

LOCAL LIFE

ON THE WATER

July 2019



PYY MARINE

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This local team is ready to help boat owners with everything from sales to service to storage.



THE VOICE MEDIA INC.

CRAB POPULATION

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Blue crabs are thriving in the Chesapeake Bay. Surveys show a 60% increase from last year.

EXPLORING

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The Magothy River Water Trail charts a path that's ideal for kayaks or small boats.

PROPERTY

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Understand what rights you have as a waterfront property owner.



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Chesapeake Bay Blue Crab Survey Shows Strong Growth

The results of the 2019 blue crab dredge survey are in: The bay-wide blue crab population increased 60% from last year to an estimated total population of 594 million crabs.

“[These] results are further proof and a shining example that our efforts to protect Maryland’s blue crab population, while ensuring the health of our state’s most important natural asset, have been successful,” said Governor Larry Hogan, who chairs the Chesapeake Executive Council.

The rise in adult abundance of blue crabs was higher than anticipated given a poor influx of juveniles in 2017 and 2018. This is a sign that blue crab management has been successful at allowing more crabs to reach the spawning stock.

The adult female population climbed to 190 million, a 29% gain from 2018, and the adult male



The male, female and juvenile blue crab populations in the Chesapeake Bay have increased, according to new research.

population increased to 80 million, or a 38% increase. Mild winter temperatures also helped increase both juvenile and adult blue crab overwintering survival rates.

“The blue crab population is both healthy and thriving, which is great news for the entire bay,” said Maryland Department of Natural Resources Secretary

Jeannie Haddaway-Riccio. “Under Governor Hogan’s leadership, these results are a clear indication of the effectiveness of our management plan for blue crabs, an iconic species that is essential to Maryland’s economy and the bay’s ecosystem.”

The juvenile crab population also increased from 167 million

in 2018 to 324 million this year. Since blue crabs spend the first part of their lives in the Atlantic Ocean, they rely heavily on favorable currents, temperatures and winds to bring them into the Chesapeake Bay, where they grow and mature.

“The female abundance of blue crabs is close to our target and the juvenile population is above average,” said Michael Luisi, Natural Resources fisheries monitoring and assessment director. “We expect a lot of variability in the blue crab population, and taking a conservative approach offers stability for the fisheries in the face of swings in abundance.”

In 2018, bay-wide harvest was 55 million pounds, a slight increase from the 54 million pounds harvested in 2017.

The Chesapeake Bay Stock Assessment Committee will review » **Continued on page 8**



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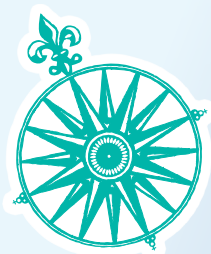
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What Is The Magothy River Water Trail?

The Magothy River Water Trail was created by the Magothy River Association (MRA), with funding from the Chesapeake Bay Trust, to provide a unique guide to the river. The MRA's goal was to educate and engage the public in exploring the Magothy River, especially by kayak or other small boat. MRA members hope that people who are exposed to the beauty of the river by exploring its hidden coves and creeks will become its stewards, and will protect the waterway now and in the future. In addition to a mileage chart, the Water Trail brochure lists special points of interest, denoting which have kayak-only access and which have corresponding videos.

The most unique aspect of the Water Trail guide is that it offers hyperlinks to videos of the

Magothy's wonderful creeks and coves, and narratives to provide more in-depth knowledge of the river's treasures and problems. Numerous coves are marked as "hidden gems," as they are obscured from view unless you know where to enter. The map has links to 18 video clips, with more to come. The video clips include footage of Lake Placid, Broad Creek, Blackhole Creek and other places.

The MRA has printed thousands of map copies, which have been placed at local marinas and distributed to local communities. Copies can also be found at two kiosks, which are placed at Beachwood Park in Pasadena and Spriggs Farm Park in Arnold, the only two public launch sites for kayaks on the Magothy River. In addition to the pocket-sized

maps, the kiosks hold poster-size versions of the map.

The MRA simultaneously launched its Living History project, which is an ongoing effort to interview and videotape the stories of longtime residents who have lived for many years along the river and can document through stories and old photographs what life used to be like here. Those living history videos are linked to the Water Trail project. MRA is actively recruiting longtime residents of the Magothy River watershed to tell their stories and share their photos of life on the Magothy in the past. An example can be found in the Broad Creek video, with its link to Sybil Looper Chandler's story of the home she built on the river in the 1950s. Through the Cattail Creek video, viewers can link to Scott Jay's entertaining stories of Sever-

na Park in the 1930s, 1940s and 1950s. Residents with stories that they would like share should contact MRA President Paul Spadaro at president@magothyriver.org.

Many parts of this project have been done by volunteers, including the map creation, building of the kiosks, artwork for the map, exploration of the Magothy River "gems" by kayak and small boat, identification of points of interest, creation of the Treasure Hunt quiz, narration of the videos, and creation of many videos. Many hours were spent by volunteers on the layout of the map and its elements, including the mileage chart.

The Magothy River Water Trail map is also available online through the MRA website (www.magothyriver.org/projects/water-trail).

PYY Marine Ensures Smooth Boat

By Dylan Roche

Sales, service, slips or supplies. No matter what they're looking for, boaters know they can find it at PYY Marine. In the three and a half years since owners Martin Bentz and Mike Hatcher bought the marina, they have turned the company into a one-stop shop for their customers to make the most of life on the water.

"We love boating and we want to continue to make the boating experience enjoyable and easy," said Hatcher. "We are continuing to improve our business and property and want to be able to provide the best for the amazing community we love being part of."

Manager Janine Samuel explained that when Bentz and Hatcher took ownership, the marina operated under what she described as a skeleton crew. "They had one person working in service and one person working in the office," she said. "It was a minimal client base. From there, they just took off and grew the business on their own, hiring people bit by bit, bringing on technicians, bringing on more office personnel. It paid off in a big, big way."

Today, boat sales are up, the service crew is busy, and the office is always buzzing. PYY Marine has an inventory of boats for sale, including such lines as Cape Horn, Yellowfin and Sölace, and its expert staff



Photos by Dylan Roche

ing Experience For Its Customers

can handle an array of maintenance jobs and services to keep boats in top condition. Boaters can even rest assured that their boat is in the best care when it is kept at PYY Marine, which offers annual or seasonal slips and storage in a safe, gated facility.

But what really makes PYY Marine a success is the outstanding customer service its 15-member team can offer in every capacity. "We're more than happy to deliver a boat to a customer, go get a boat from a customer to bring it back here, and provide constant follow-up with the customer to make sure they know where the boat stands," Samuel said.

The crew recently finished its busy spring season to unwrap all the stored boats, get their bottoms painted, get the detail work done, and then launch them on the water. All of this work sometimes starts before the winter is even over. "We can launch as early as February, depending on the customer," Samuel said. "Then it's just launch after launch after launch. The travel lift is working nonstop. And we're constantly detailing because we want the boats to look in prime condition before they get launched."

PYY Marine extends its commitment to customers by being a strong community partner and giving back through donations to Special Olympics, Salvation Army,

ClearShark H2O, local Ravens Roosts, Chesapeake Best Buddies and other organizations. The staff collects food for Thanksgiving, donates gifts for Christmas, and participates in golf tournaments for charity. "The community respects that because they want to give back as well," Samuel said.

Constantly looking for ways to better serve customers, the team at PYY Marine recently made improvements to its facility by power washing all the piers, redoing all the electrical work and replacing its bulkhead. Additionally, Samuel noted PYY Marine plans to expand its sales options and its service department.

All of these aspects will help PYY Marine continue to be a great option for Anne Arundel County boaters. "Everyone here loves boating, and even though we're farther down Rock Creek, people come all the way here to get their boats fixed because they realize the pride we take in fixing boats," Samuel said. "They know we'll take good care of them."

PYY Marine is located at 1132 Pasadena Yacht Yard Road in Pasadena, and its office is open 8:00am-5:00pm Monday through Friday and 8:00am-4:00pm Saturday and Sunday. For more information, visit www.pyymarine.com or call 410-255-1771.



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Chesapeake Bay Blue Crab Survey Shows Strong Growth

» Continued from page 3
 the results of the survey and plan to release a full analysis this summer.

The Winter Dredge Survey has been conducted cooperatively by the Maryland Department of Natural Resources and the Virginia Institute of Marine Science since 1990, and the results are reviewed annually in an effort to have consistent management efforts across the jurisdictions. Throughout the survey, biologists use dredge equipment to capture, measure, record and release blue crabs at 1,500 sites throughout the Chesapeake Bay from December through March. ■

Publishers

Dianna Lancione
 Lonnie Lancione

Chief Operating Officer

Larry Sells

V.P., Operations

Brian Lancione

Sales Account Executive

Shannon Vitielliss

Inside Sales Support

Heather Lancione

Editor

Dylan Roche

Sports Editor

Colin Murphy

Assistant Editor

Zach Sparks

Staff Reporter

Maya Pottiger

Creative Director

Will Nauman

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Who Owns What On The Waterfront?

When you look at a beautiful stretch of waterfront property, what do you see? A boat docking paradise? A great spot to fish from? Sunset-watching central? Definitely.

Riparian rights? Maybe not.

The next time you cruise down to the pier, you will know that a “riparian land-owner” owns land bordering upon or in contact with a body of water, such as a river, bay or running stream.

Owning waterfront property in Maryland entitles a person to certain rights. Here are the main categories to know:

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Maryland Waterway Improvement Fund Awards \$13.5 Million

The Maryland Department of Natural Resources is providing \$13.5 million in Waterway Improvement Fund grants in Fiscal Year 2020 to enhance and improve public boating access, facilities and navigation throughout the state.

This funding will go toward 58 projects in 16 counties, including grants for statewide projects and emergency needs such as ice-breaking. Projects include new public boating access, amenities and facilities; dredging of navigable waterways; emergency vessels and equipment for local first re-



sponders; and other important infrastructure and initiatives.

"Maryland is committed to expanding boating opportunities so that our citizens and

visitors can appreciate all that our waterways have to offer," said Maryland Secretary of Natural Resources Jeanne Haddaway-Riccio. "These

grants will enhance safety, improve access and maximize enjoyment for all boaters."

Among the projects to be funded in Fiscal Year 2020 are Mathias Cove and Main Creek in Lake Shore (maintenance dredging, \$341,500 in matching funds), Brady and Old Glory Coves in Pasadena (maintenance dredging, \$168,500 in matching funds), Old Man Creek in Severna Park (maintenance dredging, \$131,500 in matching funds) and Spriggs Pond and Ross Cove in Arnold (maintenance dredging, \$128,400 in matching funds). ■

Who Owns What On The Waterfront?

» Continued from page 9 Access To The Water

In Maryland, we love our boats. Fishing, crabbing, waterskiing or sailing all take us out on the water, and a riparian landowner has the right to use the adjacent water for all these purposes. The right of access also grants the ability to keep anyone from blocking one's view of the water. This right does have limitations, however; it can be encroached upon by a neighboring pier, or transferred to a community association, or otherwise impeded.

To Build A Wharf Or Pier Into The Water

Along with using the water, riparian owners have the right to build into the water. Piers and wharfs are subject to many county and state regulations, but the riparian owner still has broad ability to construct such an addition to increase the use of and access to the adjacent water. Note that this right does not allow an owner to

encroach on another owner's riparian rights. You may not be surprised to learn that this is often the subject of significant legal battles.

Use Of The Water Without Transforming It

In a classic lawyer catchall, Maryland courts have held that riparian owners can use the water for other general purposes so long as they do not "transform" it. Ask three lawyers what that means, and you are certain to get three different answers.

Consume The Water

This is not legal advice, but I recommend that you not drink the bay water.

Accretions And Alluvium

In case you don't have your Black's Law Dictionary handy, accretions and alluvium are the land that gets added (either above or below the water) by the gradual addition of silt, soil or minerals to the land. So if your beachfront gradually grows

over time, that land is all yours. And riparian owners also have the right to take reasonable steps to prevent the opposite process – erosion – from diminishing their property.

Ownership Of The Subsoil Of Non-Navigable Streams

The title to land under navigable water is held by the state of Maryland; the federal government has a right to protect navigation in the navigable waters. But in smaller streams or side channels not navigable by any craft, the riparian owner holds title to the bed below the water. Discussion of what constitutes "navigable" could fill this magazine a hundred times over.

Reservation Of Riparian Rights

When a piece of waterfront real property is conveyed, there is a strong presumption that the riparian rights go with it. However, the conveying owner can, by

an express reservation of rights, retain the riparian rights for any purpose. This is one of those areas where some "magic words" make all the difference; a poorly drafted deed or contract can lead to disastrous consequences.

Riparian Rights Review

The rights of property owners are often described in the law as a "bundle of sticks," with each individual stick representing a right held by the owner that can be defined, removed, transferred and protected. Riparian rights are an eclectic bundle of sticks – they vary widely in size and strength, and sometimes seem entirely unrelated to one another. They are also fiercely protected by the law. Knowing a few key facets of those rights can greatly add to an owner's enjoyment of the water.

Brian R. Fellner is the founding attorney of Fellner Legal Services LLC. To contact him, email bfellner@flslawyer.com, call 443-906-0117 or visit www.flslawyer.com. ■

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