

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	12/08/2015	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 1/22/2016

2. COMAR Codification

Title Subtitle Chapter Regulation

08 18 11 01, .02, .03, .04, .05, .06

3. Name of Promulgating Authority

Department of Natural Resources

4. Name of Regulations Coordinator Telephone Number

Lisa A Eutsler 410-260-8107

Mailing Address

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

City State Zip Code

Annapolis MD 21401

Email

lisa.eutsler@maryland.gov

5. Name of Person to Call About this Document Telephone No.

Michael Grant 410-260-8013

Email Address

Michael.Grant@Maryland.gov

6. Check applicable items:

- New Regulations

- Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: November 24, 2015.

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 - 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 Rachel Eisenhower, Assistant Attorney General, (telephone #410-260-8355) on December 3, 2015. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Mark Belton

Title

Secretary

Telephone No.

410-260-8100

Date

December 4, 2015

Title 08
DEPARTMENT OF NATURAL RESOURCES
Subtitle 18 BOATING--SPEED LIMITS AND OPERATION OF VESSELS
08.18.11 Gunpowder River

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

Notice of Proposed Action

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The Secretary of the Maryland Department of Natural Resources proposes to amend Regulations .01-.05 and add Regulation .06 under COMAR 08.18.11.

Statement of Purpose

The purpose of this action is to reduce potential boating hazards between high speed motor vessels and small, manually propelled vessels in zones of restricted visibility.

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 Michael Grant, Regulations Coordinator, Department of Natural Resources, 580 Taylor Avenue, E-4, Boating Services Unit, Annapolis, MD 21401, or call 410-260-8013, or email to Michael.Grant@maryland.gov, or fax to 410-260-8453. Comments will be accepted through February 22, 2016. A public hearing has not been scheduled.

Economic Impact Statement Part C

- A. Fiscal Year in which regulations will become effective: FY 2016
- 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 budgeted for marking Maryland 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:

Title 08

DEPARTMENT OF NATURAL RESOURCES

Subtitle 18 BOATING — SPEED LIMITS AND OPERATION OF VESSELS

Chapter 11 Gunpowder River

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

.01 [Gunpowder River.

The Gunpowder River encompasses all the waters of the Gunpowder River and its tributaries, northerly of a line beginning at Wier Point, at or near Lat. 39° 18.30' N., Long. 76° 20.17' W., then running 96° (True) to Rickett Point, at or near Lat. 39° 18.12' N., Long. 76° 17.78' W.]

Dundee Creek.

Dundee Creek encompasses the area upstream of a line beginning at a point at or near Lat. 39° 20.995' N., Long. 76° 21.753' W., then running 113° (True) to a point, at or near Lat. 39° 20.923' N., Long. 76° 21.535' W., and running to the head of the Creek. Except as otherwise restricted, the speed limit for this area is 6 knots.

.02 [Upper Gunpowder River.

A. The Upper Gunpowder River encompasses the area north of a line beginning at a point at or near Lat. 39° 23.502' N., Long. 76° 20.667' W., then running 281° (True) to a point, at or near Lat. 39° 23.560' N., Long. 76° 21.040' W., and south of a line beginning at a point, at or near Lat. 39° 23.667' N., Long. 76° 20.915' W., then running 90° (True) to a point, at or near Lat. 39° 23.667' N., Long. 76° 20.765' W. This area has a 6-knot speed limit Saturdays, Sundays, and State holidays, all year.

B. Amtrak Railroad Bridge. The Amtrak Railroad Bridge encompasses the zone upstream of a line beginning at a point on shore at or near Lat. 39° 23.508' N., Long. 76° 20.602' W., then running 212° (True) to a point, at or near Lat. 39° 22.780' N., Long. 76° 21.195' W., and downstream of a line beginning at a point, at or near Lat. 39° 22.798' N., Long. 76° 21.308' W., then running 32° (True) to a point, at or near Lat. 39° 23.562' N., Long. 76° 20.687' W. This area has a 6-knot speed limit all year.]

Amtrak Railroad Bridge.

Amtrak Railroad Bridge encompasses the zone upstream of a line beginning at a point on shore at or near Lat. 39° 23.508' N., Long. 76° 20.602' W., then running 212° (True) to a point, at or near Lat. 39° 22.780' N., Long. 76° 21.195' W., and downstream of a line beginning at a point, at or near Lat. 39° 22.798' N., Long. 76° 21.308' W., then running 32° (True) to a point, at or near Lat. 39° 23.562' N., Long. 76° 20.687' W. Except as otherwise restricted, the speed limit for this area is 6 knots.

.03 [Foster Branch and Joppatowne Channel.]

Foster Branch and Joppatowne Channel encompass the area upstream of a line beginning at a point at or near Lat. 39° 23.667' N., Long. 76° 20.915' W., then running 90° (True) to a point, at or near Lat. 39° 23.667' N., Long. 76° 20.765' W., and running to the head of the branch. This area has a 6-knot speed limit all year.]

Entrance Foster Branch and Joppatowne.

Entrance Foster Branch and Joppatowne encompass the area north of a line beginning at a point at or near Lat. 39° 23.562' N., Long. 76° 20.687' W., then running 270° (True) to a point, at or near Lat. 39° 23.560' N., Long. 76° 21.040' W., and south of a line beginning at a point, at or near Lat. 39° 23.667' N., Long. 76° 20.915' W., then running 90° (True) to a point, at or near Lat. 39° 23.667' N., Long. 76° 20.765' W. Except as otherwise restricted, the speed limit for this area is 6 knots on Saturdays, Sundays, and State holidays during the boating season.

.04 [Dundee Creek.]

Dundee Creek encompasses the area upstream of a line beginning at a point at or near Lat. 39° 20.995' N., Long. 76° 21.753' W., then running 113° (True) to a point, at or near Lat. 39° 20.923' N., Long. 76° 21.535' W., and running to the head of the Creek. This area has a 6-knot speed limit all year.]

Foster Branch and Joppatowne Channel.

Foster Branch and Joppatowne Channel encompass the area upstream of a line beginning at a point at or near Lat. 39° 23.667' N., Long. 76° 20.915' W., then running 90° (True) to a point, at or near Lat. 39° 23.667' N., Long. 76° 20.765' W., and running to the head of the branch. This area has a 6-knot speed limit all year.

.05 [Railroad Creek]

Railroad Creek encompasses the area south of a line beginning at a point at or near Lat. 39° 22.557' N., Long. 76° 22.721' W., then running 97° (true), at or near Lat 39° 22.515' N., Long. 76° 22.293' W., then running 154° to a point at or near Lat 39° 22.496' N., Long. 76° 22.281' W., and running to the head of the Creek. This area has a 6-knot speed limit Saturday, Sunday, and State holidays during the boating season.]]

Joppa Quarry Canal, Little Gunpowder River, Big Gunpowder River, and Days Cove.

Joppa Quarry Canal, Little Gunpowder River, Big Gunpowder River, and Days Cove encompass the area north of a line beginning at a point on shore at or near Lat. 39° 23.558' N., Long. 76° 21.048' W., then running 244° (True) to a point at the east entrance of the Little Gunpowder River, at or near Lat. 39° 23.404' N., Long. 76° 21.459' W., then running 244° (True) to a point on the shore at or near Lat. 39° 23.165' N., Long. 76° 22.093' W. Except as otherwise restricted, the speed limit for this area is 6 knots.

.06 Railroad Creek.

This encompasses the area south of a line beginning at a point at or near Lat. 39° 22.557' N., Long. 76° 22.721' W., then running 97° (true), at or near Lat 39° 22.515' N., Long. 76° 22.293' W., then running 154° to a point at or near Lat 39° 22.496' N., Long. 76° 22.281' W., and running to the head of the Creek. Except as otherwise restricted, the speed limit for this area is 6 knots on Saturday, Sunday, and State holidays during the boating season.

MARK J. BELTON, SECRETARY
MARYLAND DEPARTMENT OF NATURAL

RESOURCES