

In the Matter of:

Maryland Department of Natural Resources

April 6, 2011
St. Leonard Creek Public Hearing

Condensed Transcript with Word Index



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1 MARYLAND DEPARTMENT OF NATURAL RESOURCES
 2 BOATING SERVICES UNIT
 3
 4
 5 ST. LEONARD CREEK PUBLIC HEARING
 6 ON THE
 7 PROPOSED REGULATION FOR 35 KNOTS DAYTIME
 8 AND 25 KNOTS NIGHTTIME
 9
 10
 11 College of Southern Maryland
 12 Prince Frederick Campus
 13 115 JW Williams Road, Room 119
 14 Prince Frederick, Maryland
 15
 16
 17 April 6, 2011
 18 6:05 p.m.
 19
 20 MEDIATED BY ROBERT P. GAUDETTE
 21
 22

2

1 APPEARANCES
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3

1 PROCEEDINGS
 2 - - - - -
 3 MR. GAUDETTE: Welcome, everyone. My
 4 name is Robert Gaudette. I am the Director of
 5 Boating Services for the Maryland Department of
 6 Natural Resources. I will be the Hearing
 7 Officer tonight for the proposed boating
 8 regulation for St. Leonard Creek located in
 9 Calvert County, Maryland.
 10 At this time I would ask that everyone
 11 turn off their cell phones and other electronic
 12 devices or set them to vibrate.
 13 Before taking your testimony, I have a
 14 brief introduction and statement. I would
 15 appreciate there be no interruptions during this
 16 statement.
 17 The Department of Natural Resources is
 18 responsible for overseeing boating regulations
 19 on public waterways for the State of Maryland.
 20 Subsection 8-704 of the Natural Resources
 21 Article provides the legal authority to the
 22 Department to establish regulations concerning

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1 vessel equipment and operations.
 2 This subsection also includes a
 3 provision that establishes an advisory committee
 4 on matters pertaining to proposed boating
 5 regulations to the Secretary of the Department
 6 of Natural Resources.
 7 This Citizens Advisory Committee is
 8 appointed by the Secretary of DNR and is
 9 established in the Code of Maryland Regulations
 10 under Section 08.04.02.01 as the Maryland Boat
 11 Advisory Committee.
 12 The committee is comprised of 21
 13 members with various boating and professional
 14 backgrounds with knowledge of and demonstrated
 15 interest in the operation and equipage of boats.
 16 Several of the members are licensed boat
 17 captains as well as waterfront property owners.
 18 One member is recently retired from the
 19 Environmental Protection Agency.
 20 By way of background, the Department of
 21 Natural Resources received a petition in June of
 22 2010 to establish a six-knot speed limit from

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1 the mouth of St. Leonard Creek to the existing
 2 six-knot speed limit in the vicinity of Vera's
 3 Beach Club Restaurant and Marina for all
 4 Fridays, Saturdays, Sundays and holidays every
 5 year from April 15th through October 15th. An
 6 exception was requested for boats under 23 feet
 7 in length.
 8 So this is the area that they're
 9 looking at for the proposed regulation for the
 10 six knots. Up here is the existing six knots at
 11 Vera's. (Indicating.)
 12 The petition indicated that the speed
 13 limit was necessary for boating safety and to
 14 prevent shoreline erosion and destructive wave
 15 action to slips and boats. Members of the
 16 committee, as well as staff of DNR, visited the
 17 creek during the 2010 boating season. An
 18 advertised public meeting was held by the
 19 Maryland Boat Act Advisory Committee on November
 20 18, 2010, at which time the Committee took
 21 testimony and received information from the
 22 public. The meeting was recorded by a court

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1 stenographer. The meeting transcript is posted
 2 on DNR's Boating Services website.
 3 Based on site visits, information
 4 provided by DNR staff, including the Natural
 5 Resources Police, and testimony and information
 6 provided to the Committee by the public, the
 7 Committee recommended a maximum speed limit for
 8 all vessels of 35 knots, which is equal to 40.25
 9 miles per hour, sunrise to sunset and 25 knots,
 10 which is equal to 28.77 miles per hour, from
 11 sunset to sunrise on Saturdays, Sundays and
 12 holidays every year from April 15th though
 13 October 15th from the mouth of St. Leonard Creek
 14 to the beginning of the existing six-knot speed
 15 limit in the creek as shown on the graphic at
 16 Vera's.
 17 This decision was predicated on the
 18 fact that the Committee was provided sufficient
 19 information that there were boat speeds
 20 occurring in the creek that could pose a danger
 21 to the general boating public. Given that
 22 maximum speed limits have been successfully used

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1 in similar state waterways, the Committee
 2 decided to make a recommendation to the
 3 Secretary of DNR to pursue a regulation for
 4 these speed limits for St. Leonard Creek.
 5 The Secretary accepted the Committee's
 6 recommendation and proposed a speed limit and a
 7 regulation was published in the Maryland
 8 Register on January 28, 2011, Volume 38, Issue
 9 3, page 175. It advertised in the Calvert
 10 Recorder, the Enterprise and in the Capital
 11 newspapers.
 12 It should be noted that this volume of
 13 the Maryland Register also includes an updated
 14 legal description of the existing six-knot speed
 15 limit located in the vicinity of Vera's Beach
 16 Club Restaurant and Marina. There is no change
 17 in the location of this speed limit area. It is
 18 just a more accurate legal description of the
 19 existing speed limit area.
 20 A petition with over 50 signatures was
 21 received by the Department of Natural Resources
 22 on February 25, 2011, requesting that the

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1 Department hold a public hearing as stipulated
 2 in Subsection 8-704 of the Natural Resources
 3 Article for the proposed maximum 35-knot daytime
 4 and 25-knot nighttime boat speed limit for St.
 5 Leonard Creek. This hearing was scheduled for
 6 April 6, 2011. It was advertised in the Calvert
 7 Recorder, the Enterprise and the Calvert News.
 8 Because of this hearing request, the
 9 process to proceed with the final boating
 10 regulation has been halted.
 11 The purpose of this public hearing is
 12 to accept testimony and information from the
 13 public regarding this proposed boating
 14 regulation. Unlike the November 18, 2010
 15 Maryland Boat Act Advisory Committee public
 16 meeting where there was an exchange with
 17 Committee members and attendees, you will be
 18 providing testimony or information directly to
 19 me as the Hearing Officer for this proceeding.
 20 I will not debate with anyone regarding
 21 any testimony. That is not the purpose of a
 22 public hearing. This is your opportunity to let

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1 the Department know how you feel about this
 2 proposed regulation. I may ask you specific
 3 questions to help me understand or clarify your
 4 comments or information you provide to me at
 5 this proceeding.
 6 During this hearing, everyone in
 7 attendance will treat me, other DNR employees
 8 and all other attendees with the utmost respect
 9 and courtesy. The hearing shall be civil and
 10 devoid of personal attacks or comments,
 11 including any booing, hissing, derogatory
 12 actions of any kind. Interrupting someone's
 13 testimony is strictly prohibited. Any person
 14 who disrupts this proceeding or does not follow
 15 these rules shall be removed from the meeting by
 16 the Natural Resources Police.
 17 At this time I would like to review the
 18 ground rules for this evening's hearing:
 19 Anyone wishing to speak at tonight's
 20 proceedings shall use the sign-up sheets in back
 21 of the room prior to testifying. Those who wish
 22 to speak should check the box on the sign-up

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1 sheet that indicates that you want to provide
 2 comments at tonight's hearing.
 3 If time permits, those who did not sign
 4 up may be able to testify. If time does not
 5 allow for this, then you may submit written
 6 comments to the Department during the open
 7 record time period, which will be described
 8 later in my statement.
 9 All oral testimony this evening will be
 10 recorded by a court stenographer. The order of
 11 those testifying will be taken in the order as
 12 listed on the sign-up sheets. No individual
 13 will be allowed to testify for more than once at
 14 this hearing. If you want to make additional
 15 comments after you testify, you can submit those
 16 in writing to DNR during the open record time
 17 period.
 18 All those testifying must clearly state
 19 their name for the record. The stenographer may
 20 also ask you to spell your name.
 21 The maximum time allowed for testimony
 22 is three minutes per individual. You may also

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1 appoint a single person to speak for a group,
 2 such as a valid community, association or
 3 business, provided you identify the group you
 4 are representing. In this case, the group
 5 speaker may have up to 10 minutes to testify. I
 6 will give you a warning when you are approaching
 7 your time limit.
 8 There will be no electronic displays
 9 allowed at this hearing, other than those
 10 provided by the Hearing Officer. Any materials
 11 or documents provided to the Hearing Officer at
 12 this proceeding will be made part of the
 13 official record.
 14 If someone provides testimony that is
 15 similar or the same of which you are planning to
 16 say, you can simply indicate that to me when it
 17 is your time to testify.
 18 If you sign up to testify and decide
 19 not to do so, then simply stand up when I call
 20 your name and say, no testimony or pass.
 21 All testimony shall be directed only to
 22 me and the court stenographer. All questions or

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1 discussions will be conducted strictly between
 2 me and the speaker testifying.
 3 Testimony must be relevant to the topic
 4 of tonight's hearing, which is the proposed
 5 35-knot daytime and 25-knot nighttime speed
 6 limit regulation as previously described and
 7 published in the Maryland Register for St.
 8 Leonard Creek.
 9 The official transcript and all
 10 associated documents and information provided at
 11 the public hearing held on November 18, 2010 by
 12 the Maryland Boat Act Advisory Committee will be
 13 made part of the official record for this
 14 hearing.
 15 This transcript can be found on the
 16 Department of Natural Resources Boating Services
 17 website. The transcript for tonight's hearing
 18 will be posted on the Department's website in
 19 approximately two weeks.
 20 After completion of this hearing, the
 21 record will be held open until April 20, 2011.
 22 Written comments or other supporting documents

13	<p>1 and information can be sent to the Department by 2 fax to 410-260-8453, by e-mail to 3 mgrant@dnr.state.md.us or by U.S. mail to 4 Mr. Mike Grant, Boating Regulations Coordinator, 5 Maryland Department of Natural Resources, 6 Boating Services Unit, Tawes State Office 7 Building, E-4, 580 Taylor Avenue, Annapolis, 8 Maryland 21401.</p> <p>9 In order to be included in the record, 10 written comments must be received by no later 11 than 4:30 p.m. on April 20, 2011. The specific 12 DNR website address for the transcripts and the 13 instruction to send written information to DNR 14 is available on a handout at the tables in the 15 room and on -- and it will be listed on the DNR 16 Boating Services website.</p> <p>17 Following this hearing, a decision will 18 be made in consultation with the Secretary of 19 DNR and the Maryland Boat Act Advisory 20 Committee. The Secretary's final decision will 21 be posted on the Department's Boating Services 22 website. It is anticipated that this process</p>	15	<p>1 If this is the case, the process will 2 take approximately three months to complete. If 3 a public hearing is requested for a newly 4 proposed regulation, then the process may take 5 longer to complete.</p> <p>6 That concludes my opening statement. 7 Does anyone have any procedural questions before 8 we get started taking testimony? Okay. Hearing 9 none --</p> <p>10 MR. BERGSMAN: I have a point of 11 information.</p> <p>12 MR. GAUDETTE: Yes.</p> <p>13 MR. BERGSMAN: Sorry. The existing 14 six-knot limit, does that apply to all craft or 15 only to a craft of a certain size?</p> <p>16 MR. GAUDETTE: That's all craft. It's 17 what's existing there now.</p> <p>18 MR. BERGSMAN: Thank you.</p> <p>19 THE REPORTER: He didn't say his name.</p> <p>20 MR. BERGSMAN: My name is Joel 21 Bergsman, J O E L, B E R G S M A N. 22 MR. GAUDETTE: Okay. Yes, sir.</p>
14	<p>1 may take up to 10 weeks to complete.</p> <p>2 What can occur with this proposed 3 regulation is as follows:</p> <p>4 The Department upholds the existing 5 proposed regulation and a final regulation will 6 be published in the Maryland Register and will 7 take effect on the date specified in the 8 Register.</p> <p>9 If the decision is to not proceed with 10 the proposed regulation, then the current 11 regulation will not be finalized in the Maryland 12 Register and there will be no change in the 13 current speed limit on the creek with the 14 exception of the existing six-knot speed limit 15 near Vera's Beach Club Restaurant and Marina, 16 which will remain in effect.</p> <p>17 If there are any changes to the 18 existing proposed regulation or a new or 19 additional regulation is proposed, it will be 20 submitted as a newly proposed regulation and 21 published in the Maryland Register and local 22 newspapers.</p>	16	<p>1 MR. KROVISKY: I have a question about 2 -- Joe Krovisky at the St. Leonard. A question 3 about the six speed limit above the green?</p> <p>4 MR. GAUDETTE: Yes.</p> <p>5 MR. KROVISKY: Is that where the 6 regulation stops?</p> <p>7 MR. GAUDETTE: That's approximately 8 where it stops.</p> <p>9 MR. KROVISKY: What's above the six -- 10 above where the green stops, what's the 11 regulation above that, any?</p> <p>12 MR. GAUDETTE: I don't think there is 13 any.</p> <p>14 MR. KROVISKY: Now, is that -- where 15 that line is, where the green stops, is that, do 16 you know, above or below where the electric 17 power line crosses the creek?</p> <p>18 MR. GRANT: Below.</p> <p>19 MR. GAUDETTE: I think it's below.</p> <p>20 MR. KROVISKY: It's below? That's 21 where the buoy is or -- 22 MR. GAUDETTE: Yes, that's exactly</p>

17

1 correct.
 2 MR. KROVISKY: Okay.
 3 MR. GAUDETTE: Okay. Thank you. Yes,
 4 sir.
 5 MR. KUBISIAK: As a comment on
 6 procedural -- as a comment and we're talking as
 7 the procedural --
 8 MR. GAUDETTE: Correct.
 9 MR. KUBISIAK: -- regulations and
 10 getting this all started, you say this petition
 11 was started last year.
 12 MR. GAUDETTE: Correct.
 13 MR. KUBISIAK: My concern is I just
 14 found out about this as a resident that lives on
 15 St. Leonard's Creek. As a homeowner, why wasn't
 16 something put in the mail instead of you said it
 17 was put into an Enterprise local paper?
 18 MR. GAUDETTE: Correct. There's a
 19 procedure you have to go through for advertising
 20 and it includes only our website, but it also
 21 has to be published in local papers and we just
 22 follow the procedure that's currently --

18

1 MS. KUBISIAK: There's nothing
 2 published on the water?
 3 MR. GAUDETTE: No. Well, yes, there
 4 is. There's a buoy that goes out on the water,
 5 which was out last season.
 6 MR. KUBISIAK: Just as you -- there are
 7 hearing notices all the time put out for
 8 different things. I don't understand why there
 9 wasn't something put up from the first hearing
 10 that this went on, because --
 11 MR. GAUDETTE: The very first hearing,
 12 November, the six-knot speed limit you're
 13 talking about? If you put a buoy out for the
 14 season, it tells the number to call if you have
 15 any questions, and then we also put it in the
 16 paper when we're actually having the actual
 17 meeting for the public meeting.
 18 MR. KUBISIAK: I just don't feel that
 19 it was -- the notice was given, fair notice to
 20 residents that are against this or even find out
 21 about it, because I knew nothing about it.
 22 MR. GAUDETTE: Okay. We had a very

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1 good turnout, but that's noted.
 2 MS. KUBISIAK: The buoy where the buoy
 3 was put is where another buoy was and a bunch of
 4 them got caught --
 5 MR. GAUDETTE: Oh, okay.
 6 MS. KUBISIAK: -- in the road waterways
 7 that we had to dodge around.
 8 MR. GAUDETTE: I understand.
 9 MS. KUBISIAK: It was very dangerous.
 10 A lot of us stayed away from it. Whoever owned
 11 that home walked the whole half of the creek.
 12 MR. GAUDETTE: Okay. Well, thank you
 13 very much.
 14 THE REPORTER: Just a moment, please.
 15 I'm not getting names. Nobody -- they're not
 16 saying their names.
 17 MS. KUBISIAK: Oh, sorry, Mary and Mike
 18 Kubisiak.
 19 MR. KUBISIAK: Mike Kubisiak,
 20 K U B I S I A K.
 21 MR. TUTMAN: A procedural question, the
 22 information that was preferred by citizens and

20

1 others at the more recent hearing, will that be
 2 incorporated by reference into these
 3 proceedings, the November --
 4 MR. GAUDETTE: The exhibits.
 5 MR. TUTMAN: Power points?
 6 MR. GAUDETTE: Yes. Everything that
 7 was provided in the first hearing is part of the
 8 record.
 9 MR. TUTMAN: Very good. Thank you.
 10 THE REPORTER: What was your name, sir?
 11 MR. TUTMAN: My name is Fredrick
 12 Tutman.
 13 MR. GAUDETTE: Just state your name
 14 first when you go ahead.
 15 MR. HANSEN: Darryl Hansen. I just
 16 have a procedural question. Since the initial
 17 proposal for the six-knot speed limit was denied
 18 by the Committee, that is not even on the table
 19 tonight. Is that correct?
 20 MR. GAUDETTE: Well, what's on the
 21 table tonight is just the 35/25. Now, if
 22 somebody has a reason they don't think that

21

1 should be the case, then that's what you should
 2 tell me.
 3 Okay. Very good. Let's go ahead and
 4 get started with the testimony. Our lucky first
 5 person here is Randy Beckwith, and what you will
 6 do is you will come up and stand right at this
 7 table, grab the microphone, state your name and
 8 you've got three minutes.
 9 MR. BECKWITH: I'm Randy Beckwith. I
 10 was under the impression this was still talking
 11 about the six-mile-an-hour zone. The proposed
 12 35 knots, 42 miles an hour, is reasonable. Some
 13 of the larger, faster boats, they go -- the
 14 faster they go, the less wake they create. I'm
 15 glad to see it's not six miles an hour, because
 16 it would really hurt our industry, the maritime
 17 industry, marine construction.
 18 MR. GAUDETTE: Thank you. The next
 19 speaker, Gorden Spalding?
 20 MR. SPALDING: Hi. Gorden Spalding. I
 21 was under the impression it was going to be the
 22 six mile an hour also. I guess if push comes to

22

1 shove, 35 to 25 would be acceptable, but --
 2 To go over the whole thing, you know,
 3 St. Leonard's Creek is a pretty large, rural
 4 creek. It's mostly unpopulated. There's not a
 5 lot of population along the creek until you get
 6 way further in the back.
 7 I don't think that -- DNR has stated
 8 several times that there's no major safety
 9 issues. There's no major erosion control
 10 issues. They stated that the last time we had
 11 the meeting. That was brought up a lot.
 12 And then -- and, there again, you know,
 13 I call it the airport syndrome. I said this
 14 before also, you don't buy a house next to the
 15 airport and then ask the planes to stop flying.
 16 We all have choices. You buy a piece of
 17 property along the water, sometimes you're going
 18 to have waves, sometimes you take the bad with
 19 the good.
 20 The April 15th to October 15th, there
 21 again, it seems like you're just targeting the
 22 summer people who are trying to get out and

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1 enjoy the waterways, so I'm pretty much against
 2 it. Thank you.
 3 MR. GAUDETTE: Thank you. The next
 4 speaker, Kent -- is it Mountford?
 5 MR. MOUNTFORD: That's correct.
 6 MR. GAUDETTE: Very good. Come on up.
 7 MR. MOUNTFORD: That name is spelled
 8 M O U N T F O R D, if you figured that one out.
 9 I've lived on the creek for 36 years. There are
 10 about 30 families at the end of our road. I'm
 11 actually a tag team presentation with Jay
 12 Heberle. And what I have done is to look at the
 13 erosional issue involved in this.
 14 You've opened Pandora's box on this. I
 15 was quite surprised when I looked at the
 16 literature that Mr. Heberle has brought
 17 together, which is worldwide. We have data from
 18 about seven different countries that have paid a
 19 lot more attention to wake erosion than we have.
 20 NOAA, the National Oceanic Atmospheric
 21 Administration in the U.S., is increasingly
 22 involved in this. They're looking at both

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1 waterway impacts, particularly on the
 2 intercoastal waterway and the impacts on marine
 3 organisms. I'm documenting both kinds of
 4 effects here on St. Leonard Creek. I'm a
 5 scientist and I've worked in this area for, as I
 6 said, three decades.
 7 Mark Fonseca who's a colleague at NOAA
 8 from North Carolina gave his natural wave
 9 predictions for St. Leonard Creek, and these are
 10 trivial. They're in the order of 6, 8, 10
 11 inches at the very most.
 12 The problem with boat wakes is that
 13 they create a longer wavelength, in other words,
 14 more time between the individual crest of waves,
 15 and this is something to which the natural
 16 system has not adapted. So this is where wake
 17 erosion starts to come in.
 18 The damage is something like from boat
 19 wakes and larger energy waves is something like
 20 10 times that from wind waves in terms of amount
 21 of sediment moved. In one waterway study, wakes
 22 accounted for between 27 and 54 percent of the

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1 erosional energy reaching the shoreline. This
 2 is roughly what we're looking at in this case.
 3 We made some rough estimates and that's about
 4 the kind of numbers we are estimating.
 5 So it's a factor in erosion. It's not
 6 the only cause, of course, and it depends
 7 particularly upon navigational season, which is
 8 why we set up the recommendation that we made.
 9 This is the argument we make. In the
 10 studies in South Queensland, Australia, very
 11 similar waterways with a lot of boat traffic,
 12 they worked out the equations and figured out
 13 what the recommendation for minimizing shoreline
 14 erosion and bringing conditions back to the
 15 prehigh-speed watercraft condition.
 16 They recommended for the Brisbane River
 17 of five knots and for the Neuse River six knots,
 18 so pretty much what we had originally requested.
 19 That's what we're asking about. We are putting
 20 together a lot of information that's going to
 21 continue. We won't go away, and what we put
 22 together, which was some very good visuals and a

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1 lot of explanatory material, will come to you in
 2 writing and visuals. Thank you.
 3 MR. GAUDETTE: Very good. Thank you
 4 very much.
 5 The next speaker is Bob Schramm.
 6 MR. SCHRAMM: I'm Bob Schramm and my
 7 wife and I have been on St. Leonard's Creek for
 8 more then 20 years. Unfortunately, after
 9 investing three years of our time in preparing
 10 evidence on the problem of speed, safety,
 11 erosion and wake damage, we conclude that the
 12 proposed DNR 35-knot speed regulation will not
 13 accomplish what the six-knot speed limit would
 14 have accomplished.
 15 I, along with many of our neighbors,
 16 strongly oppose a 35-knot speed regulation.
 17 This is new information that is not included in
 18 our previous briefs.
 19 One observation by the Boat Advisory
 20 Act Committee for not supporting the six-knot
 21 speed limit was the width of St. Leonard's
 22 Creek. What the Committee members did not

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1 appreciate is the manner in which the large
 2 boats used the creek.
 3 The boats follow the creek's deepest
 4 depth without regard as to whether the tubers,
 5 skiers, swimmers, sailboats and small boats,
 6 kayaks or canoes are present in the area. Our
 7 videos and pictures have demonstrated that in
 8 the past.
 9 Even though the creek varies in width,
 10 the large boats use the same deep water path of
 11 approximately 20 to 50 feet in proceeding
 12 through the creek. The Committee was shown
 13 pictures and video evidence of the large boats
 14 speeding by the recreational water users in the
 15 deep water areas.
 16 Another erroneous Committee opinion was
 17 that recreational water users would go to other
 18 creeks, because St. Leonard's Creek would be
 19 closed. In reality, St. Leonard's Creek would
 20 attract more people, because the water would be
 21 safer. What was missing in the Committee's
 22 discussion was the distance it takes for a boat

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1 to stop when traveling through the area of
 2 recreational water users.
 3 Brief comments. It is also unfortunate
 4 that DNR has decided that it will not comply
 5 with the Maryland statute 8-704(e), as it has
 6 not sought the advice from experts as mandated
 7 by the State statute. The DNR only has advice
 8 from the Boat Advisory Committee, which clearly
 9 ignored the hard evidence of speed, safety,
 10 erosion and wake damage, the Department's police
 11 report that only cited 1.8 boats per hour on the
 12 creek and an erosion study that was totally
 13 deficient. I'm submitting pictures of the area
 14 in front of my property where there's been
 15 extreme erosion.
 16 The statute is explicit. DNR shall
 17 solicit the advice and opinions of officials and
 18 representatives of boating associations, yacht
 19 clubs, local, state and federal government
 20 officials, who have knowledge or experience with
 21 the subject matter regulation.
 22 I agreed it did receive advice from two

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1 organizations, the Boat Act Advisory Committee
 2 and Maryland Power Club -- Maryland Powerboat
 3 Club, but where is the record -- but where in
 4 the record is advice from the state and federal
 5 government experts, and I stress experts.
 6 What the six-knot proponents provided
 7 to DNR was strong evidence of excessive speed,
 8 erosion, wake damage. The residents also
 9 obtained letters from the Calvert County
 10 Commissioners, the Patuxent River Keeper
 11 supporting the proposed six-knot speed limit,
 12 while the opponents have yet to refute any of
 13 the evidence provided by the six-knot
 14 proponents.
 15 It should be noted that in 2012, the
 16 creek residents will celebrate the anniversary
 17 of War of 1812. It is a shame that DNR proposes
 18 a regulation, which will accomplish what the
 19 British did not accomplish, the erosion of a
 20 beautiful creek, the suppression of recreational
 21 water activities to the benefit of large boats.
 22 In closing, I believe that this is not

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1 the end of our effort to provide protection from
 2 the large boats but is just the beginning, and I
 3 would like to add one other item to this also.
 4 If I had a neighbor that took a piece
 5 of equipment and dug up the front of my
 6 building, the front of my lot, I would have some
 7 sort of legal recourse, but I do not have right
 8 now any type of protection with reference to the
 9 erosion that's taking place on the creek, and
 10 that's the reason why I've submitted these
 11 pictures. Thank you.
 12 MR. GAUDETTE: Okay. Thank you very
 13 much.
 14 Okay. Jay Heberle.
 15 MR. HEBERLE: My name is Jay Heberle
 16 and I'm representing the community of St.
 17 Leonard or Cape Leonard. We've had about 80
 18 petitioners sign, so that's who I'm representing
 19 here.
 20 In conversations that I've had over the
 21 last few years with DNR, there's been a
 22 consistent message of we want to do what's good

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1 for everybody. We want to make sure everybody
 2 is happy here. Well, safety for all should be
 3 the first priority.
 4 One important voice that's missing here
 5 is the environment. We are spending billions of
 6 dollars to clean up the Chesapeake Bay and the
 7 sediments are -- the erosive effects of boating
 8 traffic in sensitive areas continues all over
 9 the bay. We need to manage boat wakes.
 10 Now, somebody is not going to be happy
 11 about this. That's a normal thing in a large
 12 group of people. Somebody is not going to be
 13 happy about -- their voices are going to be
 14 loud, regulate, don't regulate. It's going to
 15 mess with my business or it's going to make me
 16 get to dinner slower.
 17 If you want to preserve and protect the
 18 natural resources of Maryland, we, the
 19 petitioners, here are providing you the cover,
 20 DNR, the cover being political cover. We've
 21 gotten letters from local, state and federal
 22 leaders. We've got scientific cover. I've got

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1 20 scientific papers and studies that all talk
 2 to the effects of boat wakes and boat wake
 3 erosion. We've got video evidence that I
 4 presented at the last hearing. I'm not going to
 5 present it again, but it's worth a million
 6 words. It shows the erosive effects of the boat
 7 wakes. The pictures, lots of pictures showing
 8 the vulnerable shoreline.
 9 Back in 1980, DNR did a study on --
 10 that was actually sponsored by DNR through a
 11 House Joint resolution. They found that the
 12 total wave energy doesn't decrease significantly
 13 over 200 foot. I mean, these are studies that
 14 have been done. They also said the distances of
 15 500 foot are needed to reduce wave energy. I've
 16 got another slide that you'll see, the next
 17 slide that talks about the working channel, as I
 18 call it, and I'll talk about that in a minute.
 19 They did have one comment about a
 20 26-foot boat 200 foot from shore, 21 knots,
 21 caused suspended sediments to rise from five
 22 parts per million to 440 parts per million in

1 the first wave.
 2 If you look at the next chart, I show
 3 the working channel, as I call it. And when you
 4 come down through here, especially here, that's
 5 a narrow area. This would be a narrowing area.
 6 There are areas in here that your working
 7 channel could be 350 foot. (Indicating.)
 8 Well, if you've got a working channel
 9 of 350 foot, maybe one big boater goes through
 10 there and not get too close to the other one,
 11 but he's going to be within 200 foot of the
 12 shoreline and, you know, if you get too close
 13 passing through here, well, we get a lot more
 14 than that. In fact, we get a considerable
 15 amount of traffic through here.
 16 The issue of boat wake erosion, as Kent
 17 had said, has been going on. It's being fought
 18 all over the country, all over the world really.
 19 People have spent millions of dollars studying
 20 this. One group up in Alaska spent 2.4 million
 21 dollars to characterize boat wake erosion.
 22 We mentioned a Mark Fonseca. He's a

1 eight and a half inches is the highest we should
 2 allow a wave to go, or we get erosion. This may
 3 be our smoking gun here that says, this is where
 4 we need to put the limit.
 5 Okay. We talked about the erosion
 6 report, but the erosion report that DNR
 7 submitted in the last hearing was flawed.
 8 There's a -- it says the majority of St. Leonard
 9 Creek is undeveloped and relatively stable.
 10 There's another slide right after this that if
 11 you look at the colors in the chart, it will
 12 show you that red means high erosion. That
 13 doesn't mean it's stable. So we are getting a
 14 lot of the erosion through there. And, in fact,
 15 there's one place that is not listed as highly
 16 erosive, but has been eroding over the last four
 17 or five years, pretty significant. I'll show
 18 you a picture of that.
 19 The next slide, highly erodible
 20 material. This is a silty, sandy picture. When
 21 the presentation at the last hearing, they
 22 showed a hard shoreline. Well, that hard

1 Ph.D. at NOAA, Conservation -- or, no, Coastal
 2 Habitats and -- Coastal Fisheries and Habitats,
 3 and he came up very quickly with a wind analysis
 4 that estimated the significant waves in this
 5 creek over a three-year period at .22 meters.
 6 It's about eight and a half inches.
 7 He even went so far as to give this an
 8 energy level, the energy level being 220 joules
 9 per meter of wave crest, kind of a technical
 10 term, but recognize that if you double that
 11 wave, it's 10 times that amount of energy. So a
 12 17-inch wave from a large heavy displacement
 13 boat is creating a wave that is tearing up the
 14 shoreline.
 15 Part of a study, which I'll submit,
 16 part of the study talks about sheltered creeks
 17 establishing an equilibrium with nature. That
 18 equilibrium is at the 8.6 inches or .22-meter
 19 level. So anything above that, unnatural waves
 20 and, you know, that doesn't time include a
 21 hurricane, but that's something different, but
 22 when we get to the natural waves, eight inches,

1 shoreline was not -- just 200, 200 foot, 200
 2 yards down the creek from that, there was this
 3 kind of erosion or this kind of sediment.
 4 This is a picture of marshland. This
 5 has got an southern exposure -- did you see
 6 that? Yeah, there you go. The southern
 7 exposure, that should be the one place it
 8 doesn't get our normal winds. When they're
 9 high, they come from the north, northeast. So
 10 this is showing -- and there's been significant
 11 reduction in this piece of marshland over the
 12 last four years.
 13 Now, the next one here is a couple of
 14 pictures. The one labeled April 2011 has just
 15 gone through five months of off season. So no
 16 -- you know, very little boat traffic for five
 17 months, and you can see that beach. If you look
 18 over at September 2008, that's gone through an
 19 entire summer season and you can see where it
 20 has eroded underneath of that deck area.
 21 So the one thing I'd say is if you left
 22 this thing for three years, where would you be?

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1 What -- and, by the way, there's all sorts of
 2 vegetation that will grow up. If you see in the
 3 September 2008, the top one, you'll see some
 4 grass in the distance there. That grass doesn't
 5 exist anymore. It's been eroded all away. If
 6 we can get that beach back, and this isn't so
 7 somebody can, you know, sit out on the sand and
 8 have a little party. This is so that we can
 9 bring back vegetation that's natural.

10 Okay. Boat wake management. This
 11 should be done across the board, all over the
 12 Chesapeake Bay. We've got -- the problem here
 13 is the scale of the problem is being lost at the
 14 local level. We're all looking at this from a
 15 viewpoint of, oh, yeah, it's only taking away
 16 .033 inches per boat passage.

17 But when you start doing the math on
 18 that, you get nine inches per year. And if we
 19 don't know what nine inches per year is, try 90
 20 inches every decade. It's a huge problem.
 21 We've got people here that have been going
 22 through that, losing property over long periods

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1 of time.

2 Another thing to think about -- one
 3 minute. Okay. All right. There's a lot a
 4 research efforts, people spending a lot of money
 5 to investigate this, but they're all coming up,
 6 and all the materials I'm going to give you have
 7 summaries.

8 Go to the summaries. The summaries are
 9 amazing. You don't have to go through the whole
 10 deal. Go to the summary that says stop the boat
 11 wake erosion.

12 We've already talked about that.
 13 Safety is still a big concern. 35 knots is
 14 crazy when you look at the diversity of stuff.

15 The other thing I'd say is -- on more
 16 cover, I mean more political cover, more
 17 justification, if you're listening to the loud
 18 voices, listen to the Chesapeake Bay agreement,
 19 executive orders that are out there to either
 20 give you direction on the cleanup of the bay or
 21 to seek leadership from the federal government
 22 on certain things.

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1 EPA, River Harbor Act. There's all
 2 sorts of things. What we need to do is figure
 3 out how these laws and goals and recommendations
 4 correlate with Maryland Department of Natural
 5 Resources Boating --

6 MR. GAUDETTE: Okay. Jay, thanks.
 7 Were you going to submit something, materials
 8 for the record tonight?

9 MR. HEBERLE: Oh, yes.

10 MR. GAUDETTE: Okay. Melissa, let's go
 11 ahead and put in the record as Exhibit Number 1
 12 the items provided by Bob Schramm, these two
 13 items.

14 (Exhibits for Schramm, Heberle and
 15 Mountford were marked and submitted for the
 16 record.)

17 MR. GAUDETTE: We're just entering
 18 everything into the record.

19 Okay. If you're wondering why
 20 Mr. Heberle got additional time, he's
 21 representing a community. If you represent a
 22 community, you get 10 minutes.

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1 Okay. The next speaker is Darryl -- is
 2 it Hayson?

3 MR. HANSEN: Hansen.

4 MR. GAUDETTE: Hansen, excuse me.

5 MR. HANSEN: Darryl Hansen. I've lived
 6 on the creek, oh, since 1994, so I've had a
 7 couple of boats, one that would be impacted by
 8 the proposed regulation, a couple of kayaks,
 9 some tubes and all sorts of things that my wife,
 10 our kids and our grandchildren have used to
 11 enjoy the four and a half miles of St. Leonard
 12 Creek.

13 I am a little confused, though, from
 14 the testimony that's been given. Are the folks
 15 that have talked tonight opposing the Committee
 16 report or the proposed regulation? I'm a little
 17 lost there.

18 MR. GAUDETTE: They are opposing the
 19 proposed regulation.

20 MR. HANSEN: Okay. Because the
 21 Committee report was rather extensive and any
 22 indication that possibly that report or the

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1 Committee didn't do their job from a wide
 2 boating public's perspective just doesn't kind
 3 of jibe with what's there. There were what, 200
 4 pages and 40 pages of it dealt with just the
 5 Committee's reactions to the public opinion. So
 6 I thought that issue apparently was dead.
 7 Now, the one thing I guess that we can
 8 all agree with, nobody likes the proposed 35/25
 9 regulation. I mean, they all like it and those
 10 of us who do not favor any restriction of
 11 others' enjoyment of the creek don't like it
 12 either, but I guess the Committee in their
 13 infinite wisdom really did look at it from a
 14 very wide perspective rather than a parochial
 15 view of those of us who are fortunate enough to
 16 have some property on the creek, and they feel
 17 that possibly this is a way to encourage some
 18 semblance of order during the heavier periods on
 19 the creek.
 20 They brought in specialists also, Linda
 21 Crawford I think her name was, who is a
 22 specialist on boat wake erosion. She, as

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1 Mr. Mountford pointed out, indicated that the
 2 amount of erosion caused by boat wake, although
 3 is there, was not really an issue on St. Leonard
 4 Creek. I would tend to go along with the
 5 Committee in their evaluation after her report.
 6 One thing, as I said, that we all agree
 7 on, we don't like this regulation, but those of
 8 us that are in favor of more restrictions or
 9 less restrictions, pardon me, less restrictions,
 10 hey, we're willing to give it a shot, and I
 11 think we've got to ask ourselves, well, why are
 12 we here again?
 13 This is a proposal from experts from
 14 all parts of the bay who have a very broad
 15 viewpoint of what is probably best for the
 16 general public. And although I don't like the
 17 regulation, grudgingly I would go along with
 18 supporting it and supporting DNR in establishing
 19 this, see what comes from it.
 20 MR. GAUDETTE: Thank you. Okay. Next
 21 we have Jim Littleton.
 22 MR. LITTLETON: Thank you, sir. We

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1 were a little confused also about how the
 2 hearing was going to be run. So if I may ask,
 3 several of us waterfront property owners would
 4 like to kind of speak in tandem here. We wanted
 5 to just address the points. We didn't want to
 6 repeat anything.
 7 So if I could provide an introduction
 8 and then ask Mr. John Potter, who signed up
 9 next, to provide some clarification and Mr. Todd
 10 Purring, third, to provide some current facts
 11 and some conclusion, each of us taking our
 12 allotted three-minute time?
 13 MR. GAUDETTE: That's fine.
 14 MR. LITTLETON: Thank you very much.
 15 From an introduction point of view, I've lived
 16 on the creek and been on the creek for over 37
 17 years, so I've seen all the things come and go
 18 over the years.
 19 Both the original petition and the
 20 appeal letter contains language that we believe
 21 is very misleading. It implies that a majority
 22 or even a significant number of St. Leonard

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1 Creek owners supported the six-mile-an-hour
 2 speed limit, and that is not the case. There
 3 was no evidence presented at the November 2010
 4 hearing that that was true.
 5 In fact, we submitted over 400
 6 signatures against the original proposal and
 7 they provided 75, which was stated by DNR at the
 8 last hearing, so that should be in the minutes
 9 that were for it. In addition, since then, just
 10 after receiving a notice, we have gathered
 11 another 300 additional signatures that are
 12 opposed to any speed restrictions on the creek.
 13 So the data was confirmed at that time
 14 by Mr. Bob Lundsford of DNR, and that is in the
 15 minutes from the previous hearing that we had.
 16 Second, we strongly believe that this
 17 is a public resource and it should be available
 18 for all people to use and for all purposes if
 19 they would like to use it for, as well as
 20 licensed and commercial crabbers and fishermen
 21 who also operate out of the creek. It's not
 22 just for people who are lucky enough or have

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1 been able to afford waterfront property. These
 2 remain open for everybody.
 3 So here we are again. It's very clear
 4 that the public opinion is overwhelming against
 5 the petition based on all the signatures that
 6 we've seen here supporting from all walks of
 7 life, and we've been down this road before in
 8 '87, 1990, 2008 and 2010. In all cases it was
 9 overwhelmingly thought that a restriction was
 10 not needed on the creek.
 11 So if I could provide a few
 12 clarification points here. The original
 13 petition stated there were issues, such as
 14 erosion and property damage. Well, that was
 15 taken off the table by the DNR report at the
 16 last testimony, saying that those issues should
 17 not be of concern, but we're still hearing a lot
 18 of comments today about that, so I'm a little
 19 confused as to why that is still on the table.
 20 These issues were not mentioned for
 21 this current appeal, so we're going to make the
 22 assumption that they're off the table and the

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1 only thing that appears to be an issue is
 2 safety.
 3 So from the petitioner's point of view,
 4 the reason we are here today is they contended
 5 that the Boat Act Advisory Committee somehow did
 6 not see all sides of the safety issues at the
 7 hearing. Somehow they made the wrong decision
 8 based on their combined expertise and
 9 experience, which the Committee consists of, as
 10 you read us the resumes before the meeting
 11 started.
 12 So we submit that the exact opposite is
 13 true, that the petitioners had the burden of
 14 proof of providing sufficient evidence that
 15 there were unsafe conditions and there was
 16 damage to the environment and they did not do so
 17 and we believe the Committee acted properly in
 18 turning down the six-mile-an-hour speed limit.
 19 I would like to ask Mr. John Potter if
 20 he could provide the next section.
 21 MR. GAUDETTE: Did you want to submit
 22 the -- you had mentioned about the additional

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1 signatures?
 2 MR. LITTLETON: Yes.
 3 MR. GAUDETTE: Do you want to submit
 4 something into the record?
 5 MR. LITTLETON: Yes, sir, we have those
 6 and we can provide them.
 7 MR. GAUDETTE: Okay. Can you do that
 8 now? It's L I T T L E T O N ?
 9 MR. LITTLETON: Yes, sir. So I'd like
 10 to give some additional petitions that we've
 11 collected, as well as I know people have
 12 submitted information through the web in
 13 opposition to it, and here is what we're talking
 14 about today. I'd like to submit that for the
 15 hearing tonight.
 16 MR. GAUDETTE: Very good.
 17 MR. LITTLETON: Thank you for your
 18 time.
 19 (An exhibit for Littleton was marked
 20 and submitted for the record.)
 21 MR. GAUDETTE: Okay.
 22 MR. POTTER: Thank you, Jim. My name

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1 is John Potter and I'm also a homeowner on the
 2 creek. I'm also a boater on the creek, and we
 3 talked about the community. Let me point out
 4 the signatures we just gave you are now up to
 5 730 against this. So when we talk about
 6 representing a community, we're representing
 7 quite a community on this creek.
 8 What I want to talk about is some of
 9 the things that we think the Committee did get
 10 all the expertise they could get, and I'll sum
 11 that up at the end on the discussion.
 12 Starting right off the bat with Mr. Bob
 13 Mountford pointed out was quoted Ms. Laurel
 14 Crawford on page five of the last 18 November
 15 that -- I don't want to redo this, because a lot
 16 of the stuff is already in the other transcript,
 17 but I think we need to mention tonight that the
 18 -- that she said that plenty of signs of boating
 19 are not eroding the creek and the land erosion
 20 is there primarily from the weather and the fact
 21 there's some fallen trees and the shade and the
 22 grass and that the protecting of the land from

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1 eroding it, and that if we're talking about an
 2 expert, that was the expert we pulled from DNR.
 3 The next expert we had was Sergeant
 4 Riley. I don't know if he's here tonight. I
 5 don't want to speak for him, but in his
 6 testimony on page 113, he said, "Honestly, the
 7 speed limit of the creek, six knots is just
 8 outrageous for that area. It's going to push
 9 the smaller vessels into the other smaller
 10 creeks and we'll wind up with a bigger problem."
 11 That's been mentioned again, but as far
 12 as I can tell, that was the expert we had that
 13 night and it was briefed and in the transcript.
 14 When this first proposal came out in
 15 September, they asked DNR, Officer -- excuse me,
 16 if I murder his name here, but Osashi. He
 17 reported on his 9/23 stating that safety in that
 18 block said none. His supervisor also concurred
 19 with his report.
 20 We spoke to our delegate, Tony
 21 O'Donnell, who couldn't be here tonight. He's
 22 in other activities, but he also said on page

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1 16, I believe that the answer should not be a
 2 shutdown of the entire creek.
 3 We talked to -- we also had a spokesman
 4 from the co-founder of the Maryland Powerboat
 5 Club on page 106, Diane Rose said that the -- or
 6 it's not good for the high-performance boats to
 7 idle that long and this would be hard for the
 8 motors.
 9 We had a marine engineer speak on page
 10 107, Mr. Charles Hatcher, of four things that
 11 affect the wake, and he didn't talk -- he talked
 12 about more than speed. He talked about
 13 operation of the boat and the size.
 14 We talked to Mr. Moser who also spoke
 15 on page 89 that he was a commercial fisherman
 16 and how that was going to hurt his business.
 17 And hundreds and hundreds of people against this
 18 spoke out and said that the six knots going to
 19 Vera's would be crazy, that they would just have
 20 to go somewhere else.
 21 They come up on the holidays and
 22 weekends. That's when we come to Vera's. We're

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1 going to let them talk to the economics of this
 2 a little bit later.
 3 I'm not sure who else we would need to
 4 have for the Committee to have the experts that
 5 night. I just listed a few, because I don't
 6 want to take more than three minutes. We got
 7 the experts that night as far as I can tell for
 8 the Committee to hear.
 9 I'll now turn it over to Mr. Todd
 10 Purring.
 11 MR. GAUDETTE: Great. Todd, you're
 12 next on the list.
 13 MR. PURRING: Thanks. Todd Purring. I
 14 join my voice with these -- the confusion
 15 continues. Unfortunately, we thought that -- we
 16 read the appeal letter from the petitioners and
 17 it seemed that the erosion and property damage
 18 issues had been taken off the table. They
 19 managed -- we're talking about speed and safety.
 20 I can speak to all of these issues
 21 again, because I think the November 18th hearing
 22 is fairly fresh in mind still, even now, but

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1 there's been no evidence of speeding or safety
 2 problems on the creek in recent years. From
 3 2000 to 2003, there were two accidents on the
 4 creek, and this is from the original hearing
 5 transcript. I just bring it up here to provide
 6 background.
 7 From 2006 to 2009, there were 24
 8 citations, an average of six per year, and the
 9 categories, they are unknown, and in 2010 there
 10 were nine citations, but the categories there
 11 were certification and regulatory, not safety,
 12 so folks not having the proper equipment, that
 13 kind of thing.
 14 The petitioners mention in their appeal
 15 letter that more than 50 boats can be using the
 16 creek in an hour on some days, and we're not
 17 sure this is accurate, but even if it is,
 18 there's been no accidents and there's been no
 19 safety issues, so we hope that that's something
 20 at this point can be taken off the table.
 21 Reckless boating of any kind we don't
 22 condone, certainly. It's a matter of

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1 enforcement of existing laws and being
 2 responsible for your wake and being responsible
 3 for your speed. This is not a complaint against
 4 DNR. It's just saying that we know DNR and
 5 Natural Resources Police are stretched and as a
 6 community maybe we could pull together.
 7 We offered this the last couple of
 8 times that we've heard these complaints from
 9 petitioners. Maybe we could identify ways to
 10 report unsafe and inappropriate behavior. But
 11 instead of reaching out to the community, we
 12 continue to come to these hearings, so we're
 13 here again.
 14 St. Leonard Creek is one of the only
 15 local creeks large enough, and contrary to what
 16 Mr. Schramm is saying, more people that use
 17 boats over six knots would be forced to other
 18 creeks, and that's quite a lot, a big
 19 population. So we believe that folks that use
 20 the creek at all different speeds and all
 21 different ways often times can somehow coexist.
 22 When we moved into the creek and bought

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1 our waterfront property, we came in with our
 2 eyes open. It's an active creek. There's going
 3 to be erosion from all kinds of sources and we
 4 live with that. We put in boat lifts. We put
 5 in waterfront riprap. We do what we have to do
 6 to live on an active creek and support others
 7 who want to enjoy the water, and we suggest that
 8 the petitioners and anybody else also do the
 9 same.
 10 So just quickly to conclude, I mean we
 11 thought that the petition for the six-knot limit
 12 was dismissed by the Boat Act Advisory
 13 Committee. We -- I think we believe the
 14 irresponsible and reckless operators will
 15 continue to break the law, and that is a matter
 16 of enforcement, and penalizing what we believe
 17 to be the vast majority of responsible creek
 18 users for the actions of a few irresponsible
 19 reckless boaters, who are not responsible for
 20 the wakes, is not the way to address the issue.
 21 So that is all. Thank you.
 22 MR. GAUDETTE: Thank you, Todd. The

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1 next speaker, Tom Gilmour.
 2 MR. GILMOUR: Tom Gilmour. I live on
 3 the creek on the Lusby side. I guess I have
 4 three comments. First, I'm in favor of the
 5 proposed limit. I think it's a fair compromise.
 6 Second, a boat going six knots, my boat
 7 and the other boats going six knots put up a
 8 bigger wake than the posted speed, so the
 9 erosion is going be there when they're going 25
 10 or 35 or six, so I'm not sure what the point is
 11 about arguing six knots to --
 12 THE REPORTER: I'm sorry, can you speak
 13 up?
 14 MR. GILMOUR: I don't understand how
 15 going to a six-knot limit will help the erosion
 16 problem, because boats put up a bigger wake at
 17 six knots, most boats put up bigger wake at six
 18 knots than they do at speed.
 19 And my last point is, I'm not sure what
 20 the criteria is for channel markers, but there's
 21 a channel marker in the creek out in deep water
 22 and it's not at all obvious when it's there.

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1 That's all I have.
 2 MR. GAUDETTE: Thank you. Okay. Don
 3 -- I don't have a last name here.
 4 MR. GOFORTH: Goforth?
 5 MR. GAUDETTE: Yes. Can you spell
 6 that?
 7 MR. GOFORTH: G O F O R T H.
 8 MR. GAUDETTE: Go forth. I guess you
 9 come forth.
 10 (Laughter.)
 11 MR. GAUDETTE: Thank you.
 12 MR. GOFORTH: Yeah, I just had a couple
 13 things to say. I live right across from the
 14 island that is in the green area where there is
 15 a six-knot speed limit, and the island over a
 16 period of three years has really gone away
 17 pretty fast since I've been there, and what my
 18 point is I guess is that I don't think the wakes
 19 have as much to do with the erosion of that
 20 island as just natural currents and winds.
 21 That's about it.
 22 THE REPORTER: Spell your name again.

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1 MR. GOFORTH: G O F O R T H.
 2 MR. GAUDETTE: Casey. I can't read the
 3 last name.
 4 MS. ST. JOHN: St. John?
 5 MR. GAUDETTE: St. John. I see it in
 6 your E-mail address. There you go.
 7 MS. ST. JOHN: My boss, Steve Stanley,
 8 was going to speak for myself and like three
 9 other people from Vera's Beach Club. Is that
 10 okay?
 11 MR. GAUDETTE: I'm sorry, one more
 12 time?
 13 MS. ST. JOHN: My boss, Steve Stanley,
 14 the owner of Vera's Beach Club, was going to
 15 speak for about a couple of us and myself. Is
 16 that okay?
 17 MR. GAUDETTE: Sure.
 18 MR. STANLEY: All right. I'm a little
 19 nervous here, so I'm want to get it over quick.
 20 Steve Stanley, Vera's Beach Club, one of the
 21 owners. I lived at 1246 White Sands Drive for
 22 13 years in a residential house before I bought

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1 Vera's.
 2 The creek has always been used as a
 3 recreational creek. Everybody has always
 4 enjoyed it. You know, we got this thing with Al
 5 Gore with global warming, erosion. Everybody
 6 looks at all these statistics that they bring in
 7 for other parts of the world. All I'm telling
 8 you is we had three blizzards last near, so much
 9 for global warming, right? So we can bring all
 10 the statistics we want and we're talking about
 11 our creek, not somewhere else.
 12 So one of the things I do want to say
 13 is the erosion there, which everybody is talking
 14 about, is I would say just part of living on the
 15 water. We're speaking for a lot of people that
 16 were not -- we were not notified, even though
 17 you say the little newspapers, and I'm not
 18 picking on little newspapers, but a lot of
 19 people don't read them.
 20 So we were not notified of the other
 21 meetings, so we're kind of caught off guard
 22 here. The short amount of time, two weekends,

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1 we put together the other 300, almost 400
 2 signatures of people coming in the restaurant.
 3 The people that came in the restaurant were
 4 notified before they signed that they didn't
 5 have to sign. This is the reason why we're
 6 asking if they're interested to sign, they
 7 signed on their own free will. They weren't
 8 like just sign here and be happy and go eat.
 9 Vera's was opened in 1953. It's been
 10 there probably longer than most of these houses.
 11 We adore the same. We put up with the same
 12 erosion, same issues that everybody else does,
 13 but living on water you have to take the good
 14 with the bad.
 15 Like some people said, there's a lot of
 16 people that boat that creek that never have the
 17 opportunity that we have, which is being able to
 18 live on the creek and enjoy the view we have.
 19 If we're going to get rid of the boats, get rid
 20 of all of them. Give everybody binoculars and
 21 let everybody look over the creek and enjoy the
 22 view. If not, let's all go boating and be

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1 happy.
 2 We were not, you know, big on the speed
 3 limit, period, but in consideration of what's
 4 going on, we're open-minded due to the fact that
 5 we weren't involved in the other hearings. We
 6 would like to know, number one, how they're
 7 going to, you know, impose on them and make them
 8 work.
 9 You know, boats don't have brakes.
 10 They don't -- people come down the creek. How
 11 are you going to police this, are you going to
 12 go on harassment calls, is everybody going to
 13 call and the cops come down there and arrest --
 14 I mean, DNR, sorry -- come down, because they're
 15 required to, every phone call respond.
 16 This is going to turn away a lot of
 17 business. We employ 50 to 70 people throughout
 18 the season. Our business season is the time you
 19 want to shut us down here. We can't afford
 20 people not coming to Vera's. We have a pump-out
 21 for the state. We pump out boats. We're one of
 22 the only ones on this side of the creek that has

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1 it. We sell gas and we sell diesel.
 2 People that boat, water-ski enjoy that
 3 creek come in and enjoy our restaurant. I think
 4 it's sad to say that anything that detours the
 5 people coming down the creek six knots is just
 6 going to slow down everything that we spend a
 7 lot of money to do, which is bring the place
 8 back to life and bring people back to Calvert
 9 County to spend money.
 10 We pay taxes. We employ, like I said,
 11 50 to 70 people throughout the season. We do
 12 the months of May through September is our
 13 busiest months. We have raised \$82,000 in
 14 charities on our events there with boats that
 15 come in and out. Gordon is one of the bigger
 16 ones that put on the poker runs there.
 17 You know, the same thing with boats is
 18 the same thing with cars is the same thing with
 19 everything else. You have an idiot in a bunch
 20 that's going to ruin it for anybody. We can't
 21 say that people shouldn't be in boats, just like
 22 they shouldn't be in cars. Some people just

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1 can't drive. They -- they're everywhere.
 2 So the issue there is, is that
 3 sometimes you just got to put up with what's
 4 going on.
 5 MR. GAUDETTE: Steve, are you going to
 6 be the primary speaker for Vera's tonight?
 7 MR. STANLEY: Yes, I am.
 8 MR. GAUDETTE: Okay. You can keep
 9 going.
 10 MR. STANLEY: Okay. The biggest thing
 11 is, is we will not be able to -- the other
 12 thing, we would not be able to rent boat slips.
 13 I don't think we can rent slips to people that
 14 want to idle all the way up the creek and idle
 15 all the way back. We're taking about 20-some
 16 minutes to idle out there at six knots and to
 17 idle back, and I think that's just totally
 18 uncalled for.
 19 I think the idea of what one of the
 20 gentleman just said about six knots, big boats
 21 and big wakes, it's going to happen. I mean,
 22 you're going to put a speed limit out in the

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1 bay, stop the ocean liners from coming down
 2 eroding this side of the bay? It's part of
 3 living on the water. It's part of the natural
 4 wear and tear, storms, everything else. You
 5 can't just blame it on boats.
 6 If you're here trying to blame it on
 7 boats, you're crazy, because there's too much
 8 more erosion going on out there than boat
 9 traffic for five months is going to do. The
 10 rest of it is just natural erosion.
 11 I think it's a shame that we're here,
 12 even though we weren't at the last couple
 13 meetings, but I hear the frustration in
 14 everybody else that we're back here and back
 15 here and back here over something that's
 16 totally, you know, crazy.
 17 And I think that we need to look at
 18 your option very seriously and we would like to
 19 get a little further involved with it being we
 20 were late to know anything about this, and see
 21 how it goes and what your way of enforcing it,
 22 because, you know, people -- boats don't have

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1 brakes. People -- a lot of older boats don't
 2 have speedometers. A lot of real small boats
 3 don't have nothing but an outboard on back, but
 4 just a guy with the hand controls on it.
 5 How are you going to enforce these
 6 speed limits on these boats and expect these
 7 people to understand their way of handling their
 8 boat?
 9 So we are, as of now, against it. We
 10 are open-minded to the speed limit on the
 11 assumption that we would like to research it a
 12 little further, and we enjoy the creek like
 13 everybody else and we think everybody else
 14 should.
 15 And one last thing, because I got
 16 little notes, we're speaking for a lot of people
 17 here at Vera's, and the sad part about it is a
 18 lot more people that use that creek that are not
 19 here, they come down and they don't have the
 20 luxury of living on the water. They come by
 21 boat, by trailer. We have a boat ramp. They
 22 use our ramp. They put their boat in. They

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1 want to water-ski all day. You know, you're
 2 shutting everybody down here and I think it's
 3 going to be very hard for us to do business.
 4 MR. GAUDETTE: Can I ask you a
 5 question, Steve?
 6 MR. STANLEY: Sure.
 7 MR. GAUDETTE: How have you seen
 8 business change as far as boat traffic, let's
 9 say over the past two or three years?
 10 MR. STANLEY: Well, when we took over
 11 Vera's, there was about 15 sailboats. Three or
 12 four of them sunk and --
 13 MR. GAUDETTE: When was that?
 14 MR. STANLEY: About five years ago,
 15 five or six years ago. I mean, the place was
 16 falling in. There was no real boat traffic at
 17 that point at the restaurant itself.
 18 Since then, we've rebuilt all the
 19 piers, new gas tanks, new pump-out system.
 20 Everything is brand-new, so right now we -- you
 21 know, of course, we rent approximately 40-some
 22 slips to slip holders, we try to, and the other

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1 slips we use for transients.
 2 MR. GAUDETTE: How many slips do you
 3 have all together, including your transients?
 4 MR. STANLEY: About 82, 83.
 5 MR. GAUDETTE: How many of those are
 6 transient?
 7 MR. STANLEY: About half of them.
 8 MR. GAUDETTE: About half of them.
 9 Great. That's all I have.
 10 MR. STANLEY: Again, that's all I have.
 11 Thank you very much.
 12 (Applause.)
 13 MR. GAUDETTE: Hold the applause,
 14 people. Okay. The next speaker is Joe -- is it
 15 Lynch? How do you say your last name, Joe?
 16 MR. LYNCH: It's Lynch. I guess I'll
 17 start off by saying I really don't envy your job
 18 and that your -- this is the first one I've been
 19 to. I really realize you've got both ends of
 20 the spectrum and this seems to be the compromise
 21 in the middle type of thing.
 22 What I see is that the argument for the

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1 people that want the restricted six knots on the
 2 wind-driven waves is somewhat strange in that
 3 you get an analysis that says they're 8.8 inches
 4 and the creek is in equilibrium, so the erosion
 5 caused by the 8.8 inches is okay, but any
 6 erosion that's caused by something more is not
 7 okay.
 8 So if the analysis said it was 10
 9 inches normally in that erosion, that would have
 10 been okay. So that just seemed weird just
 11 listening from the back of the room.
 12 As to the proposal, maybe the group is
 13 making your job easy. Nobody wants it, but
 14 then, once again, you go back to unrestricted
 15 and then it opens it up I guess whatever the
 16 procedure is to start the petitions all over
 17 again.
 18 So one gentleman that said it seemed
 19 like every two years everybody got in the room
 20 and started talking about this again. I don't
 21 know where the compromise is to avoid that for
 22 some amount of time over that and maybe it's the

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1 -- you've got the 21-foot idea in the proposal.
 2 Is it moving to 26 feet, which still keeps most
 3 of the boats under a 35-knot whole speed.
 4 Anyway, I really don't know, but
 5 continuing the every two years or so of getting
 6 back in here and talking the same thing and we
 7 cause you -- both sides cause you to remove all
 8 this so it stays unrestricted to me leaves it
 9 wide open for the petitioners just to start over
 10 again. Thank you.
 11 MR. GAUDETTE: Thank you. The next
 12 speaker is Ken Kaumeyer?
 13 MR. KAUMEYER: I'm one of those people
 14 that hasn't signed any of the petitions for or
 15 against it, so I would like to go on record and
 16 say I strongly disagree with the idea of a
 17 six-knot speed limit. Everybody keeps talking
 18 about erosion and boat wakes and there's no
 19 question the wakes cause erosion. The question
 20 is how are they generated, and large boats
 21 driving at six miles an hour or six knots with
 22 the trim tab set wrong throw up a much larger

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1 wake than a boat that -- that same boat with its
 2 trim tab set correctly going 30 knots.
 3 So I'm not sure what we're gaining by
 4 going to six knots. In fact, I think we could
 5 create a lot more erosion at six.
 6 MR. GAUDETTE: Okay. What are your
 7 thoughts of the proposed regulation of 35 day/25
 8 night?
 9 MR. KAUMEYER: I support it. I think
 10 it's a reasonable compromise and so that's
 11 pretty much all I'd like to say is that I think
 12 there's a lot of people that I've talked to that
 13 do not support the six knot and I think this is
 14 a reasonable compromise and it's worth a shot.
 15 MR. GAUDETTE: Okay. Thank you. Mike
 16 Kubick?
 17 MR. KUBISIAK: Kubisiak.
 18 MR. GAUDETTE: Kubisiak?
 19 MR. KUBISIAK: Kubisiak. All right.
 20 Mike Kubisiak. I'm against the proposal and the
 21 six mile an hour. I don't think it's necessary.
 22 I think DNR has done a good job about regulating

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1 the creek and keeping it safe. As one of the
 2 gentleman said, the number of incidents that
 3 they've had have been very minimal and I think
 4 it will continue to be that way, because DNR has
 5 a good presence on our creek most of the time.
 6 When the other gentlemen have talked
 7 about erosion and all that, it happens, it's
 8 part of living on the Chesapeake Bay on our
 9 watershed, but the problem is, is it's all or
 10 most of the property is all privately owned by
 11 individuals and it's up to the individuals to
 12 protect their property.
 13 So I just want to say I'm against it
 14 and, you know, there's plenty of riprap people
 15 and seawall people, if they want to prevent
 16 their erosion.
 17 MR. GAUDETTE: Thank you. Mr. Stephen
 18 Jones?
 19 MR. JONES: Good evening. Stephen
 20 Jones, S T E P H E N. There's been a lot of
 21 interesting discussions this evening and I
 22 haven't been approached by either one of the

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1 petitioners, so I haven't signed anything.
 2 I am a property owner and a boater.
 3 One of the reasons I brought my property was so
 4 that I could enjoy the recreation on St. Leonard
 5 Creek, including water-skiing, tubing, things
 6 like that with my children and grandchildren,
 7 which six knots kind of limits in a pretty big
 8 way.
 9 One of the things I'm missing or I
 10 haven't heard yet is the discussion of the
 11 inland rules of the road, which are applicable.
 12 The inland rules of the road, first off, state
 13 that a captain is responsible for the safe
 14 operation of his vessel in the conditions that
 15 are given.
 16 I'll tell you that 25 knots after
 17 sunset on St. Leonard Creek, if you're doing 25
 18 knots, you're not operating your boat in a safe
 19 -- in a manner that's safe given the conditions
 20 of St. Leonard Creek. That's a dark hole at
 21 night. And doing 25 knots at night is way too
 22 fast. I wouldn't do 25 knots on it and I know

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1 the creek. Okay? So they need to slow down.
 2 Conditions are not just fog or rain or
 3 things like that. Conditions are the other
 4 boats out there, the small boaters, and the
 5 consideration that the bigger boats need to give
 6 the small boaters. Mrs. Lloyd had the
 7 unfortunate situation of getting dumped over
 8 recently in a kayak, because a big boat came
 9 streaming by and she was not maneuverable enough
 10 to get her boat turned around to bow into the
 11 wave, so she got turned over. Again, conditions
 12 are more than just rain, fog and night. There
 13 are the other things that are going on around
 14 the creek.
 15 Somebody mentioned the issue that the
 16 boat or the boats run the creek that are
 17 constrained. Well, they are. Somebody has
 18 installed right there a green mark. Okay. I
 19 don't know where it came from. It is obviously
 20 not a waterway mark installed by either the
 21 Coast Guard or the State of Maryland, and what
 22 they does is it forces everybody over to the

1 east shore there and really tends to bottleneck
 2 that area up. That mark is an impasse.
 3 Unfortunately, one of the things that
 4 we've had -- and my data point is only one for
 5 the DNR is DNR doesn't understand that mark.
 6 It's not a permanent mark or a real mark,
 7 because my son got stopped for crossing the
 8 channel in front of that mark and got a
 9 cautionary ticket last year.
 10 So we've got a combination of lack of
 11 operation obeying basic inland rules of the
 12 road, safe operation. We've got some
 13 constraints that have been artificially
 14 installed on the creek, and I think we probably
 15 need to educate everybody on what the real rules
 16 of the road are and what people should be doing
 17 on that creek, given conditions that when you
 18 come out of Vera's and you see a lot of small
 19 boats out there, you need to slow down. Those
 20 conditions might dictate that you might not be
 21 able to do 35 knots.
 22 I've got a 15-foot sailboat. I am not

1 I'm a very busy businessman in the
 2 County. I have limited time and to do that
 3 would really, you know, make it incredibly hard
 4 to get out and spend, you know, the time that we
 5 want with my children to fish on the river and
 6 out on the bay.
 7 Can I ask you a question? Even if you
 8 do approve the 35 knots, that doesn't prevent
 9 the petitioners from petitioning in three years
 10 for the six knots again, does it?
 11 MR. GAUDETTE: Generally by policy it's
 12 every three years that we can come back to the
 13 Boat Act Advisory Committee.
 14 MR. KELLY: Right. So somebody who had
 15 spoken earlier, if we go with 35 knots, I think
 16 they presume that it would prevent a petition
 17 from coming back, but I don't think it would.
 18 We could go through this every three years for
 19 the rest of our lives I guess is my point.
 20 MR. GAUDETTE: Well, it certainly is a
 21 public process that's allowed and it certainly
 22 can come back. It's certainly the reason we

1 maneuverable and, oh, by the way, I have the
 2 right of way, but I'm not going to argue with,
 3 you know, a big boat that's doing 35 knots. I'm
 4 going to try and get out of his way.
 5 I've installed riprap or am installing
 6 riprap to guard my shoreline. My boats are up
 7 on hoists. I also have a 47-foot sailboat that
 8 I fend off my pier using a combination of fender
 9 boards and fenders, and I have never had an
 10 issue with my boat getting beat up on the pier.
 11 So there are a lot of solutions. I
 12 think 35 knots is reasonable. 25 is not. I
 13 wouldn't do it, but thank you.
 14 MR. GAUDETTE: Okay. Thank you very
 15 much. John Kelly.
 16 MR. KELLY: My name is John Kelly.
 17 I've lived on the creek about 22 years. I live
 18 up at the top of the creek and I'm not in favor
 19 of any speed limit. But if you had to have one,
 20 35 knots is reasonable. Please don't reconsider
 21 six knots. It would take me an extra 45 minutes
 22 to travel to get down to the river.

1 have this hearing tonight, because it was
 2 allowed by law.
 3 MR. KELLY: Exactly. I just want to
 4 make sure we understood that. I thought that
 5 that was the case. But, you know, as far as
 6 this erosion stuff, I mean the one perfect test
 7 case, if you could ever have one, is what a
 8 gentleman earlier pointed out with that island
 9 in the speed limit zone.
 10 In 22 years that island has gone from a
 11 very large island to it's pretty much
 12 nonexistent now, and there is no boat wakes
 13 there, because it's in the speed limit zone. So
 14 that disproves any kind of a case about boats
 15 being the cause for the severe erosion in the
 16 creek. It's obviously natural just looking at
 17 that test case with that island right across
 18 from Vera's.
 19 So that's all I have to say. Thank
 20 you. But just for the people at the top of the
 21 creek, the speed limit would be egregious and it
 22 would just make it very difficult to spend time

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1 out on the bay and the river. So thank you for
 2 at least coming up with a decent compromise
 3 here.
 4 MR. GAUDETTE: Thank you. Fred Truman?
 5 MR. TUTMAN: Tutman.
 6 MR. GAUDETTE: Tutman, excuse me.
 7 MR. TUTMAN: Fred Tutman. My mother
 8 said I didn't follow when I was boy, so my hand
 9 to eye coordination means bad handling.
 10 I'm Fred Tutman. I'm the Patuxent
 11 River Keeper. I was licensed in 2004. I'm the
 12 only person on the Patuxent who has that title,
 13 although obviously lots of people are watchdogs
 14 on the river.
 15 I use lots of different boats in my
 16 work, some of them motored. I prefer a kayak
 17 and I use St. Leonard's Creek recreationally.
 18 I've been actually challenged by belligerent
 19 high-speed boaters and motorboats on this creek
 20 before, who have a sense of entitlement that to
 21 go fast means everyone else get out of the way.
 22 Now, I don't propose that that is

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1 typical or that that's representative of how all
 2 motorboat people function, but I'm hyper-aware
 3 that a license to go faster encourages folks to
 4 do so. In my work I meet people who certainly
 5 resent any form of government regulation of what
 6 they do. They don't like zoning. They don't
 7 like speed limits. They don't like a lot of
 8 stuff.
 9 But I'm especially aware that I own
 10 this waterway as much as any of the people in
 11 this room, that I don't have to live on this
 12 creek to have a special interest in a public
 13 trust resource. This is a public right of way,
 14 just as much as the Capital beltway is, and a
 15 show of hands to argue that the policy should be
 16 set to serve some particular interest doesn't
 17 quite capture the spirit of the deliberations
 18 I'm looking for as a citizen.
 19 I expect a deliberative outcome, not
 20 some majority thing. We're not electing someone
 21 to run for office here. We're trying to find a
 22 public policy that protects the resource. So we

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1 need some reconciliation of the facts, which are
 2 not settled here. We don't really have a clear
 3 answer to whether Vera's will be inconvenienced
 4 or not, or if it were or weren't, whether that's
 5 relevant to what's safe and good for the
 6 environment and for the general public.
 7 We don't know whether or not there are
 8 really -- we haven't settled with the ecological
 9 implications. I'm not a scientist. I'm
 10 inclined to think that there probably are based
 11 on the work that I do, but that is a much
 12 handier target for resolution of the public
 13 policy probably in front of us than, again,
 14 arguing with there should be some show of hands
 15 of the people who live on this creek have some
 16 particular special ownership of the speed limits
 17 and, you know, they bear the burden more than
 18 the rest of us who commonly own this waterway
 19 like all other citizens in Maryland.
 20 You know, the question of whether
 21 inches will be damage or not, again, these are
 22 unsettled questions, but I do know that a

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1 license to go faster, okay, encourages people,
 2 sends a sign of come do that. I believe that
 3 the speed limit should be lower than 35, but I
 4 don't feel qualified to say exactly what is. I
 5 would be inclined to accept the lowest possible
 6 speed, maybe about six knots that provides for
 7 the broadest possible margin of safety and
 8 prudence for all of the people likely to use
 9 this waterway.
 10 You know, like one of the other people
 11 here, I'm also aware that the War of 1812 and
 12 this creek figure prominently in it and my
 13 intent to run kayak trips on this creek of
 14 people to appreciate the contribution that St
 15 Leonard's Creek made in repelling the British,
 16 you know, one of America's toughest and darkest
 17 times.
 18 So I think faster speed limits,
 19 something closer to 35 disenfranchises those of
 20 us who are either not inclined to go faster,
 21 unable to go faster or don't have the sense of
 22 comfort that it's going to provide the best

81	<p>1 possible speed limit to protect both the ecology 2 of the river and all of the users. 3 Like when I walk on the Appalachian 4 Trail, we go as fast as the slowest walker. I'm 5 not proposing that. That would be an extreme, 6 but certainly something slower than this speed, 7 which wouldn't work in all situations as an 8 earlier speaker indicated. 9 So we encourage you to not adopt the 10 35-knot limit, to deliberate, not look for the 11 show of hands, not look for splitting the baby 12 in half or some compromise, because you can't 13 compromise safety. Like clean water, it's 14 either clean or it's not. It's either safe or 15 it's not. And deliberate, come up with a 16 resolution that addresses the facts before you, 17 not just the assertions. 18 MR. GAUDETTE: Okay. Thank you, Fred. 19 K. Duke? 20 MR. DUKE: I didn't sign to speak, sir. 21 MR. GAUDETTE: Okay. 22 MR. DUKE: Sir, can I use this</p>	83	<p>1 200,000 registered boats in the State of 2 Maryland. That's preposterous. And the people 3 who are advocating a six-knot speed limit, we've 4 heard over and over again their primary concerns 5 are the environmental impacts and safety 6 concerns. 7 If I can, I would like to address those 8 very shortly. At last November's hearing, by 9 DNR's own admission they cannot enforce the 10 speed limits that are in place today. A 11 six-knot speed limit would result in a 25-minute 12 commute from the mouth of St. Leonard's Creek up 13 to Vera's. 14 Well, if DNR can't enforce the speed 15 limits we have in place now -- I think everyone 16 in this room realizes that most boaters, most -- 17 our boaters are not going to spend 25 minutes 18 idling to dinner. They're going to push the 19 envelope a little bit. 20 MR. GAUDETTE: Ron, you've got to 21 address me. 22 MR. GLOCKNER: Okay. They're going to</p>
82	<p>1 opportunity to submit a letter from Chris 2 Washburn that -- 3 MR. GAUDETTE: You can do that at the 4 end. 5 Ron Glockner? Ron? How do you 6 pronounce your last name? 7 MR. GLOCKNER: Glockner. 8 MR. GAUDETTE: That close. 9 MR. GLOCKNER: Yes, sir. 10 G L O C K N E R. Thank you for your time 11 tonight. I would like to start off by saying 12 that while the 35-knot speed limit is something 13 that I could live with, for the most part I'm 14 adamantly opposed to any speed limit whatsoever, 15 and let me explain why. 16 Maryland has a population of 5.6 17 million people. The number of people who are 18 advocating a six-mile-an-hour speed limit on St. 19 Leonard's Creek is less than one/one-hundredth 20 of one percent of the population. That tiny, 21 tiny portion of the population is trying to 22 basically cut off the recreational activities of</p>	84	<p>1 push the envelope a little bit and realistically 2 it's going to be closer to 8 or 10 knots, and I 3 think anyone who boats realizes that boats 4 create a much larger wake at 8 or 10 knots than 5 they do at 35 knots. 6 The other issue with environmental 7 impacts, you know, the erosion caused by wakes. 8 One of the most vocal -- one of the people who 9 are most vocal about advocating the six-knot 10 speed limit has brought up erosion, yet I think 11 it's rather interesting that that individual has 12 a seawall on his property and there's been study 13 after study that has shown that seawalls 14 increase erosion for the neighboring properties. 15 So do you care about erosion or do you not care 16 about erosion? 17 Safety. At the last hearing we had in 18 November, I brought up the fact that St. 19 Leonard's Creek is the largest creek on the 20 Patuxent River and also has probably the highest 21 concentration of boating traffic next to Mill 22 Creek or Cuckold Creek. The three are probably</p>

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1 very comparable.
 2 If you make St. Leonard's Creek a
 3 highly dense boating traffic area, a six-knot
 4 speed limit area, what's going to happen is
 5 you're going to increase the density of boat
 6 traffic on the smaller creeks. That actually
 7 decreases safety. So if you care about safety,
 8 keep the speed limit up on St. Leonard's Creek.
 9 MR. GAUDETTE: Okay, Ron. Do you want
 10 to wrap it up?
 11 MR. GLOCKNER: All right. In closing
 12 -- okay. I'll just go ahead and say in closing
 13 that I've been boating on the Patuxent River for
 14 over 22 years. I recently bought waterfront
 15 property so I could enjoy the water. It is just
 16 plain wrong to deny the public who can't afford
 17 waterfront property to deny them access to that
 18 water. It's just wrong. Thank you.
 19 MR. GAUDETTE: Okay. Thanks, Ron.
 20 Joel Bergsman?
 21 MR. BERGSMAN: I apologize for coming
 22 in late. Are you Mike Grant?

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1 MR. GAUDETTE: No.
 2 MR. BERGSMAN: You are.
 3 MR. GRANT: Yes, I am.
 4 MR. BERGSMAN: I'm very happy to meet
 5 you, sir. Thank you both for coming. I
 6 submitted by E-mail something to you and I'm
 7 assuming that will go in, so I'm going to try to
 8 be very brief and not go through the whole thing
 9 tonight.
 10 My wife and I have been living on St.
 11 Leonard Creek for 12 years. We have -- we're
 12 primarily sailors, but we also have a 18-foot
 13 Boston Whaler, which doesn't have a speedometer
 14 as somebody said, but I can calculate pretty
 15 closely that it does about 30 knots on a plain
 16 and it does have as far as visibility goes a
 17 much smaller wake as a lot of people have said
 18 when it's going 30 than when it's going six.
 19 I more or less support the 25/30 knots.
 20 I think -- I hear the people that don't want a
 21 six-knot limit on half the creek and I don't
 22 think that that's unreasonable. I think to have

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1 a six-knot on the whole creek is a little
 2 unreasonable. It's safer. It will reduce
 3 erosion, but maybe it's an extreme.
 4 On the other extreme, I have to say
 5 with apologies to my neighbors here in the room
 6 and else where, you don't need to go faster than
 7 35 knots on that creek. You cannot tell me -- I
 8 don't care what study it is. You cannot tell me
 9 that going faster than 35 knots on that creek is
 10 safe when there are other people around. As one
 11 or two gentlemen said, you have to really pay
 12 attention to the conditions at the time.
 13 I think myself 35 is a little fast. I
 14 would make it 25 to 30, but I think it's
 15 reasonable. What I don't understand -- and I
 16 agree with one gentleman who said 25 knots after
 17 dark is nuts. Anybody who goes that fast on
 18 that creek is crazy. I don't see why you have
 19 to have such a high limit after dark.
 20 But what I don't understand is, why is
 21 it wrong to go 60 on Sunday and not on Monday?
 22 Why is it wrong to go -- why is it okay to go 35

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1 below that buoy below Vera's or above it, but
 2 you have to go six when you're opposite Vera's?
 3 These things obviously are all compromises.
 4 They're not the world's worst compromises, but I
 5 think they're not the most sensible compromises,
 6 and I'd like to close by saying that what I
 7 would like to see is something like the 35 knots
 8 during the day. As I say, I make a little less,
 9 but I don't argue about that. I'd like to see
 10 that limit on the whole creek 24/7/365, period,
 11 and I'd like to see the six-knot zone by Vera's
 12 removed.
 13 There's some boats and slips at Vera's.
 14 I know it's a marina and I know it's normal to
 15 have lower limits by Vera's, but I don't see why
 16 a boat in a slip at Vera's deserves more
 17 protection than my boat in my slip on my
 18 property. So this is a crazy idea, but I thank
 19 some of the people who are laughing
 20 sympathetically with me. Let's get some kind of
 21 sensible limits, something like 35, and let's
 22 put it there 24/7/365, and that to me is a more

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1 sensible compromise. Thank you very much.
 2 MR. GAUDETTE: Okay, Joel. Thanks.
 3 Meagan Kubisiak?
 4 MS. KUBISIAK: He already addressed the
 5 issue of the -- we just want to make sure that
 6 you're aware that the speed limit is taking our
 7 rights away as residents who enjoy the creek. I
 8 also want to make sure that they make a note of
 9 the --
 10 MR. GAUDETTE: Are you Meagan?
 11 MS. KUBISIAK: Yes. Meagan and Mary.
 12 MR. GAUDETTE: Okay. Gotcha.
 13 MS. KUBISIAK: M and M. Anyway --
 14 MR. GAUDETTE: If you're here to speak,
 15 you might as well come on up.
 16 MS. KUBISIAK: No, no, no. I'm done.
 17 (Laughter.)
 18 MS. KUBISIAK: No guts. I'm going to
 19 write it in my letter.
 20 MR. GAUDETTE: Thank you. Okay. Gayle
 21 Lloyd?
 22 MS. LLOYD: I'm Gayle Lloyd. My story

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1 partly has been told by my neighbor, but I
 2 thought that it would be appropriate for me to
 3 stand up and tell you what happened to me last
 4 summer on St. Leonard Creek.
 5 I don't know where the other people on
 6 this creek live, but I live down in Cape Leonard
 7 and that's down towards the mouth of St. Leonard
 8 Creek. I was out kayaking right there at that
 9 line where the six-knot turns into whatever you
 10 want to do. I was not over towards the side. I
 11 was not at the bank. I was about halfway
 12 between the middle and the bank, and two boats
 13 came out of Vera's, two very large jet boats,
 14 smoothed right along until they saw that the
 15 six-knot stopped, hit the gas.
 16 When they hit the gas, with no respect
 17 to the fact that there were two kayakers there,
 18 their wake didn't just -- I couldn't turn into
 19 it. It capsized over my boat. My boat flipped.
 20 I am a good swimmer. I have lived on the
 21 Chesapeake Bay my entire life, and I'll tell you
 22 what, it was alarming.

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1 It hit my leg. I was hurt. I couldn't
 2 get my kayak uprighted. They never knew what
 3 happened. They went flying down that creek.
 4 Another boat full of boaters from St. Leonard
 5 Shores came over and said, oh, my gosh, we saw
 6 the whole thing, can we help you? Well, I look
 7 over and there is a Coast Guard auxiliary boat,
 8 so I'm waving. They waved back at me.
 9 (Laughter.)
 10 MS. LLOYD: I said, no, no, no. I'm a
 11 school teacher. You, over here. So they come
 12 over and I said, did you see this guy flip me
 13 over? Well, yeah, we did, but there's really
 14 nothing we can do about it.
 15 So I guess, you know, it comes back
 16 down to this enforcement. It doesn't matter
 17 whether it's 25 knots, 35 knots, no speed limit.
 18 Unless somebody is going to be there and enforce
 19 it, somebody is going to get hurt, and I would
 20 like to also say somebody has died on that
 21 creek. I don't know who had the statistics, but
 22 we know a guy who stepped off of a boat at

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1 Vera's and drowned, could it be three years ago?
 2 UNIDENTIFIED SPEAKER: Not true.
 3 MR. GAUDETTE: No comments.
 4 MS. LLOYD: Well, I'm sorry, but it
 5 hasn't been that long ago.
 6 In any event, the other point that I
 7 wanted to make is I do think the safety is an
 8 issue. I'm okay with this, with the 25/35, but
 9 I agree with the man who said, you know, why is
 10 it only on Saturdays and Sundays? The reason
 11 that it is this way is because in the last five
 12 years since Vera's has been refurbished,
 13 revamped, redone, our boat traffic has
 14 extremely, extremely expanded.
 15 We used to have families skiing and
 16 doing their thing on the creek. We now have
 17 poker runs, and I will tell you I've been one of
 18 those people. I've called DNR. They have not
 19 come. I called the Coast Guard, because I've
 20 got kids who are out there in boats, and these
 21 boats are flying though there. They're 70 --
 22 60, 70 feet long. They're going 70 miles an

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<p>1 hour and you're right, they don't have brakes, 2 they couldn't stop, and I think it's just a 3 miracle that nobody has been hurt. 4 So I don't think we need to wait until 5 somebody gets hurt, like we do in traffic, and 6 then say, oh, wow, we need to do something about 7 that. It needs to be done now. 8 MR. GAUDETTE: Okay. Thank you, Gayle. 9 And Catherine Heberle? 10 MS. HEBERLE: Hi. My name is Katherine 11 Heberle and I have just three things that I want 12 to make sure that in your report that get 13 clarified. One is that the screen up here I 14 believe is a little misleading, because it 15 doesn't say anything about the 23 foot, which 16 would allow all the skiers to be able to ski. 17 We tried to bring that up last time -- 18 MR. GAUDETTE: The current proposal 19 does not include any boat license. This is only 20 on the current proposal. 21 MS. HEBERLE: The current proposal 22 did.</p>	<p>1 Register. 2 MS. HEBERLE: Okay. What does existing 3 mean? 4 MR. GAUDETTE: Existing is the existing 5 six-knot speed limit up at Vera's. 6 MS. HEBERLE: And only Vera's. 7 MR. GAUDETTE: Only Vera's. 8 MS. HEBERLE: Okay. Then that's 9 unfortunate that the 23-foot still got missed in 10 this as well as in the last one. 11 My second item is I would like for the 12 report back to myself and the public to clarify 13 exactly what Ms. Crawford's expertise is in. 14 Ms. Crawford is the one that did the -- if I 15 stand correctly, she is one that actually wrote 16 the DNR report on erosion. I believe she has a 17 B.A., business administration degree. 18 I would like for you to provide the 19 public with the exact background that makes her 20 a qualified person to provide that kind of 21 report. I just think that that's important to 22 everyone.</p>
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<p>1 MR. GAUDETTE: No. The current 2 proposal is in the Maryland Register is 35 knots 3 and 25 knots. 4 MS. HEBERLE: They took that out. 5 MR. GAUDETTE: That's all it is. 6 MS. HEBERLE: Because the six-knot was 7 for 23. 8 MR. GAUDETTE: That's correct. 9 MS. HEBERLE: So the six-knot for the 10 existing at all times should say six-knot at all 11 times for boats over 23 feet. I'd like to just 12 make sure that correction -- 13 MR. GAUDETTE: That's not correct. 14 MS. HEBERLE: Why isn't it? 15 MR. GAUDETTE: What's in the Maryland 16 Register and what's being proposed -- what 17 you're talking about is what was requested 18 through the State Boat Act Advisory Committee 19 was actually proposed this 35 knots/25 knots, 35 20 knots daytime, 25 knots nighttime in the area 21 that's hatched regardless of boat length. That 22 is what's currently proposed in the Maryland</p>	<p>1 The third item I have is that when you 2 do respond, and everybody keeps pointing to that 3 green marker out there and they keep saying that 4 somebody put that up there. DNR has been at all 5 of these meetings and they haven't corrected 6 anyone. DNR put that up there and I would like 7 DNR to respond that they did so, so that that 8 clears that up. Nobody else has put that up 9 there. We did have watch your wake, little 10 white buoys. Unfortunately, they were 11 stolen. 12 Okay. So if you want to talk about 13 being kind to your neighbors, then I would think 14 about the adult and professional and ethic 15 neighborly thing, which would be not to steal 16 buoys. 17 MR. GAUDETTE: When were they stolen, 18 Catherine? 19 MS. HEBERLE: They were stolen two 20 years ago. 21 UNIDENTIFIED SPEAKER: The watch your 22 wake actually came from DNR also. There was a</p>

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1 shoal one that was put there.
 2 MR. GAUDETTE: That's correct.
 3 UNIDENTIFIED SPEAKER: Because there is
 4 a shoal there.
 5 MR. GAUDETTE: Okay. I understand.
 6 MS. HEBERLE: So I would like that you
 7 would go ahead and document the fact that
 8 there's been some question about a green marker
 9 and I would like DNR to go ahead and state that
 10 they did put it in.
 11 MR. GAUDETTE: Okay. Thank you. I
 12 appreciate it.
 13 UNIDENTIFIED SPEAKER: Question?
 14 MR. GAUDETTE: Nothing yet. I'm just
 15 checking the list for anybody who initially
 16 marked comments.
 17 Okay. As far as I can tell, everyone
 18 who asked to speak who checked off this sheet
 19 has spoken. Is there anyone who checked off
 20 this sheet who has not been called who actually
 21 marked that they wanted to speak?
 22 Did you actually check off that you

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1 wanted to speak?
 2 MS. DEL RICCO: No.
 3 MR. GAUDETTE: Okay. But you wanted to
 4 speak.
 5 MS. DEL RICCO: Uh-huh.
 6 MR. GAUDETTE: Okay. We have a little
 7 time left, so we can go ahead and take those.
 8 What I'm going to want to do is have them sign a
 9 sheet when they come up and just go for their
 10 name and phone number and check the sheet.
 11 So, ma'am, if you want to come up.
 12 Come on up, sign in and state your name for the
 13 record once you've signed up.
 14 If there's everybody else who thinks
 15 they want to speak, they can just walk over to
 16 Mr. Grant and sign the sheet to save some time,
 17 if you haven't spoken already.
 18 Okay, ma'am.
 19 MS. DEL RICCO: Hi, I'm Lisa DelRicco.
 20 It's D E L, capital R I C C O. I'm the other
 21 owner of Vera's and I just want to clarify. It
 22 has nothing to do with this. It's a statement

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1 that someone just made. For the record, Calvert
 2 County is very small and everybody talks and
 3 when a story gets out, it gets out wrong.
 4 The accident that was a death that
 5 occurred did not happen -- the gentleman is
 6 here. It did not happen on St. Leonard's Creek.
 7 It happened on Patuxent River. That's all I
 8 wanted to say. Thank you.
 9 MR. GAUDETTE: Okay. Thank you.
 10 Ma'am, you haven't spoken? Just go ahead and
 11 sign your name on that sheet first.
 12 MS. MOUNTFORD: This is just a quick
 13 comment based on -- I think someone said earlier
 14 -- Nancy Mountford. Someone said about the 35
 15 knots being 42 miles per hour. The speed limit
 16 on Sollers Wharf Road is 40 miles an hour. It's
 17 25 miles an hour on Breeden and McQueen Road, so
 18 35 is more than those cars drive along that are
 19 going parallel to that road.
 20 And I also agree with my neighbor up
 21 the creek that this should be 24/7 every day of
 22 the year. Well, maybe in the middle of the

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1 winter there's not much boat traffic, but
 2 weekdays there's still a whole lot of traffic
 3 and I think this should -- if you're going to go
 4 with 35 knots or whatever, it should be uniform,
 5 otherwise you're going to have confusion. You
 6 know, people say, well, it's Monday, I can go
 7 70, which is not a safe speed.
 8 MR. GAUDETTE: Just a clarification
 9 question. Do you see more volume on
 10 weekends?
 11 MS. MOUNTFORD: Oh, definitely. We
 12 almost go away on weekends, because it's so
 13 noisy at our house. It's literally like living
 14 on the beltway with the noise right into our
 15 house.
 16 MR. GAUDETTE: Okay. Thank you. Is
 17 there anyone who has not spoken who wishes to
 18 speak? Yes, ma'am. Come on up and sign on the
 19 line.
 20 MS. GILMOUR: My name is Cindy Gilmour
 21 and I just wanted to say that --
 22 MR. GAUDETTE: Hold on a second. Go

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1 ahead.

2 MS. GILMOUR: I just want to say that I

3 support the compromise that DNR came up with.

4 I'm a homeowner on the creek. I'm a research

5 ecologist, so I kind of live in the middle I

6 think. I have a powerboat, I have a number of

7 kayaks and I think this is a good compromise.

8 I've been a little upset about the fast

9 boats in the last few years coming up the creek

10 and I think this will slow them down to a place

11 that will make more of us happy who kayak on the

12 creek, but it preserves the rights of others who

13 want to tube and ski like me. That's it.

14 MR. GAUDETTE: Okay. Thank you.

15 Anyone else who hasn't spoken that wishes to

16 speak?

17 Yes, sir.

18 MR. JENNINGS: Frank Jennings.

19 MR. GAUDETTE: Come on up and sign on

20 the line.

21 MR. JENNINGS: I have a few notes here.

22 I'm going to ramble a little bit, but I'm

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1 connected a little bit with Vera's. I'm

2 connected with Vera's. Mr. Stanley touched on

3 the pump-out system at Vera's.

4 Actually it's the only pump-out system

5 on the river above Solomons and if someone is

6 going up the river after a day on the bay or two

7 days or three days or whatever out on the bay

8 and they want to pump out, they're certainly not

9 going to come up maybe 70 minutes to pump out.

10 That's my first point.

11 Solomons usually on the weekends, the

12 pump-outs are crowded. It's hard to get to. We

13 got two dispensers, so we can pretty much serve

14 everybody, plus we have a free program for

15 pump-out.

16 Also, the lady that said about the

17 kayak and the danger. Well, if we take a course

18 on kayaking, the first thing they teach you is

19 turning over and how to manage a kayak in rough

20 water, whitewater or whatever, and someone said

21 something about the six knots at Vera's. Well,

22 how would he like to be putting gasoline in his

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1 boat and a guy comes by at 40 miles an hour.

2 Our pump-out and dispenser falls out.

3 Someone else said that six knots would

4 be safe. Actually nothing would be safer. If

5 you eliminated all boats, it would be very

6 safer. Okay. And I know the points I'm talking

7 about. I live on Allen Creek. I have rocks in

8 front of my property, which I had and it's been

9 there 45 years, and I also have a boat lift.

10 You live with it. And I have a sailboat and I

11 have a powerboat and I have sailboat, so I know

12 what I'm talking about.

13 Okay. No one has talked about the

14 rising water in the world, especially St.

15 Leonard's Creek and Chesapeake Bay. Just go

16 look at Shark's Island. There was 400 acres in

17 probably 1790. I sailed over the top of Shark's

18 Island. If you can't go 35 on St. Leonard's

19 Creek, what creek can you go 35 on?

20 This not only would impact the

21 waterfront owners, but all the people that come

22 down for the weekend and they want to use the

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1 boat ramp, all the boats that they have at

2 Vera's tied up, and I think that's about all.

3 I sort of rambled, but it got a little

4 upset in here about all the six-mile speed

5 limit, and my boat actually will only go 25

6 knots, so I'm not really a fast boater, but I

7 like to keep it up with all the other people

8 that enjoy the river. Thank you.

9 MR. GAUDETTE: Do you generally support

10 the 35/25 or would you rather see something

11 else?

12 MR. JENNINGS: Well, to be a good

13 neighbor, I'd like to see the 35/25, but I can

14 understand a boater that would go much faster

15 and might not. That's their privilege, so I'm

16 just speaking in between is better than nothing.

17 It's better than six.

18 MR. GAUDETTE: All right. Thank you.

19 MR. JENNINGS: Thank you.

20 MR. GAUDETTE: Thank you. Yes, sir.

21 MR. WHITE: I'd like to ask a

22 procedural question, if I could. Is that

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1 okay?

2 MR. GAUDETTE: We'll take a procedural

3 question. Go ahead.

4 MR. WHITE: Let me sign in for you.

5 MR. GAUDETTE: Why don't you just go

6 ahead and make your testimony.

7 MR. WHITE: My name is Howard

8 White.

9 MR. GAUDETTE: Howard White?

10 MR. WHITE: Howard White. As I

11 understand it, there's no speed limit on the

12 creek now.

13 MR. GAUDETTE: Except for Vera's.

14 MR. WHITE: Except for Vera's, and

15 there hasn't been. So now if you pass this

16 speed limit law, isn't that going to open it up

17 for litigation constantly to change the speed

18 limit, lower and lower and lower down the

19 road?

20 MR. GAUDETTE: Not necessarily.

21 MR. WHITE: Not necessarily?

22 MR. GAUDETTE: Certainly anyone can

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1 come back and then the policy for a boat act is

2 three years for reconsideration, but, no, not

3 really.

4 MR. WHITE: Okay. I was just curious.

5 MR. GAUDETTE: Okay. Thank you.

6 Anyone else who hasn't testified?

7 (No response.)

8 MR. GAUDETTE: Okay. If you've already

9 testified and you want to say something else,

10 you want to submit it to us in writing during

11 the open time period. That's the purpose of it

12 and we certainly welcome that.

13 Again, we have the little slips to send

14 that information. You can send it either by

15 mail, by E-mail or by fax. Again -- why don't

16 you throw that screen up. Check our transcripts

17 on line from the November meeting from Boat Act.

18 This should be up here in about two weeks, our

19 transcript, and certainly I want to take this

20 opportunity to thank everyone for being so

21 cooperative during this hearing.

22 Again, the testimony -- the hearing

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1 record will remain open until 4:30 p.m. on April

2 20th and, again, I want to thank you very much

3 for all your testimony and comments and please

4 take care in going home this evening and this

5 hearing is hereby closed.

6 (Whereupon, at 7:54 p.m., the hearing

7 was concluded.)

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1 CERTIFICATE OF REPORTER

2

3 I, Melissa G. Fleming, do hereby certify

4 that the foregoing proceedings were taken by me

5 in stenotype and thereafter reduced to

6 typewriting under my supervision; that I am

7 neither counsel for, related to, nor employed by

8 any of the parties to the action in which these

9 proceedings were taken, nor financially or

10 otherwise interested in the outcome of the

11 action.

12

13

14

15 _____

16 Melissa G. Fleming

17

18

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22

A	advice 28:6,7,17,22 29:4 advisory 4:3,7,11 5:19 8:15 12:12 13:19 26:19 28:8 29:1 46:5 54:12 75:13 94:18 advocating 82:18 83:3 84:9 affect 50:11 afford 45:1 60:19 85:16 Agency 4:19 ago 65:14,15 92:1,5 96:20 agree 41:8 42:6 87:16 92:9 99:20 agreed 28:22 agreement 38:18 ahead 20:14 21:3 39:11 85:12 97:7,9 98:7 99:10 101:1 105:3,6 airport 22:13,15 Al 58:4 alarming 90:22 Alaska 33:20 Allen 103:7 allotted 43:12 allow 10:5 35:2 93:16 allowed 10:13,21 11:9 75:21 76:2 amazing 38:9 America's 80:16 amount 24:20 33:15 34:11 42:2 58:22 67:22 analysis 34:3 67:3,8 Annapolis 2:9,19 13:7 anniversary 29:16 answer 50:1 79:3 anticipated 13:22 anybody 54:8 61:20 87:17 97:15 anymore 37:5 Anyway 68:4 89:13	apologies 87:5 apologize 85:21 Appalachian 81:3 apparently 41:6 appeal 43:20 45:21 51:16 52:14 appears 46:1 applause 66:12,13 applicable 71:11 apply 15:14 appoint 11:1 appointed 4:8 appreciate 3:15 27:1 80:14 97:12 approached 70:22 approaching 11:6 appropriate 90:2 approve 75:8 approximately 12:19 15:2 16:7 27:11 65:21 April 1:17 5:5 6:12 8:6 12:21 13:11 22:20 36:14 107:1 area 5:8 7:17,19 24:5 27:6 28:1,13 33:5,5 36:20 49:8 56:14 73:2 85:3,4 94:20 areas 27:15 31:8 33:6 argue 74:2 78:15 88:9 arguing 55:11 79:14 argument 25:9 66:22 arrest 60:13 Article 3:21 8:3 artificially 73:13 asked 49:15 97:18 asking 25:19 59:6 assertions 81:17 associated 12:10 association 11:2 associations 28:18 assuming 86:7 assumption 45:22 64:11	Atmospheric 23:20 attacks 9:10 attendance 9:7 attendees 8:17 9:8 attention 23:19 87:12 attract 27:20 Australia 25:10 authority 3:21 auxiliary 91:7 available 13:14 44:17 Avenue 2:8,18 13:7 average 52:8 avoid 67:21 aware 78:9 80:11 89:6	beat 74:10 beautiful 29:20 Beckwith 21:5,9,9 beginning 6:14 30:2 behavior 53:10 believe 29:22 43:20 44:16 46:17 50:1 53:19 54:13,16 80:2 93:14 95:16 belligerent 77:18 beltway 78:14 100:14 benefit 29:21 Bergsman 15:10,13 15:18,20,21 85:20 85:21 86:2,4 best 42:15 80:22 better 104:16,17 bgaudette@dnr.st... 2:11 big 33:9 38:13 53:18 60:2 62:20,21 71:7 72:8 74:3 bigger 49:10 55:8,16 55:17 61:15 72:5 biggest 62:10 billions 31:5 binoculars 59:20 bit 51:2 83:19 84:1 101:22 102:1 blame 63:5,6 blizzards 58:8 block 49:18 board 37:11 boards 74:9 boat 4:10,16 5:19 6:19 8:4,15 12:12 13:19 24:12,18 25:11 26:19 27:22 28:8 29:1 31:9 32:2,2,6,20 33:16 33:21 34:13 36:16 37:10,16 38:10 41:22 42:2 46:5 50:13 54:4,12 55:6 55:6 59:16 61:2 62:12 63:8 64:8,21 64:21,22 65:8,16
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