

MARYLAND REGISTER

## Proposed Action on Regulations

<b>Transmittal Sheet</b>  <b>PROPOSED OR REPROPOSED</b>  <b>Actions on Regulations</b>	<b>Date Filed with AELR Committee</b>	<b>TO BE COMPLETED BY DSD</b>
	07/03/2014	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 8/8/2014

2. COMAR Codification

**Title Subtitle Chapter Regulation**

08 18 30 01-.04

3. Name of Promulgating Authority

Department of Natural Resources

**4. Name of Regulations Coordinator Telephone Number**  
Eileen C Mosley 410-260-8107

**Mailing Address**

Tawes State Office Building, 580 Taylor Avenue, C-4

**City State Zip Code**  
Annapolis MD 21401

**Email**  
emosley@dnr.state.md.us

**5. Name of Person to Call About this Document Telephone No.**  
Donna Morrow 410-260-8773

**Email Address**  
Donna.Morrow@Maryland.gov

**6. Check applicable items:**  
 New Regulations

**X- Amendments to Existing Regulations**

Date when existing text was downloaded from COMAR online: June 19, 2014.

- Repeal of Existing Regulations
- Recodification
- Incorporation by Reference of Documents Requiring DSD Approval
- Reproposal of Substantively Different Text:

: Md. R  
(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

**7. Is there emergency text which is identical to this proposal:**

Yes **X-** No

**8. Incorporation by Reference**

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

**9. Public Body - Open Meeting**

OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

**10. Children's Environmental Health and Protection**

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

**11. Certificate of Authorized Officer**

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Mark Talty, Assistant Attorney General, (telephone #410-260-8352) on July 1, 2014. A written copy of the approval is on file at this agency.

**Name of Authorized Officer**

Eileen Mosley

**Title**

Regulations Coordinator

**Telephone No.**

410-260-8107

**Date**

July 2, 2014

**Title 08**

# **DEPARTMENT OF NATURAL RESOURCES**

## **Subtitle 18 BOATING--SPEED LIMITS AND OPERATION OF VESSELS**

### **08.18.30 Wicomico River**

Authority: Natural Resources Article, §§8-703 and 8-704, Annotated Code of Maryland

#### **Notice of Proposed Action**

□

The Secretary of the Maryland Department of Natural Resources proposes to amend Regulations .01-.04 under COMAR 08.18.30.

#### **Statement of Purpose**

The purpose of this action is to update and clarify existing boating laws and coordinates of certain boundaries and to ensure safe boating on Maryland's waterways.

#### **Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

#### **Estimate of Economic Impact**

The proposed action has no economic impact.

#### **Economic Impact on Small Businesses**

The proposed action has minimal or no economic impact on small businesses.

#### **Impact on Individuals with Disabilities**

The proposed action has no impact on individuals with disabilities.

#### **Opportunity for Public Comment**

Comments may be sent to Donna Morrow, Division Director, Clean Waterways, Facilities & Regulations Division, Maryland Department of Natural Resources - Boating Services Unit, 580 Taylor Avenue, E/4, Annapolis, Maryland 21401, or call 410-260-8773, or email to [Donna.Morrow@Maryland.gov](mailto:Donna.Morrow@Maryland.gov), or fax to 410-260-8453. Comments will be accepted through September 8, 2014. A public hearing has not been scheduled.

#### **Economic Impact Statement Part C**

A. Fiscal Year in which regulations will become effective: FY 2015

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

Waterway Improvement Fund

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

Funds are currently budgeted for marking waterways.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

N/A

G. Small Business Worksheet:

Attached Document:

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## Title 08

# DEPARTMENT OF NATURAL RESOURCES

## Subtitle 18 BOATING — SPEED LIMITS AND OPERATION OF VESSELS

### Chapter 30 Wicomico River

Authority: Natural Resources Article, §§8-703 and 8-704, Annotated Code of Maryland

#### **.01 Wicomico River.**

The Wicomico River encompasses all the waters of the Wicomico River and its tributaries [easterly of a line from Lat. 38°14'34.40"N., Long. 75°52'20.60"W., running 140° True to the opposite shore, Lat. 38°13'58.44"N., Long. 75°51'42.96"W.] *upstream of a line beginning at a point, at or near Lat. 38° 14.567' N., Long. 75° 52.350' W., then running 140° (True) to a point, at or near Lat. 38° 13.967' N., Long. 75° 51.717' W.*

#### **.02 Lower Ferry.**

Lower Ferry encompasses all of the waters of the Wicomico River upstream of a line beginning at a point on the south shore of the Wicomico River, at or near [ Lat. 38°15.967'N., Long. 75°47.526'W., then running 358° (True) to a point on the north shore of the Wicomico River, at or near Lat. 38°16.086'N., Long. 75°47.532'W. and downstream of a line beginning at a point on the south shore of the Wicomico River at or near Lat. 38°15.962'N., Long. 75°47.148'W., then running 351° (True) to a point on the north shore of the Wicomico River, at or near Lat. 38°16.111'N., Long. 75°47.179'W.] *Lat. 38° 15.967' N., Long. 75° 47.527' W., then running 358° (True) to a point, at or near Lat. 38° 16.086' N., Long. 75° 47.532' W., and downstream of a line beginning at a point, at or near Lat. 38° 15.962' N., Long. 75° 47.148' W., then running 351° (True) to a point, at or near Lat. 38° 16.112' N., Long. 75° 47.178' W.* This area has a 6 knot [ (6.9 MPH) ] speed limit all year.

#### **.03 Upper Ferry.**

Upper Ferry encompasses the area [ beginning at a point Lat. 38°20'25.96"N., Long. 75°41'56.10"W., a line running 170° True to the opposite shore, Lat. 38°20'22.02"N., Long. 75°41'55.22"W., and running upriver to a line beginning at a point Lat. 38°20'34.08"N., Long. 75°41'31.47"W., and running 180° True to the opposite shore, Lat. 38°20'30.58"N., Long. 75°41'31.47"W.] *upstream of a line beginning at a point, at or near Lat. 38° 20.440' N., Long. 75° 41.935' W., then running 172° (True) to a point, at or near Lat. 38° 20.363' N., Long. 75° 41.922' W., and downstream of a line*

*beginning at a point, at or near Lat. 38° 20.563' N., Long. 75° 41.522' W., then running 180° (True) to a point, at or near Lat. 38° 20.488' N., Long. 75° 41.522' W. This area has a 6-knot[ (6.9 MPH)] speed limit all year.*

**.04 Upper Wicomico River.**

The Upper Wicomico River encompasses the area[ beginning at a point Lat. 38°21'01.75"N., Long. 75°37'16.23"W., a line running 160° True to the opposite shore, Lat. 38°20'55.49"N., Long. 75°37'13.34"W.,] *upstream of a line beginning at a point, at or near Lat. 38° 21.028' N., Long. 75° 37.282' W., then running 145° (True) to a point, at or near Lat. 38° 20.958' N., Long. 75° 37.220' W., and running to the head of the river, including all tributaries. This area has a 6-knot[ (6.9 MPH)] speed limit all year.*

JOSEPH P. GILL  
Secretary, Department of Natural Resources