

Somerset County — Jones Creek

What is being considered?

The department received a request to create a new speed zone in Jones Creek located north of Janes Island in Somerset County, Maryland.

What is the current regulation for the area?

The request is to create a new regulated speed area in Jones Creek. There is no current regulation in the area.

Why was this change requested?

The requestor stated: Jones Creek begins at the North end of Janes Island State Park and is entirely bordered by residential areas, most notably Harts Ease on the Northeast side and Annemessex Ridge on the Southeast side. The majority of homes are waterfront parcels and the majority of the homeowner's in these residential areas are boat owners and use Jones Creek for ingress and egress to Tangier Sound. Additionally, Jones Creek is frequented by both day users and overnight campers of Janes Island State Park, fisherman and other recreational boaters and crabbers. The Creek is particularly subject to heavy boat traffic between April 1 and October 1. This request is to limit the speed limit on the creek to 5 mph beginning at Green marker 15 and continuing for the remainder of the creek into the communities of Hart's Ease and Annemessex Ridge. The area can be located on NOAA Chart 12231, Page 15 entitled Tangier Sound, Northern Part.

For some time now the speeds of boats and personal watercraft have been steadily increasing on Jones Creek. Many of us are boaters and have become concerned that high speeds in the Creek are dangerous, particularly at high traffic times or when kayakers, boats pulling children in tubes, canoes and swimmers are present in the Creek. The channel is narrow and there just is not sufficient room to provide a level of comfort in avoiding what is sure to be a catastrophe if a collision takes place. One of the homeowners who lives on the Creek has observed a number of near misses and one actual collision of two boats last season. Another homeowner described losing a cooler and seat cushions from his dock as a wave from the wake of a speeding boat washed over his pier at high tide and swept them away. A similar incident took place on another pier when planer boards were washed away by the wave created by the wake of a speeding boat in the creek.

In addition to the potential for collision, the wakes from a boat traveling over 6 mph have been documented to cause erosion to unprotected shoreline. A number of properties along the creek have natural shoreline and these wakes, created from a boat traveling at high speed, are slowly causing erosion to these shorelines. Additionally, wakes create waves that often are of sufficient height and velocity to come over shoreline protection, particularly at times of high tide, and infiltrate plant and grass roots killing the vegetation.

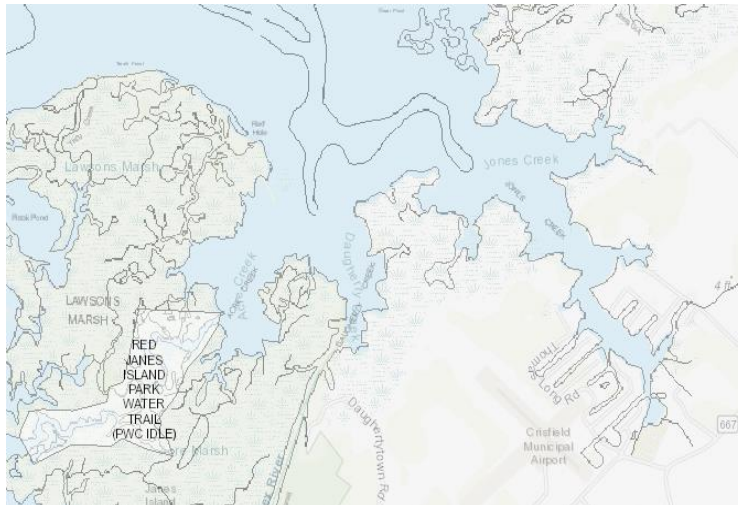
There is a 5 mph restriction posted in the Creek that was unofficially placed there many years ago. While most of the boaters in the community adhere to the no wake, 5 mph restriction that was posted on the Creek several years ago, many boaters, particularly non-fulltime residents, race through the Creek at full throttle ignoring the speed reduction sign and the no wake

restriction. We have contacted the Marine Police for enforcement and were informed that the reduced speed and no wake restrictions were never officially adopted by the Maryland Secretary of the Department of Natural Resources and therefore, the Marine Police do not regularly patrol our Creek. There cannot be any enforcement of a reduced speed restriction at this time until that reduction of speed is officially adopted by the Secretary.

Who will this affect?

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

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.

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.