

Maryland Coastal Bays Aquatic Sensitive Areas Recommendations May 16, 2005

Maryland Department of the Environment

Policy Committee Approved:

- **Complete research on guidelines for dock and pier height, width, length and density.**
 - Research guidelines for dock and pier height and length. Look at the effect of fragmentation on the area.
- **Maintain current policies and requirements on docks and piers until research is completed.**
- **Review and formalize appropriate requirements for docks and piers based on the outcomes of the research.**
 - Formalize MDE's unwritten policy on requirements for docks and piers over tidal wetlands and make it a regulation. Consider (1) current policy (maximum 3' high and 3' wide) or (2) new information gained from research.

High Priority:

- Use sensitive areas information to support state legislation to allow fees to be charged for wetland permits to increase mitigation, permit review and enforcement staff.
- Determine the potential for building future docks and piers (on existing parcels) in the coastal bays. Look at the information in term of fragmentation and priority areas for protection. (co-lead DNR/Wo.Co.)
- Produce brochure on the influence of docks and piers on the environment, current regulations, and the wetland permit process. Information should be included with permit application.
- Require research and monitoring as part of the permit process, including making it a condition of the permit.

Medium Priority:

- Define a minimum water depth requirement or a standard provision that a specific depth must be attained to allow for motorized craft to approach docks or piers.

- Require a minimum water depth for boat lifts to be allowed.
- Increase enforcement of wetland permitting regulations.
- Research the relationship between aquatic and shoreline habitats and evaluate how this information can be incorporated into the permit process. (co-lead DNR/Wo. Co.)

Maryland Department of Natural Resources

Approved by Policy Committee:

- **Research how Turtle Exclusion Devices (TEDs) modify by-catch in coastal bays crab pots.**
 - Study pots further than 200 yards from shore, in the bays to see if need TEDs.
- **Review current regulations based on TED research.**
 - Modify regulations to require commercial pots to have turtle exclusion devices (TEDs) within 200 yards of shore.
- **Identify alternative methods to delineate closed areas, including seagrass beds closed to hydraulic clam dredging. Options should include Global Positioning Systems (GPS).**
 - More clearly delineate protected areas on the water by using publicly recognizable buoys (or other markings) and ensuring correct placement.
 - Research the possibility of using hand held GPS systems instead of buoys to delineate areas.
- **Research the effectiveness of marine managed areas and zoning, specifically as they relate to areas similar to the coastal bays in size, circulation, and depth.**
 - Research the effectiveness of resource sanctuaries to improve sensitive habitats and species, including recreationally and commercially important fish and shellfish species, within the coastal bays.
 - Research the design of resource sanctuaries specific to the Coastal Bays.
- **If appropriate, design and recommend appropriate marine managed areas or zoning to improve coastal habitat and species and manage conflicting uses.**
 - Review current and identify new regulations that could be used to create marine sanctuaries or zones in the coastal bays, if deemed appropriate.
 - Design resource sanctuaries to improve habitat for recreationally and commercially important fish and shellfish species.
 - Designate zones for specific use (Consider setting up an area specifically for personal watercraft (PWCs)).

High Priority:

- Develop and incorporate sensitive areas information into boating classes.
- Create marked channels to and from rental outfits and bayside establishments. Use areas where this is occurring as demonstration sites.
- Better publicize fishing size and creel limits in popular fishing areas and by boat launch facilities. (co-lead MCBP)
- Research and define locations of blue crab over wintering areas.
- Research the best time to do maintenance dredging in relation to sensitive areas, boating traffic, etc.

Medium Priority:

- Create a "bounty" program for the return of abandoned crab pots, potentially through creating a coordinating organization or providing funding to non-profits.
- Increase enforcement of speed limits and boating rules and environmental regulations (including 100 foot regulation on PWCs).
- In lieu of a fine require that boating regulation violators attend a boating class.
- Hand out information on sensitive areas when talking to boaters for other causes. (co-lead with USCG)
- Develop a program where people can dispose of or recycle old/abandoned crab pots. (co-lead Reef Foundation)
- Educate marina owners as to the opportunities that are out there to help them maintain and install pump out stations.
- Evaluate the possible outcomes of aquaculture on the coastal bays. (co-lead MDA)
- Determine the feasibility of additional island creation and stabilization in the coastal bays and how would that affect the sensitive areas. Specifically consider the trade-offs associated with island creation and other restoration projects. (co-lead ACOE)
- Complete additional research on the effects of macroalgae and harmful algal blooms on the sensitive areas.

Low Priority:

- Require a special license to boat in the coastal bays that mandates that a boater education course have been taken.
- Conduct an economic analysis of shoreline habitat changes (co-lead Wo.Co.)

Maryland Coastal Bays Program

Policy Committee Approved:

- **Create a “responsible Recreation in the Coastal Bays” brochure.**
 - Develop a pamphlet - Responsible Recreation in the Coastal Bays - The Management Team felt that multiple pieces of educational information could be presented to the public through a single brochure.
- **Incorporate sensitive areas information into boater education classes.**
 - Develop and incorporate sensitive areas information into boating classes – The Management Team felt that some information could be shared with boaters and PWC users during classes and orientations that are already occurring.
- **Include sensitive areas locations and information in the Maryland Coastal Bays Boater’s Guide.**
 - Add sensitive areas to the MCBP Boaters’ Guide.
- **Work with business owners to educate consumers on sensitive areas issues.**
 - Educate retailers (discount stores, hardware stores, and bait and tackle shops) about cull-rings and TEDs so that they sell pots with these items installed.
 - Educate retailers that sell collapsible tray on the sizing restrictions.
 - Attach educational information to clamming rakes and include information at hardware stores where rakes are sold.
 - Educate bait shops and fishermen about invasive species that are used as bait.
 - Talk to the crab pot makers about including regulations on the pots when they are sold.

High Priority:

- Work with navigational chart producers (ADC Mapping and NOAA) to increase information on charts to include sensitive areas.
- Create an “Adopt a Sensitive Area” Program. (co-lead Power Squadron)

- Better publicize fishing size and creel limits in popular fishing areas and by boat launch facilities. (High Priority, co-lead DNR)
- Create rental packets that can be shared with people who come to the shore. Information could be distributed: in rental units, hotels, or as they travel across the bay bridge. Information can be shared through video and audiotapes.
- As additional information becomes available, update the Aquatic Sensitive Areas Maps. Evaluation of the maps should be done at a minimum of every five years and should include review by technical personnel. (co-lead NPS)

Medium Priority:

- Improve communication between MD, DE, and VA so that a comprehensive Mid-Atlantic Coastal Bays Initiative can be developed.

National Park Service

High Priority:

- As additional information becomes available, update the Aquatic Sensitive Areas Maps. Evaluation of the maps should be done at a minimum of every five years and should include review by technical personnel. (co-lead MCBP)

Worcester County

Policy Committee Approved:

- **Complete research on guidelines for dock and pier height, width, length and density.**
 - Research guidelines for dock and pier height and length. Look at the effect of fragmentation on the area.
- **Maintain current policies and requirements on docks and piers until research is completed.**
 - Make permanent Worcester County Critical Area requirements so docks and piers in public and private tidal wetlands cannot be longer than 100 ft
- **Review and formalize appropriate requirements for docks and piers based on the outcomes of the research.**
 - Make permanent Worcester County Critical Area requirements so docks and piers in public and private tidal wetlands cannot be longer than 100 ft. If appropriate, modify these guidelines to meet environmental priorities established during research.

High Priority:

- Determine the potential for building future docks and piers (on existing parcels) in the coastal bays. Look at the information in term of fragmentation and priority areas for protection. (co-lead DNR/MDE)

Medium Priority:

- Research the relationship between aquatic and shoreline habitats and evaluate how this information can be incorporated into the permit process. (Medium Priority, co-lead DNR/MDE)
- Conduct an economic analysis of shoreline habitat changes (co-lead DNR)

Assateague Coastal Trust

Medium Priority:

- Consider creating an “Adopt-an-Imperiled-Buoy-Program” to help identify locations and maintain buoys.
- Do research to see if there are sensitive areas where additional speed limits and no wake zones are needed.

Power Squadron

Policy Committee Approved:

- **Incorporate sensitive areas information into boater education classes.**
 - Develop and incorporate sensitive areas information into boating classes.

U.S. Coast Guard

Policy Committee Approved:

- **Incorporate sensitive areas information into boater education classes.**
 - Develop and incorporate sensitive areas information into boating classes.

High Priority:

- Create an “Adopt a Sensitive Area” Program. (co-lead MCBP)

Medium Priority:

- Hand out information on sensitive areas when talking to boaters for other causes. (co-lead DNR)

Delmarva Low Impact Tourism Experiences

Medium Priority:

- Create a volunteer group to serve as “Bird Buddies” during the nesting season.

Reef Foundation

Medium Priority:

- Develop a program where people can dispose of or recycle old/abandoned crab pots. (co-lead DNR)

Maryland Department of Agriculture

Medium Priority:

- Evaluate the possible outcomes of aquaculture on the coastal bays. (co-lead DNR)

Army Corps of Engineers

Medium Priority:

- Consider using the Corps of Engineers Model to do an analysis on what will happen when the channel is dredged.
- Determine the feasibility of additional island creation and stabilization in the coastal bays and how would that affect the sensitive areas. Specifically consider the trade-offs associated with island creation and other restoration projects. (co-lead DNR)