

RE: Opposition to SB 321

I am Opposed SB 321 that is the latest effort to Usurp the DNR's responsibility of regulating the Maryland Public Waters, for a couple of Homeowners.

In 2019 Sen. Ed Reilly was the One-and-Only sponsor of SB 93 that over-rode the DNR's authority to regulate Maryland Public Waters for the first time since 1960, setting a very bad precedent. SB 321 is sponsored ONLY by Ed Reilly who is now Amending his previous bill without even waiting for the DNR Study that was included in his own bill SB 93-2019 !

Mr. Reilly is not a boater, ask him, he has no connection to the water and is simply working on behalf of a couple of waterfront homeowners. Please note that within one gated community being represented by Mr. Reilly some of these homes are not primary residences but second homes. Maynadier Creek has over 2 miles of shoreline with only about a dozen private piers in the ski area. Maynadier Creek is part of Maryland Public Waters formerly regulated by the DNR (before SB93-2019).

HISTORY

Since 1990 there has been a Corp of Engineers Sanctioned Slalom Ski course in Maynadier Creek that has been Studied and reviewed in extreme detail over the years. During 2013 thru 2016 the Corp of Engineers re-certified the Slalom Ski Course in Maynadier Creek after extensive in-depth review and with the input and approval from various agencies including the US Coast Guard, DNR, Maryland Department of the Environment, Fisheries and Wildlife, University of Maryland Horn Point Lab., the NOAA, Multiple COE on-site and on-water surveys during different times of the year plus Notices asking for input from ALL Waterfront owners. If there were any Environmental problems, the COE would not have re-certified the Slalom Course to be a permanent fixture on the NOAA Waterways Charts. Navigation and Environmental issues including noise, erosion, underwater grasses, fish, and other wildlife have been studied extensively and the conclusions have unanimously shown there are no issues with DNR Certified Ski boats that are required to be used in this course.

In the past 30 years there have been NO issues reported by the marine police or DNR for any problems related to this Slalom course. No other Boater has even called. There have never been any restrictions to any other boater, paddle board, canoe, etc. while the ski course is being used, all share at the same time.

In 2016 the DNR unified the times and places for operation for the 3 ski courses on Maryland Waters that included restricted Skiing times during the Boating Season. Hearings were held to obtain input from all concerned citizens concerning this issue and it was concluded that the current regulations were working. There is an existing DNR review process in place if something changes

and needs to be addressed that can be requested by citizens or organizations at any time.

In 2019, Sen. Reilly introduced SB93 that removed the responsibility of the DNR from regulating Maynadier Creek to skiing hours that he and he alone dictated. There were no public hearing, no negotiations, and no input from DNR. Mr. Reilly simply listened to a couple of waterfront Homeowners that in recent years moved to Maynadier Creek and apparently did not want to be able to see competitive skiers from their property and requested that Sen. Reilly dictate the restricted hours these athletes can practice.

The previous DNR regulations (pre 2019) were not based on the whim of a single person but on hundreds if not thousands of hours of Manpower from various agencies contributing to Multiple research studies since the 1980's plus the input from the BAAC* which is a body of experienced boaters and waterfront owners that evaluate the input from of all parties in Public Water decisions.

*The Boat Act Advisory Committee (BAAC) is a group of concerned citizens that was set up by the Maryland Legislature in 1960 to advise the DNR about Maryland Water Regulations. The BAAC is made up of 10 to 20 Boaters, Watermen, Waterfront owners and other users of the water to meet and hold hearings regularly about various Maryland Public Water concerns that arise, EXACTLY like this issue.

I urge you to reject SB-321.

Not only should SB 321 be denied, it should be amended to reverse SB-93-2019 and return the responsibility for the regulation of the Public Water of Maryland back the DNR where it belongs.

The Senate and House should not even be involved in this but should be trying to help the citizens of Maryland during these Medical and Economic disasters.

I am a life-long Boater, a competitive Water skier and currently hold a 50T Masters Captains License. These restrictions reduce practice times in this sanctioned ski course which affects performance. These very limited hours make it very difficult to use this Public Resource as these bills remove family ski times to all but 3 times a week due to work even in the off-season months. There is no Science or Research that supports this bill.

I have copies of the many reports from 1990 till present that confirm there are no environmental or noise issues with this course if you are interested.

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