

**Maryland General Assembly
Department of Legislative Services**

**Emergency Regulation
Department of Natural Resources**
(DLS Control No. 15-062)

Overview and Legal and Fiscal Impact

This regulation establishes the boundary coordinates and descriptions of the Sandy Point State Park bathing beach zones and soft launch channel. The regulation also restricts motorized vessel access to the bathing beach zones and establishes the speed limit for the soft launch channel.

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: Chesapeake Bay:
COMAR 08.18.07.02

Legal Analysis

Summary of Regulation

The regulation establishes the boundary delineations of the Sandy Point State Park bathing beach zones and soft launch channel using global positioning system coordinates, surveys, and current charts. The regulation also restricts access to the bathing beach zones to nonmotorized vessels at all times, unless otherwise permitted in advance by the Department of Natural Resources or the Maryland Park Service. In addition, the regulation establishes a 6 knot speed limit for the soft launch channel.

Legal Issue

The regulation presents no legal issue of concern.

Statutory Authority and Legislative Intent

The department cites §§ 8-703 and 8-704 of the Natural Resources Article as legal authority for this regulation. Section 8-703 requires the department to designate and mark channels in the waters of the State. Section 8-704 establishes the broad authority of 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.

Reason for Emergency Status

The department requests emergency status to begin May 6, 2015 and continue through October 31, 2015. This emergency period is within normal time frames approved by the Joint Committee on Administrative, Executive, and Legislative Review. The department indicates that emergency status for this regulation is necessary because the Maryland Natural Resources Police are dealing with a large number of motorized vessels entering the bathing beach zones at Sandy Point State Park and there are no existing regulations restricting vessel access to protect swimmers in those areas.

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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