

## Talbot County — Upper Bolingbroke Creek

### What was requested?

The department received a request to change the speed limit in Upper Bolingbroke Creek from 6 knots on Saturdays, Sundays, and State holidays to 6 knots at all times during the year.

### What is the specific regulatory action?

The request is to change the speed limit for the area described in the Code of Maryland Regulations (COMAR) 08.18.09.02.

[COMAR 08.18.09](#) Choptank River.

[Regulation .02](#) Bolingbroke Creek.

Bolingbroke Creek encompasses the area beginning at a point at or near Lat. 38° 36.132' N., Long. 76° 1.735' W., then running 41° (True) to a point, at or near Lat. 38° 36.233' N., Long. 76° 1.623' W., and running to the head of the creek. 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:* There is excessive speed by recreational boaters and personal watercraft operators throughout the week. In 2019 the constituent had to rescue two personal watercraft's operators in the upper end of Bolingbroke Creek, who each ran aground on the mud-flat area as the tide was ebbing. The requestor mentioned the following environmental concerns that should be considered in the area: shoreline erosion, marsh grasses, submerged aquatic vegetation (SAV), shoreline bank collapse, tree loss, birds, reptiles, and small aquatic mammals.

### Maps of the Area

[https://dnr.maryland.gov/boating/Documents/regulations/BAAC-Upper-Bolingbroke-Creek\\_2021.pdf](https://dnr.maryland.gov/boating/Documents/regulations/BAAC-Upper-Bolingbroke-Creek_2021.pdf)

### Who could this affect?

- All waterway users (recreational and commercial), business owners in the area, and property owners in the area.
- There are no marinas in this 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 will this be effective?

This change could be effective in 2022, 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.