

**Subtitle 18 BOATING — SPEED LIMITS  
AND OPERATION OF VESSELS**

**08.18.29 White Hall Bay**

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

**Notice of Proposed Action**

[21-110-P]

The Secretary of Natural Resources proposes to amend Regulation .03 under **COMAR 08.18.29 Whitehall Bay**.

**Statement of Purpose**

The purpose of this action is to expand the speed zone in Mill Creek. The Department received a request to remove both the Mill Creek proper (Northern Branch) and Martin Cove speed zone demarcation lines and establish a new demarcation line in the main stem of Mill Creek. Over the past decade there has been increasing congestion in this area due to both boaters and other waterway users. Some of these waterway users have created excessive wakes that have caused damage to personal property. The new line will begin just prior to the intersection of the waterways, approximately 235 yards down the main stem of Mill Creek waterway. The proposed action removes the descriptions for both Martin Cove and Mill Creek proper (Northern Branch) and establishes a new speed zone demarcation line for the combined and extended area. The proposed action establishes a 6 knot speed limit on Saturdays, Sundays, and holidays all year for the entire area, which is the current rule for the Mill Creek proper and Martins Cove waterways. The Department expects that by extending the 6 knot speed limit to the new line, both safety and property concerns will be addressed.

**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 Mill Creek Regulations, Regulatory Staff, Department of Natural Resources Fishing and Boating Services, 580 Taylor Avenue, E-4, Annapolis, MD 21401, or call 410-260-8417, or email to boatingregspubliccomment.dnr@maryland.gov. Comments will be accepted through September 27, 2021. A public hearing has not been scheduled.

**.03 Mill Creek.**

A. (text unchanged)

[B. Martins Cove encompasses the area beginning at a point, at or near Lat. 39° 0.162' N., Long. 76° 27.457' W., then running 172° (True) to a point, at or near Lat. 39° 0.035' N., Long. 76° 27.435' W., and running to the head of the cove. This area has a 6-knot speed limit Saturdays, Sundays, and State holidays, all year.

C. Mill Creek proper encompasses the area beginning at a point, at or near Lat. 39° 0.162' N., Long. 76° 27.457' W., then running 97° (True) to a point, at or near Lat. 39° 0.150' N., Long. 76° 27.335' W., and running to the head of the creek. This area has a 6-knot speed limit Saturdays, Sundays, and State holidays, all year.]

B. Martins Cove and Mill Creek Proper.

(1) Area. All of waters upstream of a line beginning at a point, at or near Lat. 39°0.035' N, Long. 76°27.435' W; then running 97° True to a point, at or near Lat. 39°0.025' N, Long. 76°27.298' W.

(2) The speed limit for the area described in §B(1) of this regulation is 6 knots on every:

(a) Saturday;

(b) Sunday; and

(c) State or federal holiday.

[D.] C.—[E.] D. (text unchanged)

JEANNIE HADDAWAY-RICCIO

Secretary of Natural Resources

**Subtitle 18 BOATING — SPEED LIMITS  
AND OPERATION OF VESSELS**

**08.18.33 Deep Creek Lake**

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

**Notice of Proposed Action**

[21-109-P]

The Secretary of Natural Resources proposes to amend Regulation .03 under **COMAR 08.18.33 Deep Creek Lake**.

**Statement of Purpose**

The purpose of this action is to update and clarify existing boating laws and coordinates of certain boundaries.

There is an inlet between Beckman’s Peninsula and Harvey’s Peninsula that is very narrow, so waterway users are restricted from towing in that area. The coordinates for the restricted area were incorrect. The proposed action describes the correct area. The action also reorganizes the text to make it clear and to follow style guidelines.

The proposed action modifies the speed limit in the portion of Deep Creek Lake known as North Glade Cove. The Cove is narrow with many obstacles and is heavily used by recreational vessels, both powered and non-powered. The proposed action defines the area with coordinates. The defined area is designated as a minimum wake zone. Minimum wake zone is defined in the Code of Maryland Regulations (COMAR 08.18.01.03) and means that a person may not operate or give permission to operate a vessel in excess of the slowest possible boat speed necessary to maintain steerage under prevailing wind and sea conditions not to exceed 3 knots (3.5 statute miles per hour or 5.6 kilometers per hour). This action will increase the safety of the boating community and decrease damage to the surrounding shoreline and dock structures.

These changes will ensure safer boating on Maryland’s waterways.

**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 Deep Creek Lake Regulations, Regulatory Staff, Department of Natural Resources Fishing and Boating Services, 580 Taylor Avenue, E-4, Annapolis, Maryland 21401, or call 410-260-8417, or email to boatingregspubcomment.dnr@maryland.gov. Comments will be accepted through September 27, 2021. A public hearing has not been scheduled.

**.03 Speed Limits and Restrictions.**

A. Restricted [Skiing] Area—[North Glade Cove.] *Inlet Between Beckman’s Peninsula and Harvey’s Peninsula.* [From 12 noon until sunset on each Saturday, Sunday, and each holiday officially recognized by the State or federal government, or both, an individual may not operate a vessel towing an individual on a ski, aquaplane, or similar device in that area of Deep Creek Lake described as that portion of North Glade Cove lying eastward of a line beginning at a point, at or near Lat. 39° 30.238' N., Long. 79° 16.157' W., then running 159° (True) to a point, at or near Lat. 39° 30.099' N., Long. 79° 16.090' W.]

(1) *Area. All of the waters enclosed by a line beginning at a point defined by Lat. 39°29.860' N, Long. 79°17.190' W; then running 80° True to a point defined by Lat. 39°29.880' N, Long. 79°16.970' W; then running 0° True to a point defined by Lat. 39°30.070' N, Long. 79°16.970' W; then running 283° True to a point defined by Lat. 39°30.109' N, Long. 79°17.167' W; then running 184° True to the point of beginning.*

(2) *An individual may not operate a vessel towing an individual on a ski, aquaplane, or similar device in the area described in §A(1) of this regulation from 12 noon until sunset on any:*

- (a) *Saturday;*
- (b) *Sunday; or*
- (c) *State or federal holiday.*

B. Speed Limit. The following areas are designated minimum wake zones:

(1)—(6) (text unchanged)

(7) Those portions of Pawn Run Cove which lie northwest of a line beginning at a point, at or near Lat. 39°28.012' N., Long. 79°18.711' W., then running 263° (True) to a point, at or near Lat. 39°28.000' N., Long. 79°18.842' W., then running 147° (True) to a point, at or near Lat. 39°27.890' N., Long. 79°18.749' W.; and

(8) [From 11 a.m. to 4 p.m., each Saturday and Sunday, and each holiday from Memorial Day holiday weekend through Labor Day, that area of] *All of the waters of North Glade Cove [which connects to Beckman’s Cove,] lying [north] east of a line beginning at a point, at or near Lat. 39° 29.871' N., Long. 79° 16.920' W., then running 260° (True) to a point, at or near Lat. 39° 29.831' N., Long. 79° 17.215' W., and south of a line beginning at a point at or near Lat. 39° 30.074' N., Long. 79° 16.971' W., then running 283° (True) to a point, at or near Lat. 39° 30.109' N., Long. 79° 17.167' W.] defined by Lat. 39°30.250' N, Long. 79°16.020' W; then running 200° True to a point defined by Lat. 39°30.099' N, Long. 79°16.090' W.*

JEANNIE HADDAWAY-RICCIO  
Secretary of Natural Resources

**Title 10**  
**MARYLAND DEPARTMENT**  
**OF HEALTH**  
**Subtitle 15 FOOD**

**10.15.03 Food Service Facilities**

Authority: Health-General Article, §§18-102, 21-202, 21-301, and 21-330.1, Annotated Code of Maryland

**Notice of Proposed Action**  
[21-117-P]

The Secretary of Health proposes to amend Regulation .27 under **COMAR 10.15.03 Food Service Facilities.**

**Statement of Purpose**

The purpose of this action is to align Regulation .27 Farmer’s Market, Bake Sales, and Cottage Food Business, with Ch. 405 (H.B. 1017), Acts of 2020, which established that cottage food businesses may request a unique identification number from the Department to be used in lieu of a business address on a cottage food product label.

**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 Jason Caplan, Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to mdh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through September 27, 2021. A public hearing has not been scheduled.

**.27 Farmer’s Market, Bake Sales, and Cottage Food Business.**

A. The approving authority shall accept as being from an approved source the homemade foods specified in §B of this regulation when the foods are:

- (1) (text unchanged)
- (2) Offered or sold only in the State:
  - (a) Subject to the requirements of [§C(5) and (6)] §C(6) and (7) of this regulation, at a retail food store; or
  - (b) (text unchanged)

B. (text unchanged)

C. Cottage Food Business.

(1) The approving authority shall allow the owner of a cottage food business to sell only cottage food products processed and packaged in Maryland that are:

- (a)—(b) (text unchanged)
- (c) Prepackaged with a label that contains the following information:
  - (i) The name and address of the cottage food business *or the name, phone number, and identification number assigned to the cottage food business by the Department;*
  - (ii)—(viii) (text unchanged)