

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulations
Department of Natural Resources**
(DLS Control No. 14-288)

Overview and Legal and Fiscal Impact

This regulation updates the boundary coordinates and descriptions of the North Glade Cove restricted skiing area and the designated minimum wake zones of Deep Creek Lake.

The regulation presents no legal issue of concern.

There is no fiscal impact on State or local agencies.

Regulations of COMAR Affected

Department of Natural Resources:

Boating – Speed Limits and Operation of Vessels: Deep Creek Lake:
COMAR 08.18.33.01-.03

Legal Analysis

Background

The regulation is part of a comprehensive update of State boating regulations undertaken by the Department of Natural Resources to more accurately and consistently describe waterways and speed restrictions.

Summary of Regulations

The regulation revises the boundary delineations of the North Glade Cove restricted skiing area and the designated minimum wake zones of Deep Creek Lake using global positioning system coordinates, current charts, and more accurate surveys. The existing time and day restrictions for the restricted skiing area and minimum wake zones are retained.

Legal Issue

The regulations present no legal issue of concern.

Statutory Authority and Legislative Intent

The department cites §§ 5-209, 8-703, and 8-704 of the Natural Resources Article as legal authority for the regulation. More specifically, § 5-209(a) establishes the broad authority of

the department to adopt regulations for the maintenance of order, safety, sanitation, traffic control, or for the protection of trees and other property and the preservation of natural beauty within State parks, recreational areas, and other lands under the control of the department. Section 8-703(a)(7) requires the department to designate and mark channels in the waters of the State. Section 8-704(a) broadly authorizes the department to adopt regulations to carry out the provisions of the State Boat Act. The authority is correct and complete. The regulations comply with the legislative intent of the law.

Technical Corrections

The department has confirmed that the regulation does not include any changes to Regulations .01 and .02 of COMAR 08.18.33. Accordingly, the department will submit replacement pages that delete regulations .01 and .02.

Fiscal Analysis

There is no fiscal impact on State or local agencies.

Agency Estimate of Projected Fiscal Impact

The department advises that the regulations have no impact on State or local governments. The Department of Legislative Services concurs.

Impact on Budget

There is no impact on the State operating or capital budget.

Agency Estimate of Projected Small Business Impact

The department advises that the regulations have minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

Contact Information

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