
By: **Chairman, Environmental Matters Committee (Departmental - Natural Resources)**

Introduced and read first time: February 8, 2001

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Corrective Bill - Power Dredging for Oysters - Somerset, Calvert, St. Mary's,**
3 **and Dorchester Counties**

4 FOR the purpose of correcting certain inaccuracies in certain sections of codified and
5 uncodified laws relating to power dredging for oysters and accompanying
6 sanctuaries; correcting certain delineations pertaining to certain areas in the
7 waters of Somerset, Calvert, St. Mary's, and Dorchester counties where the
8 Department may establish power dredge zones by regulation for a person to
9 catch oysters by power dredge during the power dredge season; reflecting the
10 correct number of days in March describing the power dredge season; correcting
11 certain delineations pertaining to a certain oyster sanctuary in the waters of
12 Somerset County; and generally relating to power dredging oysters in certain
13 counties.

14 BY repealing and reenacting, with amendments,
15 Article - Natural Resources
16 Section 4-1014(d) and (g), 4-1014.1(d), 4-1014.2(d), and 4-1014.3(d)
17 Annotated Code of Maryland
18 (2000 Replacement Volume)

19 BY repealing and reenacting, with amendments,
20 Article - Natural Resources
21 Section 4-1014(b)
22 Annotated Code of Maryland
23 (2000 Replacement Volume)
24 (As enacted by Chapter 580 of the Acts of the General Assembly of 1999)

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

1

Article - Natural Resources

2 4-1014.

3 (d) The Department shall establish zones by regulation within the following
4 areas in which a person may catch oysters by power dredge only during the power
5 dredging season from November 1 to March [30] 31:

6 (1) In the waters of this State that lie contiguous to Somerset County AS
7 SHOWN ON THE CHARTS OF THE OYSTER SURVEY OF 1906-1912, AND ITS
8 AMENDMENTS, [including] AND all of the waters [from] IN the area of Kedges
9 Straits [from a line drawn from the quick flash buoy at] ENCLOSED BY A LINE
10 BEGINNING AT Fog Point, [east] THEN EASTERLY to Solomons Lump [Light]
11 LIGHTHOUSE,[north] THEN NORTHERLY to Sheepshead Point, [and] THEN along
12 the west side of South [March] MARSH Island to the SOUTHEAST END OF THE
13 HOLLAND STRAITS crab pot line [on] AT Pry Island, THEN NORTHWESTERLY TO THE
14 INTERSECTION OF THE CRAB POT LINE AND THE DORCHESTER COUNTY-SOMERSET
15 COUNTY LINE, THEN SOUTHWESTERLY TO THE INTERSECTION OF THE DORCHESTER
16 COUNTY-SOMERSET COUNTY LINE AND THE BAY WATERS-COUNTY WATERS LINE
17 ACROSS KEDGES STRAITS, THEN SOUTHEASTERLY TO FOG POINT, THE POINT OF
18 BEGINNING [; and].

19 (2) In the waters of Tangier Sound, that area enclosed by a line
20 beginning at UNITED STATES COAST GUARD buoy "8", then [eastward] EASTERLY to
21 [James] JANES Island Light, then SOUTHEASTERLY to [the range marker at] Great
22 Point, then following the shoreline [southward] SOUTHERLY to the
23 Maryland/Virginia [line] BOUNDARY CORNER AT WATKINS POINT, then [westward
24 to] WESTERLY ALONG THE MARYLAND/VIRGINIA LINE TO A POINT, DEFINED BY
25 LATITUDE 37 DEGREES, 54 MINUTES, 28 SECONDS NORTH, LONGITUDE 75 DEGREES,
26 56 MINUTES, 26 SECONDS WEST, DUE NORTH OF UNITED STATES COAST GUARD buoy
27 "6", then [northward] NORTHERLY to UNITED STATES COAST GUARD buoy "8", the
28 point of beginning.

29 (3) In the waters of Tangier Sound, that area ENCLOSED BY A LINE
30 beginning at the UNITED STATES COAST GUARD [junction] red and green JUNCTION
31 buoy at the mouth of the Manokin River and Big Annemessex River, then
32 [southward] SOUTHERLY to [flashing four second buoy at] James Island LIGHT,
33 then [southwestward] SOUTHWESTERLY to THE MARYLAND/VIRGINIA BOUNDARY
34 CORNER AT Horse Hammock Point, then [northward] NORTHERLY along the eastern
35 shoreline of Smith Island [and] to Fishing Point, then [northeastward]
36 NORTHEASTERLY to [the flashing green four] UNITED STATES COAST GUARD bell
37 number 5 buoy, then [southeastward] SOUTHEASTERLY to THE UNITED STATES
38 COAST GUARD RED AND GREEN JUNCTION BUOY AT THE MOUTH OF THE MANOKIN
39 RIVER AND BIG ANNEMESSEX RIVER, the point of beginning.

40 (4) In the waters of Tangier Sound, that area ENCLOSED BY A LINE
41 beginning at the UNITED STATES COAST GUARD [junction] red and green JUNCTION
42 buoy at the mouth of the Manokin River and Big Annemessex River, then
43 [northward] NORTHERLY to Piney Island DEFINED BY LATITUDE 38 DEGREES, 06

1 MINUTES, 31 SECONDS NORTH, LONGITUDE 75 DEGREES, 55 MINUTES, 23 SECONDS
 2 WEST, then [northeastward] NORTHEASTERLY to [the southeastern most point of
 3 land of St. Pierre Island] EAST POINT, then SOUTHEASTERLY to [the southernmost
 4 point of land at Normal] CORMAL Point, then following the shoreline [in a southwest
 5 direction] SOUTHWESTERLY to Hazard Point, then continuing along the shoreline
 6 [southward] SOUTHERLY to the mouth of the Big Annemessex River, then EASTERLY
 7 ALONG THE SHORELINE to [the point of land due north of day beacon number 5,]
 8 SCOTTS POINT, then SOUTHEASTERLY across the Big Annemessex River to Long
 9 Point, then following the shoreline [southwest] SOUTHWESTERLY to [Flatcar]
 10 FLATCAP Point, then WESTERLY [back] to UNITED STATES COAST GUARD RED AND
 11 GREEN JUNCTION BUOY AT THE MOUTH OF THE MANOKIN AND BIG ANNEMESSEX
 12 RIVERS, the point of beginning.

13 (g) (1) There is an oyster sanctuary in [the area] MONIE BAY known as the
 14 Webster ground that includes all the waters inshore of a line northeasterly from Long
 15 Point to [latitude 38 degrees, 12.63 minutes and longitude, 75 degrees, 51.85
 16 minutes,] a designated point in Monie Bay AT LATITUDE 38 DEGREES, 12 MINUTES,
 17 37.8 SECONDS NORTH, LONGITUDE 75 DEGREES, 51 MINUTES, 51.0 SECONDS WEST,
 18 then southwesterly to the eastern entrance to Pigeon House Creek.

19 (2) A person may not catch oysters in the oyster sanctuary described in
 20 paragraph (1) of this subsection.

21 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
 22 read as follows:

23 **Article - Natural Resources**

24 4-1014.1.

25 (d) The Department shall establish zones by regulations within the following
 26 [areas] AREA in which a person may catch oysters by power dredge only during the
 27 power dredging season from November 1 to March [30] 31 in the waters of the State
 28 contiguous to Calvert County AS SHOWN ON THE CHARTS OF THE OYSTER SURVEY OF
 29 1906-1912, AND ITS AMENDMENTS, BEGINNING AT [from] its border with Anne
 30 Arundel County ON THE CHESAPEAKE BAY SHORELINE south of Holland Point,
 31 [southward] THEN RUNNING SOUTHERLY to Drum Point, [southward to the border
 32 waters of St. Mary's County] THEN SOUTHERLY following the [dredge] CONTIGUOUS
 33 WATERS line ACROSS THE MOUTH OF THE PATUXENT RIVER [toward Hog Point in St.
 34 Mary's County,] TO THE INTERSECTION OF THE CONTIGUOUS WATERS LINE AND
 35 THE CALVERT COUNTY-ST. MARY'S COUNTY LINE, THEN following the Calvert and St.
 36 Mary's county line in [a northeasterly] AN EASTERLY direction to the Dorchester
 37 County line, THEN following the Calvert and Dorchester county line [in a
 38 northwesterly line] NORTHWESTERLY to the junction of THE Calvert, Dorchester, and
 39 Talbot county [line,] LINES, THEN continuing in a northwesterly direction along the
 40 Calvert and Talbot county line to the junction of THE Calvert, Talbot, and Anne
 41 Arundel county [line] LINES and THEN WESTERLY [back] to THE BORDER OF
 42 CALVERT AND ANNE ARUNDEL COUNTIES ON THE CHESAPEAKE BAY SHORELINE
 43 SOUTH OF HOLLAND POINT, the point of beginning.

1 4-1014.2.

2 (d) The Department shall establish zones by regulations within the following
3 [areas] AREA in which a person may catch oysters by power dredge only during the
4 power dredging season from November 1 to March [30] 31 in the waters of the State
5 contiguous to St. Mary's County AS SHOWN ON THE CHARTS OF THE OYSTER SURVEY
6 OF 1906-1912, AND ITS AMENDMENTS, beginning at Smith Point and extending in a
7 [northeasterly] NORTHWESTERLY direction to Point Lookout, then extending in a
8 northerly direction along the bay front shoreline to Cedar Point, then easterly to the
9 [flashing green four second] UNITED STATES COAST GUARD bell buoy "1 PR", THEN
10 continuing [to the] EASTERLY TOWARD THE UNITED STATES COAST GUARD red and
11 white mid-channel buoy[, and continuing towards the number 74 flashing red two
12 and a half second bell buoy] to the St. Mary's and Dorchester county line, then in a
13 southeasterly direction to the junction of THE St. Mary's, Dorchester, and Somerset
14 county [line] LINES, then continuing in a [southeasterly] SOUTHWESTERLY
15 direction along the St. Mary's and Somerset county line to [the Maryland and
16 Virginia state line and back to] SMITH POINT, the point of beginning.

17 4-1014.3.

18 (d) The Department shall establish zones by regulations within the following
19 areas in which a person may catch oysters by power dredging only during the power
20 dredging season[. The power dredging season for oysters shall run] from November 1
21 to March [30] 31.

22 (1) [in] IN the waters of the State that lie contiguous to Dorchester
23 County AS SHOWN ON THE CHARTS OF THE OYSTER SURVEY OF 1906-1912, AND ITS
24 AMENDMENTS, beginning at [the southernmost point of land at Pry Island] THE
25 INTERSECTION OF THE DORCHESTER COUNTY-SOMERSET COUNTY LINE AND THE
26 CONTIGUOUS WATERS LINE RUNNING FROM THE SOUTH END OF HOLLAND ISLAND
27 TO FOG POINT, THEN NORTHWESTERLY ALONG THE CONTIGUOUS WATERS LINE TO
28 THE SOUTH END OF HOLLAND ISLAND, then running [coterminous with the crab pot
29 line] NORTHERLY to the southernmost point of land at James Island, then [to]
30 WESTERLY TOWARD the lighted [buoy] MARKER LOCATED AT LATITUDE 38
31 DEGREES, 29 MINUTES, 57 SECONDS NORTH, LONGITUDE 76 DEGREES, 30 MINUTES,
32 04 SECONDS WEST, at Kenwood Beach[, at latitude 38 degrees 30 minutes], TO THE
33 DORCHESTER COUNTY LINE, then [to] SOUTHERLY ALONG THE DORCHESTER
34 COUNTY-CALVERT COUNTY LINE, THEN SOUTHERLY ALONG THE DORCHESTER
35 COUNTY-ST. MARY'S COUNTY LINE TO THE INTERSECTION OF THE DORCHESTER
36 COUNTY-ST. MARY'S AND SOMERSET COUNTY LINES, THEN EASTERLY ALONG THE
37 DORCHESTER COUNTY-SOMERSET COUNTY LINE TO A POINT DEFINED BY LATITUDE
38 38 DEGREES, 03 MINUTES, 41 SECONDS NORTH, LONGITUDE 76 DEGREES, 04
39 MINUTES, 43 SECONDS WEST, THEN NORTHEASTERLY ALONG THE DORCHESTER
40 COUNTY-SOMERSET COUNTY LINE TO THE INTERSECTION OF THE DORCHESTER
41 COUNTY-SOMERSET COUNTY LINE AND THE CONTIGUOUS WATERS LINE RUNNING
42 FROM THE SOUTH END OF HOLLAND ISLAND TO FOG POINT, the point of beginning.

43 (2) IN THE WATERS OF HOLLAND STRAITS, THAT AREA ENCLOSED BY A
44 LINE BEGINNING AT THE INTERSECTION OF THE DORCHESTER COUNTY-SOMERSET

1 COUNTY LINE AND THE CRAB POT LINE WHICH RUNS FROM PRY ISLAND TO THE
2 SOUTH END OF HOLLAND ISLAND, THEN NORTHWESTERLY ALONG THE CRAB POT
3 LINE TO THE SOUTH END OF HOLLAND ISLAND, THEN SOUTHEASTERLY ALONG THE
4 CONTIGUOUS WATERS LINE WHICH RUNS FROM THE SOUTH END OF HOLLAND
5 ISLAND TO FOG POINT TO THE INTERSECTION OF THE DORCHESTER
6 COUNTY-SOMERSET COUNTY LINE, THEN NORTHEASTERLY TO THE INTERSECTION
7 OF THE DORCHESTER COUNTY-SOMERSET COUNTY LINE AND THE CRAB POT LINE
8 WHICH RUNS FROM PRY ISLAND TO THE SOUTH END OF HOLLAND ISLAND, THE
9 POINT OF BEGINNING.

10 (3) IN THE WATERS OF HOOPERS STRAITS, THAT AREA ENCLOSED BY A
11 LINE BEGINNING AT OKAHANIKAN POINT, THEN NORTHWESTERLY TO THE NAVY
12 TOWER, THEN NORTHEASTERLY TO THE UNITED STATES COAST GUARD BUOY "2",
13 THEN NORTHWESTERLY TO THE UNITED STATES COAST GUARD MARKER "1", THEN
14 TO BILLY'S POINT, THEN SOUTHWESTERLY ALONG THE SHORE OF LOWER HOOPERS
15 ISLAND TO THE INTERSECTION OF THE CONTIGUOUS WATERS LINE WHICH RUNS
16 ACROSS HOOPERS STRAITS, THEN SOUTHEASTERLY ALONG THE CONTIGUOUS
17 WATERS LINE TO OKAHANIKAN POINT, THE POINT OF BEGINNING.

18 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
19 read as follows:

20

Article - Natural Resources

21 4-1014.

22 (b) There is an oyster sanctuary in [the area] MONIE BAY known as the
23 Webster ground that includes all the waters inshore of a line northeasterly from Long
24 Point to [latitude 38 degrees, 12.63 minutes and longitude, 75 degrees, 51.85
25 minutes,] a designated point in Monie Bay AT LATITUDE 38 DEGREES, 12 MINUTES,
26 37.8 SECONDS NORTH, LONGITUDE 75 DEGREES, 51 MINUTES, 51.0 SECONDS WEST,
27 then southwesterly to the eastern entrance to Pigeon House Creek.

28 SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall
29 take effect October 1, 2001. It shall remain effective until the taking effect of Section
30 3 of this Act. If Section 3 of this Act takes effect, Section 1 of this Act shall be
31 abrogated and of no further force and effect.

32 SECTION 5. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall
33 take effect June 1, 2004, the effective date of Chapter 580, §§ 2 and 3, of the Acts of
34 the General Assembly of 1999. If the effective date of Chapter 580, §§ 2 and 3 is
35 amended, Section 3 of this Act shall take effect on the taking effect of Chapter 580, §§
36 2 and 3.

37 SECTION 6. AND BE IT FURTHER ENACTED, That, subject to the provisions
38 of Sections 4 and 5 of this Act, this Act shall take effect October 1, 2001.