

Introduction

Maryland Department of Natural Resources Shellfish Closures

The Maryland DNR is required to provide a licensee with a publication of the maps and coordinates of oyster sanctuaries, harvest reserve areas, and areas closed to shellfish harvest by the Department of the Environment when the licensee pays for the oyster surcharge. The licensee must certify that they have received this publication.

The DNR Shellfish closures depicted in this book fall into two categories: Sanctuaries and Reserves. Sanctuaries are areas which are closed to shellfish harvest and often contain oyster restoration projects to help enhance oyster populations for their environmental benefits. These areas are permanent closures. Reserves are areas which are enhanced, then opened for periodic harvest when certain criteria are met.

Shellfish aquaculture leases are not depicted on the shellfish closure area maps contained in this book. The areas on these maps may contain private shellfish leases that are not open to the public fishery. Shellfish leases are required to be marked and it is illegal to take shellfish from a privately leased area. An online map of active leases is available on the Department's website at: <http://dnrweb.dnr.state.md.us/fisheries/aquatool/aquatool.asp>. For verification of active lease locations, harvesters may also contact the Department's Aquaculture Division at 410-260-8648.

In addition to the areas described in this publication, a number of areas in State waters are off-limits to certain shellfish harvesting gear. For instance, power dredges may only be used to harvest wild oysters in specific areas and certain areas are closed to hydraulic clam dredging. Licensed shellfish harvesters are responsible for knowing all applicable shellfish laws and are strongly encouraged to contact the Department's Hydrographic Engineering Unit at 410-643-6521 for detailed charts describing additional restrictions not contained in this book. It is not safe to assume that an area is open to harvest if the area is not marked.

Special Reminder to Clammers: Under COMAR 08.02.02.12 and 08.02.07.03, a person may not harvest clams within 150 feet of a: (1) Natural oyster bar; (2) Leased area; (3) Public shellfish fishery area established in COMAR 08.02.04.17A; or (4) Sanctuary designated in Section I of "Oyster Sanctuaries of the Chesapeake Bay and Its Tidal Tributaries (September 2010)" that is incorporated by reference in COMAR 08.02.04.15A and reproduced in the back of this book.

Special Reminder to Skipjack (dredge boat) operators: The definitions of dredge and dredge boat according to Natural Resources Article, Section 4-1001, Annotated Code of Maryland are: "Dredge" includes any dredge, scoop, scrape, or similar device used in catching oysters or clams by dragging. Dredge boat. "Dredge boat" means any sailboat which does not have a screw, propeller, engine, turbine, or other device for self-propulsion, used in catching oysters or clams by dredge." The definition of "sailing vessel" in Rule 3 of the Navigation Rules for International and Inland Waters is "any vessel under sail provided that propelling machinery, if fitted, is not being used." There are also additional requirements for dredge boats using an auxiliary yawl found at Natural Resources Article, Section 4-1013, Annotated Code of Maryland.

Are you interested in getting text message updates from the Department? Visit DNR Commercial Fisheries: <http://dnr2.maryland.gov/Fisheries/Pages/Commercial.aspx> then click on Oyster under Sign Up for Department Updates Via Text Messages. Enter your first and last name and your cell phone number. Or, call us at 410-260-8302 or 410-260-8254 and we'll add you to the list.

Violations of shellfish laws may result in a criminal conviction, fine and/or a suspension or revocation of your tidal fish license by a Court or the Department of Natural Resources. You may view the Natural Resource Fine Schedule at: <http://www.courts.state.md.us/district/forms/finesch/dnr.pdf> (the District Courts of Maryland updates this document every October 1st). You may view commercial harvesting penalties under Code of Maryland Regulations 08.02.13.02 and 08.02.13.03. You may view specific violations which may result in immediate oyster authorization revocation proceedings under Natural Resources Article, Section 4-1210, Annotated Code of Maryland.