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

Introduced and read first time: February 8, 2001

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 28, 2001

CHAPTER _____

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)

1 (As enacted by Chapter 580 of the Acts of the General Assembly of 1999)

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

4 **Article - Natural Resources**

5 4-1014.

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

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

22 (2) In the waters of Tangier Sound, that area enclosed by a line
23 beginning at UNITED STATES COAST GUARD buoy "8", then [eastward] EASTERLY to
24 [James] JANES Island Light, then SOUTHEASTERLY to [the range marker at] Great
25 Point, then following the shoreline [southward] SOUTHERLY to the
26 Maryland/Virginia [line] BOUNDARY CORNER AT WATKINS POINT, then [westward
27 to] WESTERLY ALONG THE MARYLAND/VIRGINIA LINE TO A POINT, DEFINED BY
28 LATITUDE 37 DEGREES, 54 MINUTES, 28 SECONDS NORTH, LONGITUDE 75 DEGREES,
29 56 MINUTES, 26 SECONDS WEST, DUE NORTH OF UNITED STATES COAST GUARD buoy
30 "6", then [northward] NORTHERLY to UNITED STATES COAST GUARD buoy "8", the
31 point of beginning.

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

(4) In the waters of Tangier Sound, that area ENCLOSED BY A LINE beginning at the UNITED STATES COAST GUARD [junction] red and green JUNCTION buoy at the mouth of the Manokin River and Big Annemessex River, then [northward] NORTHERLY to Piney Island DEFINED BY LATITUDE 38 DEGREES, 06 MINUTES, 31 SECONDS NORTH, LONGITUDE 75 DEGREES, 55 MINUTES, 23 SECONDS WEST, then [northeastward] NORTHEASTERLY to [the southeastern most point of land of St. Pierre Island] EAST POINT, then SOUTHEASTERLY to [the southernmost point of land at Normal] CORMAL Point, then following the shoreline [in a southwest direction] SOUTHWESTERLY to Hazard Point, then continuing along the shoreline [southward] SOUTHERLY to the mouth of the Big Annemessex River, then EASTERLY ALONG THE SHORELINE to [the point of land due north of day beacon number 5,] SCOTTS POINT, then SOUTHEASTERLY across the Big Annemessex River to Long Point, then following the shoreline [southwest] SOUTHWESTERLY to [Flatcar] FLATCAP Point, then WESTERLY [back] to UNITED STATES COAST GUARD RED AND GREEN JUNCTION BUOY AT THE MOUTH OF THE MANOKIN AND BIG ANNEMESSEX RIVERS, the point of beginning.

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

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

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

Article - Natural Resources

4-1014.1.

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

1 Calvert and Talbot county line to the junction of THE Calvert, Talbot, and Anne
2 Arundel county [line] LINES and THEN WESTERLY [back] to THE BORDER OF
3 CALVERT AND ANNE ARUNDEL COUNTIES ON THE CHESAPEAKE BAY SHORELINE
4 SOUTH OF HOLLAND POINT, the point of beginning.

5 4-1014.2.

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

21 4-1014.3.

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

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

1 COUNTY-SOMERSET COUNTY LINE AND THE CONTIGUOUS WATERS LINE RUNNING
2 FROM THE SOUTH END OF HOLLAND ISLAND TO FOG POINT, the point of beginning.

3 (2) IN THE WATERS OF HOLLAND STRAITS, THAT AREA ENCLOSED BY A
4 LINE BEGINNING AT THE INTERSECTION OF THE DORCHESTER COUNTY-SOMERSET
5 COUNTY LINE AND THE CRAB POT LINE WHICH RUNS FROM PRY ISLAND TO THE
6 SOUTH END OF HOLLAND ISLAND, THEN NORTHWESTERLY ALONG THE CRAB POT
7 LINE TO THE SOUTH END OF HOLLAND ISLAND, THEN SOUTHEASTERLY ALONG THE
8 CONTIGUOUS WATERS LINE WHICH RUNS FROM THE SOUTH END OF HOLLAND
9 ISLAND TO FOG POINT TO THE INTERSECTION OF THE DORCHESTER
10 COUNTY-SOMERSET COUNTY LINE, THEN NORTHEASTERLY TO THE INTERSECTION
11 OF THE DORCHESTER COUNTY-SOMERSET COUNTY LINE AND THE CRAB POT LINE
12 WHICH RUNS FROM PRY ISLAND TO THE SOUTH END OF HOLLAND ISLAND, THE
13 POINT OF BEGINNING.

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

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

24 **Article - Natural Resources**

25 4-1014.

26 (b) There is an oyster sanctuary in [the area] MONIE BAY known as the
27 Webster ground that includes all the waters inshore of a line northeasterly from Long
28 Point to [latitude 38 degrees, 12.63 minutes and longitude, 75 degrees, 51.85
29 minutes,] a designated point in Monie Bay AT LATITUDE 38 DEGREES, 12 MINUTES,
30 37.8 SECONDS NORTH, LONGITUDE 75 DEGREES, 51 MINUTES, 51.0 SECONDS WEST,
31 then southwesterly to the eastern entrance to Pigeon House Creek.

32 SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall
33 take effect October 1, 2001. It shall remain effective until the taking effect of Section
34 3 of this Act. If Section 3 of this Act takes effect, Section 1 of this Act shall be
35 abrogated and of no further force and effect.

36 SECTION 5. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall
37 take effect June 1, 2004, the effective date of Chapter 580, §§ 2 and 3, of the Acts of
38 the General Assembly of 1999. If the effective date of Chapter 580, §§ 2 and 3 is
39 amended, Section 3 of this Act shall take effect on the taking effect of Chapter 580, §§
40 2 and 3.

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