

Kent County — Swan Creek at Rock Hall

What is being considered?

The department received a request to extend the speed zone in Swan Creek extending from Buoy marker #10 south to Gratitude Marina and modify the time period from Saturday, Sundays and holidays during the boating season to all times.

What is the current regulation for the area?

The request is to expand the area and modify the applicable time period described in the Code of Maryland Regulations (COMAR) 08.18.07.01.

[COMAR 08.18.07](#) Chesapeake Bay.

[Regulation .06](#) Eastern Shore.

G. Swan Creek encompasses the area upstream (east) of a line beginning at a point on shore, at or near Lat. $39^{\circ} 8.832'N.$, Long. $76^{\circ} 15.740' W.$, then running 137° (True) to a point on the north shore of Swan Creek, at or near Lat. $39^{\circ} 8.762'N.$, Long. $76^{\circ} 15.655' W.$, and downstream (south) of a line beginning on the east side of Swan Creek, at or near Lat. $39^{\circ} 9.342'N.$, Long. $76^{\circ} 15.303' W.$, then running 270° (True) to a point on the west side of Swan Creek, at or near Lat. $39^{\circ} 9.342'N.$, Long. $76^{\circ} 15.468' W.$, including The Haven, and Denby Creek and all tributaries. This area has a 6-knot speed limit Saturdays, Sundays, and State holidays, during the boating season.

Why was this change requested?

The requestor stated: Safety. There are 10 private docks in the proposed enlarged area. We have had way too many instances of boats speeding in this area. Kids have been thrown off of floating mats. People have been knocked off paddle boats. People have had kayaks swamped. All of this due to needless speeding that causes large wakes. In addition, these wakes have damaged docks, bulkheads & shorelines. In addition, we would like to have the restrictions be extended from Sat, Sun & holidays to 24/7/365.

Who will this affect?

- Commercial vessels, Pleasure boats, Personal watercraft (motorized vessels), Shoreline property owners, Paddle and kayak type vessels.
- Gratitude Marina

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 .01 under COMAR 08.18.07 Chesapeake Bay.

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.