

Baltimore County — Middle River at Dark Head Creek

What is being considered?

The department received a request to change the current boating regulation in Middle River in the area of Dark Head Creek. The affected area would be 6 knots at all times during the boating season.

What is the current regulation for the area?

The request is to change the speed limit for the area described in the Code of Maryland Regulations (COMAR) 08.18.14.03.

[COMAR 08.18.14](#) Middle River.

[Regulation .03](#) Upper Middle River.

The Upper Middle River encompasses the area beginning at a point at or near Lat. 39° 18.507' N., Long. 76° 24.101' W., then running 202° (True) to a point, at or near Lat. 39° 17.964' N., Long. 76° 24.386' W.; and downstream of a line beginning at Martin Lagoon and Cow Pen Creek at or near Lat. 39° 19.382' N., Long. 76° 25.783' W., then running 48° (True) to a point, at or near Lat. 39° 19.443' N., Long. 76° 25.695' W. This area has a 6-knot speed limit Saturdays, Sundays, and State holidays, during the boating season.

Why was this change requested?

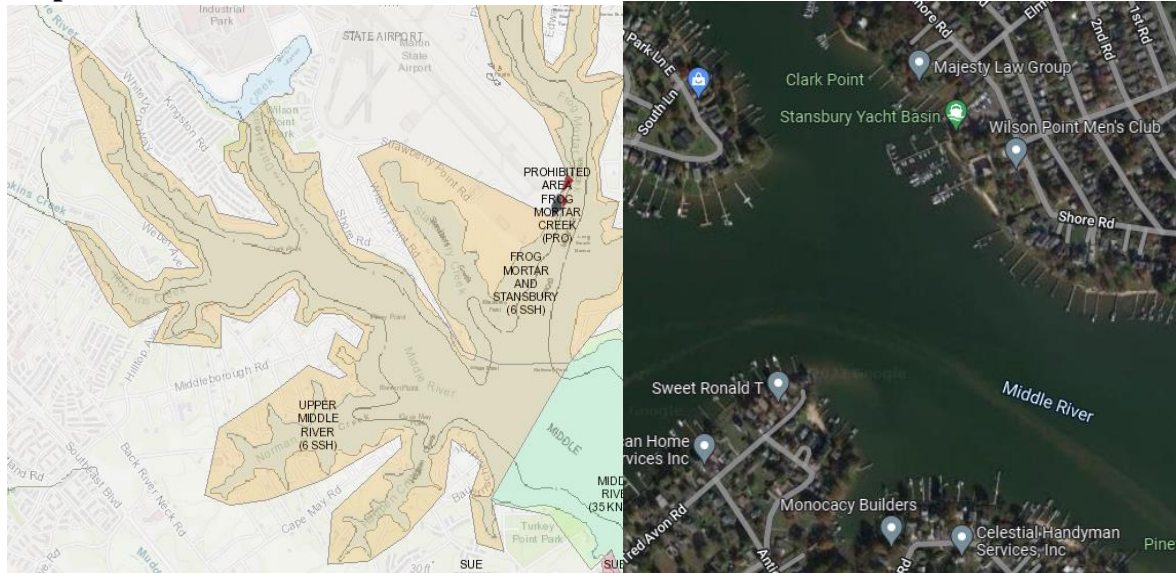
One requestor stated: I own a marina and gas dock (Stansbury Yacht Basin) on Darkhead Creek between Wilson Point Park Boat Ramp and Bowleys Bar where the 6 knot speed is on Saturdays, Sundays and holidays through the boating season. The amount of boat traffic has increased significantly over the years and many seem oblivious to the wake they create when passing by plowing water. My sailboat owners have had damage to their boats from the rocking created breaking boot spreaders, wind indicators, etc. Additionally, at the gas dock, boaters have had minor injuries to the hands from their boats crashing against the dock and I've had so many nozzles broken that I have to keep an inventory on hand. There are also gas customers who refuse to come to the gas dock due to the rocking they've experienced from the wakes created by boaters. For these reasons, I am requesting a 6 knot speed zone be in effect April 15 through October 15 instead of just Saturdays, Sundays and holidays.

A separate requestor stated: A safety situation exists at the Stansbury fuel dock. The wake creates a safety issues with the possibility of bodily harm and fuel spills of operators fueling. To date 2022 a fuel nozzle has been damaged. This issue will only increase as the season continues.

Who will this affect?

- All waterway users (recreational and commercial), business owners in the area, and property owners in the area.
- This could directly affect the Stansbury Yacht Basin fueling dock and marina and the Wilson Point Park boat ramp.

Maps of the Area



Has this change been discussed with advisory bodies?

The department and the Boat Act Advisory Committee (BAAC) are gathering information and will meet in September to fully discuss and [evaluate](#) the request. Please [join our mailing list](#) to be notified when this request will be evaluated by the BAAC.

What is the specific regulatory action?

Amend Regulation .03 under COMAR 08.18.14 Middle River.

When could this be effective?

This change could be effective in 2023, however, at this time, the department cannot determine if the change will be adopted nor the exact date that it could be effective. The department will follow our normal scoping and proposal procedure. The goal of scoping is to identify issues, potential impacts, and reasonable alternatives associated with the issues so that management actions can be developed.

After the public has had an opportunity to comment on possible management actions during the scoping process, the department considers these comments and develops an appropriate management strategy.

If the action is necessary and appropriate, the rules will be promulgated following the Administrative Procedures Act described in Title 10, Subtitle 1 of the State Government Article Annotated Code of Maryland.

- The General Assembly's Administrative, Executive, and Legislative Review Committee reviews the regulatory proposal for fiscal and legal analysis.
- The proposal is printed by the Division of State Documents in the Maryland Register.
- A 30-day public comment period begins on the day of publication.
- After review of the comments, the department may adopt the changes.
- If the department adopts the changes, they become effective after a notice is published in the Maryland Register that announces approval and the effective date.

Notes Regarding This Summary

This summary is prepared in accordance with the requirements of State Government Article, §10-110, Annotated Code of Maryland. It is intended to help you understand the potential or revised rules. This summary is not intended to replace or supersede these rules, but to facilitate understanding and compliance with the rules. The department will clarify or update the text of the summary as the idea moves through the regulatory process.