

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulation
Department of Natural Resources
(DLS Control No. 15-013)**

Overview and Legal and Fiscal Impact

This regulation updates references to Caledon State Park in Virginia in the description of an area of the Potomac River where boating is prohibited.

The regulation presents no legal issue of concern.

There is no fiscal impact on State or local agencies.

Regulation of COMAR Affected

Department of Natural Resources:

Boating – Speed Limits and Operation of Vessels: Potomac River: COMAR 08.18.21.04

Legal Analysis

Background

The property that is now known as Caledon State Park in King George County, Virginia was donated to the Commonwealth of Virginia in 1974. The Secretary of the Interior designated the property as a National Natural Landmark because of its undisturbed oak and tulip poplar-dominated virgin upland forest. According to the Virginia Department of Conservation and Recreation, after the importance of the area to the summering eagle population was noted in 1981, the Caledon Task Force developed a management plan that included a no boating zone for the adjacent portion of the Potomac River. In 2012, Caledon Natural Area was renamed Caledon State Park.

Summary of Regulation

The regulation substitutes references to “Caledon State Park” for the existing references to “Caledon Natural Area (DCR)” in the description of the adjacent area of the Potomac River where boating is restricted.

Legal Issue

The regulation presents no legal issue of concern.

Statutory Authority and Legislative Intent

The Department of Natural Resources cites §§ 8-703 and 8-704 of the Natural Resources Article as legal authority for the regulation. Section 8-703 requires the department to designate and mark channels in the waters of the State. Section 8-704 broadly authorizes the department to adopt regulations to carry out the provisions of the State Boat Act. This authority is correct and complete. The regulation complies with the legislative intent of the law.

Fiscal Analysis

There is no fiscal impact on State or local agencies.

Agency Estimate of Projected Fiscal Impact

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

Contact Information

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