

Proposed Action on Regulations

For information concerning citizen participation in the regulation-making process, see inside front cover.

Symbol Key

- Roman type indicates existing text of regulation.
- *Italic type* indicates proposed new text.
- [Single brackets] indicate text proposed for deletion.

Promulgation of Regulations

An agency wishing to adopt, amend, or repeal regulations must first publish in the Maryland Register a notice of proposed action, a statement of purpose, an estimate of economic impact, an economic impact on small businesses, a notice giving the public an opportunity to comment on the proposal, and the text of the proposed regulations. The opportunity for public comment must be held open for at least 30 days after the proposal is published in the Maryland Register.

Following publication of the proposal in the Maryland Register, 45 days must pass before the agency may take final action on the proposal. When final action is taken, the agency must publish a notice in the Maryland Register. Final action takes effect 10 days after the notice is published, unless the agency specifies a later date. An agency may make changes in the text of a proposal. If the changes are not substantive, these changes are included in the notice of final action and published in the Maryland Register. If the changes are substantive, the agency must repropose the regulations, showing the changes that were made to the originally proposed text.

Proposed action on regulations may be withdrawn by the proposing agency any time before final action is taken. When an agency proposes action on regulations, but does not take final action within 1 year, the proposal is automatically withdrawn by operation of law, and a notice of withdrawal is published in the Maryland Register.

Title 08

DEPARTMENT OF NATURAL RESOURCES

Subtitle 18 BOATING—SPEED LIMITS AND OPERATION OF VESSELS

08.18.07 Chesapeake Bay

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

Notice of Proposed Action

[23-123-P]

The Secretary of Natural Resources proposes to amend Regulation .02 under **COMAR 08.18.07 Chesapeake Bay**.

Statement of Purpose

The purpose of this action is to establish a 6-knot speed limit for the area surrounding the construction site of the Maryland Transportation Authority's Eastbound Bay Bridge Deck Replacement Project on the Western Shore of the Chesapeake Bay. This re-decking project will include replacement of the deck floor system, barrier upgrades, major structural rehabilitation of the truss superstructure, lane use signal gantry replacements and utility relocations, as well as off-site stormwater management work. The deck replacement is scheduled to be completed by winter 2025/2026. The proposed action establishes a speed limit for an area of the Western Shore of the Chesapeake Bay around the construction site. This regulation will be effective through March 31, 2026.

The proposed action is required to ensure public safety and protect human life. Without an established speed limit, the construction zone poses safety threats for all waterway users, employees, and contractors. The proposed speed limit will help protect all workers and barges from excessive wake actions. This action will positively support the project and prevent delays. Additionally, this action has been developed in cooperation with the Maryland Transportation Authority and the U.S. Coast Guard.

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 Chesapeake Bay — Western Shore Bay Bridge Speed Zone Regulations, Regulatory Staff, Fishing and Boating Services, Department of Natural Resources, 580 Taylor Avenue, E-4, Annapolis, MD 21401, or call 410-260-8300, or email to boatingregspubliccomment.dnr@maryland.gov. Comments will be accepted through August 14, 2023. A public hearing has not been scheduled.

.02 Western Shore.

A.—N. (text unchanged)

O. Western Shore Bay Bridge Construction Area.

(1) *Area. All of the waters enclosed by a line beginning at or near Lat. 39° 0.276' N., Long. 76° 24.347' W., then running 62° 0' to a point at or near Lat. 39° 0.444' N., Long. 76° 23.943' W., then running 145° 0' to a point at or near Lat. 39° 0.015' N., Long. 76° 23.554' W., then running 107° 0' to a point at or near Lat. 38° 59.874' N., Long. 76° 22.995' W., then running 198° 0' to a point at or near Lat. 38° 59.465' N., Long. 76° 23.161' W., then running 292° 0' to a point at or near Lat. 38° 59.693' N., Long. 76° 23.878' W., then running 328° 0' to the point of beginning.*

(2) *The area described in §O(1) of this regulation has a 6-knot speed limit at all times.*

(3) *This regulation shall be effective through March 31, 2026.*

JOSH KURTZ

Secretary of Natural Resources