 59:11 64:8 | 65:3 |
| 74:17 | oh 5:12 23:17 | order 12:13 | Parlin 1:15 | 66:2,9 76:4 | petitioner |
| north/south | 66:7 | 49:5 | 21:14 45:11 | 76:13,14,20 | 2:12 4:13 |
| 58:1 | okay 3:14 | organizers | 47:18 55:18 | 77:6 81:1,5 | 15:7 77:1 |
| Notary 83:3 | 5:12,17 | 76:9 | 58:19 59:14 | perception | 77:15 |
| 83:9 | 8:11,14,14 | original | 59:18 60:18 | 80:21 | petitioners |
| note 71:19 | 8:15 14:15 | 55:20 | 68:7,16 | perfect 45:12 | 35:6 |
| notice 38:2 | 14:21 28:9 | originally | 82:6 | 54:1 | petitions |
| 57:8,10 | 32:14 38:16 | 51:14 55:19 | Parlin's | performance | 16:12 35:13 |
| 59:2,3 | 47:19 48:17 | ought 42:15 | 50:10 | 20:5 23:9 | 74:18 |
| November | 51:21 57:6 | 59:17 | part 27:12 | 25:15 27:3 | phone 35:11 |
| 1:8 | 62:17 69:16 | outer 52:19 | 44:2 50:19 | 27:8 35:21 | picked 61:18 |
| NRP 4:18 | 69:21 70:3 | 52:20 | 56:15 65:7 | 75:19 | picture 5:15 |
| 28:18 31:13 | 70:18 73:6 | outline 4:7 | 65:15 78:4 | period 80:12 | 7:13 52:21 |
| 41:5 77:3 | 81:7,13 | outside 7:5 | participate | 80:13 | 53:2 58:9 |
| 77:19 78:2 | old 39:6 51:4 | 13:13 19:8 | 43:19 | permit 41:7 | 58:21 60:18 |
| number | ones 19:13 | 19:19 32:13 | participating | permits | 66:12 |
| 24:21,21 | 22:4 23:9 | 34:15 57:7 | 41:20 | 40:14 | pier 8:20 |
| 26:13 27:11 | 24:7 35:17 | 75:6 | particular | permitted | 9:12 11:13 |
| 27:12 30:11 | 40:13 59:7 | overboard | 33:17 | 10:4 | 11:15 23:17 |
| 42:12 | 59:8 | 10:6 | particularly | perpendic... | 28:20 |
| numbers | open 6:3,5,15 | owned 7:4 | 23:1 52:16 | 60:1 | piers 5:20 |
| 13:19 61:18 | 6:16 7:2 | 9:3 | parties 14:10 | Perry 18:21 | 6:6,8 8:1 |
|  | 11:8 51:1 | owner 74:12 | passed 39:16 | person 19:16 | 10:13 12:11 |
| 0 | 53:18 55:5 | owners 12:11 | patience | 19:18 42:2 | 12:15 |
| O 2:1 | 56:6,7,7 | 12:15 80:15 | 35:13 | 46:20 56:17 | pilot 46:15 |
| observed | 64:171:1 | owns 73:14 | patrolled | 72:11 | 46:20 |
| 33:8 | 75:3 |  | 14:7 | personal | place 19:2 |
| obvious | opened 34:6 | P | pattern | 13:17 | 27:5,10 |
| 23:20 | opening | P 2 | 71:17 | personally | 29:15 32:20 |
| obviously | 64:15,16 | packets | pay 36:21 | 5:2 8:2 | placed 30:16 |
| 13:17 55:18 | opens 56:2 | 39:18 | pays 24:20 | personnel | placement |
| ocean 19:13 | open-ended | pad 59:10,15 | people 13:18 | 40:18 55:8 | 16:15 |
| 46:1,5 47:4 | 46:16 | paddle 6:11 | 16:12 17:10 | person's 58:4 | places 79:14 |
| offer 52:2 | operational | 57:16 | 17:11,13 | perspective | plane 13:1 |
| offered 77:1 | 33:9 | paddling | 19:14 21:4 | 20:12,19 | Planning |
| offers 43:17 | operator | 45:15,16 | 28:17,19 | 43:20 | 1:19 |
| office 43:6 | 33:4 | 47:4 | 29:2 35:15 | pertained 8:7 | plant 20:15 |

Corbin and Hook Reporting

Transcript of Boat Act Advisory Committee
Taken November 1, 2012

| platform | 76:8 | 74:21 75:2 | 81:19 | question | 69:21 79:5 |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 58:10,13 | Poole's 36:7 | 76:1,6 | proximity | 18:3 19:4 | raised 9:4 |
| 66:17 67:18 | port 20:15 | 79:12,15 | 8:1 | 21:2 22:13 | Ramona 1:14 |
| 67:21 68:6 | 29:17 | problems 9:9 | public 40:15 | 23:12,21 | 41:14 44:1 |
| play 11:7 | possible | 12:19 13:7 | 42:6 57:8 | 25:14 29:1 | $\boldsymbol{r a m p} 5: 21$ |
| 13:12,14 | 43:17 | 28:19 29:4 | 83:3,9 | 30:2 33:7 | 6:4 8:17 |
| 14:8,11 | possibly | procedure | publicly 4:4 | 42:10 46:10 | 53:7,15 |
| 73:12 | 16:16 | 16:11 | Pull 71:5 | 46:16 48:7 | 64:14,17 |
| playing 11:8 | potential | proceed | pulled 62:13 | 65:1,20 | random |
| please 9:13 | 68:15 | 42:11 | pulls 36:11 | 66:2 69:17 | 61:18 |
| 43:5 45:3 | power 13:2 | proceedings | purposes | 76:17 79:2 | reached |
| plenty 7:5 | powerboat... | 83:6 | 52:1 | 79:19 | 41:18 49:9 |
| point 5:10 | 45:8 81:11 | processe | pursue 77:7 | questions | read 35:8 |
| 11:13 15:9 | present | 41:7 | push 12:21 | 14:14,15 | 39:20 |
| 18:21 23:6 | 39:15 | processing | pushed 9:19 | 17:16 28:4 | ready 51:7,9 |
| 26:6 54:5,6 | presenting | 41:4 | pushing | 28:8,11 | real 19:1 |
| 55:20 56:5 | 39:14 | program | 10:10 34:4 | 37:3 39:19 | 31:3,4 |
| 56:18 57:4 | presiding | 40:12 41:2 | 34:9 | 39:21 41:11 | 33:18 64:20 |
| 58:19 59:1 | 1:11 | prohibit | put 10:7 | 47:20 54:10 | realize 9:16 |
| 59:6,6 60:8 | pretty 6:10 | 33:14 | 12:14 21:19 | 54:12,17 | 10:10 13:4 |
| 60:15,16 | 27:14 30:21 | project 60:21 | 38:1 41:7 | 55:12 | 64:9 |
| 61:16 63:1 | 33:13 54:4 | 65:12 | 51:2 55:21 | quick 36:5 | realized 20:9 |
| 63:3,3 66:3 | 81:11 | promulgate | 58:20 59:1 | quickly 79:9 | really 5:17 |
| 66:3,5,17 | prevailing | 40:11 41:1 | 59:7,19 | quiet 6:10 | 6:17 7:11 |
| 68:6 69:3,7 | 7:18,19 | properties | 60:20 74:13 | quite 17:21 | 11:16 18:3 |
| 69:13 74:18 | proactive | 27:18 | 76:4 79:14 | 23:7 | 18:20 19:8 |
| pointed 5:4 | 78:6 | property 9:3 | putting 66:4 |  | 20:6 21:16 |
| 36:13 59:4 | probably | 10:15 15:18 | 75:1 | R | 21:16 22:5 |
| pointer 60:7 | 11:3 20:19 | 17:4 27:17 | PWC 7:9 | R 2:1 | 23:4,10 |
| 70:10 | 24:16 26:3 | 27:17,19 | PWCs 79:13 | raced 20:10 | 24:2,15 |
| pointing 6:13 | 26:8 31:6 | proposal | 79:15,21 | races 22:1,3 | 26:2 28:21 |
| points 58:6 | 35:1,17 | 17:18 22:14 | 80:9,16 | 22:6 27:2 | 29:2,7,7 |
| 59:5,14,19 | 36:18 37:11 | proposed | 81:2 | racing 22:7 | 32:8,9 |
| poker 27:2 | 38:6 49:13 | 17:21 40:3 |  | railroad 1:3 | 33:11 36:17 |
| 75:19,21 | 54:21 80:20 | 70:5 | $\mathbf{Q}$ | 4:7,14,17 | 36:19 37:9 |
| 76:8 | problem 18:4 | protect 7:20 | quality 27:13 | 5:3,5,8,10 | 47:3 68:3 |
| police 14:6 | 18:6,11 | 23:19 31:20 | quarry 19:10 | 5:14 15:12 | 76:18 77:5 |
| 18:14 29:10 | 19:1 23:8 | protected | 20:17 22:16 | 51:13,14 | 78:5 |
| 36:20 40:13 | 25:16 27:1 | 6:21 7:3 | 33:17 | 56:15,16 | Realtor 42:6 |
| 40:18 41:2 | 34:21 35:18 | provide | quarter 32:6 | 65:7,12,17 | reason 11:11 |
| 69:7 77:3,3 | 38:9,10 | 81:21 | Queen 19:21 | 65:21 | 16:19 46:19 |
| policy 50:5 | 69:8 73:7 | providing | 20:3 21:11 | raise 69:18 | 80:9 |

Corbin and Hook Reporting

## Transcript of Boat Act Advisory Committee

Taken November 1, 2012

| receive 50:21 | regulating | request 15:2 | ricochet | 53:19 56:2 | sailboaters |
| :---: | :---: | :---: | :---: | :---: | :---: |
| received | 75:7 76:13 | 15:11 51:15 | 10:18 | 56:7 67:6 | 81:11 |
| 41:21 42:1 | 79:15 80:9 | 55:19 67:11 | right 4:17 | 70:7,7 71:1 | sailboats |
| 50:5 | regulation | 73:19 | 5:10,11,12 | 76:20 77:9 | 18:16 |
| recognize | 15:8 39:10 | requested | 5:13 6:6,12 | 77:13 81:19 | sailed 20:10 |
| 50:3 | 41:16 51:18 | 4:16 15:15 | 6:13 8:13 | roads 63:11 | sailors 47:6,7 |
| recommend | 59:2 70:6,8 | 37:10 | 8:17,18 9:4 | roaring | sat 77:21 |
| 47:2 52:3 | 70:9 | requesting | 11:1,2 | 23:10 36:8 | satisfy 32:3 |
| 55:9 60:13 | regulations | 18:1 | 18:17 20:2 | Robin 1:14 | Saturday |
| 62:2 71:7 | 33:14 40:2 | requests $2: 5$ | 21:15 22:5 | 38:10 47:1 | 15:8 52:3,8 |
| recommen... | 40:5,11,16 | 2:10 80:14 | 22:8,9,10 | 72:18 80:11 | 68:18 |
| 3:1 46:7 | 41:1,4,6 | require | 23:2 27:7 | rock 22:16 | Saturdays |
| 78:5 | 79:14 | 40:18 | 30:6,20 | 24:9 | 69:14 |
| recommen... | regulatory | required | 34:16,20,21 | rocks 36:12 | save 12:10 |
| 42:3 77:15 | 40:10,21 | 41:1 44:7 | 36:8,11 | rolling 24:9 | saved 12:18 |
| record 39:5 | related 40:11 | requiring | 42:9 47:8,8 | room 7:5 | savvy 19:18 |
| 44:11 61:6 | 41:6 | 40:11 | 50:16 53:15 | 82:3 | saw 16:7 |
| 71:11 79:9 | relatively | research | 53:16 55:5 | rough 13:13 | saying 23:20 |
| 79:10 | 20:20 | 12:4 | 55:13 56:5 | 34:10 | 23:21 29:9 |
| recorded 4:3 | relay 4:19 | reserve 34:14 | 56:9,13 | round 24:4 | 33:4 37:1 |
| recreation | relief 70:21 | reset 62:14 | 57:11,20 | row $7: 14,16$ | 69:5 75:1 |
| 17:11 | reminded | resided 9:2 | 58:4,4,15 | rules 33:14 | says 11:1 |
| recreational | 44:2 | resident 69:3 | 59:20 60:7 | 35:8,9 | 36:12 71:19 |
| 20:20 77:10 | remiss 29:10 | resignation | 60:16 61:8 | run $9: 12$ | scary 20:1 |
| red 24:4 | repair 7:17 | 42:1 | 61:13,14 | 21:21 22:20 | scene 18:15 |
| 30:11 53:4 | repeat 67:11 | Resources | 62:1,9 | 27:4 59:12 | scratched |
| 53:6 70:6 | 69:10 | 38:1 40:8 | 64:16 66:3 | 75:21 76:10 | 20:9 |
| reduce 25:20 | report 18:15 | 40:13,17 | 66:6 68:1 | running 23:2 | season 15:9 |
| reference | 49:7 | respect $28: 15$ | 71:14 72:21 | 27:4 | 52:4,9 |
| 23:14 55:20 | reported | 33:12,21 | 75:11,13 | runs 53:10 | 68:19 69:15 |
| 58:20 59:1 | 1:21 13:19 | 37:8 | 77:3,19 | 56:4 65:13 | seat 82:4 |
| referenced | reporter 4:3 | responsibil... | 78:2,3,11 | 75:19 76:9 | seating 82:5 |
| 40:7 69:14 | reports 14:2 | 29:11 | riparian | Russ 50:11 | second 52:5 |
| referred | representa... | rest 71:1 | 80:15 |  | 52:6,7 |
| 16:10 | 47:11 | resume 43:6 | river 1:3,9 | S | 70:17 78:16 |
| reflecting | representa... | 45:4 48:12 | 4:15,15 5:6 | S 2:1 | 78:18 79:1 |
| 68:14 | 43:10 44:3 | revision 50:7 | 7:1,2 9:20 | safety $27: 12$ | 82:8,9 |
| regulate | 45:17 | 50:9 | 12:17 15:3 | 40:12,15,16 | seconded |
| 75:21 | represented | revisions | 17:19 20:6 | 40:19 | 78:18 |
| regulated | 45:14 | 50:18 | 21:1,4 | sailboat $22: 1$ | Secretary 2:8 |
| 15:4 79:13 | representing | rewarding | 25:13 29:20 | 22:3,6 | 3:2 43:4,7 |
| 80:4,10 | 42:18 | 75:2 | 32:6 42:5,7 | 35:16,16 | section 25:21 |

Corbin and Hook Reporting

Transcript of Boat Act Advisory Committee
Taken November 1, 2012

| 26:2,2 32:6 | 55:6,10,11 | sit 20:1 22:9 | solves 64:10 | 59:1,13 | status 49:15 |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 40:9 | 55:14 | sites 2:19 | somebody | 70:20 73:3 | statute 40:17 |
| security | sessions 55:3 | sitting 36:6 | 44:16 46:15 | 74:5 75:7 | 40:21 44:3 |
| 40:18 | set 20:4 | situation | 47:2 48:9 | 76:5,6 | stay 2:20 3:3 |
| sediment | settled 6:10 | 7:10 15:20 | 62:13 66:14 | 80:15 | steel 20:14 |
| 12:7 | shallow | 17:6 29:13 | somewhat | speeding | 20:15 58:14 |
| see 8:11 11:4 | 18:21 57:14 | six 10:9 | 78:2 | 26:21 79:21 | stepping |
| 16:18 20:2 | sheet 39:19 | 12:21 13:3 | soon 36:13 | speeds 33:11 | 81:19 |
| 20:2 21:16 | ship 23:2 | 15:8,11 | sorry 4:10 | spend 27:13 | stern 10:8 |
| 22:5 25:3 | shore 15:6 | 16:14,20 | 28:8 31:18 | 74:14 | Steve 1:16 |
| 27:1 30:9 | 16:13,18 | 22:21 24:12 | 40:9 43:3 | spent 52:11 | 8:8 9:1 |
| 30:10 32:16 | 18:4,5,7,8 | 25:13,21 | sort 32:7 | spoke 66:9 | 12:20 20:7 |
| 36:10 45:13 | 18:10 25:1 | 26:5 29:19 | 64:20 | spoken 22:15 | 22:12 47:6 |
| 45:19 46:19 | 30:12 46:1 | 30:3,17,18 | sounded | 30:8 | 67:10 69:9 |
| 48:19 56:9 | 59:7 62:4 | 35:1 52:3,7 | 41:20 | sports 7:6 | 74:4 |
| 60:2,20 | 69:14 70:11 | 55:19 69:15 | sounds 9:7 | 45:15,16 | Steve's 69:18 |
| 74:15 75:15 | shoreline | 69:16 70:6 | source 5:9 | 47:4 | stone 19:10 |
| 81:17 | 12:2 66:20 | 70:14 77:6 | south 60:5 | spot 56:5 | 21:10 33:17 |
| seeing 14:1 | show 65:16 | six-knot | Southern | spots 61:19 | stop 80:19 |
| 59:21 | 66:11 67:14 | 21:19 | 47:13,18 | spring 7:19 | storm 5:1 |
| seen 15:20 | showing 5:3 | ski 67:5 | southwest | spur 63:7 | 16:17 30:15 |
| 22:4 | shown 42:7 | skiers 10:1 | 63:3 | spurs 12:14 | storms 29:5 |
| segue 45:12 | shows 61:7 | skis 11:8 | space 76:12 | staff 3:19,21 | 38:8 |
| senator 16:5 | shut 34:5 | 14:9 | speak 2:14 | stand 42:19 | straight |
| send 48:10 | 77:8 | Slaff 41:17 | 2:16 3:6 | 71:9,10 | 60:11 64:4 |
| 48:11 | shutting 21:2 | 42:10 48:18 | 8:6 14:19 | stands 8:19 | stretch 25:13 |
| sending | 76:19 | slam 10:12 | 61:10 | started 9:9 | 77:13 |
| 48:21 | side 5:20,21 | slammed | speaks 4:20 | starting 3:15 | strongly 43:9 |
| sense 59:20 | 6:18,21 7:1 | 11:15 | 41:16 | 68:6 79:14 | 43:15 |
| 68:5,17 | 7:1,1,2,20 | slips 21:4 | specific | 79:20 80:3 | studied 25:7 |
| 80:12 81:5 | 9:20 12:6,7 | slow 9:13,21 | 34:19 40:10 | starts 56:3 | stuff 14:9 |
| separate | 12:12,13,17 | 26:3 32:12 | 68:20 | state 1:18 | 19:17 46:13 |
| 40:21 | 15:3 18:21 | 32:13,15 | specifically | 2:13 7:4 | 65:16 |
| serious 2:5 | 24:5 65:13 | 33:4 37:1 | 47:15 48:11 | 15:8 16:6 | submit 43:6 |
| seriously | sides 10:19 | slowing 32:5 | specify $67: 13$ | 78:19,20 | 44:18 48:4 |
| 2:10 3:12 | 23:18 65:18 | small 52:15 | speed 4:17 | 83:1,4 | submitted |
| serve 17:12 | signer 2:11 | Solomons | 7:21 8:3 | stated 31:5 | 41:8 |
| served 16:5 | simple 23:13 | 47:11,14,15 | 13:2 16:13 | 77:15 | sudden 20:5 |
| 43:20 82:2 | simplify | solution 25:3 | 25:15 30:8 | statement | suggest 51:6 |
| session 39:18 | 23:13 | 35:6 72:2,2 | 33:5,9 | 33:16 | 74:16 |
| 51:8,10 | sir 19:5 | solve 18:3 | 51:15 52:3 | states 18:15 | suggested |
| 54:8 55:1,4 | 26:19 38:21 | 19:1 | 52:7,20 | stating 16:7 | 53:5 |

Corbin and Hook Reporting

Transcript of Boat Act Advisory Committee
Taken November 1, 2012

| suggestion | T 1:15 | 15:16 17:14 | 51:6 52:15 | times 4:16 | transcript |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 38:20 67:13 | table 51:2 | 28:12 37:5 | 52:16 55:2 | 10:16 15:12 | 67:15 83:6 |
| 72:5,8 | $\boldsymbol{\operatorname { t a g }} 39: 12$ | 37:6 38:20 | 55:12 59:12 | 16:14,20 | trapping 9:6 |
| suggestions | tail 78:3 | 38:21 39:2 | 65:16 66:7 | 18:7 29:19 | traveling |
| 48:4 | take 2:5,9,19 | 41:10 54:13 | 67:10 77:7 | 30:3 51:16 | 25:15 |
| summer 14:4 | 10:12 14:17 | 69:9 81:16 | 77:12 79:12 | 70:6,14 | tried 11:11 |
| 31:6 | 27:4 61:11 | Thanks | 80:21 81:5 | 72:7 76:3 | 75:21 |
| Sunday 15:8 | 71:15 | 41:11 61:12 | thinking | today 2:19 | trouble 23:5 |
| 52:8 | taken 50:19 | thing 24:16 | 22:14 36:10 | 4:3,18 | 73:15 77:18 |
| Sundays | 81:3 | 31:6 36:19 | 46:6 | told 12:10 | troubled |
| 52:4 68:19 | takes 41:21 | 46:16 58:8 | thinks 80:7 | 16:11 | 76:18 |
| 69:14 | talk 2:21 | 59:10 60:6 | third 7:14,16 | Tome's 27:1 | Trovato 1:14 |
| sunk 10:20 | 14:19 | 68:15 72:11 | Thornell | toolchest | 13:6 24:11 |
| 10:21 | talked 48:21 | things 16:9 | 1:15 75:4 | 10:5 | 25:5,18 |
| supplied | 75:18 | 20:1 23:13 | thought 16:9 | tossed 18:18 | 28:7 30:2,8 |
| 35:10 | talking 26:1 | 31:5,19 | 34:1 48:3 | $\boldsymbol{t o t a l} 41: 16$ | 31:18 35:5 |
| support | 57:20 58:3 | 43:17 46:14 | 54:9,11 | tour 15:21 | 43:9,15 |
| 43:10,15 | 60:3 66:13 | 76:21 80:9 | 67:12 | 16:2 19:11 | 44:5,14 |
| 46:7 | 71:2 75:7 | 81:20 | three 10:11 | 19:12,14 | 45:1,4,21 |
| supported | Taylor 1:21 | think 2:17 | 24:5 32:5 | 21:10 | 46:6 47:6 |
| 75:2 | 83:3,9 | 16:4,12 | 38:2 53:9 | tow 22:20 | 48:7,9,14 |
| supposed | teaming | 17:11,17,19 | 63:6 80:14 | tower 58:14 | 48:16 51:11 |
| 38:1 | 39:12 | 17:20 18:3 | three-quar... | 59:21 60:11 | 52:5 53:1 |
| sure 3:7 4:5 | tell 2:16 9:21 | 18:5,19 | 76:19 77:9 | 60:14 61:7 | 53:12 54:11 |
| 5:16 17:7 | 11:6 64:12 | 19:1,19 | threw 62:13 | 61:13,14,20 | 54:16 55:15 |
| 41:6 61:1,8 | tells 32:17 | 20:14 24:15 | throw 20:4 | 62:3 64:5 | 56:12 57:3 |
| 65:2 71:6 | tend 80:11 | 24:17,18 | 23:7 | 66:12 68:9 | 57:5 60:17 |
| 73:17 81:20 | tendency | 25:18 26:17 | Thursday | 69:13 | 61:11 62:7 |
| Susquehan... | 7:10 | 28:13 29:8 | 1:8 | towing 33:5 | 62:11,18 |
| 1:3 15:3 | term 28:5 | 30:10,11,11 | tide 12:5 | tows 22:17 | 64:5,21 |
| 70:5 | 49:13 | 30:15,16 | 34:11 57:18 | toy 13:12 | 65:3,8,18 |
| swim 66:17 | terms 16:20 | 31:1,7 32:8 | Tidewater | track 5:14 | 65:20 66:1 |
| swimmers | 17:3 29:9 | 32:9,10 | 15:6,10,10 | 40:17 | 66:14 67:5 |
| 6:8 | 29:10,16 | 33:3,10 | 18:14 22:8 | tracks 5:10 | 67:8,20 |
| sympathetic | 32:21 35:21 | 35:17,20 | time 3:6 8:6 | Trades 44:10 | 68:18 70:1 |
| 33:15 | terrible | 37:14,20,20 | 20:13 22:2 | 47:21 48:3 | 71:2,19 |
| sympathize | 80:19 | 37:21,21 | 23:1 27:14 | 48:8 | 72:1,6,10 |
| 77:11 | test 31:7,12 | 38:6 42:14 | 37:5 43:18 | traffic 6:4 | 72:16 75:11 |
| system 31:8 | thank 2:4 8:8 | 43:5,12 | 50:12 52:12 | 7:21 32:19 | 76:18 82:9 |
| 31:9,17 | 8:21 11:18 | 44:13 45:12 | 69:10 74:9 | 33:3 34:18 | true 65:10 |
| T | $13: 514: 13$ $14 \cdot 15,18,21$ | $45: 14 \text { 46:11 }$ | $76: 20 \text { 80:13 }$ | 52:14 73:18 | $83: 5$ |
| I | 14:15,18,21 | 47:2 49:20 | 80:21 81:10 | train 5:5 | truth 36:18 |

Corbin and Hook Reporting

## Transcript of Boat Act Advisory Committee

Taken November 1, 2012

| try 31:20 | unlighted | volunteers | 12:21 15:18 | wedding | Wheels 17:12 |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 37:12 38:17 | 69:13 | 2:7,9 17:8 | 16:3 17:2,3 | 20:3,6 | Whichever |
| trying 16:13 | unprotected | 17:10 32:1 | 21:21 27:20 | weddings | 44:14 |
| 27:5 31:19 | 6:18 | Vulcan 22:15 | 34:4,8 | 20:1 | whoa 75:1 |
| 32:3 | update 50:6 |  | 38:12 46:18 | week 41:9 | wide 5:7 7:2 |
| tubes 20:16 | upsets 20:6 | W | 53:10 63:12 | 52:11,13 | 11:871:1 |
| $\boldsymbol{t u g} 22: 20$ | upstream | waiting 4:13 | 75:3,12 | weekend | 71:20 |
| 33:16 46:13 | 57:1 | wake 4:16 | waterline | 19:15 | widely 77:11 |
| tugboat 33:4 | Upton 8:8 | 6:17 7:12 | 6:19 | weekends | width 38:14 |
| tugs 22:17 | 9:1,1 11:20 | 10:10 13:3 | watermen | 13:7,15 | 70:13 71:3 |
| 34:2 35:1 | 12:3 13:8 | 13:7 23:8 | 19:5 44:4 | 18:9 | 71:4 72:4 |
| tunnel 20:16 | 13:21 14:3 | 25:5 26:18 | Watermen's | weeks 38:2 | wife 41:18 |
| turn 3:11 | usage 77:13 | 28:6 31:9 | 42:3,16 | week's 41:13 | 49:8 |
| 16:10,11 | use 6:5 16:11 | 51:15 | 43:10 44:16 | Weintraub | wildlife 6:11 |
| two 2:19 24:4 | 19:6 21:1,3 | wakeboard... | waterskiers | 49:16,18,19 | wind $7: 18$ |
| 24:21 27:12 | 21:21 24:2 | 25:8 76:5 | 7:7 | 50:3 | winds 7:19 |
| 32:16 35:11 | 24:4,14 | wakes 17:20 | waterway | welcome | 34:11 |
| 53:9 56:12 | 31:21 76:20 | 23:20 | 20:13,18,21 | 2:20 3:4 | windy 13:13 |
| 59:5 60:2 | uses 20:20 | wakesurfing | 24:14 | went 9:12 | winter 17:1 |
| 63:15 80:13 | usually $16: 8$ | 25:8 | waterways | 20:8,11 | wizard 41:5 |
| two-foot 64:4 | 19:18 37:1 | walks $2: 7$ | 31:20 | 62:15 77:21 | woman 42:5 |
| type 7:9 | 80:15 81:3 | want $2: 15$ | wave 6:16 | 81:12 | wondering |
| typical 24:3 |  | 3:3,7,15 | 7:15 9:14 | we'll $2: 2,10$ | 25:11 72:10 |
| U | vacation | 21:18 39:7 | 10:17 25:11 | 2:19 3:4,6 | 79:16 |
| umbrella | 13:9,11 |  |  | 4:6,8 43:4 | 6:1 |
| 21:13 | vague 32:17 | 48:11 50:4 | 64:19 74:13 | 44:12 51:9 | 69:4 |
| unable 51:1 | various | 55:12,13 | 10:6,17 | we're $2: 9,19$ | work 17:9 |
| uncles 9:3 | 33:11 | 69:10 73:17 | 21:5 | 3:12,12 4:9 | 24:17 68:21 |
| understand | vehicle 16:3 | 76:16 77:18 | way 5:7 9:11 | 4:13 39:12 | working 10:5 |
| 7:12 77:19 | vertically | 78:19 81:16 | 12:4,16 | 41:8 42:8 | 41:5 76:13 |
| 79:18 | 57:21 | wanted | 13:1 18:3,9 | 43:3 46:11 | world 32:15 |
| understan... | vessel 32:21 | 50:11 78:8 | 18:20 19:20 | 51:9 54:7 | 46:12 |
| 54:19 | 78:1 | 80:16 | 21:8 25:11 | 57:20 68:14 | wouldn't |
| understands | vessels 13:19 | wants 31:21 | 25:19 28:13 | 79:14,20,20 | 17:5 |
| 71:6 | video 80:18 | wash 36:11 | 32:3,15 | 80:3 81:4,5 | WRIGHT |
| underway | view 26:6 | wasn't 23:7 | 33:19 35:21 | we've 20:18 | 57:10,20 |
| 2:3 | 76:10 81:3 | 33:21 34:21 | 36:12 37:11 | 44:13 75:19 | 58:6,8,13 |
| undisturbed | viewed 29:15 | watch 22:10 | 44:14 63:11 | 75:20 76:17 | 58:16 59:3 |
| 6:15 | voice 41:19 | 26:17 | 64:15 66:18 | 81:3 | 59:16 60:14 |
| Unfortuna... | volunteer | water 6:3 7:6 | weaving | whatsoever | 61:7,14 |
| 14:4 | 17:12 | 7:9,11 9:7 | 18:16 | 64:19 70:16 | 62:4,15 |

Corbin and Hook Reporting

Transcript of Boat Act Advisory Committee
Taken November 1, 2012

| 63:16 65:11 | 69:6 80:13 | 1700 70:12 | 679:4 |
| :---: | :---: | :---: | :---: |
| 65:19 66:11 | 81:6 | 18 15:5,11,12 | 60 16:12 |
| 66:16 67:19 | yell 11:14 | 26:13 30:11 | 25:17 27:4 |
| 68:2,10,12 | yellow 15:14 | 30:19 41:15 | 7 |
| 68:21 73:12 | 30:4,6 63:3 | 70:9 72:20 | $\frac{7}{740: 96716}$ |
| write 16:10 | 71:13 78:10 | 72:20 73:2 | 7 40:9 67:16 |
| 44:18 | Yep 44:20 | 73:3,8,8 | 79:4 |
| wrote 16:6 | 53:3 62:6 | 75:6,6,13 | $\begin{aligned} & 7025: 1727: 5 \\ & 70070: 12 \end{aligned}$ |
| Y | $\begin{aligned} & 73: 175: 9 \\ & 75 \cdot 10 \end{aligned}$ | 2 |  |
| Yacht 1:9 |  | 279:4 | 8 |
| yard 72:4 | Z | 20 10:10 69:6 | 834:7 79:4 |
| 80:17 | Zodiac 18:18 | 70:9 | 8-725.4 40:8 |
| yards 5:19 | zone 4:17 | 200 6:3 64:14 | - 9 |
| 6:3 8:20 | 28:6 51:15 | 64:16 70:12 | $\frac{9}{031.770 .4}$ |
| 64:14,16 | 59:1,13 | 71:20 72:4 | 934:779:4 |
| 70:12,13 | 70:20 72:3 | 2007 11:21 |  |
| 71:20 | 74:16 | 2012 1:8 |  |
| yeah 8:18 |  | 21 41:16,17 |  |
| 11:3 20:8 | 1 | 42:11 70:10 |  |
| 26:14 30:13 | 179:4 | 21009 1:10 |  |
| 40:9 46:7 | 1st 1:8 | 24-foot 10:11 |  |
| 47:17 48:13 | 10 2:12 34:7 | 25 23:17 |  |
| 49:19 55:17 | 69:19 75:12 | 2635:7,10 |  |
| 56:10 58:7 | 10-foot 18:18 |  |  |
| 59:16,21 | 10:01 1:9 | - 3 |  |
| 61:1 67:17 | 11:37 82:10 | $379: 4$ |  |
| 68:10 73:5 | 12 6:14 | 30 9:2 |  |
| 77:10 | 146 68:2,9 | 4 |  |
| year 7:14,16 | 69:14 | $\frac{4}{440 \cdot 979.4}$ |  |
| 14:3 16:6 | 147 67:15 | $4 \text { 40:9 79:4 }$ |  |
| 17:3 27:14 | 148 64:2,3 | 40s 9:4 4001 1.9 |  |
| 39:17 42:6 | 15 6:14 | $41 \text { 20:10 }$ |  |
| 43:2 | 150 19:14 | $\begin{array}{\|l\|l\|} \hline 4120: 10 \\ 4720: 11 \end{array}$ |  |
| years 6:14 | $\begin{array}{\|l\|} \hline 15261: 21 \\ 64: 267: 15 \end{array}$ | $4720: 11$ |  |
| $9: 314: 5,12$ $15 \cdot 1920 \cdot 10$ | 64:2 67:15 68:9 69:12 | 5 |  |
| 15:19 20:10 | 68:9 69:12 $\mathbf{1 6 4 ~ 6 3 : 1 4}$ | 579:4 |  |
| 20:11,19 | $16463: 14$ $65: 14$ | 5,280 26:15 |  |
| 29:8 33:19 | 17 41:21 42:9 | 50 15:19 |  |
| 33:19,19 | 42:12,12 | 16:12 25:17 |  |
| 36:2,4,4 | $\begin{aligned} & 43: 3 \text { 44:6 } \\ & 70: 7 \end{aligned}$ | 6 |  |

Corbin and Hook Reporting

