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COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND

Council Meeting

March 4, 2019; 2:00 p.m.

Talbot County Community Center

Easton, Maryland

COUNCIL MEMBERS:

Corey W. Pack

Chuck F. Callahan

Frank Divilio

Pete Leshner

Laura E. Price

Reported by

Diane Houlihan

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<p>1 TRANSCRIPT OF PROCEEDINGS</p> <p>2</p> <p>3 MR. PACK: Council is now coming back into</p> <p>4 session. We do now have a regular Council</p> <p>5 meeting. Just for the sake of those, we're</p> <p>6 going to forego the saying of the Pledge of</p> <p>7 Allegiance and the opening of the prayer for</p> <p>8 the sake of time. We want to thank everyone</p> <p>9 for coming out.</p> <p>10 The agenda has been printed, has been</p> <p>11 circulated to Council. Are there any</p> <p>12 additions, deletions, or changes to the agenda?</p> <p>13 Hearing none, the chair moves that the agenda</p> <p>14 be accepted by unanimous consent.</p> <p>15 The first item on the Council's agenda is</p> <p>16 a presentation Mr. Matt Gray from Horn Point</p> <p>17 Laboratory. We're having some technical</p> <p>18 difficulties on his presentation. If it comes</p> <p>19 up while he's talking, we'll surely show it to</p> <p>20 everyone.</p> <p>21 Dr. Gray, the floor is yours, sir.</p>	<p>1 So this project is called greening the</p> <p>2 gray. And what that means is how do we add</p> <p>3 nature based features to gray infrastructure in</p> <p>4 the Bay. There's a lot of gray infrastructure</p> <p>5 in the Bay, so riprap, breakwaters, and such</p> <p>6 that are used to provide protection to coastal</p> <p>7 communities. But this infrastructure is under</p> <p>8 threat from sea level rise.</p> <p>9 And this is where I would ask you to look</p> <p>10 at our first slide, which you're unable to.</p> <p>11 But I'll just kind of read to you what I have</p> <p>12 here on the presentation.</p> <p>13 So as you may be aware, sea rise level is</p> <p>14 a looming threat. In the Chesapeake Bay it is</p> <p>15 estimated that the sea level will rise 3.7 feet</p> <p>16 by 2100. It has threatened a lot of our</p> <p>17 coastal communities; Easton and other</p> <p>18 communities in Oxford, all within your</p> <p>19 jurisdiction. And it not only threatens just</p> <p>20 these communities but also their infrastructure</p> <p>21 and coastal infrastructure that is -- go</p>
Page 3	Page 5
<p>1 DR. GRAY: Okay. So I was asked to come</p> <p>2 and to speak to you all about the presentation</p> <p>3 or the proposal that I submitted to NOAA under</p> <p>4 their ecological effects of sea level rise. It</p> <p>5 was a call that came out last fall.</p> <p>6 And actually I didn't submit this alone.</p> <p>7 This was also co-authored by (inaudible) Arden,</p> <p>8 who is also from Horn Point Laboratory.</p> <p>9 MR. PACK: Thanks for coming out.</p> <p>10 DR. GRAY: He's a modeler. And if you</p> <p>11 have very specific detailed model questions,</p> <p>12 he's your guy. I'm more of the oyster person.</p> <p>13 So I thought I would tell you about the</p> <p>14 proposal that we submitted. And because it</p> <p>15 involves oysters, it involves the sanctuaries</p> <p>16 and water use in tributaries that are in Talbot</p> <p>17 and Dorchester County, I thought it would be a</p> <p>18 good idea to keep you guys involved.</p> <p>19 And this was also suggested by county</p> <p>20 engineers Terence Martin and Bill Wolinski. So</p> <p>21 I've been working closely with them as well.</p>	<p>1 ahead -- that is supporting these communities.</p> <p>2 There's a lot of coastal infrastructure in</p> <p>3 Chesapeake Bay. So 25 percent of the Bay is</p> <p>4 armored in some form or fashion. Within some</p> <p>5 of these tributaries, more than 50 percent is</p> <p>6 armored. Again, breakwaters, riprap, etc. And</p> <p>7 these armored shorelines actually have very</p> <p>8 slow ecological value. It's very poor habitat</p> <p>9 for a lot of important ecologically or</p> <p>10 commercially valuable species.</p> <p>11 And as sea level rise increases, this</p> <p>12 infrastructure is going to need updating,</p> <p>13 improvements, or some kind of work to be done</p> <p>14 on it to make it continue to work against sea</p> <p>15 level rise.</p> <p>16 One particular mode of coastal protection</p> <p>17 that we're concerned about are subtidal. So</p> <p>18 I'll send you this presentation later. One</p> <p>19 mode of protection we're really concerned about</p> <p>20 are breakwaters. So presently, breakwaters are</p> <p>21 in water gray infrastructure that is used to</p>

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<p>1 dampen waves and protect shoreline erosion.                  2 But as sea level rise mounts and the depth of                  3 water over top of those structures increases,                  4 those waves aren't going to feel the breakwater                  5 anymore. They're just going to pass right over                  6 those and they're going to become infective.                  7 They'll essentially drown and lose their                  8 effectiveness.                  9 So the question that we're wondering is                  10 can we add oysters to these structures, and by                  11 adding oysters to these structures, can we                  12 prolong their effectiveness and can we also                  13 increase their ecological value.                  14 So oysters have a number of attractive                  15 traits that would be useful for creating hybrid                  16 infrastructure. One is that they provide                  17 immense ecological value. They represent                  18 really important nursery ground for                  19 ecologically and commercially valuable species.                  20 They can also accrete at the same rate as sea                  21 level rise.</p>	<p>1 restoration. I don't know if you've seen these                  2 before, this is where I would show you some                  3 really impressive pictures. I don't know if                  4 you can see that. But these are interlocking                  5 blocks, and you can interlock them in all sorts                  6 of different configurations and orientations.                  7 And this larger center picture is a                  8 two-year-old reef that was constructed on top                  9 of oyster blocks, oyster castles.                  10 So if you can get good growth, you can                  11 really create these really complex, robust                  12 reefs in a very short amount of time. And this                  13 is what we're after.                  14 MR. CALLAHAN: Where is that location?                  15 DR. GRAY: This is in southern Chesapeake                  16 Bay in Virginia.                  17 MR. CALLAHAN: Okay.                  18 DR. GRAY: So even though this technology                  19 exists, there's still these remaining questions                  20 about how do you configure these blocks, what                  21 is their length, orientation. This is the</p>
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<p>1 So the thinking is that if we add oysters                  2 to these breakwaters and they can accrete and                  3 grow at the same pace of sea level rise,                  4 they'll continue to be effective as the water                  5 depth increases.                  6 Additionally, the roughness of reefs                  7 really adds to the friction of a breakwater.                  8 So that added friction will actually help                  9 dampen waves. And these reefs can self repair                  10 and maintain themselves, unlike traditional                  11 gray infrastructure.                  12 So there's a number of ways that we could                  13 add oysters to breakwaters. We could do loose                  14 shell, shell bags. We don't think these are                  15 going to be as effective because in these high                  16 energy environments, they're going to be washed                  17 aside and washed away.                  18 So we have been closely looking at oyster                  19 castles, which are three dimensional blocks                  20 that interlock. They're made of cinderblocks.                  21 And they're traditionally used for oyster</p>	<p>1 question we want to address because these                  2 oyster castles have been used for stabilizing                  3 shorelines, but they've never been used to be                  4 integrated into existing infrastructure.                  5 Actually this is a question not many people are                  6 looking at at all, is how can we improve our                  7 already existing infrastructure.                  8 So we have a number of study objectives                  9 which our proposal seeks to meet. We want to                  10 create models of the breakwaters that are in                  11 tributaries in Harris Creek, Tred Avon, and                  12 Little Choptank. These models will estimate                  13 what is the geomorphodynamic effects of                  14 integrating oysters onto breakwaters. And                  15 basically what that means is how will the                  16 shoreline respond, how will erosion rates                  17 respond after we integrate oysters onto these                  18 breakwaters.                  19 We also want to estimate the                  20 non-protective effects. So what is the                  21 benefits to the ecology after integrating</p>

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<p>1 oysters to these essentially baron                  2 infrastructure.                  3 Then we also want to validate these models                  4 with field studies at Horn Point. So we have a                  5 section, a cove at Horn Point which is rapidly                  6 eroding. So we're going to -- we've got                  7 pending permits. We have provisional permits.                  8 And we're going to build breakwaters and then                  9 we're going to essentially experiment on the                  10 value of adding oysters to those breakwaters.                  11 And by doing that, we can validate our models                  12 and say these models are good and, therefore,                  13 we can have better confidence that what we say                  14 will happen in Harris Creek and Tred Avon if we                  15 were to build these things, that those                  16 estimates would be good and valid.                  17 And then lastly, we want to forecast the                  18 effectiveness of adding oysters to                  19 infrastructure in those sanctuaries. So we                  20 want to predict what's going to happen in the                  21 near term or near future but also well down the</p>	<p>1 pace with sea level rise.                  2 I have some model output, which I would                  3 love to show. I can't really do that right                  4 now. But it basically demonstrates that the                  5 model that we use, which is called Del Swan,                  6 has the ability to predict erosion and                  7 deposition rates and response of the coastline                  8 to breakwaters and if we were to add oysters to                  9 those breakwaters.                  10 I have a pretty picture here of Lake Cove                  11 where our field site will be.                  12 And I can field any questions that you                  13 have about that or the process in which we're                  14 going to execute these field studies.                  15 MR. LESHER: Mr. Gray, where and when                  16 natural oyster recruitment has taken place,                  17 have you or your colleagues observed oysters                  18 attaching to hard structures in these rather                  19 dynamic environments?                  20 DR. GRAY: Yeah. I mean the recruitment                  21 rates, some of that information can be obtained</p>
Page 11	Page 13
<p>1 line after sea level rise has really mounted.                  2 We want to estimate how that oyster addition                  3 will help those communities and protect the                  4 shorelines.                  5 So we've been working with county                  6 engineers. We've identified already about 20                  7 breakwaters in the Tred Avon and Harris Creek.                  8 And all of these breakwaters are near highly                  9 vulnerable communities. And that's not my                  10 assessment. That's NOAA's assessment of                  11 communities that are highly vulnerable to sea                  12 level rise. And this is infrastructure that                  13 would be on almost everyone's top priority list                  14 for some kind of maintenance or repair or                  15 upgrading due to sea level rise.                  16 Additionally, I don't have to explain this                  17 to you, but these are also sanctuaries, and we                  18 think that these are prime candidates for this                  19 kind of hybrid infrastructure work because we                  20 need good recruitment to these structures for                  21 them to accrete and grow over time and keep</p>	<p>1 by surveys, like by DNR's annual survey. Some                  2 of the stuff we would use to help to amortize                  3 likelihood of recruitment in those systems.                  4 MR. LESHER: So that's not yet determined                  5 or observed?                  6 DR. GRAY: No. Not by us, no.                  7 And by the way, I'm done with the                  8 presentation.                  9 MR. LESHER: I assume that you've already                  10 obtained a letter of support for this                  11 application from the Dorchester County Council?                  12 DR. GRAY: That's right.                  13 MR. PACK: Mr. Wolinski, the Department of                  14 Public Works has had an opportunity to look                  15 this over. Do you wish to be heard?                  16 MR. WOLINSKI: Yeah.                  17 MR. PACK: Why don't you just grab that                  18 chair right there, Bill, just real quick.                  19 Speak to that mike, if you would. Identify                  20 yourself for the record, please.                  21 MR. WOLINSKI: Bill Wolinski. I'm a</p>

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1 Department of Public Works environmental  
 2 engineer.  
 3 MR. PACK: You all looked at this. And  
 4 what's your assessment, please?  
 5 MR. WOLINSKI: We have been working on  
 6 this concept ourselves for a couple of years  
 7 and applied for monies unsuccessfully ourselves  
 8 to use existing breakwaters for improving  
 9 shoreline protection.  
 10 Dr. Gray, we became aware of his interest  
 11 in this, and we thought it would be valuable to  
 12 collaborate. We've been working with him for  
 13 over six months on developing these concepts.  
 14 And I think it has a high potential for  
 15 improving conditions in these creeks.  
 16 A lot of money has been invested in the  
 17 Harris Creek for the sanctuary and also in work  
 18 underway in the Tred Avon. And by protecting  
 19 the shorelines and minimizing the amount of  
 20 erosion, you're protecting the sanctuary from  
 21 being buried and silt and sand.

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1 MR. PACK: How far out does this break  
 2 need to be, this structure need to be placed  
 3 from the water's edge?  
 4 DR. GRAY: So the breakwaters are already  
 5 in place. They're existing gray  
 6 infrastructure.  
 7 What we're doing is trying to estimate how  
 8 we can retrofit those with oysters and prolong  
 9 their effectiveness in the future as sea level  
 10 rise --  
 11 MR. PACK: So these 21 breaks that you've  
 12 identified here in Talbot County, they are  
 13 existing? The structure is already there?  
 14 DR. GRAY: They are in the water. They  
 15 exist already. This is all about --  
 16 MR. PACK: So it's just the application of  
 17 spat onto those structures?  
 18 DR. GRAY: Well, it's these oyster  
 19 castles, how we would put the oyster castles  
 20 and essentially that would form a framework.  
 21 And actually it's not just putting these blocks

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1 on, but we more than likely pre-seed these  
 2 blocks at Horn Point. So they'd have spat  
 3 already attached to them. And then we put  
 4 those out.  
 5 So you'd hopefully be jump starting the  
 6 population by putting thousands of oysters on  
 7 those blocks right on top of the breakwater.  
 8 MR. PACK: So you're making the break  
 9 taller by adding these blocks on top of them.  
 10 The blocks would have spats on them.  
 11 DR. GRAY: Yup.  
 12 MR. PACK: Okay. I got it.  
 13 DR. GRAY: And to be clear, so this is  
 14 what we would be doing with this project is  
 15 just modeling that. We wouldn't actually be  
 16 putting anything in the water out in the  
 17 sanctuaries. And we would be determining the  
 18 best way to put those blocks out, how many  
 19 blocks we need to put out and what their  
 20 orientation should be.  
 21 MR. PACK: You're seeking grant

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1 application to do this project; is that  
 2 correct? Horn Point is seeking a grant  
 3 application?  
 4 DR. GRAY: It's already been submitted.  
 5 MR. HOLLIS: But they're still requesting  
 6 a letter of support belatedly.  
 7 DR. GRAY: Yeah. We would love a letter  
 8 of support. I don't think we can submit the  
 9 letter of support at this point. All the  
 10 materials have been submitted and we're past  
 11 the deadline.  
 12 At the very least, we would like to let  
 13 you know what we'd like to do. And we have  
 14 other projects that we're going to be proposing  
 15 that we would still appreciate a letter of  
 16 support that are almost identical to this.  
 17 MR. PACK: Okay.  
 18 MR. CALLAHAN: When you do these  
 19 sanctuaries, you said there's 20 some of them?  
 20 DR. GRAY: There's 20 some breakwaters.  
 21 MR. CALLAHAN: Right. So what does this

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1 do to the harvest with the watermen that are  
2 oystering off of them?  
3 DR. GRAY: These are in sanctuaries where  
4 this is no harvest.  
5 MR. CALLAHAN: Okay.  
6 MS. PRICE: So I got a question because we  
7 got an audience full of these.  
8 We have heard over the years that the  
9 sanctuaries, and I'm just going to repeat what  
10 we heard over the years, that they should be  
11 harvested. The watermen have told us many  
12 times that the mortality rate if you just let  
13 them sit in the sanctuaries. So I think the  
14 watermen disagree with the effectiveness of a  
15 sanctuary. And that's a debate that's going to  
16 be on both sides.  
17 So I don't want Council to have to have, I  
18 don't know, talk out of both sides of our  
19 mouths saying we support our watermen, we sent  
20 letters of support for the watermen on certain  
21 legislation in Annapolis. And then yet you got

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1 the oyster sanctuaries, which we're going to go  
2 through a whole list of bills.  
3 So I feel myself a little bit in a  
4 predicament here, torn that I don't think we  
5 can necessarily support both.  
6 So as we go through some of these bills,  
7 the watermen who are here have heard his  
8 presentation. I would like a little bit of  
9 feedback at some point how you all feel that  
10 when you don't harvest at all, it just gets  
11 covered up, silted over, the oysters die, and  
12 that these were their best. We heard that.  
13 They took their best bottoms and they can't  
14 harvest there anymore.  
15 So that's the debate we've been hearing  
16 for, gosh, the whole time I've been on the  
17 Council for sure. So we've definitely got two  
18 different schools of thought.  
19 DR. GRAY: Can I comment on that?  
20 MR. LESHER: These would not be on the  
21 bottom? These would be on rock structures up

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1 above the bottom?  
2 DR. GRAY: Yeah. And I have talked with  
3 Jeff about this, and I'm happy to have him  
4 weigh in. But we're talking about putting  
5 oysters on breakwaters which watermen do not  
6 fish on.  
7 MS. PRICE: I get that part of it. But  
8 they're an existing oyster sanctuaries and  
9 maybe the watermen don't agree with the  
10 existing oyster sanctuaries. We've heard about  
11 Little Choptank and Tred Avon.  
12 DR. GRAY: Sure. But this project is not  
13 about opening or closing sanctuaries. It's  
14 just about how do we promote ecologically  
15 friendly and effective infrastructure.  
16 MR. PACK: So this is more about --  
17 DR. GRAY: That happens to occur in  
18 sanctuaries.  
19 And some of these sanctuaries and actually  
20 some of these breakwaters that we would propose  
21 to do this in is just outside of sanctuaries.

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1 MS. PRICE: So what if they decided that  
2 these weren't going to be sanctuaries anymore,  
3 would your project still work if they said  
4 okay, sanctuary doesn't work for Tred Avon? So  
5 what would that do to your project if they said  
6 okay, this is not going to be a sanctuary  
7 anymore?  
8 DR. GRAY: The breakwater is still there.  
9 MR. PACK: The shoreline.  
10 DR. GRAY: It doesn't affect the -- yeah.  
11 MR. PACK: It's about the shoreline, it's  
12 about preserving the shoreline, not just  
13 harvesting oysters, about the shoreline.  
14 MS. PRICE: I understand that. But if the  
15 sanctuary weren't there, could you still have  
16 this?  
17 MR. PACK: Yeah. The shoreline will still  
18 be there.  
19 DR. GRAY: Sure.  
20 MR. PACK: The shoreline.  
21 DR. GRAY: The breakwaters are still there

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<p>1 and unaffected by it, if the sanctuaries are 2 established or not.</p> <p>3 MR. DIVILIO: Just to reiterate my 4 question. So these would not be oysters ever 5 to be harvested, right?</p> <p>6 DR. GRAY: That would -- it would not make 7 sense to harvest these oysters.</p> <p>8 Just like if someone wanted granite, 9 you're not going to pull it off of someone's 10 breakwater. It's there for a purpose to 11 perform a function.</p> <p>12 MR. PACK: If I may, I see you there, 13 Jeff. You gave me a little bit more insight 14 than I had coming into the discussion.</p> <p>15 This is about preserving the shoreline. 16 The oysters is icing on the cake.</p> <p>17 DR. GRAY: It's a tool.</p> <p>18 MR. PACK: It's a tool to clean the water 19 as well as slow down the advancing waves, the 20 wave action.</p> <p>21 DR. GRAY: They're paramount. You can't</p>	<p>1 prevented storm surge in New York City. And 2 when those reefs went away, you got overwash 3 and storm surge.</p> <p>4 That's an ecosystem service that was lost 5 and we're trying to essentially create with 6 this project.</p> <p>7 MR. PACK: Thank you. 8 Jeff, I'm going to go to you real quick.</p> <p>9 MR. HARRISON: First I want to thank the 10 Council because when this first came up a month 11 or so ago, you guys thought of us, which is 12 really important, and we want to thank you for 13 that.</p> <p>14 I talked to Matt and I talked to some of 15 the watermen on our oyster shell committees and 16 various people, and we don't have a problem 17 with this. We like the fact that there will be 18 more oysters in the Bay, anytime we get more 19 oysters in the Bay.</p> <p>20 Plus this also does another thing of 21 stopping --</p>
<p>Page 23</p> <p>1 do this without the oysters.</p> <p>2 MR. PACK: Because of the natural growth, 3 you're saying. Because they're going to 4 actually grow over?</p> <p>5 DR. GRAY: The reefs that they establish 6 make this work.</p> <p>7 MR. PACK: As they grow over the years?</p> <p>8 DR. GRAY: The oyster castles add one foot 9 or so to the breakwater, but the reefs that the 10 oysters form, that's where you get the 11 infrastructure.</p> <p>12 MR. PACK: I heard stories going back a 13 long, long time ago that when Jim Smith and his 14 boats came up the Chesapeake, there were oyster 15 reefs over top of the break waves of the water 16 as they came around in the 1600.</p> <p>17 So is that more the concept we're looking 18 at?</p> <p>19 DR. GRAY: That is exactly what the 20 concept is. There's really great geological 21 evidence about how reefs actually have</p>	<p>Page 25</p> <p>1 MR. PACK: The wave action.</p> <p>2 MR. HARRISON: As long as it doesn't 3 affect it. The more effect we were worried 4 about crabbing. If it was out in the water 5 somewhere where it would affect the trout line 6 crabbing. And they assured us that wouldn't 7 be. So that's why.</p> <p>8 Now, we did not sign the letter of support 9 because there was some other things that we 10 didn't like. It was NOAA money. Sometimes 11 when federal monies are used, kind of locks 12 things down forever. We've run into that 13 problem.</p> <p>14 And also, putting it around the shore. We 15 let him know that those oysters are going to 16 die. That's what they do, in freezes they die. 17 He wasn't concerned about that because they 18 would come back and eventually build.</p> <p>19 That's where we were with it.</p> <p>20 MR. PACK: Great. So application has 21 already been forwarded off to NOAA at this</p>

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1 time.

2 Our letter of support, will that still be

3 an asset to you?

4 DR. GRAY: If you guys will write a letter

5 of support, we'll try and submit it. I'm

6 guessing they won't be able to take it because

7 it's past the deadline.

8 We're also going to be applying,

9 Dr. William Arden and I are going to be

10 applying for an NSF grant in which we'll just

11 be exploring the fundamental principles of

12 hybrid infrastructure. And it's almost

13 identical in respect to this project in terms

14 of its concept.

15 So if it's something that the Council is

16 supportive of and we can go to NSF and say hey,

17 County Council's people that are in charge of

18 safeguarding coastal communities are interested

19 in this kind of technology and information,

20 that would be a very big asset for that

21 project.

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1 MR. PACK: Thank you, Dr. Gray.

2 Hearing from county staff and hearing from

3 Mr. Harrison, the chair would ask is there a

4 motion of Council to send a letter of support

5 for this grant, although it is past the grant

6 application date but just to give our support

7 to this project?

8 MR. LESHAR: So moved.

9 MR. PACK: Moved by Mr. Leshar. Is there

10 a second?

11 MR. CALLAHAN: Second.

12 MR. PACK: Seconded by Mr. Callahan. Any

13 further discussion on the matter? Any

14 questions for Dr. Gray?

15 Hearing none, on the motion of the letter

16 of support, Madam Secretary, would you please

17 call your roll.

18 SECRETARY: Mr. Pack.

19 MR. PACK: Aye.

20 SECRETARY: Mr. Divilio.

21 MR. DIVILIO: Aye.

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1 SECRETARY: Mr. Callahan.

2 MR. CALLAHAN: Aye.

3 SECRETARY: Ms. Price.

4 MS. PRICE: Aye.

5 SECRETARY: Mr. Leshar.

6 MR. LESHAR: Aye.

7 MR. PACK: Dr. Gray, appreciate it. We'll

8 certainly love to see the presentation once we

9 get it from you.

10 DR. GRAY: Who should I send that to?

11 MR. PACK: Send it just to county

12 manager's office, either Ms. Moran or

13 Mr. Hollis. They'll take care of it for us.

14 Thank you very much. Appreciate it.

15 DR. GRAY: Thank you very much.

16 MR. CALLAHAN: Thank you.

17 MR. PACK: Second matter on the Council's

18 agenda for the day, we have several bills that

19 we're asked to take consideration of. These

20 are the bills from the 2019 Maryland General

21 Assembly.

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1 Mr. Jeff Harrison is here representing the

2 Talbot County Watermen's Association.

3 What I'm going to ask Mr. Harrison to do

4 for the sake of time, he's going to read the

5 bill number, give a brief introduction.

6 Council members already have these bills

7 description in your packet. He's going to give

8 a brief introduction of the particular bill.

9 Council can ask any question that we have at

10 that time. Then we're going to move to the

11 next bill.

12 Once all the bills have been introduced to

13 us, the chair will ask for a motion to either

14 support, oppose, or no action on each bill. So

15 that's the process we're going to follow here

16 this evening.

17 Gentlemen, good to see you. And Jeff,

18 I'll turn it over to you.

19 MR. HARRISON: Well, as you can see, the

20 watermen are kind of being attacked. This year

21 we have 23 bills. Most of them are against us.



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<p>1 If you also notice on the sponsors of most 2 of these bills are western shore and they're 3 going against the Eastern Shore basically. 4 Eighty percent of the watermen are on the 5 Eastern Shore, and we can't figure out what's 6 going on. We're being bombarded. 7 You want to start with the first? 8 MR. PACK: Yes, sir. 9 MR. HARRISON: First three bills. It's HB 10 1, 145, and 40 are all about the Man-O-War 11 Shoals. In 2009, the Oyster Advisory 12 Commission before they started the sanctuary 13 projects they said we need shells. They 14 actually put a bill in that said we've got to 15 look into dredging Man-O-War Shoals. 16 They had a permit. It sat on the desk of 17 DNR at that time for five years. When Hogan 18 come in, they gave it to him and said put this 19 in. 20 They went through three years of trying to 21 get this permit approved. They jumped every</p>	<p>1 letter on this, right, opposing it? Because 2 when we were in the Senate on 448, they said 3 that it was with MACo, the counties. 4 MR. PACK: We sent a letter of 444. 5 MR. HARRISON: Forty-four -- 6 MR. PACK: I'm sorry, 448. 7 MR. HARRISON: This would be 298 and 448. 8 MR. PACK: Yeah. We did for 448. 9 MR. HARRISON: So do we want to -- 10 MR. PACK: Yeah. We've already opposed 11 that. So let's move onto the next one. 12 MR. HARRISON: Is it House bill 348? 13 MR. PACK: Yes, sir. 14 MR. HARRISON: We are actually in favor of 15 this bill. This is natural resource oyster 16 planning and substrate. What it amounts to is 17 we're saying if you're going to put anything 18 other than something natural, oyster shell in 19 our Bay, we want it to be looked it and we want 20 to process it to go through so that, you know, 21 we make sure it's safe for the Bay.</p>
<p>1 hoop. It's been probably a dozen federal 2 organizations that looked at it. It finally 3 was approved after three years. And then this 4 bill come up to stop it all. 5 We are against this bill. We think that 6 Man-O-War Shoals should be dredged because the 7 most important thing to oyster restoration 8 right now is oyster shell. And there's 9 100 million bushels up there. We're only 10 talking about taking 5 million. 11 MR. PACK: Opposition of HB 1, HB 40, SB 12 145? 13 MR. HARRISON: Yes. 14 MR. PACK: Thank you, sir. Next one. 15 MR. HARRISON: HB 298, is that what you 16 guys have? 17 MR. PACK: Yes, sir. 18 MR. HARRISON: And SB 448. 19 MR. PACK: Yes. 20 MS. PRICE: Wait. I've got -- 21 MR. HARRISON: So you guys have sent a</p>	<p>1 You can use -- we're not talking about not 2 using other substrates. You can use other 3 substrate, but it would have to go to each 4 county Oyster Shell Committee and they would 5 have to approve it. So we are for this. 6 MR. LESHAR: What safeguards are in place 7 now for that? 8 MR. HARRISON: Well, there are some 9 safeguards, but actually they were kind of 10 ignored, especially when they brought the 11 fossil shell up from Florida. 12 A lot of times, and you may have seen it 13 in the news, people were showing the plumes 14 coming off of it. And when we were told that, 15 this is what we're bringing up, you get a good, 16 clean, shiny bag of these -- and they were 17 actually stones because they had petrified 18 them. 19 But anyway, what they put overboard was 20 completely different. And when they were 21 challenged by that, they changed the definition</p>

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<p>1 of it and said it was stones so that they 2 wouldn't have to go through.</p> <p>3 So what we want to do is to make sure that 4 that type of thing -- also with the clam 5 shells. When they went overboard, they were 6 supposed to be clean. They weren't clean. 7 They were rotten. They still had some of the 8 material on them, the clams.</p> <p>9 So what this bill says is we want to make 10 sure that that doesn't happen again.</p> <p>11 MR. PACK: Okay.</p> <p>12 MR. HARRISON: 377, submerged aquatic 13 vegetation protection zones. And I think it's 14 really that one and the soft-shell clam. They 15 kind of go together; is that right?</p> <p>16 CAPTAIN NEWBERRY: Yeah.</p> <p>17 MR. HARRISON: Right. And basically what 18 it was, and this came from the Riverkeepers, 19 Midshore Riverkeepers really. We had actually 20 met with them. There was a problem with 21 clammers. They call me up. I talked with Jeff</p>	<p>1 Captain Robert Newberry, Delmarva Fisheries 2 Association. We represent Kent, Queen Anne's, 3 Talbot, Dorchester, and Somerset Counties.</p> <p>4 The one bill here, 384, the soft-shell 5 claim is basically what they're asking to do is 6 conform a fishery management plan for it.</p> <p>7 And DNR did a big head scratching on this 8 because they've had, with the clam business, 9 they've had a management in place since the 10 1950s. And what they're trying to say was, and 11 it was kind of moronic in my opinion, they had 12 a lady from Virginia from VIMs come up and 13 testify telling us that we need to have a 14 management plan.</p> <p>15 Well, one of our delegates reached out and 16 said when was the last time you harvested white 17 clams in Virginia. They said 1971. So you 18 have no industry down there, no. Well, why are 19 you here. It's because the CBF had brought 20 them up because the director, now the new 21 person with the CBF, that was her partner down</p>
<p>Page 35</p> <p>1 Horstman.</p> <p>2 I set up a meeting with clammers. And the 3 DNR, they went and they gave their problems 4 with it. And we thought it was worked out, and 5 then these bills appear.</p> <p>6 Basically what it says is there's a point 7 of -- they want to increase -- they look at the 8 SAVs and they change them about every three 9 years. They want to do it every year.</p> <p>10 They also wanted, if it was like from a 11 point to a point and there was grass around the 12 area, they wanted to go point to point.</p> <p>13 There was also a problem with buoying it 14 off. I mean you could be talking about putting 15 thousands of buoys out there, and the cost 16 would be astronomical.</p> <p>17 So these bills actually didn't do too 18 well, but we want to oppose these.</p> <p>19 The razor clam and soft-shell, 20 (inaudible.)</p> <p>21 CAPTAIN NEWBERRY: Council members,</p>	<p>Page 37</p> <p>1 there in Virginia with VIMs.</p> <p>2 So it was just kind of ridiculous. And 3 even the department said that the white clams 4 in Maryland are the type of clams they're here 5 today and gone today. If you realize that last 6 year with the fresh (inaudible) that we had, we 7 lost our clam industry in 48 hours. We went 8 from anywheres -- even they had one good 9 comment. The person said that there was only 10 4,000 bushels of clams harvested in Maryland 11 last year. One of our buyers got up and he 12 said I don't know where you got that, I bought 13 28,000 bushels myself. So it was just shot 14 down.</p> <p>15 But what they want to do is create a 16 management plan that's already in effect. So 17 it's just a waste of time is what it is.</p> <p>18 MR. PACK: Thank you.</p> <p>19 MR. HARRISON: These bills didn't cross 20 over. So we're hoping that they won't go any 21 farther. That doesn't necessarily mean that</p>

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<p>1 they won't.</p> <p>2 The next one is HB 394.</p> <p>3 MR. PACK: I've got 417. Maybe it's me.</p> <p>4 MR. HARRISON: I might have (inaudible).</p> <p>5 MR. PACK: 394?</p> <p>6 MR. HARRISON: Yeah. Tidal fish licenses,</p> <p>7 authorization to catch crabs, application</p> <p>8 requirements.</p> <p>9 MR. PACK: I'm with you.</p> <p>10 MR. HARRISON: We're actually for this.</p> <p>11 And what happens is we have it's about 110</p> <p>12 licenses that are from Delaware and we're</p> <p>13 having this big problem with Delaware, not</p> <p>14 recreational crabbers. We don't mind them</p> <p>15 coming. I understand they come here and they</p> <p>16 spend their money. That's a good thing.</p> <p>17 We have these commercial crabbers that are</p> <p>18 coming over here and they have these license.</p> <p>19 There's also another bill later on, 1024,</p> <p>20 that Johnny Mautz put in. It kind of addresses</p> <p>21 the problem. What it is, it's these guys come</p>	<p>1 that?</p> <p>2 MR. HARRISON: Yes.</p> <p>3 MR. CALLAHAN: 1024.</p> <p>4 MR. PACK: And 394.</p> <p>5 MR. HARRISON: What are we up to, 417.</p> <p>6 MR. LESHER: Do you have a preference</p> <p>7 among those bills?</p> <p>8 MR. HARRISON: 1024 kind of addresses it I</p> <p>9 think a little better. And that could get --</p> <p>10 see, the whole thing is if you're in Maryland,</p> <p>11 we don't have a problem with you. You've got a</p> <p>12 license. There's a limited amount of licenses.</p> <p>13 There's also a lot of people in Maryland</p> <p>14 on the waiting list to get a crab license. Why</p> <p>15 should we let people from Delaware come over</p> <p>16 here and catch the resource, take it back</p> <p>17 there. And Maryland is absolutely getting no</p> <p>18 tax money, like income tax, out of it. They do</p> <p>19 pay a little bit of higher license fee. And</p> <p>20 that was the only objection from DNR. It was</p> <p>21 going to cost them about \$45,000.</p>
<p>Page 39</p> <p>1 here from Delaware, they catch -- it's a</p> <p>2 limited resource out there of crabs. They</p> <p>3 catch them, they take them home, they sell</p> <p>4 them. And they're actually getting in our way</p> <p>5 of since they're commercial crabbers, they'll</p> <p>6 come here three o'clock in the morning and put</p> <p>7 their lines out. We'll got out at four,</p> <p>8 usually I leave at four. And then they're</p> <p>9 right where you want to be. And even though</p> <p>10 like around here there's kind of a friendly</p> <p>11 this is your spot, they don't adhere to that.</p> <p>12 So this bill would at least let us know</p> <p>13 where they live.</p> <p>14 And the other bill is a reciprocity,</p> <p>15 meaning if their state doesn't allow us to go</p> <p>16 in their state, which they don't, they don't</p> <p>17 allow any commercial harvesting for Maryland to</p> <p>18 get a license in Delaware Bay, we're saying</p> <p>19 well, why should we allow them to do it over</p> <p>20 here. So those are those two bills.</p> <p>21 MR. CALLAHAN: You're for 1024, you're for</p>	<p>Page 41</p> <p>1 MR. LESHER: And these do not pertain to</p> <p>2 recreational licenses?</p> <p>3 MR. HARRISON: They do not pertain to</p> <p>4 recreational licenses.</p> <p>5 Like I said, I think Talbot County gets a</p> <p>6 lot of people that come here and get their \$45</p> <p>7 boat ramp sticker, and then a lot of them come</p> <p>8 from Delaware. We're not against that, we are</p> <p>9 not against that.</p> <p>10 But we're against those ones that are</p> <p>11 coming and getting in our way.</p> <p>12 MR. PACK: So let me ask you this. 394</p> <p>13 would say you have to get the license, get</p> <p>14 registered, make sure that we know who you are</p> <p>15 if you're going to come over here to crab.</p> <p>16 MR. HARRISON: Right.</p> <p>17 MR. PACK: But 1024 basically says if</p> <p>18 you're not a resident, you can't come over</p> <p>19 here, period.</p> <p>20 MR. HARRISON: No. What we say with that</p> <p>21 is that --</p>

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<p>1 MR. PACK: If your state doesn't allow 2 it --</p> <p>3 MR. HARRISON: What it really says is if 4 you guys in Delaware let us go crabbing in the 5 Delaware Bay. Let them pass a law that says we 6 can do that, and then they can come over here. 7 That's what I think that says.</p> <p>8 MR. PACK: 1024 is saying that it's 9 prohibiting DNR from issuing a license, issuing 10 an authorization to catch crabs to non-resident 11 unless the state of residence of the 12 non-resident issues a like license. So that if 13 Delaware doesn't allow it, you can't come here.</p> <p>14 MR. HARRISON: We also have New Jersey, 15 some of them are from New Jersey, which is the 16 Delaware Bay. They don't allow us.</p> <p>17 A lot of what's going on, too, when you 18 realize they have a five-inch claw law. New 19 Jersey has a four-and-a-half-inch claw law.</p> <p>20 After alerting the people at DNR, there's 21 been two or three of these guys pulled over</p>	<p>1 1.98 billion, billion gallons of untreated 2 sewage with no notification.</p> <p>3 The last storm we had three days ago was 4 470,000 gallons. No notification.</p> <p>5 So I mean this will kind of give us an 6 idea. We're keeping the numbers straight on 7 it, and they are under -- they just did receive 8 a large \$200 million grant from EPA to start 9 upgrading their systems. But in the City of 10 Baltimore, that money kind of goes different 11 places, like quail when you step on them.</p> <p>12 We would support this one.</p> <p>13 And the constitutional amendment, no way. 14 I mean there's -- what they don't understand, 15 and I've talked to Delegate Lafferty about 16 this. We have a thing in Maryland, it's called 17 the public trust doctrine, which is basically 18 what our Constitution is based on.</p> <p>19 Under those, we have natural resources 20 right out the wazoo. We don't need to have 21 another bill put in so that if your neighbor</p>
<p>Page 43</p> <p>1 with straight up five-inch crabs. Once they 2 get 25 minutes that way, they're home safe.</p> <p>3 MS. PRICE: Since you never know which one 4 is going to get legs, you want to support them 5 both?</p> <p>6 MR. HARRISON: Yeah.</p> <p>7 MR. PACK: That's what I was thinking, 8 yeah.</p> <p>9 MR. HARRISON: What are we up to?</p> <p>10 MR. PACK: 472, is that right?</p> <p>11 MR. CALLAHAN: 417.</p> <p>12 MR. PACK: My list is upside down.</p> <p>13 CAPTAIN NEWBERRY: 417 is the water 14 pollution control. We are in favor of that.</p> <p>15 And specifically this bill was put in to 16 kind of make everybody aware of what is going 17 on on the western shore versus the Eastern 18 Shore here.</p> <p>19 And just to give you to date, as of 1st of 20 July 2016, the Public Works in Baltimore 21 through the Patapsco River has dumped</p>	<p>Page 45</p> <p>1 don't like the way your pier looks, he can sue 2 you in court.</p> <p>3 MS. PRICE: Right. And we did go through 4 this one at MACo. It just gives everybody the 5 right to sue on anything.</p> <p>6 CAPTAIN NEWBERRY: Way too much.</p> <p>7 MS. PRICE: Absolutely. We oppose that.</p> <p>8 CAPTAIN NEWBERRY: If you didn't like what 9 was going on in the Northeast River, you just 10 pick the phone up, you got a lawsuit.</p> <p>11 MS. PRICE: Absolutely.</p> <p>12 MR. HARRISON: So HB 720 and 830, these 13 are called the Oyster Future bills that were 14 there.</p> <p>15 I was on the Oyster Futures. We're 16 against these. The main reason being I served 17 Oyster Futures, like I said, for two and a half 18 years. It was two and a half million dollars 19 or \$2 million spent.</p> <p>20 We came down to a set of recommendations 21 for the DNR. One of those recommendations was</p>

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<p>1 to possibly go in the Little Choptank, just the</p> <p>2 tributaries off of it, the little creeks off of</p> <p>3 it. And it was a consensus came up after two</p> <p>4 years. And we go over to Annapolis. And guess</p> <p>5 what, they passed a bill so we can't go in the</p> <p>6 Little Choptank. That was the first two bills</p> <p>7 we talked about.</p> <p>8 So what we're saying is you fooled us</p> <p>9 once, shame on you. If you fool me again. I</p> <p>10 served on this and told everybody. We don't</p> <p>11 want to do this again. We don't want to do it</p> <p>12 this way.</p> <p>13 It also kicks the can down the road two</p> <p>14 more years. It's going to cost two and a half</p> <p>15 million dollars. They don't know where the</p> <p>16 money comes. We're scared to death that</p> <p>17 they're going to take it out of us and our</p> <p>18 oyster shell monies.</p> <p>19 That's what has happened with the OAC.</p> <p>20 They took the money out of us. So we're afraid</p> <p>21 of that.</p>	<p>1 So we don't want to touch this until we</p> <p>2 see the amendments, that we're probably going</p> <p>3 to get today.</p> <p>4 MR. PACK: Got you.</p> <p>5 MR. LESHAR: Maryland Watermen's</p> <p>6 Association initially supported this but</p> <p>7 withdraw it because of an amendment?</p> <p>8 MR. HARRISON: Basically because all the</p> <p>9 people said if you support this, the watermen,</p> <p>10 we're not going to be behind you. Basically</p> <p>11 because of what happened to us.</p> <p>12 They said that this bill would actually</p> <p>13 take the politics out of the DNR or out of the</p> <p>14 oyster business. But actually it doesn't do</p> <p>15 that.</p> <p>16 And I said if you could come up with some</p> <p>17 sort of writing that said when we do this, that</p> <p>18 when we get done, one group can't go around and</p> <p>19 undercut it. But they said it can't be done.</p> <p>20 So then what are we doing? We're wasting</p> <p>21 our time for two more years like we did down at</p>
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<p>1 So we're against both of these.</p> <p>2 CAPTAIN NEWBERRY: Plus we're currently</p> <p>3 waiting. We had a meeting yesterday. We're</p> <p>4 currently awaiting amendments to this bill</p> <p>5 because Jeff quoted a price, and I want to</p> <p>6 correct him on that.</p> <p>7 Out of that money, it's 872,000 the first</p> <p>8 year, 900,000 the second, and then it slowly</p> <p>9 decreases by 100,000 each year for the next</p> <p>10 five years.</p> <p>11 Out of that money, \$112,000 is left to the</p> <p>12 Department of Natural Resources. That \$112,000</p> <p>13 is to do a \$1 million study.</p> <p>14 So let's add up over that five years,</p> <p>15 let's put 5 million on top of that 2.6. You're</p> <p>16 knocking on eight to \$10 million now. So is</p> <p>17 the money going to be there, it's not there.</p> <p>18 It does not -- you look at the fiscal footnote,</p> <p>19 it's zeros all the way across. When you go</p> <p>20 down to the net at the bottom, all negatives.</p> <p>21 So that's enough to wake the dead.</p>	<p>1 Horn Point. We wasted our time as far as I'm</p> <p>2 concerned.</p> <p>3 CAPTAIN NEWBERRY: One of the biggest</p> <p>4 things that was the head turner on this bill</p> <p>5 was a text message that members of the Oyster</p> <p>6 Futures received when they said that they were</p> <p>7 not going to sit there anymore because the Bay</p> <p>8 Foundation and Coastal Conservation Association</p> <p>9 didn't get their way. That's why this bill is</p> <p>10 here.</p> <p>11 They didn't get exactly what they wanted,</p> <p>12 so they went around behind the barn to the</p> <p>13 legislators. And really the legislative body</p> <p>14 of Maryland has no business in day-to-day basis</p> <p>15 with DNR. That's why you have the Department</p> <p>16 of Natural Resources.</p> <p>17 So in that text message that was sent, it</p> <p>18 said that if the CBF and the CCA are not at the</p> <p>19 table, they will undermine it from the outside.</p> <p>20 And the final quote that was made to Jeff was</p> <p>21 that if you're not on the table, you're on the</p>

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1 menu. So we're going to sit down with people  
 2 like that, that's not happening.  
 3 MR. HARRISON: And now we're up to 841.  
 4 CAPTAIN NEWBERRY: 841. That is a support  
 5 bill there because that's from (inaudible)  
 6 Clarke and Morgan from down in St. Mary's  
 7 County.  
 8 This basically would make it to the point  
 9 where if an aquaculture operation was trying to  
 10 put their gear on SAVs, they have to go to DNR  
 11 and get permission for them to do it. And that  
 12 ain't going to happen.  
 13 So this is a bill that we would support.  
 14 MR. LESHAR: My understanding is that  
 15 Talbot County is particularly affected. Even  
 16 though it didn't originate here, that Talbot  
 17 County is potentially particularly affected by  
 18 this particular one, too.  
 19 CAPTAIN NEWBERRY: Correct, correct. But  
 20 they just have to get the permission to the  
 21 point where the department would come in and

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1 survey it.  
 2 Like if they do have an area of expanded  
 3 grasses, then they might have to move their  
 4 lease or something like that. Then that would  
 5 go back in front of the department. It's  
 6 basically giving the department a little bit  
 7 more authority that they're slowly losing every  
 8 day.  
 9 MR. LESHAR: My understanding, there's  
 10 some amendments pending on this one as well?  
 11 CAPTAIN NEWBERRY: I think there's three  
 12 amendments pending on it, yeah. I think it's  
 13 in rules right now.  
 14 MR. HARRISON: And you have to be careful.  
 15 There were amendments on Bill 448, Bill 448.  
 16 And not that we would have approved it anyway,  
 17 but when it went to vote, all the amendments  
 18 came off.  
 19 Sometimes it's real tricky over there, I'm  
 20 telling you.  
 21 CAPTAIN NEWBERRY: I guess the next one on

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1 here is HB 921, Delegate Jacobs' bill.  
 2 We support this, but it's kind of a -- I  
 3 don't know. It's confusing. I also, Delmarva  
 4 Fisheries is also lock step with the Clean  
 5 Chesapeake Coalition, which I'm pretty sure  
 6 you're all familiar of.  
 7 This is basically adding to a water  
 8 quality certification that is now it's been in  
 9 the process for over a year. So this is like a  
 10 little too late Charlie type deal.  
 11 But I mean the more friends we have at  
 12 that Conowingo situation, the better off we  
 13 are.  
 14 MS. PRICE: Right. So this one, I can  
 15 help you a little bit with this one.  
 16 So MDE put in to require the nitrogen,  
 17 phosphorus, sediment, and things like that  
 18 as --  
 19 SPEAKER: Your TMDLs.  
 20 MS. PRICE: -- part to Exelon for their --  
 21 in their application to defer.

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1 What this adds, and I think it's probably  
 2 because a whole bunch of debris ended up in  
 3 Annapolis Harbor, might got them thinking that  
 4 they require the trash and debris removal in  
 5 addition that Exelon, a/k/a Conowingo Dam,  
 6 would have to help in removing some of that.  
 7 Now, they've done some behind the dam, but  
 8 obviously not a enough because it is --  
 9 CAPTAIN NEWBERRY: They do about  
 10 4,000 tons per year.  
 11 But just to give you an update, Friday  
 12 Exelon filed a lawsuit on this. What happened  
 13 was is that they said that there is a law  
 14 saying that under a water quality permit, if  
 15 the department does not, MDE does not take  
 16 action within one year, that basically it does  
 17 not give the State the authority to regulate a  
 18 water quality permit.  
 19 Thursday there was -- we haven't got the  
 20 decision back yet. But Thursday there was a  
 21 decision in the federal court.

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<p>1 The State court threw out Exelon's</p> <p>2 petition because it was premature. So they</p> <p>3 figured the feds were going to do the same.</p> <p>4 So now they're basically suing the State</p> <p>5 again. We went through the document this</p> <p>6 weekend. It's 589 pages of why they shouldn't</p> <p>7 have to control what pollution they put into</p> <p>8 the Bay.</p> <p>9 MR. PACK: My goodness.</p> <p>10 CAPTAIN NEWBERRY: It's getting more and</p> <p>11 more interesting.</p> <p>12 But yeah. This would be a help, but is it</p> <p>13 the big one or not.</p> <p>14 MR. HARRISON: We did 1024. 1153.</p> <p>15 MR. PACK: Yeah. Okay.</p> <p>16 MR. HARRISON: Is the tidal fish oyster</p> <p>17 authorization revocation.</p> <p>18 What that is, it was trying to be put</p> <p>19 through last year. It's basically, the way the</p> <p>20 law is written now, it says DNR shall take</p> <p>21 someone's license if they have one violation.</p>	<p>1 side.</p> <p>2 CAPTAIN NEWBERRY: Yeah. We've already</p> <p>3 discussed 448 with the House bill.</p> <p>4 MR. HARRISON: What do you guys got?</p> <p>5 MR. PACK: SB 7, which is (inaudible) 145,</p> <p>6 right?</p> <p>7 MR. HARRISON: Right. We're just really</p> <p>8 seeing these for some reason.</p> <p>9 CAPTAIN NEWBERRY: I don't think any of</p> <p>10 these -- here is the one I've got.</p> <p>11 Do you have on there do you have Senate</p> <p>12 Bill 876?</p> <p>13 MR. PACK: Yes.</p> <p>14 CAPTAIN NEWBERRY: We'll go onto 876 is</p> <p>15 leases in water column riparian rights of first</p> <p>16 refusal.</p> <p>17 This is also from down St. Mary's County.</p> <p>18 And I think what it does is you see it here in</p> <p>19 Talbot County. We also have it in Dorchester</p> <p>20 County. Riparian rights are like hunting</p> <p>21 blocks. If you don't license your shore, then</p>
<p>Page 55</p> <p>1 That's it, one violation --</p> <p>2 MS. PRICE: Sorry. What's that bill</p> <p>3 number again?</p> <p>4 MR. HARRISON: It's 1153.</p> <p>5 MS. PRICE: Thank you.</p> <p>6 MR. HARRISON: And they want to change</p> <p>7 that shall to may. And the reason being</p> <p>8 because there are some people, and every once</p> <p>9 in a while you may make a mistake. We don't</p> <p>10 want someone who might make a mistake basically</p> <p>11 with a tide change could do it if you're</p> <p>12 working close to some line somewhere. The tide</p> <p>13 could change, you make one pass over here. And</p> <p>14 guess what, you've lost your license. Not for</p> <p>15 two years, not for three years. Forever.</p> <p>16 And there are two or three cases in Talbot</p> <p>17 County of that happening.</p> <p>18 MR. PACK: So in support of 1153?</p> <p>19 MR. HARRISON: Support.</p> <p>20 MR. PACK: Okay. We got some Senate bills</p> <p>21 here as well. So let's move onto the Senate</p>	<p>Page 57</p> <p>1 someone else can come sit off the end of your</p> <p>2 dock and hack your geese and your ducks for</p> <p>3 you. And a lot of people are smart enough to</p> <p>4 go ahead and realize they have to do it. Some</p> <p>5 people make the mistake.</p> <p>6 This basically would give the riparian</p> <p>7 first refusal. If someone has -- and I happen</p> <p>8 to see their point of it. If I take my</p> <p>9 retirement money and build a \$2 million house</p> <p>10 on a nice river and I want to look out, I don't</p> <p>11 want to see a bunch of buoys and cages off the</p> <p>12 end of my dock floating out there to ruin my</p> <p>13 pristine.</p> <p>14 So if I have the ability to say hey, I'd</p> <p>15 like to do a bottom lease here and not a column</p> <p>16 lease, if the property owner would like to</p> <p>17 invest in that or invest in it and hire someone</p> <p>18 like Jeff to come do it, that would be fine.</p> <p>19 But to give them the first right of</p> <p>20 refusal I think is a good bill to support. I</p> <p>21 think that will pass down through the county</p>

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<p>1 here, too.</p> <p>2 MR. LESHER: Under this, they wouldn't</p> <p>3 actually have to take advantage of that?</p> <p>4 CAPTAIN NEWBERRY: No, they don't have to.</p> <p>5 It's not a shotgun law. They could. It gives</p> <p>6 them the first refuel to let them -- it's</p> <p>7 another notification. Come to them, say a guy</p> <p>8 has applied for a lease in front of your</p> <p>9 property, we're going to give you first shot at</p> <p>10 it, do you want it. If the person say yeah</p> <p>11 because it keeps them from being there, maybe I</p> <p>12 can get another person to do something</p> <p>13 different, or they can just say who cares.</p> <p>14 Yeah. The other one I have is HJ 8, which</p> <p>15 is Conowingo pollution cleanup costs.</p> <p>16 That's --</p> <p>17 MR. HARRISON: What number is that?</p> <p>18 CAPTAIN NEWBERRY: It's a House</p> <p>19 resolution, joint resolution eight.</p> <p>20 And I mean that's I guess a feel good, to</p> <p>21 be honest. It's just getting Conowingo to</p>	<p>1 Do you know they didn't even want us to do</p> <p>2 that to see because that stuff that's filled up</p> <p>3 that reservoir could be valuable. There could</p> <p>4 be a good reuse for that material. And Exelon</p> <p>5 doesn't even want us to do that and test and</p> <p>6 see what's in there because if there's a way to</p> <p>7 resell it, you have a cost to dredge it out,</p> <p>8 but then you have a revenue stream. So they</p> <p>9 just seem to be fighting Maryland on</p> <p>10 everything.</p> <p>11 CAPTAIN NEWBERRY: Council, if I can just</p> <p>12 say one other thing, too. It's a little put</p> <p>13 out I give out every time after I do these when</p> <p>14 I testify.</p> <p>15 The one thing we're seeing here with these</p> <p>16 watermen, they're all good, hard-working men</p> <p>17 and women. And the amount of money that is</p> <p>18 generated in this county, which is in the tens</p> <p>19 of millions of dollars, they're being directly</p> <p>20 affected by people that are I use the term</p> <p>21 picking the low hanging fruit, and it's the</p>
<p>1 basically help pay 25 percent of costs</p> <p>2 associated with the river watershed</p> <p>3 implementation plan.</p> <p>4 MS. PRICE: And they have an ability to</p> <p>5 pass it on to some of their rate payers.</p> <p>6 CAPTAIN NEWBERRY: Correct.</p> <p>7 MS. PRICE: Doesn't come straight out</p> <p>8 of --</p> <p>9 CAPTAIN NEWBERRY: We did the numbers on</p> <p>10 that. And last year with all the material that</p> <p>11 was dumped in the Bay, Exelon really helped out</p> <p>12 a lot and gave us \$25,000.</p> <p>13 MR. PACK: 25,000?</p> <p>14 CAPTAIN NEWBERRY: \$25,000.</p> <p>15 Just to let you know, during that storm</p> <p>16 event, in one day they generated \$4.7 million</p> <p>17 in electricity going to Pennsylvania.</p> <p>18 MS. PRICE: You know what's really sad?</p> <p>19 So Maryland I think it's \$3 million that we're</p> <p>20 spending to test that, to do a small dredging</p> <p>21 sample.</p>	<p>1 environmental groups.</p> <p>2 And what they're doing, and we see it in</p> <p>3 every meeting that Jeff and I sit with, is that</p> <p>4 there is the science out there, they cherry</p> <p>5 pick the science and they make it look to these</p> <p>6 legislators that we're horrible people, that</p> <p>7 we're doing wrong. But when we get up and</p> <p>8 refute the science to the point where even in</p> <p>9 Senator Pinsky's hearing two week ago, DNR was</p> <p>10 going to get up and give informational science</p> <p>11 on this with their biologists. He refused to</p> <p>12 let them speak.</p> <p>13 So the thing I just want you to remember</p> <p>14 is what's happening here in Maryland, and I've</p> <p>15 been saying this, this is my 32nd year I've</p> <p>16 been in Annapolis, and I've been saying it for</p> <p>17 about the past ten years. When you politicize</p> <p>18 any natural resource, and I mean any natural</p> <p>19 resource, trees, fish, oysters, snails,</p> <p>20 gardens, anything, two things happen. And it's</p> <p>21 happening now. Is the demise of that resource</p>



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<p>1 and the demise of industry based upon that 2 resource by the politics getting into it. 3 And I do applaud you for that letter that 4 you did put out in opposition to 298, as did 5 the -- we worked very hard with the Rural 6 County Coalition in MACo on that and getting it 7 out. 8 And we've really been carrying the -- 9 working with Talbot County here, we work with 10 Kent, Queen Anne's, Dorchester, and Somerset 11 also. And these guys are doing a good job. 12 It's hard for them to take a day off, like 13 today we've got to leave here and go over to 14 Annapolis. We've got a good daughter of the 15 county, Jeannie Haddaway Riccio has her 16 nominations hearing today at five o'clock. I 17 think we're going to do good with Jeannie. She 18 knows what she's doing. 19 MR. PACK: Give her our best when you see 20 her. 21 I got three separate bills that you didn't</p>	<p>1 CAPTAIN NEWBERRY: That was -- I don't 2 know. That was a good bill. I don't know if 3 you saw the bumper sticker that was going out. 4 We called that the bumper sticker bill. There 5 was a picture of the map of the state of 6 Pennsylvania with a crab and it says hey, PA, 7 stop polluting my bay. And the crab is peeing 8 on Pennsylvania (inaudible). 9 MR. PACK: I don't think I saw that one. 10 CAPTAIN NEWBERRY: I mean the guy did like 11 5,000 bumper stickers. He got rid of them in a 12 week. 13 But that basically is saying that -- and 14 this is one we're just not going to touch 15 because this has a lot of commerce issues with 16 it. Because it's saying we're not going to do 17 any business with Pennsylvania if you're coming 18 into our state to do work. 19 And the problem we have with that is our 20 ag industry, because a lot of our grains go up 21 there. They could say we don't want your</p>
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<p>1 touch on. I don't know whether or not you want 2 to cover. I have SB 7, SB 332 -- 3 MS. PRICE: That's a double cross 4 (inaudible). 5 MR. PACK: Is that the cross filed? 6 MR. HARRISON: Some of those might have 7 been. 8 CAPTAIN NEWBERRY: Some of those are cross 9 filed. 10 MR. HARRISON: Yeah. 11 MR. PACK: So SB 7 was with? 12 MS. PRICE: HB 145. 13 CAPTAIN NEWBERRY: Yeah. That was for 14 that. The fin fish trout lines repeal of 15 sunset. 16 MR. HARRISON: We're for that. That's a 17 DNR bill. 18 MR. PACK: What about SB 332? 19 CAPTAIN NEWBERRY: 332, State finance 20 procurement. 21 MR. PACK: That one wasn't discussed.</p>	<p>1 grains. And I'm a farmer, also. Man, my grain 2 prices are going down the shoot every day and I 3 get rid of it every place I can. 4 MS. PRICE: So no position and that. 5 MR. PACK: No action on that. 6 CAPTAIN NEWBERRY: No position. 7 MR. PACK: What about. . . 8 MR. HARRISON: 683. 9 MR. PACK: Yes, thank you. 10 CAPTAIN NEWBERRY: That's the one we 11 testified on the other day. We support that. 12 MR. PACK: Okay. 13 CAPTAIN NEWBERRY: The study. It's DNR 14 had basically no position on that. They 15 weren't opposed to it. 16 But what it does is it exemplifies the 17 fact that we need to start looking at what 18 Virginia is doing more because Virginia is 19 taking our -- the seed and shell program. I 20 don't know if you all are aware, but we had a 21 seed and shell program from 1960 to 2006 that</p>

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<p>1 generated 200 million bushels of shells, 2 \$74 million in revenue, and 60 million bushels 3 of oysters that the environmentalists killed on 4 us. 5 Now Virginia has that plan. They have the 6 dredge that used to sit right here at Love 7 Point from Langenfelder. It's sitting down in 8 Virginia. They're at a million bushels this 9 year because they used our seed and shell 10 program, which we should be doing right now. 11 And that's the important Man-O-War Shoals. 12 MR. HARRISON: That's Man-O-War. 13 CAPTAIN NEWBERRY: And Man-O-War, the 14 biggest question you got to ask yourself is 15 that all these bills, you see all these 16 creation of sanctuaries and plantings and all 17 this that these environmental people want to 18 do. Where are they going to get the shell? I 19 mean the only place we have shell is Man-O-War 20 Shoals and other areas. 21 Virginia has now limited us. We send</p>	<p>1 MR. LESHHER: Mr. Pack, I've got one 2 question quick. 3 MR. PACK: Yes. 4 MR. LESHHER: For the Watermen's 5 Association. 6 HB 348 on the substrate, you've got a 7 support statement on that. Is that going -- 8 could that have some potential unintended 9 consequences for the availability of substrate 10 if all of the -- if there's a limited shell 11 resource and if that gets used for sanctuaries, 12 it might -- 13 CAPTAIN NEWBERRY: The Hershey bill, Steve 14 Hershey's bill? 15 MR. HARRISON: Yeah. But it does allow 16 for the use of other substrates, those bills 17 do. 18 MR. LESHHER: Yeah. 19 MR. HARRISON: But the thing that it does 20 it is it at least allows the county Oyster 21 Shell Committee to allow -- to know where it's</p>
<p>Page 67</p> <p>1 200,000 bushels down, we get 120 back. 2 So right now over the past ten years we're 3 2.7 million bushels behind in what we should be 4 getting back. They have agreed to give us 5 150,000 this year. But guess what, the price 6 is going up. It's going from 2.75 to \$3 now. 7 MR. PACK: Okay. So Council has these 8 bills in front of us now for consideration for 9 either a letter of support. 10 I'm going to allow just some brief public 11 comment. Anyone want to come and use that 12 mike, want to give us your name and your 13 address and which one of these bills you're 14 here to speak on. 15 I'm going to hold you to two minutes for 16 the sake of time since we do have a number of 17 bills. 18 So if anyone wish to come up, just come up 19 and take that chair, give us your name and 20 address and let us know the bill number you're 21 speaking on.</p>	<p>Page 69</p> <p>1 going beforehand. 2 Like what happened in Harris Creek and 3 Tred Avon, we had absolutely no say. The 13 4 boats that ran around in Harris Creek, that 5 wouldn't have happened if we'd have been there 6 to say hey, you can't do this. 7 Am I saying that we're going to use shell 8 in all places and not use stone, no. I think 9 there's places that we can use stone. And like 10 you say, shell is hard to come by. If they 11 want to use stone up in sanctuaries where we're 12 never going to be able to work, then we want 13 all the shell. 14 MR. PACK: Sure. Any further questions? 15 I don't see anyone in the chair to give 16 testimony. So what I'm -- 17 MS. PRICE: Do you want to do them one at 18 a time or take them as a group? 19 MR. PACK: I'm going to do them one at a 20 time, just run straight down through them. 21 What I'm going to do is read the bill, ask</p>

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<p>1 is there a motion either to --</p> <p>2 MR. LESHHER: I spent a bit of time on</p> <p>3 these. Do we need to act on these today? Can</p> <p>4 we spend some time making sure that we're all</p> <p>5 read up on these and understand the amendments</p> <p>6 that are on them?</p> <p>7 CAPTAIN NEWBERRY: Yeah. Because there</p> <p>8 are a few that are kind of seesawed right now.</p> <p>9 And I'm going to get briefed at seven o'clock</p> <p>10 tonight by the staff. If the amendments are</p> <p>11 there and I can get that right back to you.</p> <p>12 Or if you want, and probably easier, our</p> <p>13 website is delmarvafisheries.com or .org. The</p> <p>14 minute I get them they go right on our website.</p> <p>15 You can key in on all these bills and see</p> <p>16 exactly where they are, where they're in</p> <p>17 committee so you don't have to do all that.</p> <p>18 MS. PRICE: So here is the problem. We're</p> <p>19 in public right now. We need to take positions</p> <p>20 if any of them -- I don't know whether we</p> <p>21 should take positions today and if something</p>	<p>1 MR. PACK: So Madam Secretary, our next</p> <p>2 Council meeting is what date?</p> <p>3 SECRETARY: Tuesday, March 12th.</p> <p>4 MR. PACK: March 12th.</p> <p>5 MR. LESHHER: Eight days away.</p> <p>6 MR. PACK: So we can postpone making a</p> <p>7 decision until March 12th?</p> <p>8 CAPTAIN NEWBERRY: That might be a little</p> <p>9 close.</p> <p>10 I would think maybe what Council could do</p> <p>11 is say that they oppose the Bill 830 out coming</p> <p>12 of amendments that are in the works right now</p> <p>13 because it is very contentious. I mean it's</p> <p>14 the hottest one we got over there right now.</p> <p>15 MR. PACK: Can the other bills, other than</p> <p>16 830, can they be acted upon at our next</p> <p>17 meeting?</p> <p>18 CAPTAIN NEWBERRY: Yes.</p> <p>19 MR. PACK: Ask Council to direct your</p> <p>20 attention to 830 only then at this time.</p> <p>21 MR. HARRISON: And I can speak more to</p>
<p>1 changes, we can. . .</p> <p>2 MR. PACK: Are any of the bills you want</p> <p>3 to put off on this discussion tonight from</p> <p>4 action tonight?</p> <p>5 MR. LESHHER: I've spent a bit of time on</p> <p>6 this over the weekend, but I don't know that</p> <p>7 I'm fully up to speed on any of this,</p> <p>8 particularly because of some amendments that</p> <p>9 are --</p> <p>10 CAPTAIN NEWBERRY: I would emphasize 830.</p> <p>11 830 is a very contentious bill now, and that is</p> <p>12 the AOC, the new committee.</p> <p>13 MR. PACK: Is that time sensitive? Are</p> <p>14 they taking a vote for that?</p> <p>15 CAPTAIN NEWBERRY: They're supposed to</p> <p>16 meet with the president of the Senate, the</p> <p>17 speaker of the House at seven tonight in a</p> <p>18 staff meeting.</p> <p>19 MS. PRICE: So is it too late for any of</p> <p>20 them?</p> <p>21 CAPTAIN NEWBERRY: No, no, no, no, no.</p>	<p>1 that, because like I said, I was on the Oyster</p> <p>2 Advisory Commission and also on Oyster Futures.</p> <p>3 MR. PACK: Go ahead. Go ahead, Jeff.</p> <p>4 MR. HARRISON: Like I said with the Oyster</p> <p>5 Futures, basically we sat down with Chesapeake</p> <p>6 Bay Foundation, CCA, it was the Nature</p> <p>7 Conservancy, it was NOAA, it was Army Corps,</p> <p>8 and it was seven watermen. It was basically --</p> <p>9 and it was a couple of aquaculturists. It was</p> <p>10 also some seafood buyers.</p> <p>11 We spent two years. We even went on a</p> <p>12 Super Bowl Sunday we were all so dedicated.</p> <p>13 There were sometimes with three-day meetings;</p> <p>14 Friday, Saturday, and Sunday.</p> <p>15 We went through a lot of information, but</p> <p>16 we got input from all sides. And like I say,</p> <p>17 we came down to a census on probably maybe 16</p> <p>18 recommendations that right now are in the</p> <p>19 Oyster Management Plan that DNR has. They are</p> <p>20 actually going to use these.</p> <p>21 But what happens is and the problem with</p>

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1 this bill is is that 298 and 448, Senate bill  
 2 448, they go against completely everything that  
 3 we did for two years down there because some of  
 4 the things that we did that are actually going  
 5 into the Oyster Management Plan that DNR has  
 6 right now will not be able to happen.  
 7 And it's all because of the CCA and the  
 8 CBF basically are putting bills in to undercut  
 9 what we did for two years.  
 10 This bill would make us go through that  
 11 same process again. This time not just for the  
 12 Dorchester and Talbot County area, but the  
 13 whole Bay. And what they want to do is they  
 14 want to have 60 percent watermen and 40 percent  
 15 other groups. We would have to come to that 75  
 16 percent consensus.  
 17 Our problem with the bill as it's written  
 18 now, it doesn't say that after we've spent  
 19 another two years and another two and a half,  
 20 \$3 million that these groups, if it didn't come  
 21 out the way they want it to, could go ahead and

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1 put some bill in that says no, you can't do  
 2 that. That's our problem with this bill as it  
 3 stands.  
 4 MR. LESHER: Isn't this a better way to go  
 5 to get watermen at the table about this  
 6 decision-making, as opposed to the 298 448?  
 7 I mean my understanding is that 298 448,  
 8 some of those are hardwire requirements that  
 9 would preclude the possible conclusions of the  
 10 existing Oyster Futures agreement or the  
 11 potential statewide. Of course, we can't say  
 12 what those outcomes would be.  
 13 But if there are 60 percent of the  
 14 participants are watermen.  
 15 MR. HARRISON: See, that was my point  
 16 exactly. And they asked, was there anything,  
 17 any kind of language that we could do to let  
 18 830 pass. I said yeah, throw out 448 and 298  
 19 right now and show us some good faith, but  
 20 they're not going to do that because they're  
 21 going to get what they want.

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1 And that's what I've seen from going over  
 2 there. A lot of times when we go in with these  
 3 committees and give testimony, it could be  
 4 eight or nine senators there. And the first  
 5 people come on who are for it. They listen to  
 6 every word they say, ask them a bunch of  
 7 questions. When we come on, half the people  
 8 leave the room. It's like it's almost like  
 9 what are we doing here.  
 10 I mean even if we get your letter, we  
 11 stand a chance this still is going to probably  
 12 go through. That's the truth of it all.  
 13 Twenty-nine senators signed on this bill,  
 14 29. You only need 25 to have veto-proof bill.  
 15 So that's what we're -- and all 29 of them are  
 16 from the western shore. All of this stuff,  
 17 most of it has to deal with the Eastern Shore.  
 18 Eighty percent of the watermen are here.  
 19 The most watermen in any county  
 20 historically has been Talbot County. Right now  
 21 there's more oystermen in Talbot County.

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1 Dorchester County is the second. We probably  
 2 have about half of the oystermen on the Bay.  
 3 But look at what we have. We have three  
 4 of the major sanctuaries that we're talking  
 5 about that we'll never be able to harvest in,  
 6 and that's what those two bills will say.  
 7 We've been affected more by what's going  
 8 on in Annapolis, and we really don't have a  
 9 say. And that's been our concern all along.  
 10 We're at a point where we are getting put out  
 11 of business. And that's where we're at.  
 12 And so yes, to your point. This bill  
 13 probably will pass. Will I be on it, I said I  
 14 wouldn't but I probably will because we do get  
 15 a say. But it still doesn't guaranty that  
 16 anything is going to come out of it is what I'm  
 17 saying.  
 18 MR. LESHER: To my reading, this bill and  
 19 298 448 are counter to one another.  
 20 CAPTAIN NEWBERRY: Yeah, they are. Right.  
 21 MR. LESHER: And it's this one that,

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<p>1 granted with a two-year delay and more money, 2 and I grant those points, but still puts 3 watermen's voices at the table over this 4 decision-making.</p> <p>5 CAPTAIN NEWBERRY: It does. But we have 6 to see with 298.</p> <p>7 What happens with these bills is that when 8 448 and 298 were put in, Mr. Hershey got 9 involved with a senator from Anne Arundel 10 County on Senate bill 830 with the agreement 11 from the House and the speaker of the House and 12 president of the Senate that these bills were 13 going to be held back.</p> <p>14 Yesterday -- excuse me. Saturday at a 15 meeting, we had the president of the Senate's 16 chief of staff was notified that 17 Senator Pinsky's bill, 448, came out. And he's 18 like what. He's like that wasn't supposed to 19 happen.</p> <p>20 So it's kind of weird things are happening 21 over there right now.</p>	<p>1 are holding our feet in the sand on, saying 2 that if a decision comes out of this 3 commission, it's legal and binding. But no, 4 you can't do that.</p> <p>5 So the trust factor, there's no trust 6 there at all. That's our problem.</p> <p>7 MR. HARRISON: That process that we went 8 through two years did build a lot of trust. 9 And that's why when this did happen, when they 10 put these bills in, we were like well, wait a 11 minute here now. I first heard about it was 12 down here in Easton when CBF did their preview 13 of coming stuff.</p> <p>14 And I went right outside and I talked to 15 Alice Colton and I said we sat there for two 16 years, we spent all this money, we came to this 17 decision. She goes yeah, but I really didn't. 18 And she didn't. She didn't have a vote for 19 this, but she did vote for the overall package 20 and it was part of that package.</p> <p>21 And that's why you look for 75 percent</p>
<p data-bbox="776 1058 846 1083">Page 79</p> <p>1 But just what Jeff was saying about when 2 the House and the Senate were briefed by the 3 environmentalists on these bills, specifically 4 448 and 298, and the House side was four hours 5 and 30 minutes. We asked with Delmarva and 6 Clean Chesapeake with our scientists that we 7 have, if we could bring a panel of watermen, 8 no. Four hours and 30 minutes they got briefed 9 by the Bay Foundation, CCA, NOAA, Nature 10 Conservancy, Virginia. We asked if we could go 11 to Mr. Barbane. He said no, we don't want to 12 hear what you got to say.</p> <p>13 So that just lets you know that's what 14 we're up against, which is not right.</p> <p>15 But this bill, 298, we could live with 16 that bill. I mean with 830, we could live with 17 that bill, but the other problem is you got two 18 bigger ones blocking it.</p> <p>19 So if we can get those held up or thrown 20 out, then we could work with this. But there 21 still has to be that writing in blood, which we</p>	<p data-bbox="1393 1058 1463 1083">Page 81</p> <p>1 consensus. So one stakeholder might not get 2 what they want, but you can't give them the 3 power to circumvent everyone else and walk 4 around everyone else and do this. And that's 5 what happened. And that's the problem that we 6 have with it.</p> <p>7 And that's why the watermen have said we 8 don't want to do it. I mean it says they have 9 to have 14 watermen on this bill. And we're to 10 a point where well, if the bill passes and 11 there are no watermen on it, are you still 12 going to be able to do it because the law says 13 you have to have 14 watermen on it.</p> <p>14 MR. LESHER: I was impressed with this 15 process, that any process that can get someone 16 from CCA and some of the watermen to agree to 17 the same outcome has got to be a pretty 18 impressive group.</p> <p>19 MR. HARRISON: And we gave concessions, 20 too. The watermen gave concessions, too. And 21 that's what I was trying to tell everybody all</p>

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<p>1 along.</p> <p>2 The environmental people and the watermen,</p> <p>3 we're looking for the same thing. We're</p> <p>4 looking for a clean Chesapeake Bay, we're</p> <p>5 looking for more oysters in the Bay. We should</p> <p>6 be able to come to that. Why does it always</p> <p>7 come to we're the poachers, we're the ones that</p> <p>8 are destroying it. What we're doing is great</p> <p>9 and wonderful.</p> <p>10 Oysters, what they've got people to</p> <p>11 believe is that oysters are going to heal the</p> <p>12 Bay. What we say is heal the Bay, stop the</p> <p>13 pollution going into it, and the oysters will</p> <p>14 come back.</p> <p>15 There's no science that has brought the</p> <p>16 oysters back in Virginia. They basically over</p> <p>17 time through nature through natural things have</p> <p>18 adapted resistances to these diseases. They'll</p> <p>19 tell you that. It was nothing they did in a</p> <p>20 scientific lab. Those oysters did that.</p> <p>21 Eventually that's going to come up our way.</p>	<p>1 CAPTAIN NEWBERRY: Motion to oppose.</p> <p>2 MS. PRICE: -- let us know and then we can</p> <p>3 always just scrap the letter.</p> <p>4 CAPTAIN NEWBERRY: Correct. We could do</p> <p>5 that.</p> <p>6 MS. PRICE: So I would make that motion,</p> <p>7 then, to oppose HB 720 SB 830 knowing that in</p> <p>8 the next day or so we might just be able to</p> <p>9 scrap it.</p> <p>10 CAPTAIN NEWBERRY: They might be there</p> <p>11 today. I mean I don't have my phone with me.</p> <p>12 So I wouldn't know. I'm sorry.</p> <p>13 MR. PACK: So we do have a motion by</p> <p>14 Ms. Price.</p> <p>15 MR. LESHAR: But Mr. Hershey is one of the</p> <p>16 cosponsors on this at this point?</p> <p>17 CAPTAIN NEWBERRY: He is a</p> <p>18 cosponsor/helping her out a little bit because</p> <p>19 she's a freshman senator. I think he kind of</p> <p>20 intervened a little bit because he saw that as</p> <p>21 a direct result, it's kind of a weird turn</p>
<p>Page 83</p> <p>1 We've even tried to get seed from Virginia</p> <p>2 that's there that does show some resistance to</p> <p>3 dermo and MSX. And we're bringing it up here.</p> <p>4 We even suggested that to them when they were</p> <p>5 doing all this work that they've been doing in</p> <p>6 Harris Creek. But no, we don't want to do</p> <p>7 that. Let's build our own resistance up here.</p> <p>8 MS. PRICE: What day is the bill hearing</p> <p>9 on this? When is the bill hearing?</p> <p>10 CAPTAIN NEWBERRY: On 830, it was last</p> <p>11 week. But with the amendments, they might have</p> <p>12 an emergency hearing on the amendments --</p> <p>13 MS. PRICE: So what you want from us,</p> <p>14 then, is a motion that to take a position on</p> <p>15 this. But if you hear of some amendments --</p> <p>16 CAPTAIN NEWBERRY: I might even hear by --</p> <p>17 I mean if I can get a number, I might be able</p> <p>18 to call someone and leave a message tonight,</p> <p>19 because I'll be --</p> <p>20 MS. PRICE: So right now you're asking us</p> <p>21 for a motion to oppose?</p>	<p>Page 85</p> <p>1 because you have two bills which are 448 and</p> <p>2 298, were created by the Bay Foundation and CCA</p> <p>3 because they didn't like what went on in the</p> <p>4 Oyster Future.</p> <p>5 So then all of a sudden then they put this</p> <p>6 bill in to recreate the Oyster Futures and get</p> <p>7 rid of the Oyster Advisory Committee. So it's</p> <p>8 crazy.</p> <p>9 MR. PACK: We've already written a letter</p> <p>10 to oppose 448.</p> <p>11 So the other bills at Mr. Leshar's</p> <p>12 request, and we always want to honor a Council</p> <p>13 member's request to set something aside, we'll</p> <p>14 set aside the other bills until our March the</p> <p>15 12th meeting. Then I'll call for those matters</p> <p>16 to be brought back forward.</p> <p>17 But tonight on matters SB 830, HB 720,</p> <p>18 there's a motion to forward a letter from</p> <p>19 Council opposing the bill. Again, mind you, we</p> <p>20 already opposed 448.</p> <p>21 Is there a second to that motion?</p>

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<p>1 MR. CALLAHAN: Second.</p> <p>2 MR. PACK: Seconded by Mr. Callahan. Any</p> <p>3 further discussion?</p> <p>4 MR. LESHHER: I still, given these</p> <p>5 alternatives here that are on the table, I'm</p> <p>6 still not fully sure I understand why TWA is</p> <p>7 opposing this as not the better option on the</p> <p>8 table.</p> <p>9 CAPTAIN NEWBERRY: Until we see, I mean</p> <p>10 we're holding our feet solid, until we see the</p> <p>11 exact amendments to that bill. No one knows</p> <p>12 what the amendments are now. They've bounced</p> <p>13 around like a BB in a box cart. Until we find</p> <p>14 out exactly what, it will probably be this</p> <p>15 evening or tomorrow morning at the latest,</p> <p>16 we're opposed to the bill.</p> <p>17 MR. LESHHER: Should we perhaps hold off</p> <p>18 until we see --</p> <p>19 MR. PACK: We have a motion and a second,</p> <p>20 Mr. Leshher.</p> <p>21 MS. PRICE: It's going to be too late by</p>	<p>1 Natural Resources is discussing the amendments</p> <p>2 because they've got to work --</p> <p>3 MS. PRICE: Correct. But do you have that</p> <p>4 verbiage of what would make it tolerable for</p> <p>5 you?</p> <p>6 CAPTAIN NEWBERRY: No.</p> <p>7 MS. PRICE: You do not have that?</p> <p>8 CAPTAIN NEWBERRY: No.</p> <p>9 MS. PRICE: So we can't write that because</p> <p>10 we don't have what they want.</p> <p>11 MR. PACK: Right now what we have in front</p> <p>12 of us is a motion on bill HB 720 and SB 830 by</p> <p>13 Ms. Price, seconded by Mr. Callahan to oppose</p> <p>14 these bills.</p> <p>15 Is there any further discussion on that</p> <p>16 motion?</p> <p>17 MS. PRICE: The motion was predicated on</p> <p>18 getting some amendments. Let me rephrase my</p> <p>19 motion.</p> <p>20 MR. CALLAHAN: I'll withdraw my second.</p> <p>21 MS. PRICE: Motion to oppose it predicated</p>
<p>1 next week.</p> <p>2 CAPTAIN NEWBERRY: Because this bill is</p> <p>3 going to fly, believe me. This bill is going</p> <p>4 to go through like grease when they get the</p> <p>5 amendments on it.</p> <p>6 But I mean I would be opposed to the bill</p> <p>7 out coming approvement (sic.) of amendments.</p> <p>8 MR. LESHHER: Would we modify this to a</p> <p>9 support with amendment, which is another</p> <p>10 solution?</p> <p>11 CAPTAIN NEWBERRY: Support with proper</p> <p>12 amendments. I would --</p> <p>13 MR. LESHHER: But are those particular</p> <p>14 amendments on the table that you could</p> <p>15 articulate --</p> <p>16 CAPTAIN NEWBERRY: We don't know. I mean</p> <p>17 they've stripped them. They've stripped every</p> <p>18 bill --</p> <p>19 MS. PRICE: Do you have amendments that</p> <p>20 would make the bill tolerable?</p> <p>21 CAPTAIN NEWBERRY: The Department of</p>	<p>1 on the amendments.</p> <p>2 When you find out what the amendments are</p> <p>3 that you like, then we can edit that letter to</p> <p>4 a support with amendments, like what you're</p> <p>5 talking about. We need more information but we</p> <p>6 have to do something today.</p> <p>7 CAPTAIN NEWBERRY: Great. Yes.</p> <p>8 MR. LESHHER: But we don't have -- do we</p> <p>9 have an opportunity to do that if we don't have</p> <p>10 an open session for eight days?</p> <p>11 MS. PRICE: I guess what we're --</p> <p>12 MR. LESHHER: I think we're being asked to</p> <p>13 take a stand right now with incomplete</p> <p>14 information.</p> <p>15 MS. PRICE: I think what I'm saying is I'm</p> <p>16 going to trust that the amendments, that if</p> <p>17 they're --</p> <p>18 MR. PACK: We haven't seen the amendments.</p> <p>19 Either we're going forward with this motion</p> <p>20 right now or we're not. We have a motion. We</p> <p>21 have a second. Either we're going forward. If</p>

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<p>1 you want to withdraw your motion at this time</p> <p>2 and wait, I'm happy to do so.</p> <p>3 MS. PRICE: So the support with amendments</p> <p>4 couldn't be --</p> <p>5 CAPTAIN NEWBERRY: Well, our position</p> <p>6 along with the county coalition is no support.</p> <p>7 Bottom line, no support.</p> <p>8 MS. PRICE: So my motion stands to oppose.</p> <p>9 And if we need to support with amendment, we</p> <p>10 can't do that until next week.</p> <p>11 CAPTAIN NEWBERRY: That's fine.</p> <p>12 MR. PACK: Any further discussion?</p> <p>13 MR. DIVILIO: So just to clarify how this</p> <p>14 is going to play out, are we going to receive</p> <p>15 the amendments or information --</p> <p>16 CAPTAIN NEWBERRY: I will get them to you</p> <p>17 ASAP. As soon as I get them, I'll get them to</p> <p>18 you.</p> <p>19 MR. CALLAHAN: With your recommendations?</p> <p>20 CAPTAIN NEWBERRY: Yes.</p> <p>21 MR. CALLAHAN: Okay.</p>	<p>1 will go to the House and rules.</p> <p>2 MR. PACK: I'm going to --</p> <p>3 CAPTAIN NEWBERRY: That's like four or</p> <p>4 five days. So I think the time frame would be</p> <p>5 probably Kosher with that.</p> <p>6 MR. PACK: I'm going to call --</p> <p>7 MR. DIVILIO: Before you do that, I'm</p> <p>8 still unclear how this is going to work.</p> <p>9 So are we offering -- we're going to</p> <p>10 oppose it now and provide that letter.</p> <p>11 MR. PACK: I'm just calling the vote. The</p> <p>12 motion is to oppose it.</p> <p>13 This sounds like there may some additional</p> <p>14 amendments that may come out on this particular</p> <p>15 matter that may change the opinion of the</p> <p>16 Watermen's Association of this particular --</p> <p>17 MR. LESHER: Do we have eight days?</p> <p>18 MR. PACK: -- piece of legislation, but we</p> <p>19 don't know what that is.</p> <p>20 MS. PRICE: So now you're telling us we</p> <p>21 have eight days?</p>
<p>Page 91</p> <p>1 MR. DIVILIO: So if you send those to</p> <p>2 Andy, Andy sends them to us, and then the</p> <p>3 letter will come out? Is that how this is</p> <p>4 going to play?</p> <p>5 MR. HOLLIS: So part of the conversation</p> <p>6 was to schedule it for the 12th if it can be so</p> <p>7 you can discuss it in public again.</p> <p>8 So we're looking for direction from the</p> <p>9 Council.</p> <p>10 MR. LESHER: I would support adding it to</p> <p>11 the agenda on the 12th.</p> <p>12 MR. PACK: So you're holding off on the</p> <p>13 letter until the 12th.</p> <p>14 MR. LESHER: I understand that these</p> <p>15 things can move quickly, and we --</p> <p>16 MS. PRICE: I made a motion and a second.</p> <p>17 So we have to vote on that.</p> <p>18 MR. PACK: I understand that.</p> <p>19 CAPTAIN NEWBERRY: I think we might be all</p> <p>20 right because it has to -- if it comes out of</p> <p>21 committee, it's going over to the House and it</p>	<p>Page 93</p> <p>1 CAPTAIN NEWBERRY: I'm pretty sure. Like</p> <p>2 I said, if it comes out with amendments, it's</p> <p>3 going to have to go over to the House and the</p> <p>4 rules side and then it goes to subcommittee.</p> <p>5 And they're so loaded up right now --</p> <p>6 MS. PRICE: So first you told us we didn't</p> <p>7 have eight days. Now we have eight days. So</p> <p>8 I'll withdraw my motion and we'll take this up</p> <p>9 on the 12th.</p> <p>10 MR. PACK: Motion has been withdrawn by</p> <p>11 Ms. Price on the bill. Is there any objection</p> <p>12 to that? Mr. Callahan --</p> <p>13 MR. CALLAHAN: I'll withdrawn my second.</p> <p>14 MR. PACK: Second has also been withdrawn.</p> <p>15 So what we're going to do is kick all</p> <p>16 these bills that we just went over tonight to</p> <p>17 our March the 12th meeting.</p> <p>18 If you find anything out, just shoot it</p> <p>19 over as quickly as possible.</p> <p>20 CAPTAIN NEWBERRY: I'll get it as soon as</p> <p>21 I can. It might be when I leave the parking</p>



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<p>1 lot.</p> <p>2 MR. PACK: I hope not that soon. Captain</p> <p>3 Newberry, Jeff, thank you guys very much for</p> <p>4 coming out. It was a pleasure talking with</p> <p>5 you.</p> <p>6 And again, we want to keep this dialogue</p> <p>7 moving forward with yourself and Bruce, with</p> <p>8 our watermen so we can help you guys out as</p> <p>9 much as we possibly can.</p> <p>10 MR. HARRISON: Thank you very much.</p> <p>11 CAPTAIN NEWBERRY: And if you ever want to</p> <p>12 get an update on where these bills exactly are</p> <p>13 to the minute, like I said, our website,</p> <p>14 delmarvafisheries.com. And we have updates</p> <p>15 every day twice a day.</p> <p>16 MR. LESHER: The document that you</p> <p>17 provided us with all the links to the</p> <p>18 legislation and the fiscal note --</p> <p>19 CAPTAIN NEWBERRY: It's all right on that</p> <p>20 website. Instead of having to go to your</p> <p>21 computer, you get on our website, click, then</p>	<p>1 different one, I apologize, from the one I had</p> <p>2 before. I did print it up.</p> <p>3 And Mr. Kupersmith, were you briefing us</p> <p>4 on this or no?</p> <p>5 MR. KUPERSMITH: I can give you a brief</p> <p>6 update based on my understanding of it.</p> <p>7 So I believe this is the Parrot, Delegate</p> <p>8 Parrot, bill. My understanding of it is that</p> <p>9 under this bill, this would authorize the</p> <p>10 individual counties to set a minimum wage that</p> <p>11 would have to be at least as stringent as the</p> <p>12 federal standard.</p> <p>13 MR. PACK: Right.</p> <p>14 MS. PRICE: Right.</p> <p>15 MR. KUPERSMITH: That should be drawn in</p> <p>16 contrast to a bill that would set a minimum</p> <p>17 wage across the board for the State. That</p> <p>18 would be one approach. And this would give the</p> <p>19 different jurisdictions the authority to set</p> <p>20 their own.</p> <p>21 MR. PACK: Right. We have --</p>
<p>1 you got it right there.</p> <p>2 MR. LESHER: That's been enormously</p> <p>3 helpful. Thank you.</p> <p>4 CAPTAIN NEWBERRY: Thank you very much.</p> <p>5 MR. PACK: Thank you very much guys.</p> <p>6 Appreciate it.</p> <p>7 Council, just on your agenda we have</p> <p>8 Council consideration of HB 976. This is the</p> <p>9 labor and employment minimum wage bill.</p> <p>10 Council has already taken this matter up.</p> <p>11 This is just for the public record.</p> <p>12 MS. PRICE: This is a different one. This</p> <p>13 is different. If you'll --</p> <p>14 MR. PACK: Okay. Wait a second, hold on.</p> <p>15 I apologize. Let me jump forward to my</p> <p>16 agenda.</p> <p>17 MS. PRICE: This is the one by Delegate --</p> <p>18 MR. PACK: Yes. This is the one --</p> <p>19 MS. PRICE: County by county.</p> <p>20 MR. PACK: Right. So matter before us is</p> <p>21 now consideration on HB 976. This is a</p>	<p>1 MS. PRICE: So everything -- we took this</p> <p>2 up last week at MACo. We could not, as for</p> <p>3 MACo's standpoint, on the minimum wage, we did</p> <p>4 not take a position because it definitely was a</p> <p>5 difference between the more urban counties, who</p> <p>6 were supporting the minimum wage, and the more</p> <p>7 rural 16 counties.</p> <p>8 And we wrote a letter for the Rural County</p> <p>9 Coalition, which then the Council, we had it on</p> <p>10 our agenda a couple of weeks ago, took a</p> <p>11 position to support with the rural counties, to</p> <p>12 oppose the minimum wage. And I went up and</p> <p>13 offered that testimony.</p> <p>14 This one is different. This one, as</p> <p>15 Mr. Kupersmith said, goes county by county.</p> <p>16 This one is can I say dead on arrival to</p> <p>17 the nth degree. I mean it's just not going to</p> <p>18 happen because it goes even beyond going below,</p> <p>19 giving the counties ability to go even below</p> <p>20 the 10.10. It goes back. It would give the</p> <p>21 counties the ability to go back to the federal</p>

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<p>1 minimum wage of \$7.25.  2 So not only is it not tolerable to the  3 legislature, but then it goes down to 7.25.  4 The rural counties discussed maybe going  5 to a regional approach, which was the exact  6 same testimony we gave a week and a half ago on  7 minimum wage bill, saying please let us do it  8 by region. And there's a way to do that with  9 prevailing wage and you can look at that.  10 But this one is not going anywhere. So  11 the rural counties discussed whether or not we  12 would take a position on this bill. We knew  13 that it would just be unfortunately a waste of  14 ink because it's not going anywhere on a county  15 by county.  16 Had we done so, we would have done it by  17 region as opposed to county by county. So  18 that's what I know on this particular bill.  19 I know Delegate Parrott is looking for at  20 least some letters of support, but it's not  21 going anywhere.</p>	<p>1 MS. PRICE: You wouldn't send a letter of  2 no position. You would just be silent.  3 MR. CALLAHAN: That's what I'm saying.  4 MS. PRICE: It's just unfortunate.  5 MR. CALLAHAN: Okay.  6 MR. PACK: So is there a motion for no  7 position? Made by Mr. Callahan. Is there a  8 second?  9 MS. PRICE: Second.  10 MR. PACK: Second by Ms. Price. Any  11 further discussion?  12 MR. LESHHER: Does this require action?  13 MR. PACK: No.  14 MR. LESHHER: Then okay.  15 MR. PACK: The motion is made and seconded  16 of Council to take no position on HB 976.  17 Madam Secretary, please call your roll.  18 SECRETARY: Mr. Pack.  19 MR. PACK: Aye.  20 SECRETARY: Mr. Divilio.  21 MR. DIVILIO: Aye.</p>
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<p>1 MR. PACK: We've already done this  2 electronically.  3 MS. PRICE: Not this one.  4 MR. CALLAHAN: I don't think this one.  5 MS. PRICE: Not this one. We did the  6 minimum wage one.  7 MR. PACK: The minimum wage.  8 MS. PRICE: \$15. This is the opposite.  9 MR. PACK: Okay. Any additional comment  10 on the matter? This is asking us for a letter  11 of support from Delegate Parrott.  12 I am getting it confused with the other  13 minimum wage bill, I apologize, that we've  14 already written our letter for.  15 If there's no more comment, is there a  16 motion either to send a letter of support, an  17 opposition, or no position on this at this  18 time?  19 MR. CALLAHAN: No position.  20 MR. PACK: Mr. Callahan is saying a letter  21 of no position.</p>	<p>1 SECRETARY: Mr. Callahan.  2 MR. CALLAHAN: Aye.  3 SECRETARY: Ms. Price.  4 MS. PRICE: Aye.  5 SECRETARY: Mr. Leshher.  6 MR. LESHHER: I fail to understand what I'm  7 voting on here.  8 MS. PRICE: That we're not going to do  9 anything.  10 MR. PACK: To not send a letter of  11 support, nor are we sending a letter of  12 opposition.  13 MR. LESHHER: But we didn't need a motion  14 and a second to do that.  15 MR. PACK: To not send a letter of support  16 or a letter of opposition. So you're motion  17 is?  18 You can always abstain.  19 MS. PRICE: Don't worry. (Inaudible) all  20 the time.  21 MR. PACK: You can always abstain.</p>

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<p>1 MS. PRICE: -- no position. So we're 2 taking a vote on no position. 3 MR. LESHER: Okay. 4 MR. PACK: I can't make the vote for you. 5 So you have to make it yourself for the record. 6 MR. LESHER: I will support the no 7 position I suppose. Aye. 8 MR. PACK: Thank you. 9 Now, next matter we have before us is an 10 approval for a contract on the Oxford Volunteer 11 Fire Station easement. Who will be here for 12 that? I guess Mr. Kupersmith is back up for 13 that one. 14 MR. KUPERSMITH: Sure. So just briefly to 15 summarize, we have two documents here for you 16 all to consider and we're seeking your approval 17 on these. 18 One is the confirmatory easement, which 19 would confirm existing land rights that are 20 already of record that the Oxford Volunteer 21 Fire Company has, is entitled to use. And this</p>	<p>1 reviewed by the Oxford Fire Department and they 2 meet their approval? 3 MR. KUPERSMITH: Yes. According to their 4 attorney, the trustees of the fire company 5 voted to approve this from their side last 6 Thursday evening. 7 MR. PACK: Okay. 8 MS. PRICE: Make a motion to approve. 9 MR. CALLAHAN: Second it. 10 MR. PACK: Motion by Ms. Price. Second by 11 Mr. Callahan. Any further discussion on the 12 matter before us? 13 Hearing none, Madam secretary, please call 14 your roll. 15 SECRETARY: Mr. Pack. 16 MR. PACK: Aye. 17 SECRETARY: Mr. Divilio. 18 MR. DIVILIO: Aye. 19 SECRETARY: Mr. Callahan. 20 MR. CALLAHAN: Aye. 21 SECRETARY: Ms. Price.</p>
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<p>1 is a 50-foot wide strip of land that is on the 2 county Oxford Park property directly adjacent 3 to the fire company. The fire company would 4 use it, does use it, has used it for ingress 5 and egress to and from the fire company 6 property. So this is just confirming those 7 rights that they already have. 8 And the second document is a neutral 9 release agreement that is something of a 10 housekeeping measure just as part of the 11 process of going through and doing this 12 confirmatory easement. The parties, the county 13 and the fire company, are respectively 14 releasing any claims that they have related to 15 this easement area since the confirmatory 16 easement clarifies and confirms what the 17 parties rights are. 18 So staff would request that you all 19 consider and take a vote to approve these two 20 documents. 21 MR. PACK: And they've already been</p>	<p>1 MS. PRICE: Aye. 2 SECRETARY: Mr. Leshner. 3 MR. LESHER: Aye. 4 MR. KUPERSMITH: Thank you. 5 MR. PACK: Thank you. Okay. County 6 manager's report. Mr. Hollis. 7 MR. HOLLIS: Council, one quick item. You 8 already have in your budget over \$259,000 for a 9 replacement of the central control panel at the 10 Detention Center. We're asking for sole source 11 procurement approval to let that job to 12 Montgomery Technologies System in the amount of 13 \$234,300. 14 You received a memo from the director in 15 your packet. 16 MR. PACK: Got it. Any questions? 17 MR. HOLLIS: Or I can quickly go into it. 18 MR. PACK: No. 19 MR. HOLLIS: Or not. 20 MR. PACK: We've already seen it. It has 21 already been done.</p>

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1 MR. HOLLIS: Correct.

2 MR. PACK: Is there a motion?

3 MR. CALLAHAN: I'll make a motion.

4 MR. PACK: Motion by Mr. Callahan.

5 MR. LESHER: Second.

6 MR. PACK: Second by Mr. Leshner. Any

7 further discussion?

8 Hearing none, Madam Secretary, please call

9 your roll.

10 SECRETARY: Mr. Pack.

11 MR. PACK: Aye.

12 SECRETARY: Mr. Divilio.

13 MR. DIVILIO: Aye.

14 SECRETARY: Mr. Callahan.

15 MR. CALLAHAN: Aye.

16 SECRETARY: Ms. Price.

17 MS. PRICE: Aye.

18 SECRETARY: Mr. Leshner.

19 MR. LESHER: Aye.

20 MR. HOLLIS: Thank you. That's all.

21 MR. PACK: Council comment. Mr. Divilio,

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1 anything from you?

2 MR. DIVILIO: No. I'm good.

3 MR. PACK: Mr. Callahan.

4 MR. CALLAHAN: Nope. I'm good.

5 MR. PACK: Ms. Price.

6 MS. PRICE: No.

7 MR. PACK: Mr. Leshner.

8 MR. LESHER: I have nothing.

9 MR. PACK: I have nothing. And I don't

10 have anything -- Ms. Morris, I'm looking at

11 you. I don't have any statement to read. So I

12 have nothing either.

13 Thank you all very much for coming out.

14 Really appreciate it.

15 Next Council meeting be will on

16 March 12th.

17 SECRETARY: Yeah.

18 (Meeting concluded at: 3:34 p.m.)

19

20

21

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1 STATE OF MARYLAND

2 I, Diane Houlihan, a Notary Public in and

3 for the State of Maryland, County of Anne Arundel,

4 do hereby certify that the within named, Talbot

5 County Council Audio, personally appeared before me

6 at the time and place herein set according to law,

7 was interrogated by counsel.

8

9 I further certify that the examination was

10 recorded stenographically by me and then transcribed

11 from my stenographic notes to the within printed

12 matter by means of computer-assisted transcription

13 in a true and accurate manner.

14

15 I further certify that the stipulations

16 contained herein were entered into by counsel in my

17 presence.

18

19 I further certify that I am not of counsel


20 to any of the parties, not an employee of counsel,

21 nor related to any of the parties, nor in any way

interested in the outcome of this action.

AS WITNESS my hand Notarial Seal this 8th

day of March, 2019 at Eastern MD



Diane Houlihan  
Notary Public

My commission expires September 16, 2021

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