

South River

The Secretary of the Maryland Department of Natural Resources proposes to amend/add Regulation .02 & .05 under COMAR 08.18.25. The purpose of this action is to update and clarify existing boating laws and coordinates of certain boundaries. This will ensure safe boating on Maryland's waterways.

Items in [parenthesis] are being deleted; items in *italics* are being added.

Title 08

DEPARTMENT OF NATURAL RESOURCES

Subtitle 18 BOATING – SPEED LIMITS AND OPERATION OF VESSELS

Chapter 25 South River

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

.02 South River Proper.

A. [The South River proper areas, with their corresponding speed limits, are set forth in §B—G of this regulation. The Upper South River Controlled Ski Area is part of the South River Proper and the requirements for this area are set forth in Regulation .05 of this chapter.] *Lower South River area. This encompasses the area upstream of a line beginning at Thomas Point, at or near Lat. 38° 54.433' N., Long. 76° 27.615' W., then running 227° (True) to Saunders Point, at or near Lat. 38° 53.108' N., Long. 76° 29.445' W., and downstream of a line beginning at Shadow Point, at or near Lat. 38° 56.783' N., Long. 76° 32.981' W., then running 32° (True) to a point, at or near Lat. 38° 57.057' N., Long. 76° 32.762' W. Except as otherwise restricted, the speed limits for this area are:*

- (1) 35 knots from sunrise to sunset during the boating season; and*
- (2) 20 knots from sunset to sunrise during the boating season.*

B. [The]Route 2 bridge area. *This encompasses the area upstream of a line beginning at a point at or near Lat. 38° 56.783' N., Long. 76° 32.981' W., then running 32° (True) to Shadow Point, at or near Lat. 38° 57.057' N., Long. 76° 32.762' W., and downstream of a line beginning at a point, at or near Lat. 38° 56.916' N., Long. 76° 33.429' W., then running 358° (True) to a point, at or near Lat. 38° 57.377' N., Long. 76° 33.447' W., and not including Warehouse and Gingerville Creeks. [This area has a 6-knot speed limit all year.] Except as otherwise restricted, the speed limit for this area is 6 knots.*

C. The area between Riva Bridge and the Route 2 Bridge. *This encompasses the area upstream of a line beginning at a point Lat. 38° 56.916' N., Long. 76° 33.429' W., then running 358° (True) to a point, at or near Lat. 38° 57.377' N., Long. 76° 33.447' W., and downstream of a line beginning at a point at or near Lat. 38° 57.229' N., Long. 76° 34.330' W., then running 30° (True) to a point, at or near Lat. 38° 57.451' N., Long. 76° 34.166' W. [This area has a:] Except as otherwise restricted, the speed limits for this area are:*

- (1) [20-knot]35 knots [speed limit,] from sunrise to sunset [sunset to sunrise,] during the boating season; and*

(2) [35-knot]20 knots [speed limit,] from sunset to sunrise [sunrise to sunset,] during the boating season.

D. The Riva bridge area. *This encompasses the area upstream of a line beginning at a point at or near Lat. 38° 57.229' N., Long. 76° 34.330' W., then running 30° (True) to a point, at or near Lat. 38° 57.451' N., Long. 76° 34.166' W., and downstream of a line beginning at a point, at or near Lat. 38° 57.211' N., Long. 76° 34.545' W., then running 20° (True) to Addison Point, at or near Lat. 38° 57.495' N., Long. 76° 34.412' W. Except as otherwise restricted, the speed limit for this area is 6 knots on [This area has a 6-knot speed limit] Saturdays, Sundays, and Holidays during the boating season.*

E. The area between the Riva Bridge and the Upper South River controlled ski area. *This encompasses the area upstream of a line beginning at a point at or near Lat. 38° 57.211' N., Long. 76° 34.545' W., then running 20° (True) to a point, at or near Lat. 38° 57.495' N., Long. 76° 34.412' W., and downstream of a line beginning at a point, at or near Lat. 38° 58.637' N., Long. 76° 36.365' W., then running 72° (True) to a point, at or near Lat. 38° 58.685' N., Long. 76° 36.177' W. [This area has a:] Except as otherwise restricted, the speed limits for this area are:*

(1) [20-knot]35 knots [speed limit,] from sunrise to sunset [sunset to sunrise,] during the boating season; and

(2) [35-knot]20 knots [speed limit,] from sunset to sunrise [sunrise to sunset,] during the boating season.

F. [The Route 50 bridge area encompasses the area upstream of a line beginning at a point at or near Lat. 38° 58.637' N., Long. 76° 36.365' W., then running 72° (True) to a point, at or near Lat. 38° 58.685' N., Long. 76° 36.177' W., and running to the head of the river. This area has a minimum wake zone all year.] *Upper South River Controlled Ski Area. This encompasses the area upstream of a line beginning at a point at or near Lat. 38° 58.085' N., Long. 76° 36.013' W., then running 65° (True) to a point, at or near Lat. 38° 58.168' N., Long. 76° 35.780' W., and downstream of a line beginning at a point at or near Lat. 38° 58.637' N., Long. 76° 36.365' W., then running 72° (True) to a point, at or near Lat. 38° 58.685' N., Long. 76° 36.177' W. Except as otherwise restricted, the speed limit for this area is 6 knots. This area may have a controlled ski course as set forth in COMAR 08.04.16.*

G. [The lower South River area encompasses the area upstream of a line beginning at Thomas Point, at or near Lat. 38° 54.433' N., Long. 76° 27.615' W., then running 227° (True) to Saunders Point, at or near Lat. 38° 53.108' N., Long. 76° 29.445' W., and downstream of a line beginning at Shadow Point, at or near Lat. 38° 56.783' N., Long. 76° 32.981' W., then running 32° (True) to a point, at or near Lat. 38° 57.057' N., Long. 76° 32.762' W., excluding any creek or area otherwise regulated under this chapter. This area has a:

(1) 35-knot speed limit, sunrise to sunset, during the boating season; and

(2) 25-knot speed limit, sunset to sunrise, during the boating season.] *The Route 50 bridge area. This encompasses the area upstream of a line beginning at a point at or near Lat. 38° 58.637' N., Long. 76° 36.365' W., then running 72° (True) to a point, at or near Lat. 38° 58.685' N., Long. 76° 36.177' W., and running to the head of the river. Except as otherwise restricted, the speed limit for this area is a minimum wake zone.*

.03 - .04 (text unchanged)

[.05 Upper South River Controlled Ski Area.

A. The Department may designate a controlled ski area within the waters of the upper South River by marking with buoys. This area shall encompass a slalom ski course or ski jump course permitted by the U.S. Army Corps of Engineers pursuant to the River and Harbor Act of 1899, §10 (33 U.S.C. 403).

B. The Upper South River Controlled Ski Area encompasses the area upstream of a line beginning at a point at or near Lat. 38° 58.085' N., Long. 76° 36.013' W., then running 65° (True) to a point, at or near Lat. 38° 58.168' N., Long. 76° 35.780' W., and downstream of a line beginning at a point at or near Lat. 38° 58.637' N., Long. 76° 36.365' W., then running 72° (True) to a point, at or near Lat. 38° 58.685' N., Long. 76° 36.177' W.

C. The Upper South River Controlled Ski Area is a minimum wake zone when the permitted:

- (1) Slalom ski course is in use; or
- (2) Ski jump course is in use.

D. A person may not place or give permission to place a mooring buoy when the arc of the swing is closer than 200 feet to the permitted:

- (1) Slalom ski course; or
- (2) Ski jump course.

E. The Department shall mark the controlled ski area.]

The proposed regulation will appear in the Maryland Register on Friday January 22, 2016, comments concerning this regulation will be accepted through Monday February 22, 2016. The regulation will be adopted on Tuesday March 8, 2016 and become effective on Monday March 28, 2016.

Comments may be sent to Michael Grant, Regulations Coordinator, Boating Services, Clean Waterways, Facilities and Regulations Division, Maryland Department of Natural Resources, 580 Taylor Avenue, E-4, Annapolis, MD 21401, or call 410-260-8013, or fax to 410-260-8453, or e-mail to Michael.Grant@maryland.gov

Mark Belton, Secretary
Maryland Department of Natural Resources