
By: **Senator Stoltzfus**

Introduced and read first time: February 4, 2000

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Waters Contiguous to Somerset County - Power Dredging - Oysters**

3 FOR the purpose of altering the boundaries of certain areas in which a person may
4 catch oysters by power dredging during a certain time period; adding to the area
5 in which the Secretary of the Department of Natural Resources may adopt
6 certain regulations to establish oyster sanctuaries; and generally relating to
7 power dredging and oysters in waters contiguous to Somerset County.

8 BY repealing and reenacting, with amendments,
9 Article - Natural Resources
10 Section 4-1014(d) and (f)
11 Annotated Code of Maryland
12 (1997 Replacement Volume and 1999 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Natural Resources**

16 4-1014.

17 (d) The Department shall establish zones by regulation within the following
18 areas in which a person may catch oysters by power dredge only during the power
19 dredging season from November 1 to March 30:

20 (1) In the waters of this State that lie contiguous to Somerset County,
21 including all of the waters from the area of Kedges Straits from a line drawn from the
22 quick flash buoy at Fog Point east to Solomons Lump Light, north to Sheepshead
23 Point, and along the west side of South March Island to the crab pot line on Pry
24 Island; and

25 (2) In the waters of Tangier Sound, that area enclosed by a line
26 beginning at buoy "8", then eastward to James Island Light, then to the range marker
27 at Great Point, then following the shoreline southward to the Maryland/Virginia line,
28 then westward to buoy "6", then northward to buoy "8", the point of beginning.

1 (3) In the waters of Tangier Sound, that area beginning at the junction
2 red and green buoy at the mouth of the Monokin River and Big Annemessex River,
3 then southward to flashing four second buoy at Janes Island, [then southwestward to
4 Horse Hammock Point,] THEN SOUTHWARD TO BUOY "6", THEN FOLLOWING THE
5 MARYLAND/VIRGINIA LINE TO HORSE HAMMOCK POINT, then northward along the
6 eastern shoreline of Smith Island and to [Fishing Point, then northeastward to the
7 flashing green four bell number 5 buoy] THE QUICK FLASH BUOY AT FOG POINT,
8 THEN EASTWARD TO THE FLASHING GREEN FOUR SEC. NUMBER 5 BUOY, then
9 southeastward to the point of beginning.

10 (4) In the waters of Tangier Sound, that area beginning at the junction
11 red and green buoy at the mouth of the Monokin River and Big Annemessex River,
12 then northward to Piney Island, then northeastward to the southeastern most point
13 of land of St. Pierre Island, then to the southernmost point of land at Normal Point,
14 then following the shoreline in a southwest direction to Hazard Point, then continuing
15 along the shoreline southward to the mouth of the Big Annemessex River, then to the
16 point of land due north of day beacon number 5, then across the Big Annemessex
17 River to Long Point, then following the shoreline southwest to Flatcar Point, then
18 back to the point of beginning.

19 (5) IN THE WATERS OF TANGIER SOUND, THAT AREA BEGINNING AT
20 BUOY NUMBER 8 THEN EASTWARD TO THE JANES ISLAND LIGHT, THEN
21 SOUTHEASTWARD TO THE RANGE MARKER AT GREAT POINT, THEN NORTHERLY TO
22 ISLAND POINT, THEN RUNNING NORTHWARD FOLLOWING THE SHORELINE OF
23 SOMERSET COUNTY TO FLATCAP POINT, THEN WESTERLY TO THE JUNCTION RED
24 AND GREEN BUOY AT THE MOUTH OF THE MONOKIN RIVER AND BIG ANNEMESSEX
25 RIVER, THEN SOUTHERLY TO THE POINT OF BEGINNING AT BUOY NUMBER 8.

26 (6) IN THE WATERS OF POCOMOKE SOUND, THAT AREA BEGINNING AT
27 WATKINS POINT, THEN FOLLOWING THE MARYLAND/VIRGINIA LINE TO LINE BUOY G,
28 THEN TO BUOY FL G 4 SEC. "1 PR", THEN TO BUOY C "9", THEN FOLLOWING THE
29 SOMERSET COUNTY SHORELINE WESTWARD TO THE POINT OF BEGINNING.

30 (f) (1) The Secretary may adopt regulations to carry out the intent of this
31 section.

32 (2) The regulations adopted by the Secretary may vary the limits
33 established under subsection (e)(2)(i) of this section.

34 (3) (i) The regulations shall establish an oyster sanctuary of not less
35 than 100 acres within the [area] AREAS described in subsection (d)(4) AND (5) of this
36 section.

37 (ii) A person may not catch oysters in the sanctuary established
38 under subparagraph (i) of this paragraph.

39 (iii) The sanctuary shall be established before the opening of the
40 power dredge season.

1 (4) The regulations shall authorize the Department to establish a
2 program at the beginning of the power dredge season to purchase oysters at no less
3 than market price from a person who has a power dredge license under this section to
4 be transplanted for restoration purposes to the oyster sanctuary described by
5 regulation in accordance with paragraph (3) of this subsection.

6 (5) A person may not catch oysters in any area closed to hydraulic clam
7 dredging under § 4-1006.1 of this subtitle.

8 (6) The Department shall adopt regulations reserving areas on a
9 rotational basis for restoration and harvesting purposes.

10 (7) The Department shall adopt regulations establishing an appropriate
11 penalty to be assessed against a person convicted of taking oysters from a sanctuary
12 or reserved area.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2000.