

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulation
Department of Natural Resources**
(DLS Control No. 15-134)

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.

This 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

Background

The Joint Committee on Administrative, Executive, and Legislative Review granted emergency status for an identical regulation beginning June 12, 2015 and expiring October 31, 2015.

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.

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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