

1 MEETING OF THE  
2 MARYLAND BOAT ACT ADVISORY COMMITTEE

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5 The above-entitled matter came on for  
6 hearing on Thursday, August 19th, 2009, commencing  
7 at 10:00 a.m., at Harris Crab House, Kent Narrows  
8 Way North, Grasonville, Maryland 21638, John M.  
9 Bush, committee chairman, presiding.

10  
11 COMMITTEE MEMBERS:

12 Tammy Broll, Vice Chair  
13 Robin Allison John Marple  
14 Betty Duty Coles Marsh  
15 Russ Dwyer Bob McLean  
16 Amy Craig Edric McSween  
17 Thornell T. Jones Christopher Parlin  
18 Steve Kling Al Simon  
19 Kenneth Kloostra Bob Slaff  
20 Steve Kling Ramoma Trovata  
21 Frederick Levitan Dr. William Weintraub

18 Robert Lunsford, Regulations Coordinator,  
19 Boating Services  
20 Robert Gaudette, Director of Boating Services

21 Reported by: Kelly A. Taylor

1 P R O C E E D I N G S

2 MR. BUSH: First of all, thank you for  
3 everyone being here. We have one or two people who  
4 are a little late, but we're go to start on time.  
5 I'm going to start off by having everyone to  
6 introduce themselves and last of all we're going to  
7 meet our newest member, so I'll introduce her after  
8 everyone introduces themselves. So let's just  
9 start off right back there.

10 (Members introduce themselves).

11 MR. BUSH: And we'll now hear from Amy,  
12 our newest member, and you can tell us all about  
13 yourself.

14 (Ms. Craig introduces herself.)

15 MR. BUSH: Thank you, everyone. I'm  
16 John Bush, the chairman and I'm pleased to be here.  
17 As you say, I'm always pleased to be anyplace after  
18 you get a certain age. So I own a trawler, but I'm  
19 a sailor.

20 We want to get an update now on our  
21 budget review by Bob Gaudette.

1                   MR. GAUDETTE: Good morning, everyone.  
2 I want to give you a little overview of what's  
3 happening right now with the budget related to  
4 boating. As all of you know, the state's going  
5 through a pretty rough time in regards to the  
6 current budget and most of that is focused on  
7 general funds because of tax revenue drops. Well,  
8 that's starting to recover, starting to come back a  
9 little bit, but we don't get enough money.  
10 Remember our money comes from the 5 percent vessel  
11 excise tax. That is not recovering well. Just to  
12 give you a sense, about four years ago we brought  
13 in about \$30 million a year from the vessel excise  
14 tax for boat sales. This past year it was 15  
15 million. So we're down 50 percent. So \$2 million  
16 boating industry in Maryland is probably pushing  
17 more like \$1.4 million boating industry in  
18 Maryland, so it definitely hasn't recovered yet,  
19 but it's based on the fact that the people don't  
20 have the confidence in buying a major purchase for  
21 a luxury item. The group of boats that has

1 suffered the most has been the midsize boats.  
2 Little boats are selling fine, million-dollar boats  
3 are selling fine.

4 DR. WEINTRAUB: What are you saying when  
5 you say million?

6 MR. GAUDETTE: Those boats that are  
7 like, I'll give you a price range more than a size,  
8 probably the 300,000, \$600,000 boat is just sitting  
9 and not selling. It's that price boat that could  
10 bring us a big chunk of our money, and so they're  
11 selling lots of little boats. Registration, the  
12 boat registration is down a little bit, it's just  
13 under 200,000, so, but it's not the extent that's  
14 completely fallen off the cliff. Big boat sales  
15 have -- what that's resulted in is that's resulted  
16 in a lot of budget reductions for us, and one of  
17 things that is suffering a little bit is our  
18 capital side, which is the budget we use to put out  
19 boating access projects, navigation projects, to  
20 some extent although it hasn't impacted yet but  
21 will probably start impacting it, fire rescue

1 boats, that type of thing, you're going to see less  
2 dollars available for that until this economy  
3 starts picking up.

4 I'm hoping that this year was the bottom  
5 out year. The reason I think that might be is  
6 because RV sales are starting to recover and we  
7 just lag a little behind RV sales, so I'm hoping  
8 that, you know, those RVs are in the 60,000,  
9 \$70,000 range or a hundred, which are your high end  
10 trailers. And your motor coaches, they're in that  
11 \$250,000 range, starting to sell, which tells me  
12 that maybe we're soon to follow. The last time we  
13 went through that that's kind of how it went,  
14 plotting the two together, just behind the RVs, so  
15 I think we're going to see some recovery, but it's  
16 going much different than the recovery that we had  
17 in the past, it's going to be much longer and much  
18 slower. It's just my anticipation. When you have  
19 Clinton years when the interest rates, remember,  
20 were, for mortgages were 20 percent, boat sales  
21 went down a million dollars, okay, but as soon as

1 the interest rates went down, boom, shot right up,  
2 because everybody was ready to buy a boat. This  
3 time consumers appear to be a little more cautious  
4 from the dealers I'm talking to and they're not  
5 willing to make that big jump, for a new boat  
6 especially, that we found that out in the past. So  
7 my gut feeling is we're going to see a slower,  
8 longer recovery.

9           One of the positive things that happened  
10 this past session is that this governor took a  
11 different tack than other administrations have in  
12 the past with regards to the budget shortfall. You  
13 have a lot of general funds that was, that didn't  
14 come in, in lieu of just getting special funds and  
15 taking them and putting them in the general fund  
16 with nothing coming back to us, which happened for  
17 all the administrations in the past, both  
18 Republican and Democratic, they both did it. They  
19 would come to me and say I need \$20 million, have a  
20 nice day. I go ahead and call the local  
21 governments and cancel all the projects. What he

1 did, which was kind of neat, he took those funds  
2 and is backfilling them with bonds, so he's kind of  
3 borrowing those funds and giving them back to us as  
4 bonds, and he gave it to us in two chunks. Take 16  
5 million from us in cash, General Assembly and the  
6 administration, and 10 million we already got they  
7 gave to us in the budget. The other six we're  
8 getting next, upcoming session. So if I start  
9 sensing any problems with that I'm going to be  
10 giving you guys some calls, okay, help us with  
11 that, but right now it's the intent of the  
12 administration to put that remaining balance in for  
13 bonds for this budget, so that's what's happening.

14           Those local projects that we have, boat  
15 ramps, et cetera, are in the middle and ready to  
16 go, we shove them in the first chunk of the money,  
17 those projects that were further out we should have  
18 in the second chunk, so from a local government  
19 standpoint the impact is minimal, so what we're  
20 doing is making it as seamless and smooth as we  
21 possibly can. Tammy obviously has done a lot of

1 projects with us in Talbot County, I used to work  
2 in Talbot County, a lot of projects she's doing are  
3 rebuilding projects that I built 30 years ago when  
4 I was in Talbot. That's interesting. But if you  
5 go to Wye Landing, all brand new, all beautiful,  
6 getting ready to have another ribbon-cutting  
7 ceremony coming up soon, probably in the top five  
8 used boat ramps in the entire state including Sandy  
9 Point. And if you ever want to see something  
10 interesting go there on a Saturday at 9 o'clock and  
11 see how many miles the cars are parked on the road  
12 going into that ramp. It's rather impressive. So  
13 we're trying to do this in such a way that we think  
14 the administration has worked with us in trying to  
15 keep those projects that employ people going.

16           Remember, all of these projects we have,  
17 probably most of the marine contractors in the  
18 state are working on our projects right now. So  
19 the idea was let's keep these projects going, keep  
20 people employed. It's really worked well, I can't  
21 tell you how many contractors come up to me and say





1 for all your help, hope you enjoy the crabs today  
2 and certainly continue to look forward, Bob and I  
3 to, and Jeannine, to working with us in doing what  
4 we do best, is hopefully helping the boating  
5 public. Anybody else have any questions of me?

6 DR. WEINTRAUB: Are you encouraging the  
7 boats, out-of-state boats to come into Maryland for  
8 winter storage and --

9 MR. GAUDETTE: We have quite a bit of  
10 transient boaters that do come in, I think that  
11 Maryland is probably better off than some states  
12 that are really having -- you go to California,  
13 even Florida is having a lot of problems with their  
14 boating economy, it's even worse than ours, and I  
15 think because of that I'm anticipating that we're  
16 going to continue to see boats coming into Maryland  
17 for all-outs and stuff, boatyards. Give me your  
18 information on those too, I have not heard that  
19 boatyards are shutting down. I would expect that  
20 people are keeping their boats a little longer and  
21 fixing them up as opposed to buying a new boat. I

1 think that's interesting. You also might see later  
2 this week there is an article in USA Today, I did  
3 an interview with them on abandoned boats, we've  
4 had a longstanding abandoned boat program, it's  
5 worked very well in the state. But there are  
6 several states that are having a real serious  
7 dramatic problem with abandoned boats, especially  
8 California and Florida, some areas in the northeast  
9 like New York where I think, based on the article,  
10 California they have 20,000 abandoned boats, with a  
11 budget that's only slightly less than mine, or  
12 slightly more than mine for the entire state of  
13 California. Florida is having a huge influx of  
14 abandoned boats, in Maryland we have not seen an  
15 increase in the number of incidence of abandoned  
16 boats, probably because when the economy went bad a  
17 lot of people left their boats and put them on, put  
18 them on the hard and because of that you're not  
19 sitting in some mooring sinking in like they are in  
20 a lot of those states, so I think that along with  
21 the fact that a large percentage of trailer boats

1 in Maryland has helped us not have that issue, so I  
2 expect that article will come out later this week  
3 and feel free to look it up and check it out and I  
4 think that's going to look favorably upon Maryland  
5 to create the program, because in Maryland it's a  
6 crime, a lot of states it's not, a lot of states  
7 are calling me saying how do we make it a crime,  
8 they're going to start cracking down on it, it's  
9 big, big dollars to remove abandoned boats,  
10 especially if you have some pretty good size, so  
11 back to your question, I think boaters are going to  
12 keep coming to Maryland.

13 MR. BUSH: Okay.

14 MR. GAUDETTE: Thank you very much.

15 MR. BUSH: We're going to get to Bob in  
16 a moment here, before we get to you, Edric just  
17 came in, you want to say a few words? We  
18 introduced ourselves, you weren't here, just say a  
19 little bit about your --

20 MR. LUNSFORD: Come up and join us.

21 MR. BUSH: That's right.

1 (Mr. McSween introduces himself.)

2 MR. BUSH: Thank you. Okay, go ahead.

3 MR. GAUDETTE: Yeah, I just wanted to  
4 introduce -- most of you know our staff, we got  
5 John Gallagher, he's new to boating. How long have  
6 you been here, two --

7 MR. GALLAGHER: Two years.

8 MR. GAUDETTE: And from the Coast Guard,  
9 he's been a great asset in working with us,  
10 especially during these tough budget times, we had  
11 to make cutbacks, staff has really been I think  
12 flexible in dealing with a lot of changes, we have  
13 had considerable number of cutbacks in our buoy  
14 operations with respect to number of buoys. For  
15 example, a lot of areas that we marked for swim  
16 areas are not required by regulation, we just kind  
17 of started increasing over the years and there's an  
18 article, small article in the Chesapeake Bay  
19 Magazine on this, instead of us putting those  
20 markers out, we're now giving those markers to  
21 those groups that have historically put buoys out

1 for swim areas. They're going to put them out to  
2 maintain -- we're trying to work ways to work with  
3 the public to get through this budget process thing  
4 and it's been very successful. You know Louis and  
5 Chris Ruark and the rest of our staff here who  
6 worked quite a bit on all the issues that came up  
7 with regards to all the different boating issues  
8 that come up and I think that it's important that  
9 we support them. I think they're here to meet you  
10 and feel free to go ahead and meet and greet them  
11 and just go from there, but I just want to  
12 introduce them because especially John, you never  
13 met John before, and he's done a great job.

14 (Discussion held off the record.)

15 COLONEL JOHNSON: Well, good morning,  
16 I'm Colonel Johnson. I do apologize for being a  
17 little late, I had some last minute personnel  
18 things to deal with this morning, imagine that.  
19 But I just want to thank you on behalf of NRP and  
20 DNR for the tremendous help that you gave to us in  
21 the last legislative session. We achieved what I

1 consider two have major new pieces of legislation  
2 that one dealt with the increasing age for wearing  
3 PFDs from seven to under 12. Or under 13, excuse  
4 me, 12 and under, and then also we have a new  
5 approach to our operating under the influence now  
6 that's all there and it gives a little more breadth  
7 to us than what was before. Are you all familiar  
8 with those two pieces of legislation, do you need  
9 me to explain anything, any part of it? Because I  
10 won't bore you with that, but to the officers on  
11 the water, when we pulled over someone and we  
12 determined they're operating a vessel under the  
13 influence, if they refused there was no  
14 repercussions for a person operating a vessel under  
15 the influence. And so right now with the new law  
16 that's in effect they can refuse at the time but  
17 that refusal when they come up for trial is going  
18 to be brought to the, to the judge's attention and  
19 by law right now the judge can -- I don't want to  
20 say, I'm trying to be careful -- for the court to  
21 suspend or restrict that person from operating a

1 vessel on Maryland waterways for up to a year. And  
2 so it has yet to be tested, because it's not signed  
3 into law yet, that doesn't go in until October 1.  
4 The other bill goes into effect, is already, it's a  
5 piece of emergency legislation that the governor  
6 signed in almost immediately and we have been out  
7 there, the other bill being the PFD bill, we have  
8 been out there aggressively enforcing. This is a  
9 piece of legislation which obviously helps to  
10 protect our children and grandchildren and children  
11 of all ages, from 13 and under, you know, 12 and  
12 under. But we've had a very, very busy summer,  
13 just like last summer, unfortunately we have had  
14 more, you know, had our share of drownings, we have  
15 had our share of fatal accidents that have been on  
16 the water. We're still advised that people are not  
17 wearing their PFDs, we're still finding that  
18 they're operating vessels with alcohol in their  
19 system, that are, you know, contributing to these  
20 accidents, but we're putting, you know, we put our  
21 workforce out and as many numbers as we possibly





1 Rappahannock, there was an accident where,  
2 25-footer with 11 people on board came out from the  
3 marina at Windmill Point, hit a buoy and the person  
4 on the boat got killed and the question is were  
5 they drinking, because the officers seen beer cans  
6 on the deck, how does that affect the, your men if  
7 they see that?

8 COLONEL JOHNSON: If we have -- and we  
9 just had something like that, week and a half ago,  
10 I believe it was up north.

11 MR. KLING: Elk River.

12 COLONEL JOHNSON: Thank you very much,  
13 Elk River in the evening hours striking the buoy  
14 and of course it incurred major damage, the  
15 operator went overboard, the person that was on  
16 board with the operator of the boat survived, and  
17 he has since, the body of the operator has since  
18 been recovered a few days earlier this week, I  
19 think the end of last week, by one of our officers  
20 on patrol up there. As a result of that, because  
21 when we have, we have an accident like that and we

1 don't locate the body we have a massive schedule to  
2 put in effect to keep looking for, you know, the  
3 body to surface so we can bring closure for a  
4 family, but in those kinds of circumstances we  
5 also, we look for all kind of evidence that  
6 indicates alcohol use and quite obviously when you  
7 see beer cans that are laying on the floor or beer  
8 cans open in the holders, those things contribute  
9 to the overall observation that the officer makes  
10 when they stop people. Besides they have other  
11 things that they look for, strong odor of alcohol  
12 on your breath, bloodshot eyes, they do the pen  
13 test, you know, they're trained to do with the  
14 alcohol arrests, all those things are used to  
15 develop probable cause to eventually arrest the  
16 person and then bring them to court.

17 DR. WEINTRAUB: In this case up on the  
18 Rappahannock, the captain was killed and the others  
19 all survived, but my question was they say they  
20 weren't drinking and yet the beer cans were on the  
21 boat.

1 COLONEL JOHNSON: Well, you know, in  
2 that particular case because there's a death  
3 involved, there's autopsies that are performed and  
4 there's a toxicology effort that gets underway  
5 where they take the blood and they send it out to  
6 check for the blood alcohol content, and then  
7 that's pretty telltale at that particular point,  
8 you know, whether alcohol is involved or not, to  
9 confirm or go along with the evidence that you saw  
10 on the boat where the beers cans were there.

11 MR. KLING: How many, how is your  
12 staffing level, how many --

13 COLONEL JOHNSON: It's no better than it  
14 was last year, Steve.

15 MR. KLING: How many guys are you down?

16 COLONEL JOHNSON: We're authorized 247,  
17 because you have turnover we have to carry 17  
18 vacancies, but right now we have 22 vacancies and  
19 we are presently pursuing, we're trying to put  
20 ourselves in a position so a decision can be made  
21 next month by the secretary and deputy secretary

1 for allowing us to have an academy of 10 or 12  
2 people to try to bring us up above at least that  
3 turnover figure of 217, trying to get back, not  
4 217, 22, and that comes out too. But we, we're  
5 coming from, we're looking for way more revenues,  
6 first quarter revenues to come out so the secretary  
7 can make a more informed decision, because if we  
8 are required to cut again at DNR I think the  
9 likelihood of us having that academy is pretty  
10 small, but we're, you know, we're hurting, but I  
11 will tell you without any hesitation that the  
12 workforce that I have out there, that we have out  
13 there at the jobs, they're very dedicated and very  
14 committed. I have never seen a group of people  
15 that are more willing to split their day up, to  
16 change their hours, because we're an activity-  
17 driven agency, we go wherever that activity is  
18 occurring, we adjust our schedules accordingly, and  
19 that's why I, when I go out and speak to people I  
20 emphasize that because most of us are familiar with  
21 what I refer to as the traditional way of policing

1 and that is three shifts a day, day work, 3 to 11,  
2 midnight to 8, where Natural Resources Police does  
3 not operate that way. We have shifts, but those  
4 shifts could be an eight-hour shift, could start at  
5 4 o'clock in the morning and run for eight hours,  
6 it could start at 6 o'clock and run for eight  
7 hours, it could start at 10 o'clock at night and  
8 run for eight hours, depending on what has been  
9 brought to our attention that we have to deal with.

10           For instance, in this area here with  
11 the, with the oyster season starting in October, we  
12 expect to have a lot of overnight surveillance of  
13 areas that we know that illegal oystering is taking  
14 place, so we're going to be putting some saturation  
15 patrols and surveillances together and they're  
16 going to be timed to deal with where we have known  
17 in the past, the patterns in the past that they're  
18 going to be timed in such a way that we'll be out  
19 there to address that.

20           MR. BUSH: Thank you. Bob has one more  
21 thing.

1                   MR. GAUDETTE: Yeah, one quick thing, I  
2 was remiss.

3                   MR. LUNSFORD: Other staff.

4                   MR. GAUDETTE: Ann is my other staff,  
5 this is my other staff. Ann has a bunch of similar  
6 roles with us. We hear ice breaking out here,  
7 whatever, she is the one that puts the specs  
8 together to make sure that the boats are running  
9 right. When they get work done, she's the one that  
10 works with -- Louis has done a lot of work, he's  
11 our chart guy and does buoy work, but he's working  
12 on the technical data, she works with him on that  
13 too. She keeps our databases going. When I need  
14 data on buoys, she gives me the information, where  
15 they're at, what the status is, she's a very  
16 important part of my staff. But Louis has done a  
17 tremendous -- you've all heard about the rollout  
18 for the sanctuaries, all that technical data for  
19 that Louis has put together, so it's really, really  
20 stressful, because those, that data changes day to  
21 day depending upon what's happening with the

1 secretary, what's happening with the governor, he  
2 has to go back and recalculate that stuff, because  
3 his data goes in the regulation that Colonel  
4 Johnson ends up enforcing, and it comes down to  
5 Louis' information, so it's a very important  
6 function. And Chris does all our small boat buoy  
7 work and all the special little buoy work that we  
8 have that falls in different places, he does a  
9 great job at that. We have our big boats that do  
10 buoys, but an awful lot of buoys that go out on  
11 small boats, she does that and coordinates that,  
12 this is really I consider a very important key  
13 group within hydrocraft operation, I just want  
14 wanted to mention that.

15 MR. BUSH: Thank you very much for that  
16 one minute. Next we're going to go to Bob  
17 Lunsford, he has a little few items to talk about.

18 MR. LUNSFORD: We have a couple of items  
19 to go over one. Bob McLean, I forgot to tell you,  
20 he had some water damage from the storm and he may  
21 not make it at all.



1                   In the little handout that you got on  
2 the last page, there's a cut and paste of some  
3 things that Steve Kling put together for wakeboard  
4 regulations. Given the number of complaints and  
5 the concern that the department is hearing, not  
6 only me but through NRP staff and the office of the  
7 secretary, we're likely to have some sort of  
8 wakeboard regulation in place before next boating  
9 season. We're going to use what Steve drafted as a  
10 starting point and what I need today is not  
11 necessarily an up or down vote but kind of sense of  
12 the committee that we should go ahead and continue  
13 to develop this with the attorney and then present  
14 it to you as kind of a sideline perhaps as early as  
15 the first hearing we're going to schedule this fall  
16 and then we'll process it as a regulation without  
17 going through the whole boating season notice of  
18 boaters thing, because it's a statewide regulation,  
19 we can't put a buoy out in one area and say we're  
20 going to change the regulations. We put out a  
21 press release on the DNR website, we sent notices

1 to any groups that we're aware of and then just run  
2 the regulation through the normal process like you  
3 would a fishing regulation or one of the other  
4 where you put it in the Maryland Register, get a  
5 45-day public comment period, we have to have a  
6 public hearing on it. Well, but again, today what  
7 I'm looking for is a sense of the committee for  
8 these kinds of restrictions, for wakeboard boats  
9 which when they move into an area tend to dominate  
10 and eliminate if you will other recreational  
11 activities in a waterway, sometimes up to several  
12 hours. And we've gotten dozens and dozens of  
13 complaints as these things become more popular. So  
14 John, I don't know if you want to hold a  
15 discussion, have a vote, have people talk to me at  
16 lunch.

17 MR. BUSH: We can have a, we can -- I  
18 don't know if you want -- do you want to add  
19 anything, Steve, before we get to the --

20 MR. KLING: Well, I would just say that  
21 we have kicked this around semi-formally and

1 talking about it informally and I think in my sense  
2 with the wakeboarding is fine, we're talking about  
3 wakeboarding, not talking about just, I don't care,  
4 Bob and I kind of -- wakeboarding itself is the  
5 problem, the guys that are ballasting the boats  
6 making big wakes, that's what this language is  
7 intended to address, and, you know, the  
8 wakeboarders say they want to be the same place as  
9 the skiers are, nice flat water, the problem is  
10 that's often very confining to the watermen and  
11 they're in there making big wakes and Bob found  
12 there is a whole aftermarket of ladders put on  
13 those and they're bragging about how much ballast  
14 they can stick on the boat, and that's fine, just  
15 some places it's not fine since it may well cause  
16 shoreline erosions at times but it's also damaging  
17 boats and property along the shore.

18 MR. LUNSFORD: Yeah, this is cut and  
19 paste what I sent you.

20 MR. KLING: They suggested a couple of  
21 changes, but just to define some waterways as too

1 small, too confined to allow creating big wakes and  
2 that's the purpose of this and, Bob, you might  
3 comment on the --

4 MR. GAUDETTE: The secretary has a  
5 concern with wakeboats, he recognizes that it's an  
6 activity that's growing but also recognizes that  
7 there may be some places that are appropriate for  
8 it and some places that aren't, and what this reg  
9 does is kind of notifies those places that are not.  
10 We're getting situations where people are near  
11 wakeboats, they're getting thrown out of their  
12 boats because their boats are, you know, rocking so  
13 much when they go by because they throw such a big  
14 wake. We don't get that with waterskiers. We get  
15 that with this type of boat. That rail is designed  
16 to make as large a wake as it can and it's becoming  
17 an issue with not just -- well, it's becoming an  
18 issue with other boaters as well as people with the  
19 shoreline, it's really becoming an issue and the  
20 secretary is glad to hear that --

21 MR. KLING: One other comment, Bob and I

1 and Amy went out one day on a research tour looking  
2 at the regulation and the requests that we have on  
3 small creeks off the Severn. One guy --

4 MR. LUNSFORD: I believe it's one guy.

5 MR. KLING: Wakeboarding in a small  
6 creek, apparently he goes in and out and it's too  
7 rough and then he goes to the other and then he  
8 goes back to the first one, and so they're trying  
9 to hit the fly with the sledgehammer, just shutting  
10 down the creek, when the issue is one guy  
11 wakeboarding. So we went out with a range finder  
12 and surveyed the areas. Part of what we were  
13 discussing was dimensions, how big an area and how  
14 wide an area is.

15 MR. DWYER: Two quick comments. Are you  
16 responsible for your wake covers a lot of this,  
17 that we'll be adding extra legislation. I have a  
18 problem with a definition of a confined area as any  
19 cove, bay or creek, I mean eastern bay is a bay,  
20 that's -- I mean --

21 MR. GAUDETTE: Dimensions on that --

1                   MR. KLING: Dimensions on there and  
2 that's what?

3                   MR. DWYER: 800 yards.

4                   MR. GAUDETTE: Otherwise it would be a  
5 problem for sure.

6                   MR. DWYER: That's all.

7                   MR. KLING: That's what we were out  
8 playing with the laser kind of to get a sense of  
9 what we had said and the activities going on,  
10 here's what we know, activities going on, what  
11 makes sense and what didn't, we can tell you what  
12 we looked at and what we saw.

13                   MR. MARPLE: It doesn't seem to me the  
14 wakeboard's the problem, it's the ballast, so why  
15 aren't we talking about ballast?

16                   MR. KLING: We are, that's what the  
17 regulation talks about, it doesn't say you can't  
18 wakeboard, it says you can't --

19                   MR. MARPLE: Certain areas, doesn't say  
20 anything about ballast.

21                   MR. KLING: It does.

1                   MR. DWYER: It does.

2                   MR. KLING: You can't ballast to make a  
3 wake in those spaces, it doesn't say you can't  
4 wakeboard.

5                   MR. MARPLE: What about the ballast that  
6 comes in --

7                   MR. KLING: You can't add ballast for  
8 the purpose of creating more wake.

9                   MR. BUSH: Speak up louder so everybody  
10 can hear you, including the reporter.

11                  MS. CRAIG: My comment is for adding  
12 regulation, I think you should try enforcement  
13 first because you can add ballast to the boat, that  
14 adds weight and all boats have a limit on -- it may  
15 exceed the capacity, so when you add 500 gallons of  
16 water to the boat, that adds weight, which I'm sure  
17 we can find the calculations and find out how much  
18 weight that adds and therefore they can be fined by  
19 having a boat that's overweight.

20                  MR. GAUDETTE: That's actually an issue  
21 we're researching right now, that issue came up as

1 a capacity issue.

2 MR. LUNSFORD: She sent it to you.

3 MR. GAUDETTE: Exactly, that's what  
4 we're looking at, because if that's an issue that  
5 may be something that you have to address as far as  
6 the capacity for that boat, because I know 500  
7 gallons of water weighs an awful lot.

8 MR. KLING: Are we discussing this now?

9 MR. BUSH: No, no, a overall discussion  
10 of do we further look into this and ultimately we  
11 want a show of hands, those in favor of pursuing  
12 this. I would like to have a show of hands that  
13 the committee is interested in pursuing this issue  
14 and that's where we'll leave it right now and be  
15 getting back to you with more details, we're not  
16 going to discuss it any further right now; is that  
17 okay with you?

18 MR. LUNSFORD: That's what we need, is  
19 just something that tells me to keep working on it.

20 MR. BUSH: Something that you want to  
21 add? Does everyone agree with that?



1                   COLONEL JOHNSON: Could I just make --  
2   in your deliberations and your considerations, and  
3   I mean you bring out some, an enforcement issue, it  
4   certainly is, but when you come up with your  
5   suggestions, please keep in mind to try to make it  
6   as easy as possible to discern for our officers to  
7   do that enforcement, because, you know, I've got a  
8   limited number of people, when I throw them into a  
9   situation out there to address that and if we have  
10  a very clearly defined law that can go right to it  
11  and deal with it and we'll be done with it and move  
12  on, thank you.

13                   MR. BUSH: Go ahead.

14                   MR. LUNSFORD: Okay, so we're going to,  
15  we're going to process that and I'll get back to  
16  you with wording after I talk to the attorney and  
17  Steve and I hammer on this a little more.

18                   First, let me next apologize, Monday I  
19  sent everything in your package, everybody off my  
20  distribution list, apparently my pet computer did  
21  not want to talk to anybody, I don't know what you

1 all did to piss him off, but apparently nobody got  
2 it. Robyn informed me last night that she didn't  
3 think I like anybody, I sent this to everybody, my  
4 computer crashed completely, so nothing worked. In  
5 your little package there should be a list where I  
6 have kind of broken up based on the calls and the  
7 business I have made to date of areas that need  
8 additional visits, but we have had a few calls as  
9 to how that starts and it starts off with  
10 Broadwater and Elkmore, those are areas that I have  
11 had few calls on, a lot of them are just what's  
12 going on, oh, that's fine and click.

13           The next one, little group, there are  
14 three areas that I believe will be highly contested  
15 given the numbers of calls I have gotten on the St.  
16 Leonard's, Bear and Cuckold. I expect them to be  
17 very attended. The next group is the group I have  
18 not gotten, and that's the Woodrow Wilson Bridge  
19 and the one down that Big Thoroughfare, I think  
20 that will be a relatively easy day. We've got to  
21 listen to the petitioner, but I know of no one that

1 has volunteered to come and speak as opposed to any  
2 of the regulations. Marley, Furnace and Beard's  
3 Creek, lumped together. I will say that I had nine  
4 calls supporting the Beard's Creek. Apparently the  
5 Annapolis Landing Community Association had a  
6 community meeting or e-mail and asked if anybody  
7 had an opinion on the speed limit and nine of them  
8 said they were all in support of speed limit at  
9 Beard's Creek.

10           The three, the next three creeks I have  
11 had mostly calls in opposition to the proposed  
12 speed limits, interesting, but that's how it turns  
13 out. And then Martin State Airport, which was very  
14 confusing, originally I put out a buoy that says  
15 area proposed for speed limit change and everybody  
16 called in and I had to keep explaining to people  
17 that it was a prohibited zone off the end of the  
18 runway and eventually I changed the buoy and it all  
19 stopped, so I don't know what that means.

20           MR. BUSH: Do you want to emphasize the  
21 fact that we do need from the committee to contact

1 Bob so you can visit the site? If you haven't  
2 participated in this, we would like everyone to at  
3 least go once or twice with him to some of these  
4 sites because we, when we have a hearing we need to  
5 deal, as a whole deal with it and say we have been  
6 there and we know what's going on.

7 MR. LUNSFORD: I go someplace almost  
8 every day, for a while I tried to send out e-mails  
9 for a schedule, but I found that what I'm doing now  
10 is I'm going someplace almost every day in response  
11 to the phone calls I got this morning, I get  
12 between six and eight phone calls every day on my  
13 voice mail that I record in the morning when I get  
14 in early and then I pick one of those areas to go  
15 to and look at and try to verify what I'm hearing  
16 on those areas.

17 The next sheet of paper and the last one  
18 I'll bother you guys with is the groupings I did  
19 for my suggested hearing bunches if you will. We  
20 need to set the dates for those so that Jeannine  
21 and I can start arranging for lunches and we can

1 start putting it out to the public. I bet you I  
2 told 75 people to call me back after Labor Day and  
3 tell them when the hearing on a particular one will  
4 be. So I won't be in the office after Labor Day,  
5 if you call Jeanine will pick up the phone.

6 MR. BUSH: Do you want to make a  
7 suggestion for site visits and do you want to make  
8 a suggestion for dates?

9 MR. LUNSFORD: I can start that way if  
10 you want me to. The first group, group A, we're  
11 look at holding it at Dundalk Community College.  
12 We have had a meeting there before and they were  
13 accommodating and we can try that probably in  
14 September before the 26th. This year, I won't be  
15 driving back from a vacation to attend a hearing,  
16 sorry, guys. This one is further away. So if  
17 anybody has any comments when we look at trying to  
18 schedule that. Does anybody have a favorite day?  
19 Thursday has been our traditional day, but there's  
20 no reason that any other date of week doesn't work  
21 just as well.

1                   MR. KLING: Any chance that we can't  
2 start in August?

3                   MR. LUNSFORD: We could, the problem is  
4 we get to the last set of hearings and there's a  
5 recommendation for the regulation, it puts me under  
6 the gun to draft the regulation and get it into the  
7 Maryland Register before the legislature starts  
8 because they close our ability to submit  
9 regulations, ALR won't take them for the first  
10 several weeks of legislature. In order to have  
11 them placed in April 15, which is my goal, we need  
12 to be able to submit them the first week or so of  
13 December.

14                   MR. KLING: I'm going to be gone all of  
15 September, though, so.

16                   MR. LUNSFORD: You won't miss but one.  
17 Jeannine, do you have -- hang on.

18                   (Pause in the proceedings.)

19                   MR. LUNSFORD: So does anybody have an  
20 objection if we try to schedule something on the  
21 23rd of September and we'll do that group A up at

1 Dundalk Community College?

2 MR. BUSH: One second. I'm checking a  
3 date because I will be away for one week.

4 MR. LUNSFORD: Okay.

5 (Discussion held off the record.)

6 MR. LUNSFORD: You want to try to move  
7 it up to the 16th of September, anybody? You can  
8 certainly have a meeting without me.

9 MR. KLOOSTRA: On the 16th.

10 MR. LUNSFORD: We're looking at the  
11 16th. 16th, going once, objections, group A, 16th.  
12 And as soon as we find a meeting location, and  
13 we're going to shoot for Dundalk, we may end up in  
14 a fire hall somewhere. The next two weeks are out.

15 Group B, which I think will be our  
16 shortest hearing day, Tammy, we're going to ask if  
17 we can find room at the Talbot County Community  
18 Center outside of Easton, we have had a hearing  
19 before and they have been accommodating. We'll try  
20 to get a court reporter this time. Can we look at  
21 October 14th, again that's a Thursday, for that

1 group B meeting? Anybody, October 14th, anybody  
2 got a fatal flaw with that?

3 MS. ALLISON: Not during the boat show,  
4 that could be --

5 MR. LUNSFORD: Is that a complete fatal  
6 flaw or a scheduling issue? How many people are  
7 planning on working the boat show? All right,  
8 we're going to have to try to do that and if you  
9 can make it.

10 MR. KLING: Can't you go to Wednesday?

11 MR. LUNSFORD: Sure, Wednesday would  
12 work.

13 MS. ALLISON: Yeah, Wednesday the 13th,  
14 group B.

15 MR. LUNSFORD: Group C, it will probably  
16 be at someplace in Annapolis, we may try to get the  
17 Department of Agriculture, we may end up at the  
18 Elk's Club, maybe back at Selby Bay with  
19 permission. Do we want to skip a week before we do  
20 that and go to the first week of November?  
21 November 4th, I'm just picking Thursday, I'm stuck



1 on that. Do you want to try group C on Thursday  
2 the 4th of November? And the last bunch, which is  
3 on the back of the page, is going to be our longest  
4 day, 17th, 18th of November, again, two weeks  
5 later. 17th is a Wednesday, you want to try that,  
6 we'll either have it at the Prince Frederick Public  
7 Library or the College of Southern Maryland down on  
8 231, something in that area.

9 MR. JONES: Are we going to meet there?

10 MS. TROVATO: Sure, I think the Little  
11 Magothy people could more easily get to Annapolis.

12 MR. LUNSFORD: I agree, but given the  
13 length of time of the Annapolis hearing, I think we  
14 add that into that one, we'll still be meeting at 6  
15 o'clock at night and that's why I grouped it, I  
16 split that out. Again, I don't think that many  
17 people were coming for the Little Magothy, I think  
18 it will be relatively short. I suspect that  
19 Cuckold and St. Leonard will be well attended.  
20 Most of you that were at St. Leonard's last time,  
21 there was a great diversity of opinions on what the

1 proper regulation is for that creek, so.

2 MR. MARSH: 18th.

3 MR. LUNSFORD: 17th or 18th, anybody in  
4 favor?

5 DR. WEINTRAUB: 18th is good.

6 MR. LUNSFORD: 18th for group D.

7 MS. DUTY: We don't want to go to Prince  
8 Frederick because you can't eat in the library.

9 MR. LUNSFORD: I'll try for the College  
10 of Southern Maryland.

11 MS. DUTY: Thank you.

12 MS. DUTY: We drove a long way and there  
13 was no coffee and donuts and we were very --

14 (Discussion held off the record.)

15 MR. LUNSFORD: You have to tell me these  
16 things or I don't know.

17 MS. DUTY: I'm sure I told you that day.

18 MR. LUNSFORD: You were cranky with me  
19 and I didn't know why. And I've got one more --

20 MR. JONES: That date is not too late  
21 for you to make sure --

1                   MR. LUNSFORD: No, that gives me two  
2 weeks to get any work drafted and get into our  
3 system, because then it takes two weeks to get  
4 through DNR to get it down to ALR and over to the  
5 Maryland Register. That's getting pretty close,  
6 Thanksgiving was my drop dead, so just so folks  
7 will know, I have four, this is terrible because I  
8 can't remember, but we already have four areas  
9 scheduled for next summer, people have already  
10 submitted petitions, Rock Creek, Maryland Yacht  
11 Club has come back, and some of you may remember we  
12 did Rock Creek in 2008. Three years is the  
13 standard time and that will be the third year, so  
14 they came in, they're waiting to run the course and  
15 want to be first in line, and there is a little  
16 creek called Oyster Cove down in Anne Arundel  
17 County, dumps out to the bay next to CBF,  
18 Chesapeake Bay Foundation, which is the next creek  
19 up, there's a little community marina, if anybody  
20 drives down there you can see the entire creek, and  
21 apparently it's just a matter of increasing

1 activity without expanding the available space that  
2 activity takes place in. I think most of us heard  
3 before and Severn Narrows will be back in again  
4 next summer, again it's the third year and we'll be  
5 doing that again, and the request for six knots all  
6 times all year, and when I remember what the fourth  
7 one is I'll individually e-mail, because my  
8 distribution list isn't functional, and once -- oh,  
9 Cantler's, Mill Creek, reminded me, Mill Creek,  
10 Martin's Cove up near Cantler's, the folks there at  
11 the point at Martin's Cove and Mill Creek next to  
12 Cantler's want the speed limit moved, actually they  
13 just want the buoy moved and they want a no wake  
14 zone established around the fuel dock at Cantler's.  
15 That was the fourth one. Thank you other staff.

16 MR. DWYER: Before we said no wake was  
17 dedicated --

18 MR. LUNSFORD: The request came in and I  
19 mean I, that's what the policy has been, but that's  
20 how.

21 MR. DWYER: Should we tell the people?

1                   MR. LUNSFORD: I will during the  
2 interview ask them to change it. Sometimes they  
3 say there is a regulation on the book, the law says  
4 I can petition for that and they do. If he does,  
5 that's fine too, I'm not sure. His original letter  
6 is a three-page letter with diagrams and maps.  
7 Mainly what he talks about is moving the existing  
8 speed limit buoy, not the regulatory line, just  
9 moving the buoy over on the shoal so everybody --  
10 and then at the end of letter he says oh, yeah, I  
11 want six knots at all time and no wake, he drew me  
12 another diagram. We can share that when you all  
13 come to look at the folder.

14                   I talked to several of you today who  
15 have been on site visits on your own. I want to  
16 thank you for that. Again, the petitioners, when  
17 the petitioners come in it's, I don't want to say  
18 comforting, but at least they feel like they're  
19 getting a fair hearing and they're being able to be  
20 fairly evaluated if one, two, three, several of the  
21 committee members have been on site. So for those

1 of you who have gone on your own, and many of these  
2 places are easy to get to on your own and you can  
3 see the issues, I appreciate that, but again, if  
4 any of you have a day off and you want to go spend  
5 a day on a nice Boston Whaler on a boat ride, I'm  
6 always up for it and pretty much available at your  
7 beck and call. If particular hearings come up,  
8 anybody that wants to go by and visit one of these  
9 areas, let me know and we'll certainly make every  
10 effort to get everybody out that wants to go. I'm  
11 done.

12 MR. BUSH: Okay, one person wants to say  
13 a few words now about boating safety, and I'll give  
14 you three minutes and you're on. Stand up and  
15 talk.

16 MR. JONES: I want to talk a little more  
17 about what the colonel spoke about, wearing of life  
18 jackets. You know, in Maryland if you're born  
19 after July 1st, '72 you have to wear a life jacket.  
20 No, you don't have to wear a life jacket, you have  
21 to take a boating safety education course and

1 you're told in the class that you ought to wear a  
2 life jacket. Well, the guy that drowned in the Elk  
3 River was 47. Neither he nor his passenger had on  
4 a life jacket, but the passenger got on the life  
5 jacket and that's why he lived, the other guy  
6 didn't. Coast Guard is trying to get everybody to  
7 wear a life jacket and because you can now buy an  
8 inflatable life jacket you can't really talk about  
9 it not being comfortable.

10                   The second thing I want to talk about is  
11 that 20 percent of the fatalities in Maryland last  
12 year were due to bow riding. What happens you fall  
13 off the bow, you get chopped up by the prop, so  
14 when you see people or you have friends who have  
15 children bow riding you ought to let them know this  
16 is dangerous and death is avoidable.

17                   MR. DWYER: Illegal too.

18                   MR. JONES: It's also illegal. There's  
19 one more thing I would like to talk to you about.  
20 We talk about alcohol being involved, after the  
21 meeting I'll go out and get my PC, I want to show

1 you a new 30- to 60-second video that the Coast  
2 Guard is putting out that I need to know whether  
3 you like it, whether you think it's a good thing.  
4 Thanks.

5 MR. BUSH: Did you have something that  
6 you want to add?

7 MR. SIMON: I see it all the time,  
8 people are going out bow riding, but how do you  
9 tell the people to get off the bow? I have got out  
10 and hollered hey, that's illegal, feet overboard,  
11 up on the bow, and how do you answer them? Can  
12 we -- we can't go up and say these things are  
13 illegal, but it happens all the time and especially  
14 weekends, you see the people up on the bow, it's  
15 serious.

16 MR. BUSH: We heard your comment. Now,  
17 I don't know if we can do anything about it other  
18 than if you see people at a marina that you know  
19 has a tendency to do this, you may mention it to  
20 them. I do that sometimes. That way, you know,  
21 they don't get too upset and obviously if they



1 don't listen they may be one of the numbers that we  
2 talk about at the end of year. That's the best  
3 that we can do at the moment.

4 COLONEL JOHNSON: Could I add one more  
5 thing to that? That is obviously you can only ask  
6 them to do that, citizens, you don't have the  
7 authority to make them do that. But I would  
8 suggest that most people have radios that they use  
9 in their vessels, you can get on that and ask if  
10 there's a local Coast Guard unit or local NRP unit  
11 that may be in the area and come down and address  
12 the situation, or I would encourage you to use our  
13 emergency line that most people, almost all have  
14 cell phones, 410-260-8888.

15 MR. BUSH: Slower with that number.

16 COLONEL JOHNSON: 410-260-8888, and  
17 call, call that number in and our dispatcher will  
18 make every attempt to get one of our, our closest  
19 officer to that or they will contact the Coast  
20 Guard and see if they have a closer unit nearby,  
21 that's, that is the best, quickest way to tell you

1 how to address that.

2 MR. BUSH: Do you have anything else to  
3 add?

4 MR. LUNSFORD: No, I'm done. We seem to  
5 be running a little ahead of time, I think that's  
6 great. We have lunch scheduled for 12 and I have  
7 11:10. I don't know that the restaurant is ready,  
8 I'll check and see.

9 MR. BUSH: Okay, if not, while you're  
10 doing that, we can go ahead and --

11 MS. DUTY: Just go ahead.

12 MR. BUSH: Go ahead with the rest of the  
13 meeting. Now, do we have any old, old business  
14 that you want to discuss?

15 MR. SIMON: I just wondered if Bob can  
16 show that, that item on Channel 7 TV with the  
17 colonel?

18 MR. GAUDETTE: Yeah, we have, Al has a  
19 copy of the video or DVD from a clip that was done  
20 on Channel 7 of some new vessels that were  
21 purchased, some of that was Homeland money.

1 COLONEL JOHNSON: Yeah, it was actually  
2 money that you helped provide.

3 MR. GAUDETTE: Yeah, money that the  
4 waterway provided and I have it here on my machine,  
5 and when we have a little break, come over and we  
6 can go ahead and show it, it's just a small screen,  
7 I don't have it on a big screen, come over and  
8 we'll show it to you, because the good colonel got  
9 all spiffed up and he has his hat on, you can see  
10 him say a few words.

11 MR. SIMON: Bob, the next meeting or on  
12 a screen to show the members.

13 MR. GAUDETTE: Sure, sure, sure, sure,  
14 absolutely. Absolutely.

15 MR. MARSH: How about, Colonel, how  
16 about the headquarters there back of Sandy Point,  
17 in that area, what's with that now? Give us a  
18 update on that.

19 COLONEL JOHNSON: Yeah, I'm --

20 MR. BUSH: One, would you repeat?

21 MR. MARSH: The headquarters at NRP in

1 concert with others we're going to establish  
2 somewhere up in the Sandy point area, and that  
3 would be an all command for the bay area.

4 COLONEL JOHNSON: It's not command  
5 headquarters, it's communications. Our  
6 communications was formerly located in the Tawes  
7 Building in the basement and through the help of  
8 state money and grant money we were able to  
9 relocate them to a modular building just outside  
10 the front gates of Sandy Point and also move our  
11 Area 3 office, which was located down at the  
12 Annapolis Dock, and move them right next to the  
13 comm center, put them close to Sandy Point with the  
14 access to the boat ramps and everything that Sandy  
15 Point has to offer there. What this, what this new  
16 command center is going to be, and I mentioned to  
17 Bob whether I should have brought it up, because  
18 it's quite lengthy in the explanation so I'll try  
19 to scale it down so it doesn't take up too much of  
20 your meeting time here, we have a project that's  
21 going to be coming on board and we hope that,

1 fairly certain that we're going to roll it out  
2 September 30th and it's called MLEIN, Maritime Law  
3 Enforcement Information Network, and within this  
4 new building is a smaller part of the building  
5 where MLEIN is going to be situated. And the  
6 purpose of MLEIN, because Natural Resources Police  
7 is identified as the agency for the state of  
8 Maryland that's responsible for maritime Homeland  
9 Security issues, we're starting up this command  
10 center and it's going to be able to track the  
11 vessel movement on the Chesapeake Bay and the  
12 Potomac River. Not all at once, we're going to be  
13 doing this in several phases.

14           The first phase that we're going to roll  
15 out would be September the 30th, where we'll have  
16 approximately two cameras and three to four radars  
17 that will be taking up the most populated part of  
18 the Chesapeake Bay, I guess that's the way to put  
19 it, the area where we feel that our strategic plan  
20 indicates that it best suits that is on Maddock  
21 Creek, Rock Hall, Dundalk Marine Terminal, but

1 we're also going to be hooking up with NRL,  
2 National Research Lab. They've got certain radars  
3 that they're going to give us and locations. Pax  
4 River down in St. Mary's County is going to, they  
5 were working with them for MOU that they're going  
6 to be sharing, the Department of Transportation has  
7 gotten hundreds of cameras, some of which are on  
8 the waterways that we're going to be tapping into,  
9 so over the next four years we feel that we're  
10 going to add a very good strategic plan out quickly  
11 where we're going to have all of these cameras at  
12 our disposal to be able to monitor the traffic  
13 going up and down the Chesapeake Bay and the  
14 Potomac, so in the event, God forbid, that we have  
15 a tactical terrorist situation that occurs that  
16 we'll be, you know, our dispatchers, who by the way  
17 as part of this MLEIN effort is getting a new  
18 software package that kind of takes all the  
19 decision-making out of who to send, where to send,  
20 as soon as that system is brought up they're told  
21 who is available, all the questions are answered

1 and they send the right people to it and the right  
2 resources to it and contacts throughout, to our  
3 partners that are local, the local people who have  
4 marine units, and what we're going to have is a  
5 common operating picture from the cameras that  
6 we're going to have. So that is where we're  
7 responding to the situation. We got eyes on to the  
8 situation so we're not running up on something and  
9 being surprised by it.

10                   So, you know, I can go on forever and  
11 ever here and explain this situation to you, but  
12 believe me, when I tell you that in Maryland it's  
13 going to be the leader in this area, nobody else  
14 has been able to put together this kind of effort  
15 that we've got to track vessel movement. Now,  
16 we'll start off with the big container ships and  
17 then we move to, evolve into smaller ships, smaller  
18 vessels, we'll be able to pick up on them and we're  
19 also going to be able to use this for our effort in  
20 surveilling and keeping an eye on our oyster  
21 sanctuary and things like that so we can put

1 invisible fences around these areas and when a boat  
2 crosses that particular area it's going to send off  
3 an alarm and in this command center it's going to  
4 alert our dispatcher, the dispatcher is going to be  
5 able to watch that boat enter the situation and if  
6 they continue on through it then we'll treat it as  
7 a normal circumstances, but if it stops, then  
8 obviously it sends up a red flag and we'll get  
9 people out there and check the situation out and  
10 find out if they're legitimate or not. And on top  
11 of it, we'll have a camera ready to zoom in on it  
12 to be able to tell us what we're looking for and  
13 what we're dealing with.

14                   So it's, it's going to be quite  
15 exciting. It's going to start off in stages and  
16 then expand as we get most of our money through the  
17 port, the Maryland Port Authority, and so a lot of  
18 it has been, has been very gracious to us and we've  
19 got fairly, fairly good money, the amount of money  
20 that helped produce this Area 3 response center.  
21 We bought six new boats out of it, Bob's waterway



1 fund added another three boats to that. They're  
2 all 25-foots that have cameras on them and will be  
3 able to feed back, you know, what they see out  
4 there. So it's, it's a really, really progressive  
5 situation for the state of Maryland and I think  
6 it's going to be, be secure and secure minding.  
7 Sorry if I was too --

8 MS. ALLISON: Are you going to be tying  
9 them in with traffic control at the C&D?

10 COLONEL JOHNSON: Yes, because we're  
11 going to have cameras at that location and if  
12 something is brought it our attention then it's  
13 going to help us with the manpower.

14 MS. ALLISON: Because everything is  
15 coming and going.

16 COLONEL JOHNSON: If we get a complaint,  
17 we'll put the camera on to see if we need to  
18 respond to that, then boom, they're out there, so  
19 it's going be a tremendous --

20 MR. BUSH: Thank you again very much.

21 (Discussion held off the record.)

1 MR. KLING: Old business?

2 MR. BUSH: Before we get to that, let's  
3 set up the next date for our meeting.

4 MR. KLING: We did.

5 MR. LUNSFORD: We've got the hearing  
6 date set up.

7 MR. BUSH: That's the next meeting.

8 MR. LUNSFORD: We'll get through the  
9 hearing and if we're still speaking to each other,  
10 then we'll --

11 MR. BUSH: Does everybody have that?

12 Now, you --

13 MS. DUTY: I would be remiss if I didn't  
14 remind everybody of my annual speech about crabs  
15 being caught by the watermen in the bay, so always  
16 know when you're eating any kind of seafood, thank  
17 the watermen and let them know that you appreciate  
18 them and this will be my last year for making that  
19 speech so I guess Russ is going to have to make it  
20 next year.

21 MR. LUNSFORD: Do you have it down,

1 Russ?

2 MR. DWYER: Yeah.

3 (Discussion held off the record.)

4 MS. DUTY: I also wanted everyone to  
5 know that my oldest son built this restaurant.

6 MR. BUSH: One last thing.

7 MR. KLING: Bob, one of those issues  
8 that was so big and now it's not on the radar  
9 screen, did we ever learn anything from the  
10 monitoring of the C&D Canal?

11 MR. LUNSFORD: There are several loud  
12 boats.

13 MR. KLING: Out-of-state boats?

14 MR. LUNSFORD: Most of the ones I  
15 observed tended to be out of state, tended to be  
16 Delaware to be honest, most of the ones were at  
17 Lloyd's Creek ramps and they were trailered in.  
18 But I don't know, I haven't asked for so I don't  
19 know if there was a targeted control. I talked to  
20 Captain Baker about that at one point, I don't know  
21 if that came off.

1 COLONEL JOHNSON: We tried to get up  
2 there and monitor that situation. Obviously we  
3 know it's an issue with this, with this group, and  
4 we're just trying to maintain a steady approach to  
5 it and deal with it.

6 MR. GAUDETTE: I talked with Mr. Simon,  
7 let's get to the heart of the matter, I talked with  
8 Mr. Simon about how things were going this summer.  
9 As you recall, Mr. Simon was the person that raised  
10 the whole issue because we had two, remember we had  
11 to big areas, we had the Elk River area and we had  
12 Deep Creek Lake, and I haven't heard anything from  
13 Deep Creek as far as noise problems this year, but  
14 Simon said that the problem isn't as bad this year  
15 as it has been. However, he's going to see what  
16 happens during the election and I think, I  
17 anticipate that he will pursue a similar piece of  
18 legislation through a private sponsor to a member  
19 of the General Assembly. As you recall, it came  
20 down to one person stopped that from passing last  
21 year, it was primarily because of concerns with

1 hydroplanes, they thought we were going to force  
2 hydroplanes and we said the regs already say that's  
3 not an issue, but we got caught up in that and  
4 that's one of the reasons, there was no problem  
5 with putting restrictions on performance boats,  
6 that was not an issue with the General Assembly.  
7 I've since talked with some of the powerboat  
8 associations and indicated the same question, they  
9 said is it coming back, I said it's not coming back  
10 from us and I said it might come back through a  
11 private sponsor, and I discussed with them the  
12 silencer on their boats and I talked with a lot of  
13 folks that make them out in California, I talked  
14 with boating organizations in California, they're  
15 fine with them, they do not impact performance and  
16 a lot of their noise complaints have gone away.  
17 They are looking into that as an organization,  
18 probably going to continue with that. Most of the  
19 new boats you buy, they're high end boats, come  
20 with silencers because they don't want to deal  
21 with -- manufacturers want to see the problems go

1 away. I think it attracts more people to the type  
2 of boat if it wasn't so obnoxiously loud. So I  
3 think that there's some progress happening in some  
4 areas and still is Mr. Simon's through his efforts,  
5 he didn't indicate he was going to change anything  
6 dramatically, he was going to ask for something,  
7 but I would just say we have to kind of wait and  
8 see how that comes out, because I don't know if any  
9 of you folks may be coming to the General Assembly  
10 interested in sponsoring a bill like that in the  
11 first year, we have to see what happens, but right  
12 now it's kind of on hold but the problem has not  
13 been as bad this year as it was last year.

14 MR. BUSH: If I have no objections,  
15 after we have lunch we can consider ourselves  
16 adjourned. Any objection to that?

17 COLONEL JOHNSON: I just wanted to say  
18 if anybody wants to come by and do a tour of our  
19 new complex I'll arrange that for you. I would  
20 suggest that you wait until after September 30th  
21 when we're up and running. That way I'll

1 demonstrate some things to you, if you're  
2 interested I'll be glad to do that.

3 MR. BUSH: Okay. The last word is after  
4 you have lunch you can consider yourself adjourned  
5 and enjoy the rest of the summer.

6 (Proceedings adjourned at 11:26 a.m.)

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1 STATE OF MARYLAND  
CITY OF BALTIMORE

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3 I, Kelly A. Taylor, a Notary Public in  
4 and for the State of Maryland, City of Baltimore,  
5 do hereby certify that the foregoing is a true and  
6 accurate transcript of the proceedings indicated.

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9 Kelly A. Taylor, Notary Public

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