
By: ~~Delegates Hennessy, Levy, and McComas~~ McComas, Mayer, and Cane

Introduced and read first time: January 31, 2005

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 1, 2005

CHAPTER _____

1 AN ACT concerning

2 **Natural Resources - Wild Waterfowl Hunting - Tidal Potomac River**

3 FOR the purpose of decreasing the distance from shore that the Department of
4 Natural Resources may authorize by regulation the hunting of wild waterfowl
5 by certain methods in the tidal waters of the Potomac River; creating for the
6 tidal waters of the Potomac River an exception to the requirement that a person
7 who hunts wild waterfowl by certain methods must hunt a certain distance from
8 the shore; and generally relating to hunting wild waterfowl in the tidal waters of
9 the Potomac River.

10 BY repealing and reenacting, with amendments,
11 Article - Natural Resources
12 Section 10-604 through 10-606
13 Annotated Code of Maryland
14 (2000 Replacement Volume and 2004 Supplement)

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

17 **Article - Natural Resources**

18 10-604.

19 (a) A person may hunt wild waterfowl while standing in water on the natural
20 bottom only in the waters of the Susquehanna Flats, the nontidal waters of the
21 Potomac River, and in other waters of the State in areas and on days the Department
22 prescribes by regulation.

1 (b) A person may hunt wild waterfowl while standing in water on the natural
2 bottom at a licensed offshore stationary blind or blind site.

3 (c) A person hunting wild waterfowl while standing in water on the natural
4 bottom shall remain at least 250 yards from all offshore stationary blinds or blind
5 sites or another person hunting wild waterfowl offshore.

6 (d) (1) A person hunting wild waterfowl while standing in water on the
7 natural bottom shall be at least 800 yards from shore including shore emerging at
8 mean low water except in [nontidal] THE waters of the Potomac River, in the waters
9 of the Susquehanna Flats, or while hunting at a licensed stationary blind or blind
10 site.

11 (2) [In the waters of the Susquehanna Flats, a] A person hunting wild
12 waterfowl while standing in water on the natural bottom shall be at least 400 yards
13 from shore, including shore emerging at mean low water, IN THE FOLLOWING AREAS:

14 (I) THE WATERS OF THE SUSQUEHANNA FLATS; AND

15 (II) THE TIDAL WATERS OF THE POTOMAC RIVER THAT THE
16 DEPARTMENT BY REGULATION PRESCRIBES FOR HUNTING UNDER SUBSECTION (A)
17 OF THIS SECTION.

18 (e) A person may not hunt wild waterfowl while standing in State waters on
19 the natural bottom when the natural bottom is privately owned, unless the hunter
20 has the written permission of the landowner.

21 (f) Except at a licensed stationary blind or blind site, a nonresident may not
22 hunt wild waterfowl while standing in water on the natural bottom unless
23 accompanied by a Maryland resident.

24 10-605.

25 (a) A person may hunt wild waterfowl from a boat that is drifting or being
26 sculled, only in:

27 (1) The nontidal waters of the Potomac River, Conococheague Creek, and
28 the Monocacy River;

29 (2) The Susquehanna Flats, Elk River, and that portion of the Sassafraz
30 River in Cecil County located west of 75 degrees 58 minutes 45 seconds;

31 (3) Chincoteague Bay, Sinepuxent Bay, Isle of Wight, Assawoman Bay,
32 and their respective tributaries in Worcester County; or

33 (4) Zones prescribed by the Department by regulation.

34 (b) While hunting wild waterfowl from a boat that is drifting or being sculled,
35 a person shall remain at least 250 yards from all offshore stationary blinds or blind
36 sites or another person hunting wild waterfowl offshore.

1 (c) (1) A person hunting wild waterfowl from a boat that is drifting or being
2 sculled shall be at least 800 yards from shore including shore emerging at mean low
3 water except in the [nontidal] waters of the Potomac River, in the waters of the
4 Susquehanna Flats, in Conococheague Creek, and in the Monocacy River.

5 (2) [In the waters of the Susquehanna Flats, a] A person hunting wild
6 waterfowl from a boat that is drifting or being sculled shall be at least 400 yards from
7 shore, including shore emerging at mean low water, IN THE FOLLOWING AREAS:

8 (I) THE WATERS OF THE SUSQUEHANNA FLATS; AND

9 (II) THE TIDAL WATERS OF THE POTOMAC RIVER THAT THE
10 DEPARTMENT BY REGULATION PRESCRIBES FOR HUNTING UNDER SUBSECTION
11 (A)(4) OF THIS SECTION.

12 (d) A nonresident may not hunt wild waterfowl from a boat that is drifting or
13 being sculled unless accompanied by a Maryland resident.

14 10-606.

15 (a) A person may hunt wild waterfowl from a boat that is anchored only in:

16 (1) The nontidal waters of the Potomac River;

17 (2) The waters of the Susquehanna Flats, Elk River, and that portion of
18 the Sassafra River in Cecil County located west of 75 degrees 58 minutes 45 seconds;

19 (3) The waters of Chincoteague Bay, Sinepuxent Bay, Isle of Wight,
20 Assawoman Bay, and their respective tributaries in Worcester County; or

21 (4) Zones prescribed by the Department by regulation.

22 (b) A person may hunt wild waterfowl from a boat that is anchored at a
23 licensed offshore stationary blind or blind site.

24 (c) A person hunting wild waterfowl from a boat that is anchored shall remain
25 250 yards from all offshore stationary blinds or blind sites or another person hunting
26 wild waterfowl offshore.

27 (d) (1) A person hunting wild waterfowl from a boat that is anchored shall
28 be at least 800 yards from shore including shore emerging at mean low water except
29 in [nontidal] THE waters of the Potomac River, in the waters of the Susquehanna
30 Flats, or unless anchored at a licensed offshore stationary blind or blind site.

31 (2) [In the waters of the Susquehanna Flats, a] A person hunting wild
32 waterfowl from a boat that is anchored shall be at least 400 yards from shore,
33 including shore emerging at mean low water, IN THE FOLLOWING AREAS:

34 (I) THE WATERS OF THE SUSQUEHANNA FLATS; AND

1 (II) THE TIDAL WATERS OF THE POTOMAC RIVER THAT THE
2 DEPARTMENT BY REGULATION PRESCRIBES FOR HUNTING UNDER SUBSECTION
3 (A)(4) OF THIS SECTION.

4 (e) Except at a licensed stationary blind or blind site, a nonresident may not
5 hunt wild waterfowl from a boat that is anchored unless accompanied by a Maryland
6 resident.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2005.