

.14 General.

- A. (text unchanged)
- B. Commercial — General.
 - (1)—(4) (text unchanged)
 - (5) Mature female hard crabs shall be kept in separate bushels, *lugs* or barrels from male hard crabs or peeler crabs.
 - (6) *Mature female hard crabs on board a vessel shall be stored in the same type of containers of similar dimensions.*
 - (7) *Male hard crabs on board a vessel shall be stored in the same type of containers of similar dimensions.*
 - [(6)] (8)—[(13)] (15) (text unchanged)
- C.—G. (text unchanged)

JOSH KURTZ
Secretary of Natural Resources

Subtitle 02 FISHERIES SERVICE

08.02.03 Blue Crabs

Authority: Natural Resources Article, §§4-215 and 4-803, Annotated Code of Maryland

Notice of Proposed Action

[23-271-P]

The Secretary of Natural Resources proposes to amend Regulation .07 under **COMAR 08.02.03 Blue Crabs**.

Statement of Purpose

The purpose of this action is to clarify the allowable areas where commercial crabbers may set crab pots in the Chesapeake Bay and its tidal tributaries and to clarify the number of crab pots which any commercial licensee may set in the Atlantic Coastal Bays.

This action will clarify the waters in which crab pots may be set in the Chesapeake Bay and its tidal tributaries by describing prohibited waters in a more straightforward, effective, and accurate manner. The main objectives are to remove the large mainstem polygon and replace it with individual lines for each tributary, creek, cove, inlet, etc., address lines that are inaccurate, confusing, or of concern for the resource, remove the ambiguity of the phrase “along the shore,” provide and update coordinates for all points and references to landmarks in the regulation, and address emerging issues in the canals of the Coastal Bays. The action will make it easier for individuals to find the lines relevant to their commercial operation by more clearly dividing the sections of the Bay, as well as assigning coordinates to specific points based on the current regulation, which was at times open to interpretation. A very small number of lines have been modified in minor directions to accommodate the goal of providing clear points of reference for both crabbers and enforcement purposes.

This action clarifies the number of crab pots an individual may set in the Atlantic Coastal Bays. Based on the current wording of the regulation, it was not fully clear if an individual who has a 600-pot or 900-pot endorsement may set more than 300 pots in the Atlantic Coastal Bays. The Department’s original intention was to limit all harvesters to 300 pots per licensee in the Coastal Bays in order to avoid gear saturation. The higher pot limits were intended to be utilized in the Chesapeake Bay and its tributaries; the higher limits were not intended to be used in the Atlantic Ocean and the coastal bays. This action clarifies the regulation by reflecting the original intent.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Blue Crabs — Crab Pot Line Clarifications, Regulatory Staff, Department of Natural Resources, Fishing and Boating Services, 580 Taylor Ave., E4, Annapolis, MD 21401, or call 410-260-8300, or submit comments to <https://dnr.maryland.gov/fisheries/pages/regulations/changes.aspx#bcrappotlineclar>. Comments will be accepted through February 12, 2024. A public hearing will be held on January 25, 2024, at 1 p.m. More information is available at <https://go.activecalendar.com/doi-md/event/blue-crab-regulatory-hearing---containers-and-limits/>.

.07 Crab Pots.

- A.—C. (text unchanged)
- D. General Requirements.
 - (1)—(5) (text unchanged)
 - (6) A person commercially licensed to catch crabs may set crab pots in the coastal bays of the Atlantic Ocean and their tidal tributaries subject to the following limitations:
 - (a) A person licensed to catch crabs with more than 50 pots may not set or fish more than 300 pots [per day]; and
 - (b) Regardless of the number of licensees per boat, not more than 300 pots [per day] may be set or fished.
 - (7) (text unchanged)
- [E.]—[G.] (proposed for repeal)
- E. *Except as specifically allowed, crab pots may not be set in the waters described in §§F—I of this regulation.*
- F. *Upper Chesapeake Bay — North of the William Preston Lane Jr. Memorial Bridge (Chesapeake Bay Bridge).*
 - (1) *Western Shore and Susquehanna Flats.*

(a) *Susquehanna Flats.* All the waters upstream of a line beginning at a point at or near the shore at Rocky Point defined by Lat. 39° 29.361' N, Long. 75° 59.707' W then running approximately 257° True to a point at or near Locust Point defined by Lat. 39° 28.517' N, Long. 76° 4.372' W.

(b) *Spesutie Narrows.* All the waters upstream of a line beginning at a point at or near the shore at Bear Point defined by Lat. 39° 26.227' N, Long. 76° 4.913' W then running approximately 263° True to a point at or near Black Point defined by Lat. 39° 26.116' N, Long. 76° 6.143' W.

(c) *Romney Creek.* All the waters upstream of a line beginning at a point at or near the shore at Taylor Point defined by Lat. 39° 22.762' N, Long. 76° 10.770' W then running approximately 231° True to a point on the south side entrance to Romney Creek defined by Lat. 39° 22.169' N, Long. 76° 11.727' W.

(d) *Bush River.* All the waters upstream of a line beginning at a point at or near the shore at Abbey Point defined by Lat. 39° 20.997' N, Long. 76° 13.688' W then running approximately 242° True to a point at or near Lego Point defined by Lat. 39° 20.286' N, Long. 76° 15.409' W.

(e) *Boone Creek.* All the waters upstream of a line beginning at a point at or near the shore at the north side of the mouth of Boone Creek defined by Lat. 39° 19.947' N, Long. 76° 15.953' W then running approximately 202° True to a point on the southwest side of the entrance to Boone Creek defined by Lat. 39° 19.836' N, Long. 76° 16.004' W.

(f) *Gunpowder River.* All the waters upstream of a line beginning at a point at or near the shore at the southwestern tip of Rickett Point defined by Lat. 39° 18.126' N, Long. 76° 17.805' W then running approximately 298° True to the point at the eastern tip of Carroll Island defined by Lat. 39° 18.778' N, Long. 76° 19.372' W then along the shore to the western tip of Carroll Island defined by Lat. 39° 18.817' N, Long. 76° 19.536' W then running 297° True to a point at or near Carroll Point defined by Lat. 39° 18.904' N, Long. 76° 19.758' W then running 208° True to a point at or near Weir Point defined by Lat. 39° 18.306' N, Long. 76° 20.196' W.

(g) *Seneca Creek, Middle River, Hawk Cove, and Back River.* All the waters upstream of a line beginning at a point at or near the shore at Lower Island Point defined by Lat. 39° 18.254' N, Long. 76° 20.389' W then running approximately 197° True to the most northern point of Hart-Miller Island defined by Lat. 39° 15.693' N, Long. 76° 21.388' W then running along the northwestern shore of Hart-Miller Island to a point on the western side of Hart-Miller Island defined by Lat. 39° 14.547' N, Long. 76° 23.078' W then running approximately 208° True to the northern tip of Pleasure Island defined by Lat. 39° 14.120' N, Long. 76° 23.378' W then running along the southern shore to the southern tip of Pleasure Island defined by Lat. 39° 13.896' N, Long. 76° 23.649' W then running approximately 235° True to the southeastern point of Back River Neck defined by Lat. 39° 13.759' N, Long. 76° 23.897' W.

(h) *Shallow Creek.* All the waters upstream of a line beginning at a point at the entrance on the north side of Shallow Creek defined by Lat. 39° 12.270' N, Long. 76° 25.959' W then running approximately 235° True to a point at the entrance on the south side of Shallow Creek defined by Lat. 39° 12.140' N, Long. 76° 26.180' W.

(i) *Patapsco River.* All the waters upstream of a line beginning at a point at or near North Point defined by Lat. 39° 11.720' N, Long. 76° 26.557' W then running approximately 227° True to the point at or near Buoy R "6" defined by Lat. 39° 11.152' N, Long. 76° 27.336' W then running approximately 160° True to a point at or near Bodkin Point defined by Lat. 39° 7.937' N, Long. 76° 25.860' W.

(j) *Magothy River.* All the waters upstream of a line beginning at a point at or near Mountain Point defined by Lat. 39° 3.553' N, Long. 76° 25.996' W then running approximately 212° True to a point at or near Persimmon Point defined by Lat. 39° 3.170' N, Long. 76° 26.310' W.

(k) *Little Magothy River.* All the waters upstream of a line beginning of the west jetty at the entrance to the Little Magothy River defined by Lat. 39° 2.765' N, Long. 76° 25.783' W then running approximately 14° True to tip of the west jetty at the entrance to the Little Magothy River defined by Lat. 39° 2.782' N, Long. 76° 25.778' W then running approximately 97° True to a point on the tip of the east jetty at the entrance to Little Magothy River defined by Lat. 39° 2.782' N, Long. 76° 25.765' W then running approximately 193° True along the east jetty to a point on shore defined by Lat. 39° 2.770' N, Long. 76° 25.769' W.

(l) *Podickory Point Marina.* All the waters enclosed by a line at the beginning of the north Podickory Point Marina jetty defined by Lat. 39° 1.980' N, Long. 76° 24.239' W then running approximately 45° True to a point at the tip of the north Podickory Point Marina jetty defined by Lat. 39° 2.004' N, Long. 76° 24.214' W then running approximately 191° True to a point at the tip of the south Podickory Point Marina jetty defined by Lat. 39° 1.969' N, Long. 76° 24.223' W then running approximately 220° True along the jetty to a point at the shore defined by Lat. 39° 1.906' N, Long. 76° 24.294' W.

(m) *Sandy Point Boat Exclusion Zone.* All the waters enclosed by a line at the beginning of the northernmost jetty at Sandy Point defined by Lat. 39° 1.089' N, Long. 76° 23.816' W then running approximately 71° True to a point at the tip of the northernmost jetty at Sandy Point defined by Lat. 39° 1.114' N, Long. 76° 23.739' W then running approximately 155° True to a point offshore of Sandy Point defined by Lat. 39° 0.655' N, Long. 76° 23.458' W then running approximately 243° True to the Mezick Pond Jetty south of Sandy Point defined by Lat. 39° 0.390' N, Long. 76° 24.108' W then running approximately 330° True along the jetty to the point along the shore defined by Lat. 39° 0.464' N, Long. 76° 24.158' W.

(2) *Eastern Shore.*

(a) *Elk River.* All the waters upstream of a line beginning at a point at or near the east side of Turkey Point defined by Lat. 39° 26.997' N, Long. 76° 0.184' W then running approximately 121° True towards the entrance to Pearce Creek defined by Lat. 39° 26.337' N, Long. 75° 58.792' W.

(b) *Pond Creek.* All the waters upstream of a line beginning at a point north of the entrance to Pond Creek defined by Lat. 39° 24.903' N, Long. 76° 0.340' W then running approximately 235° True to a point south of the entrance to Pond Creek defined by Lat. 39° 24.766' N, Long. 76° 0.597' W.

(c) *Sassafras River.* All the waters upstream of a line beginning at a point at or near Grove Point defined by Lat. 39° 23.204' N, Long. 76° 2.238' W then running approximately 255° True to a point at or near Howell Point defined by Lat. 39° 22.320' N, Long. 76° 6.373' W.

(d) *Still Pond.* All the waters upstream of a line beginning at a point at or near Meeks Point defined by Lat. 39° 20.717' N, Long. 76° 8.2082' W then running approximately 211° True to a point at or near Rocky Point defined by Lat. 39° 20.070' N, Long. 76° 8.731' W.

(e) *Worton Creek.* All the waters upstream of a line beginning at a point on the north side of the entrance to Worton Creek defined by Lat. 39° 18.058' N, Long. 76° 10.713' W then running approximately 199° True to a point at or near Handy Point defined by Lat. 39° 17.420' N, Long. 76° 10.993' W.

(f) *Fairlee Creek.* All the waters upstream of a line beginning at a point on the north side of the entrance to Fairlee Creek defined by Lat. 39° 16.280' N, Long. 76° 12.122' W then running approximately 256° True to a point on the western side of the entrance to Fairlee Creek defined by Lat. 39° 16.183' N, Lon. 76° 12.677' W.

(g) *Rock Hall Harbor/Swan Creek/Tavern Creek.* All the waters upstream of a line beginning at a point at or near Swan Point defined by Lat. 39° 8.778' N, Long. 76° 16.523' WW then running approximately 141° True to a point inside the eastern side of Huntingfield Creek defined by Lat. 39° 7.089' N, Long. 76° 14.777' W.

(h) *Chester River.* All the waters upstream of a line beginning at a point at or near Wilson Point defined by Lat. 39° 03.193' N, Long. 76° 13.635' W then running approximately 227° True to a point at or near Love Point defined by Lat. 39° 2.693' N, Long. 76° 14.27' W then running approximately 265° True to a point at or near the Eastern Neck Island rock jetty defined by Lat. 39° 2.392' N, Long. 76° 18.156' W.

G. Lower Western Shore — South of the William Preston Lane Jr. Memorial Bridge (Chesapeake Bay Bridge).

(1) *Mezick Pond to South River.*

(a) *Mezick Pond.* All the waters enclosed by a line beginning at a point east of the entrance to Mezick Pond defined by Lat. 39° 0.464' N, Long. 76° 24.158' W then running approximately 275° True to a point west of the entrance to Mezick Pond defined by Lat. 39° 0.468' N, Long. 76° 24.238' W.

(b) *Whitehall Bay.* All the waters upstream of a line beginning at a point at or near Hackett Point defined by Lat. 38° 59.223' N, Long. 76° 25.600' W then running approximately 241° True to the point at or near Greenbury Point defined by Lat. 38° 58.483' N, Long. 76° 27.295' W.

(c) *Severn River.* All the waters upstream of a line beginning at a point at or near Greenbury Point defined by Lat. 38° 58.483' N, Long. 76° 27.295' W then running approximately 174° True to the point at or near Tolly Point defined by Lat. 38° 56.490' N, Long. 76° 27.025' W.

(d) *Blackwalnut Creek.* All the waters upstream of a line beginning at a point on the north side of the entrance to Blackwalnut Creek defined by Lat. 38° 55.842' N, Long. 76° 27.774' W then running approximately 207° True to a point on the south side of the entrance to Blackwalnut Creek defined by Lat. 38° 55.827' N, Long. 76° 27.784' W.

(e) *Oyster Creek.* All the waters upstream of a line beginning at a point on the north side of the entrance to Oyster Creek defined by Lat. 38° 55.644' N, Long. 76° 27.796' W then running approximately 133° True to a point on the jetty south of the entrance to Oyster Creek defined by Lat. 38° 55.626' N, Long. 76° 27.772' W.

(f) *Fishing Creek (South River).* All the waters upstream of a line beginning at a point on the north side of the entrance to Fishing Creek defined by Lat. 38° 54.898' N, Long. 76° 27.557' W then running approximately 186° True to a point at or near Thomas Point defined by Lat. 38° 54.448' N, Long. 76° 27.622' W.

(g) *South River.* All the waters upstream of a line beginning at a point at or near Thomas Point defined by Lat. 38° 54.448' N, Long. 76° 27.622' W then running approximately 227° True to a point at or near Saunders Point defined by Lat. 38° 53.100' N, Long. 76° 29.444' W.

(2) *West River to Herring Bay.*

(a) *Rhode and West Rivers.* All the waters upstream of a line beginning at a point at or near Dutchman Point defined by Lat. 38° 52.183' N, Long. 76° 30.570' W then running approximately 152° True to a point at or near Curtis Point defined by Lat. 38° 51.184' N, Long. 76° 29.891' W.

(b) *Jack Creek.* All the waters upstream of a line beginning at a point on the north side of the entrance to Jack Creek defined by Lat. 38° 50.791' N, Long. 76° 29.650' W then running approximately 163° True to a point on the south side of the entrance to Jack Creek defined by Lat. 38° 50.636' N, Long. 76° 29.588' W.

(c) *Flag Pond Creek.* All the waters upstream of a line beginning at a point on the north side of the entrance to Flag Pond Creek defined by Lat. 38° 48.646' N, Long. 76° 30.320' W then running approximately 200° True to a point on the south side of the entrance to Flag Pond Creek defined by Lat. 38° 48.499' N, Long. 76° 30.388' W.

(d) *Deep Creek and Deep Cove Creek.* All the waters upstream of a line beginning at a point on the north side of the entrance to Deep Creek/Deep Cove Creek defined by Lat. 38° 48.341' N, Long. 76° 30.543' W then running approximately 186° True to a point on the south side of the entrance to Deep Creek/Deep Cove Creek defined by Lat. 38° 48.280' N, Long. 76° 30.551' W.

(e) *Broadwater Creek.* All the waters upstream of a line beginning at a point north of the entrance to Broadwater Creek at Franklin Manor Beach defined by Lat. 38° 48.060' N, Long. 76° 30.617' W then running approximately 225° True to a point on the south side of the entrance to Broadwater Creek defined by Lat. 38° 47.264' N, Long. 76° 31.618' W.

(f) *Carrs Creek.* All the waters upstream of a line beginning at a point on the north side of the entrance to Carrs Creek defined by Lat. 38° 47.264' N, Long. 76° 31.618' W then running approximately 196° True to a point on the south side of the entrance to Carrs Creek defined by Lat. 38° 47.198' N, Long. 76° 31.649' W.

(g) *Herring Bay.* All the waters upstream of a line beginning at a point on the north side of the entrance to Parkers Creek defined by Lat. 38° 46.691' N, Long. 76° 32.220' W then running approximately 172° True to the point at or near Holland Point defined by Lat. 38° 43.661' N, Long. 76° 31.664' W.

(3) *Fishing Creek to Cove Point.*

(a) *Fishing Creek (Chesapeake Beach).* All the waters upstream of a line beginning at a point on shore at the beginning of the rock jetty defined by Lat. 38° 41.534' N, Long. 76° 31.960' W then running approximately 96° True to a point at the tip of the rock jetty on the north side of the entrance to Fishing Creek defined by Lat. 38° 41.518' N, Long. 76° 31.770' W then running approximately 186° True to a point at the tip of the rock jetty on the south side of the entrance to Fishing Creek defined by Lat. 38° 41.448' N, Long. 76° 31.779' W then running approximately 251° True along the rock jetty to a point on shore at the beginning of the rock jetty defined by Lat. 38° 41.399' N, Long. 76° 31.960' W.

(b) *Naval Research Lab Prohibited Area near Randle Cliff Beach (via CFR § 334.170 Area A).* All the waters enclosed by a line beginning at a point on the shore defined by Lat. 38° 39.917' N, Long. 76° 31.782' W then running approximately 90° True to a point at defined by Lat. 38° 39.918' N, Long. 76° 31.050' W then running approximately 180° True to a point at defined by Lat. 38° 39.150' N, Long. 76° 31.050' W then running approximately 270° True to a point on the shore defined by Lat. 38° 39.150' N, Long. 76° 31.620' W.

(c) *Plum Point Creek.* All the waters upstream of a line beginning at a point on shore at the beginning of the north jetty defined by Lat. 38° 36.9425' N, Long. 76° 30.729' W then running approximately 87° True to the tip of the jetty at the north side of the entrance to Plum Point Creek defined by Lat. 38° 36.944' N, Long. 76° 30.669' W then running approximately 176° True to the tip of the jetty at the south side of the entrance to Plum Point Creek defined by Lat. 38° 36.925' N, Long. 76° 30.667' W then running approximately 263° True to the point along the shore at the beginning of the south jetty defined by Lat. 38° 36.922' N, Long. 76° 30.697' W.

(d) *Parkers Creek (near Port Republic).* All the waters upstream of a line beginning at a point on the north side of the entrance to Parkers Creek defined by Lat. 38° 32.243' N, Long. 76° 31.086' W then running approximately 169° True to a point on the south side of the entrance to Parkers Creek defined by Lat. 38° 32.215' N, Long. 76° 31.080' W.

(e) *Long Beach.* All the waters enclosed by a line running from a point on shore at the beginning of the north jetty defined by Lat. 38° 27.894' N, Long. 76° 28.255' W then running approximately 45° True to a point at the tip of the rock jetty on the north side of the entrance to Long Beach defined by Lat. 38° 27.945' N, Long. 76° 28.192' W then running approximately 171° True to a point at the tip of the rock jetty on the south side of the entrance to Long Beach defined by Lat. 38° 27.916' N, Long. 76° 28.187' W then running approximately 223° True along the south jetty to the point on shore defined by Lat. 38° 27.847' N, Long. 76° 28.268' W.

(f) *Calvert Cliffs (via Security Zone 165.505).* All the waters enclosed by a line beginning at a point along the shore north of the Calvert Cliffs Nuclear Power Plant defined by Lat. 38° 26.233' N, Long. 76° 26.550' W then running approximately 28° True to a point defined by Lat. 38° 26.350' N, Long. 76° 26.467' W then running approximately 131° True to a point defined by Lat. 38° 26.167' N, Long. 76° 26.200' W then running approximately 227° True to a point on the shore south of the Calvert Cliffs Nuclear Power Plant defined by Lat. 38° 26.089' N, Long. 76° 26.310' W.

(g) *Cove Point Liquefied Natural Gas Terminal (via Safety Zone 165.502).* All the waters enclosed by a line beginning at a point defined by Lat. 38° 24.450' N, Long. 76° 23.700' W then running approximately 55° True to a point defined by Lat. 38° 24.734' N, Long. 76° 23.184' W then running approximately 145° True to a point defined by Lat. 38° 23.917' N, Long. 76° 22.450' W then running approximately 234° True to a point defined by Lat. 38° 23.617' N, Long. 76° 22.967' W then running approximately 325° True to a point of beginning.

(4) *Patuxent River to St. Jerome's Creek.*

(a) *Patuxent River.* All the waters upstream of a line beginning at a point at or near Drum Point defined by Lat. 38° 19.138' N, Long. 76° 25.295' W then running approximately 120° True to a point at or near Hog Point defined by Lat. 38° 18.555' N, Long. 76° 24.028' W.

(b) *Goose Creek.* All the waters upstream of a line beginning at a point on the north side of the entrance to Goose Creek defined by Lat. 38° 17.508' N, Long. 76° 22.758' W then running approximately 221° True to a point on the south side of the entrance to Goose Creek defined by Lat. 38° 17.494' N, Long. 76° 22.775' W.

(c) *St. Jerome Creek.* All the waters upstream of a line beginning at a point at or near St. Jerome Point defined by Lat. 38° 7.213' N, Long. 76° 20.301' W then running approximately 265° True to a point at or near Deep Point defined by Lat. 38° 7.201' N, Long. 76° 20.486' W.

(d) *Deep Creek and Long Neck Creek.* All the waters upstream of a line beginning at a point on the north side of the entrance to Deep Creek/Long Neck Creek defined by Lat. 38° 5.221' N, Long. 76° 19.860' W then running approximately 175° True to a point on the south side of the entrance to Deep Creek/Long Neck Creek defined by Lat. 38° 5.195' N, Long. 76° 19.858' W.

(5) *Tanner Creek.* All the waters upstream of a line beginning at the shore at the beginning of the north jetty at the entrance to Tanner Creek defined by Lat. 38° 3.934' N, Long. 76° 19.662' W then running approximately 82° True to a point at the tip of the north jetty defined by Lat. 38° 3.943' N, Long. 76° 19.588' W then running approximately 170° True to a point at the tip of the south jetty defined by Lat. 38° 3.916' N, Long. 76° 19.584' W then running approximately 260° True to a point at the beginning of the south jetty at the shore defined by Lat. 38° 3.903' N, Long. 76° 19.676' W.

(6) *Potomac River — Maryland Tributaries and Sounds.*

(a) *Potomac River.* All the waters upstream of a line beginning at a point at or near Point Lookout defined by Lat. 38° 2.275' N, Long. 76° 19.326' W then running approximately 155° True to a point at or near the tip of the north Smith Point jetty defined by Lat. 37° 53.418' N, Long. 76° 14.177' W then running approximately 147° True to a point at or near the tip of the south Smith Point jetty defined by Lat. 37° 53.381' N, Long. 76° 14.146' W then running approximately 240° True along the jetty to a point on shore at the beginning of the jetty defined by Lat. 37° 53.331' N, Long. 76° 14.252' W then southerly along the shore to the Maryland/Virginia State Line defined by Lat. 37° 53.159' N, Long. 76° 14.247' W, except as provided in §G(6)(b) of this regulation.

(b) *Exceptions.*

(i) *Calvert Bay.* All the waters upstream of a line beginning at a point at or near the eastern shore of the entrance to Rowley Bay defined by Lat. 38° 5.463' N, Long. 76° 23.011' W then running approximately 298° True to a point at or near Gray Point defined by Lat. 38° 5.555' N, Long. 76° 23.231' W then running approximately 299° True to a point at or near Kitts Point defined by Lat. 38° 6.326' N, Long. 76° 25.020' W and downstream of a line beginning at a point on the east shore at the entrance to Calvert Creek defined by Lat. 38° 6.158' N, Long. 76° 23.524' W then running approximately 313° True to a point on the west shore at the entrance to Calvert Creek defined by Lat. 38° 6.210' N, Long. 76° 23.601' W.

(ii) *All the waters downstream of a line running from the east entrance to unnamed creek west of Charles Davis Lane defined by Lat. 38° 6.284' N, Long. 76° 23.858' W then running approximately 291° True to a point on the west entrance to unnamed creek west of Charles Davis Lane defined by Lat. 38° 6.310' N, Long. 76° 23.938' W.*

(iii) *All the waters downstream of a line running from the east entrance to Smith Creek defined by Lat. 38° 6.434' N, Long. 76° 24.319' W then running approximately 267° True to a point on the west entrance to Smith Creek defined by Lat. 38° 6.416' N, Long. 76° 24.816' W.*

(iv) *St. Mary's River.* All the waters upstream of a line beginning at a point at or near the southwestern tip of St Inigoes Neck defined by Lat. 38° 6.367' N, Long. 76° 25.281' W then running approximately 270° True to a point at the southeasternmost point of St. George Island defined by Lat. 38° 6.384' N, Long. 76° 27.937' W and downstream of a line beginning at a point at or near Priest's Point defined by Lat. 38° 9.045' N, Long. 76° 26.491' W then running approximately 235° True to a point at or near Edmund Point defined by Lat. 38° 8.378' N, Long. 76° 27.703' W.

(v) *All the waters downstream of a line beginning at a point at or near Cherryfield Point defined by Lat. 38° 7.772' N, Long. 76° 28.004' W then running approximately 209° True to the point at or near Ball Point defined by Lat. 38° 7.252' N, Long. 76° 28.381' W.*

(vi) *Breton Bay/St. Clements Bay.* All the waters upstream of a line beginning at a point at or near Huggins Point defined by Lat. 38° 14.023' N, Long. 76° 41.138' W then running approximately 235° True to a point on the eastern extremity of the sand bar known as Heron Island defined by Lat. 38° 12.962' N, Long. 76° 43.075' W then running approximately 286° True to a point on the western extremity of Heron Island bar defined by Lat. 38° 13.127' N, Long. 76° 43.827' W then running approximately 223° True to a point at or near the most southeasterly tip of Blackstone/St. Clement's Island defined by Lat. 38° 12.493' N, Long. 76° 44.576' W then running along the southern and western shores to the most western point of Blackstone/St. Clement's Island defined by Lat. 38° 12.760' N, Long. 76° 44.840' W then running approximately 338° True to a point at or near Colton Point defined by Lat. 38° 13.337' N, Long. 76° 45.133' W and downstream of a line beginning at a point at or near Protestant Point defined by Lat. 38° 14.923' N, Long. 76° 40.456' W then running approximately 292° True to a point at or near Clem Point defined by Lat. 38° 15.347' N, Long. 76° 41.771' W then running along the shore of Newtown Neck past Kaywood Point and Long Point to a point at or near Chapel Point defined by Lat. 38° 15.485' N, Long. 76° 42.409' W then running approximately 325° True to a point at or near Shipping Point defined by Lat. 38° 15.952' N, Long. 76° 42.811' W then running along the shore to the point at the northern entrance to Canoe Neck Creek defined by Lat. 38° 15.256' N, Long. 76° 43.612' W then running approximately 235° True to the point at the southern entrance to Canoe Neck Creek defined by Lat. 38° 15.107' N, Long. 76° 43.839' W then along the shore to a point at the northern entrance to St. Patrick Creek defined by Lat. 38° 14.129' N, Long. 76° 44.472' W then running approximately 211° True to a point on the southern entrance to St. Patrick Creek defined by Lat. 38° 13.900' N, Long. 76° 44.656' W.

(vii) *St. Catherine's Sound.* All the waters upstream of a line beginning at a point at the southeasterly entrance to St. Catherine's Sound between Waterloo Point and Dukehart Creek defined by Lat. 38° 13.643' N, Long. 76° 46.447' W then running approximately 274° True to the southernmost extension of St. Catherine Island Sandbar defined by Lat. 38° 13.696' N, Long. 76° 47.272' W then running approximately 328° True to a point at the southern tip of St. Catherine's Island defined by Lat. 38° 14.109' N, Long. 76° 47.603' W and downstream of a line beginning at a point at or near Yellow Bank Point defined by Lat. 38° 14.761' N, Long. 76° 47.169' W then running approximately 240° True to a point at the northeasternmost tip of St. Catherine's Island defined by Lat. 38° 14.452' N, Long. 76° 47.851' W.

(viii) *Wicomico River.* All the waters upstream of a line beginning at a point at or near Cobb Point defined by Lat. 38° 15.314' N, Long. 76° 50.523' W then running approximately 136° True to a point at or near Cobb Point bar lighthouse defined by Lat. 38° 14.555' N, Long. 76° 49.597' W then running approximately 96° True to a point at or near the northwestern tip of St. Catherine's Island defined by Lat. 38° 14.429' N, Long. 76° 47.958' W then running approximately 320° True to a point at or near the southern tip of St. Margaret's Island defined by Lat. 38° 15.031' N, Long. 76° 48.594' W then along the western shore to a point at or near the eastern tip of St. Margaret's Island defined by Lat. 38° 15.125' N, Long. 76° 48.569' W then running approximately 84° True to a point on the eastern shore of the Wicomico River defined by Lat. 38° 15.151' N, Long. 76° 48.311' W and downstream of a line beginning at a point at or near White Point defined by Lat. 38° 17.214' N, Long. 76° 48.842' W then running approximately 250° True to a point at the western tip of White Point Sand Bar defined by Lat. 38° 17.096' N, Long. 76° 49.261' W then running approximately 222° True to a point at or near Rock Point defined by Lat. 38° 16.409' N, Long. 76° 50.041' W then running approximately 196° True to a point at or near Shipping Point defined by Lat. 38° 15.707' N, Long. 76° 50.291' W then along the eastern shore of Cobb Island to the point at or near Cobb Point defined by Lat. 38° 15.314' N, Long. 76° 50.523' W.

(ix) *Liverpool Point to Smith Point (Charles County).* All the waters enclosed by a line beginning at a point at or near Liverpool Point defined by Lat. 38° 27.851' N, Long. 77° 16.236' W then running approximately 175° True to a point at or near Smith Point defined by Lat. 38° 24.964' N, Long. 77° 15.918' W.

H. Lower Eastern Shore — South of the William Preston Lane Jr. Memorial Bridge (Chesapeake Bay Bridge).

(1) Broad Creek to Knapps Narrows.

(a) *Bay Bridge Marina.* All the waters enclosed by a line beginning at a point on the north side of the entrance to the Bay Bridge Marina defined by Lat. 38° 58.809' N, Long. 76° 20.097' W then running approximately 223° True to a point on the south side of the entrance to the Bay Bridge Marina defined by Lat. 38° 58.785' N, Long. 76° 20.127' W.

(b) *Broad Creek.* All the waters upstream of a line beginning at a point on the north side of the entrance to Broad Creek defined by Lat. 38° 58.645' N, Long. 76° 20.164' W then running approximately 230° True to a point on the south side of the entrance to Broad Creek defined by Lat. 38° 58.476' N, Long. 76° 20.424' W.

(c) *Matapeake.* All the waters enclosed by a line beginning at a point on the north side of the entrance to Matapeake defined by Lat. 38° 57.389' N, Long. 76° 21.427' W then running approximately 201° True to a point on the south side of the entrance to Matapeake defined by Lat. 38° 57.371' N, Long. 76° 21.436' W.

(d) *Kentmorr.* All the waters enclosed by a line beginning at a point on the north side of the entrance to Kentmorr Marina defined by Lat. 38° 54.906' N, Long. 76° 21.970' W then running approximately 173° True to a point on the south side of the entrance to Kentmorr Marina defined by Lat. 38° 54.886' N, Long. 76° 21.968' W.

(e) *Price Creek.* All the waters upstream of a line beginning at a point on the north side of the entrance to Price Creek defined by Lat. 38° 53.909' N, Long. 76° 21.955' W then running approximately 195° True to a point on the south side of the entrance to Price Creek defined by Lat. 38° 53.892' N, Long. 76° 21.958' W.

(f) *Tolson Creek.* All the waters upstream of a line beginning at a point on the north side of the entrance to Tolson Creek defined by Lat. 38° 53.111' N, Long. 76° 21.854' W then running approximately 164° True to a point on the south side of the entrance to Tolson Creek defined by Lat. 38° 53.024' N, Long. 76° 21.819' W.

(g) *Carter Creek.* All the waters upstream of a line beginning at a point on the north side of the entrance to Carter Creek defined by Lat. 38° 52.719' N, Long. 76° 21.854' W then running approximately 190° True to a point on the south side of the entrance to Tolson Creek defined by Lat. 38° 52.650' N, Long. 76° 21.869' W.

(h) *Eastern Bay.* All the waters upstream of a line beginning at a point at or near Kent Point defined by Lat. 38° 50.188' N, Long. 76° 22.125' W then running approximately 148° True to a point on the eastern side of Harbor Cove defined by Lat. 38° 46.735' N, Long. 76° 19.395' W.

(i) *Knapps Narrows.* All the waters upstream of a line beginning at a point at or near the north side of the entrance to Front Creek defined by Lat. 38° 43.976' N, Long. 76° 20.417' W then running approximately 175° True to a point at or near Amy's Marsh Point defined by Lat. 38° 43.783' N, Long. 76° 20.387' W then running approximately 181° True to a point at the northwestern tip of Tilghman Island defined by Lat. 38° 43.234' N, Long. 76° 20.398' W.

(2) *Choptank, Little Choptank, and James Island.* All the waters upstream of a line beginning at a point at or near Black Walnut Point defined by Lat. 38° 40.234' N, Long. 76° 20.372' W then running approximately 175° True to a point at or near Black Walnut Bar Bell Buoy defined by Lat. 38° 38.302' N, Long. 76° 20.219' W then running approximately 158° True to a point at or near Hills Point defined by Lat. 38° 34.370' N, Long. 76° 18.265' W then running approximately 205° True to a point at or near the northeastern tip of James Island defined by Lat. 38° 31.229' N, Long. 76° 20.129' W then running approximately 207° True to a point on the northern side of a James Island defined by Lat. 38° 30.989' N, Long. 76° 20.296' W then running along the shore to a point on the southern side of a James Island defined by Lat. 38° 30.974' N, Long. 76° 20.294' W then running approximately 176° True to a point defined by Lat. 38° 30.490' N, Long. 76° 20.243' W then running approximately 189° True to a point at the southernmost James Island defined by Lat. 38° 30.241' N, Long. 76° 20.294' W then running approximately 164° True to a point at or near the northeastern tip of Taylor Island on the western side of Oyster Cove defined by Lat. 38° 29.211' N, Long. 76° 19.928' W.

(3) *Punch Island Creek.* All the waters upstream of a line beginning at a point on the north side of the entrance to Punch Island Creek defined by Lat. 38° 25.457' N, Long. 76° 17.425' W then running approximately 141° True to a point on the south side of the entrance to Punch Island Creek defined by Lat. 38° 25.142' N, Long. 76° 17.102' W.

(4) *Tar Bay and Barren Island.* All the waters upstream of a line beginning at a point at or near the point on Meekins Neck near The Big Broads defined by Lat. 38° 22.512' N, Long. 76° 16.162' W then running approximately 172° True to a point at or near the northern tip of the northern Barren Island defined by Lat. 38° 20.636' N, Long. 76° 15.794' W then running southerly along the western shore of the northern Barren Island to a point at or near the southern tip of the northern Barren Island at the entrance to Great Cove defined by Lat. 38° 19.903' N, Long. 76° 15.569' W then running approximately 83° True to a point at or near the northwestern tip of the southern Barren Island at the entrance to Great Cove defined by Lat. 38° 19.915' N, Long. 76° 15.435' W then running southerly along the western shore to a point at or near the southwestern tip of Barren Island defined by Lat. 38° 19.502' N, Long. 76° 15.385' W then running approximately 125° True to a point at or near Pons Point defined by Lat. 38° 18.482' N, Long. 76° 13.501' W.

(5) *Upper Honga River to Tangier Sound.*

(a) *Upper Honga River.* All the waters upstream of a line beginning at a point at or near Ferry Point defined by Lat. 38° 17.968' N, Long. 76° 12.445' W then running approximately 155° True to a point at or near the northern tip of Middle Hooper Island defined by Lat. 38° 17.626' N, Long. 76° 12.238' W.

(b) *Richland, Cow, and Thorofare Coves.* All the waters enclosed by a line beginning at a point at or near Richland Point defined by Lat. 38° 14.876' N, Long. 76° 10.307' W then running approximately 134° True to a point at or near Cow Point defined by Lat. 38° 14.575' N, Long. 76° 9.914' W then running approximately 124° True to a point at or near Eel Hope Point defined by Lat. 38° 14.107' N, Long. 76° 9.047' W then running approximately 121° True to the point at or near Fishing Point defined by Lat. 38° 14.078' N, Long. 76° 08.976' W.

(c) *Lower Honga River and Hooper Strait.* All the waters upstream of a line beginning at a point at or near Billy's Point defined by Lat. 38° 14.472' N, Long. 76° 7.569' W then running approximately 120° True to a point at or near the Honga River Light Fl. 4 § 16 ft. 4M defined by Lat. 38° 13.993' N, Long. 76° 6.533' W then running approximately 159° True to a point at or near nun Buoy N "2" defined by Lat. 38° 13.240' N, Long. 76° 6.179' W then running approximately 163° True to a point at or near the Navy-maintained tower defined by Lat. 38° 11.690' N, Long. 76° 5.583' W then running approximately 120° True to a point at or near the western tip of Bloodsworth Island at the entrance to Okahanikan Cove defined by Lat. 38° 11.518' N, Long. 76° 5.195' W.

(d) *Pone Cove.* All the waters enclosed by a line beginning at a point on the north side of the entrance to Pone Cove defined by Lat. 38° 10.496' N, Long. 76° 4.881' W then running approximately 235° True to a point on the south side of the entrance to Pone Cove defined by Lat. 38° 10.411' N, Long. 76° 05.013' W.

(e) *Pone, Bloodsworth, Adam, Holland, and South Marsh Islands.* All the waters upstream of a line beginning at a point at or near the south end of Pone Island defined by Lat. 38° 9.407' N, Long. 76° 5.083' W then running approximately 215° True to a point defined by Lat. 38° 9.136' N, Long. 76° 5.316' W then running approximately 218° True to a point defined by Lat. 38° 9.097' N, Long. 76° 5.354' W then running southerly along the shore to a point defined by Lat. 38° 9.050' N, Long. 76° 5.376' W then running approximately 216° True to a point defined by Lat. 38° 9.005' N, Long. 76° 5.425' W then running southerly along the shore to a point defined by Lat. 38° 8.986' N, Long. 76° 5.341' W then running approximately 153° True to a point at or near the northern tip of Adam Island defined by Lat. 38° 8.858' N, Long. 76° 5.341' W then southerly along the shore to a point at or near the south end of Adam Island defined by Lat. 38° 8.321' N, Long. 76° 5.149' W then running approximately 182° True to a point at or near the north end of Holland Island defined by Lat. 38° 7.453' N, Long. 76° 5.180' W then southerly along the shore to a point at or near the south end of Holland Island defined by Lat. 38° 6.927' N, Long. 76° 5.378' W then running approximately 131° True to a point at or near where the Dorchester County-Somerset County line meets a line running from the south end of Holland Island to a point at or near Sedgy Point on South Marsh Island defined by Lat. 38° 5.781' N, Long. 76° 3.724' W.

(f) *Holland Strait and Northern end of Tangier Sound (Malkus Line).* All the waters north of a line beginning at a point at or near where the Dorchester County-Somerset County line meets a line running from the south end of Holland Island to Sedgy Point on South Marsh Island defined by Lat. 38° 5.781' N, Long. 76° 3.724' W then running approximately 21° True to a point at or near Johnson Point defined by Lat. 38° 6.665' N, Long. 76° 3.297' W then running approximately 27° True along the Dorchester County-Somerset County line to a point defined by Lat. 38° 7.508' N, Long. 76° 2.725' W then running approximately 26° True to a point at or near Lower Island Point defined by Lat. 38° 8.845' N, Long. 76° 1.873' W then running approximately 64° True following the Dorchester County-Somerset County line to its junction with county line buoy A defined by Lat. 38° 9.774' N, Long. 75° 59.534' W then running approximately 6° True toward Sharkfin Shoal Light to its junction with a straight line running from range marker AA northeasterly to range marker BB and the Dorchester County-Somerset County line defined by Lat. 38° 11.173' N, Long. 75° 59.346' W then running approximately 50° True to a point where the Dorchester County-Somerset County line meets a line running from point at or near the shore immediately adjacent to the Thomas Tignor house near Haines Point to the southwesterly most point of land on Clay Island defined by Lat. 38° 12.339' N, Long. 75° 57.552' W then running approximately 164° True to a point at or near the shore immediately adjacent to the Thomas Tignor house near Haines Point defined by Lat. 38° 10.771' N, Long. 75° 56.979' W.

(6) *Upper Thorofare.* All the waters enclosed by a line beginning at a point at or near the shore at the beginning of the Upper Thorofare jetty defined by Lat. 38° 10.198' N, Long. 75° 56.833' W then running southwesterly to a point at or near the tip of the Upper Thorofare jetty defined by Lat. 38° 10.183' N, Long. 75° 56.864' W then running approximately 219° True to a point at or near the tip of the Lower Thorofare

jetty defined by Lat. 38° 10.159' N, Long. 75° 56.890' W then running southerly along the jetty to a point on the shore defined by Lat. 38° 10.119' N, Long. 75° 56.874' W.

(7) Lower Thorofare. All the waters enclosed by a line beginning at a point at or near the western side of the entrance to Lower Thorofare defined by Lat. 38° 7.646' N, Long. 75° 56.834' W then running approximately 120° True to a point at or near the eastern side of the entrance to Lower Thorofare defined by Lat. 38° 7.606' N, Long. 75° 56.744' W.

(8) Manokin River to State Line, Except as Provided in §H(8)(t).

(a) Manokin River. All the waters upstream of a line beginning at a point at or near Pin Point defined by Lat. 38° 6.761' N, Long. 75° 56.568' W then running approximately 130° True to a point on the western side of the small island off of Pin Point defined by Lat. 38° 6.728' N, Long. 75° 56.517' W then running southeasterly along the shore to a point on the southeastern side of the small island off of Pin Point defined by Lat. 38° 6.717' N, Long. 75° 56.492' W then running approximately 126° True to a point offshore of Hazard Point defined by Lat. 38° 4.595' N, Long. 75° 52.736' W then running approximately 57° True to a point at or near Hazard Point defined by Lat. 38° 4.643' N, Long. 75° 52.649' W.

(b) Hazard Cove. All the waters enclosed by a line beginning at a point at or near Hazard Point defined by Lat. 38° 4.643' N, Long. 75° 52.649' W then running approximately 234° True to a point offshore of Hazard Point then running approximately 164° True to a point on the most westerly point of marsh on Pat Island defined by Lat. 38° 3.665' N, Long. 75° 52.403' W.

(c) Big Annemessex River. All the waters upstream of a line beginning at a point on the most westerly point of marsh on Pat Island defined by Lat. 38° 3.665' N, Long. 75° 52.403' W then running approximately 156° True to a point at the east entrance of Thru Creek on Lawson's Marsh defined by Lat. 38° 2.291' N, Long. 75° 51.607' W.

(d) Little Annemessex River. All the waters upstream of a line beginning at a point at or near Janes Island Point defined by Lat. 37° 58.474' N, Long. 75° 53.875' W then running approximately 162° True to a point at or near Great Point defined by Lat. 37° 57.165' N, Long. 75° 53.344' W.

(e) Cedar Island Creek. All the waters upstream of a line beginning at a point on the north entrance of Cedar Island Creek defined by Lat. 37° 55.388' N, Long. 75° 53.754' W then running approximately 155° True to a point on the south entrance of Cedar Island Creek defined by Lat. 37° 55.045' N, Long. 75° 53.526' W.

(f) Fishing Creek/Crooked Creek/Crooked Gut Creek. All the waters upstream of a line beginning at a point at or near Watkins Point defined by Lat. 37° 54.739' N, Long. 75° 52.941' W then running approximately 69° True to a point on the western entrance of Crooked Creek defined by Lat. 37° 55.126' N, Long. 75° 51.693' W then running approximately 53° True to a point at or near an island at the mouth of Crooked Creek defined by Lat. 37° 55.184' N, Long. 75° 51.606' W then running approximately 45° True to a point at or near Westward Point defined by Lat. 37° 55.378' N, Long. 75° 51.363' W.

(g) Broad Creek. All the waters upstream of a line beginning at a point at or near Westward Point defined by Lat. 37° 55.378' N, Long. 75° 51.363' then running approximately 77° True to a point at or near Eastward Point defined by Lat. 37° 55.459' N, Long. 75° 50.921' W.

(h) Broad Creek Gut. All the waters upstream of a line beginning at a point at or near Eastward Point defined by Lat. 37° 55.459' N, Long. 75° 50.921' W then running approximately 64° True to a point on the eastern entrance to Broad Creek Gut defined by Lat. 37° 55.658' N, Long. 75° 50.412' W.

(i) Cow Gap Creek. All the waters upstream of a line beginning at a point on the eastern entrance to Broad Creek Gut defined by Lat. 37° 55.658' N, Long. 75° 50.412' W then running approximately 57° True to a point at or near Oystershell Point defined by Lat. 37° 55.868' N, Long. 75° 50.008' W.

(j) Massey Creek/Little Ware Point Creek. All the waters upstream of line beginning at a point at or near Oystershell Point defined by Lat. 37° 55.868' N, Long. 75° 50.008' W then running approximately 51° True to a point at or near Ware Point defined by Lat. 37° 56.348' N, Long. 75° 49.264' W.

(k) Ware Point Creek. All the waters upstream of a line beginning at a point at or near Ware Point defined by Lat. 37° 56.348' N, Long. 75° 49.264' W then running approximately 40° True to a point on the eastern entrance to Ware Point Creek defined by Lat. 37° 56.475' N, Long. 75° 49.136' W.

(l) Unnamed Creek. All the waters enclosed by a line beginning at a point at or north of the eastern entrance to Ware Point Creek defined by Lat. 37° 56.546' N, Long. 75° 49.125' W then running approximately 355° True to a point at or near Long Point defined by Lat. 37° 56.759' N, Long. 75° 49.147' W.

(m) Ape Hole Creek. All the waters upstream of a line beginning at a point at or near Long Point defined by Lat. 37° 56.759' N, Long. 75° 49.147' W then running approximately 50° True to a point at or near Gap Point defined by Lat. 37° 57.353' N, Long. 75° 48.246' W.

(n) Gunby Creek. All the waters upstream of a line beginning at a point at the western entrance to Gunby Creek defined by Lat. 37° 58.364' N, Long. 75° 46.864' W then running approximately 92° True to a point at the eastern entrance to Gunby Creek defined by Lat. 37° 58.354' N, Long. 75° 46.404' W.

(o) East Creek. All the waters upstream of a line beginning at a point at or near East Creek Point defined by Lat. 37° 58.234' N, Long. 75° 44.764' W then running approximately 95° True to a point on the western shore of Richardson Marsh defined by Lat. 37° 58.204' N, Long. 75° 44.328' W.

(p) Marumsc Creek. All the waters upstream of a line beginning at a point on shore at the western entrance of Marumsc Creek defined by Lat. 37° 58.635' N, Long. 75° 43.351' W then running approximately 89° True to a point on shore at the eastern entrance of Marumsc Creek defined by Lat. 37° 58.638' N, Long. 75° 42.785' W.

(q) Fair Island Canal. All the waters upstream of a line beginning at a point on the northern entrance to Cliftons Creek defined by Lat. 37° 57.752' N, Long. 75° 39.990' W then running approximately 164° True to a point at the extension of the southwestern entrance of Fair Island Canal defined by Lat. 37° 57.572' N, Long. 75° 39.922' W then running approximately 71° True to a point at the southwest entrance to the canal defined by Lat. 37° 57.641' N, Long. 75° 39.686' W.

(r) Pocomoke River. All the waters upstream of a line beginning at the northeasterly point on Fair Island on southside of Fair Island Canal defined by Lat. 37° 57.757' N, Long. 75° 39.351' W then running approximately 76° True to a point at the intersection of the Maryland/Virginia border and a line running from the northeasterly point on Fair Island on southside of Fair Island Canal to Bullbegger Point defined by Lat. 37° 57.837' N, Long. 75° 38.914' W.

(s) *Smith Island. All of the waters of Smith Island, Chesapeake Bay, Kedges Straits, and Tangier Sound upstream of a line beginning at a point at or near the intersection of the Maryland/Virginia state line and the eastern (Tangier Sound) shoreline of Smith Island defined by Lat. 37° 57.205' N, Long. 75° 59.750' W then running along the Maryland/Virginia state line to a point at or near the intersection of the Maryland/Virginia state line and the western (Chesapeake Bay) shoreline of Smith Island defined by Lat. 37° 57.211' N, Long. 76° 2.643' W then northerly along the west shore of Smith Island to a point at or near the south side of Sheep Pen Gut at the beginning of the jetty defined by Lat. 37° 58.692' N, Long. 76° 2.754' W then running northwesterly along the jetty to a point at or near the tip of the south jetty at Sheep Pen Gut defined by Lat. 37° 58.774' N, Long. 76° 2.947' W then running approximately 26° True to the tip of the north jetty at Sheep Pen Gut defined by Lat. 37° 58.798' N, Long. 76° 2.932' W then running approximately 79° True along the jetty to a point along the west shore of Smith Island defined by Lat. 37° 58.815' N, Long. 76° 2.825' W then northerly along the shore to a point at or near Chaisey Point at the beginning of the south Big Thorofare/Goose Harbor jetty defined by Lat. 37° 59.791' N, Long. 76° 2.909' W then running approximately 296° True to a point at or near the tip of the south Big Thorofare/Goose Harbor jetty defined by Lat. 37° 59.924' N, Long. 76° 3.279' W then running approximately 0° True to a point at or near the tip of the north Big Thorofare/Goose Harbor jetty defined by Lat. 38° 0.074' N, Long. 76° 3.281' W then running approximately 36° True to a point at or near Channel Point north of Channel Island Gut defined by Lat. 38° 0.624' N, Long. 76° 2.794' W then running northerly along the west shore of Smith Island to a point at or near the tip of the south entrance to Lightning Knot Cove defined by Lat. 38° 1.083' N, Long. 76° 2.818' W then running approximately 0° True to a point at or near the tip of the north entrance to Lightning Knot Cove defined by Lat. 38° 1.156' N, Long. 76° 2.822' W then running northerly along the shore to a point at or near Fog Point defined by Lat. 38° 1.931' N, Long. 76° 2.394' then running easterly along the shore to a point at the western entrance to Fog Point Cove Creek defined by Lat. 38° 2.012' N, Long. 76° 1.859' W then running approximately 67° True to a point at or near the eastern shore at the entrance to Fog Point Creek defined by Lat. 38° 2.047' N, Long. 76° 1.761' W then running northeasterly along the shore to the western side of Bridge Creek at or near Bards Point defined by Lat. 38° 2.151' N, Long. 76° 1.651' W then running approximately 85° True to a point at or near the east shore of Bridge Creek defined by Lat. 38° 2.164' N, Long. 76° 1.432' W then running easterly along the shore to a point at or near Fishing Point on the northwestern side of Back Cove defined by Lat. 38° 2.212' N, Long. 76° 0.461' W then running approximately 136° True to a point on the southwestern side of Back Cove defined by Lat. 38° 1.435' N, Long. 75° 59.507' W then running approximately 100° True to a point north of Terrapin Sand Cove defined by Lat. 38° 1.387' N, Long. 75° 59.164' W then running approximately 118° True to a point at the former location of Terrapin Sands Point defined by Lat. 38° 0.950' N, Long. 75° 58.150' W then running approximately 197° True to a point at or near on the north side of the channel at Big Thorofare defined by Lat. 37° 58.129' N, Long. 75° 59.271' W then running approximately 187° True to a point at or near the south side of Big Thorofare defined by Lat. 37° 57.619' N, Long. 75° 59.353' W then running approximately 214° True to a point along the shore defined by Lat. 37° 57.281' N, Long. 75° 59.646' W then southerly along the shore to the point of beginning defined by Lat. 37° 57.205' N, Long. 75° 59.750' W.*

(t) *Exception. Crab pots may be set from April 1st to June 15th, outside of marked channels in Tyler Creek, in the area upstream of a line beginning at a point at or near the intersection of the Maryland/Virginia state line and the west side of Tyler Creek defined by Lat. 37° 57.209' N, Long. 76° 1.061' W then running northerly along the western shore of Tyler Creek past Parks Ditch and Rhodes Point Gut to a point at or near the southside of the Canal defined by Lat. 37° 59.082' N, Long. 76° 1.272' W then running approximately 3° True to a point at or near the north side of The Canal defined by Lat. 37° 59.189' N, Long. 76° 1.266' W then running along the western shore of Tyler Creek to a point defined by Lat. 37° 59.554' N, Long. 76° 1.412' W then running approximately 114° True to a point at or near Easter Point defined by Lat. 37° 59.353' N, Long. 76° 0.846' W then running southerly along the east shore of Tyler Creek to a point at or near the intersection of the Maryland/Virginia state line and the east side of Tyler Creek defined by Lat. 37° 57.208' N, Long. 76° 0.342' W then running along Maryland/Virginia state line to the point of beginning.*

I. *Atlantic Coastal Bays. Crab pots may not be set in waters designated as having a speed zone in accordance with COMAR 08.18.18.01, 08.18.18.03, 08.18.18.05, and 08.18.18.06.*

J. *Crab pots may not be set in waters that are less than 4 feet deep at mean low tide except as provided below:*

(1) *In Pocomoke Sound, all the waters shoreward of the Maryland-Virginia state line, starting with the junction with a line running from Bullbegger Point westward to the northeasternmost point of land on Fair Island defined by Lat. 37° 57.837 N, Long. 75° 38.914 W, then following the State line in a westerly direction to State line marker "A" defined by Lat. 37° 54.732 N, Long. 75° 48.065 W, thence northwesterly to Ware Point defined by Lat. 37° 56.348 N, Long. 75° 49.264 W.*

(2) *In Tangier Sound, all the waters shoreward of a line drawn from the southern tip of Deal Island at Lower Thorofare defined by Lat. 38° 7.619 N, Long. 75° 56.993 W then running approximately 223° to Lower Thorofare entrance Red Nun "2" defined by Lat. 38° 7.363 N, Long. 75° 57.315 W then running approximately 338° to a point offshore of Twiggs Point defined by Lat. 38° 8.099 N, Long. 75° 57.677 W then running approximately 356° to a point at Haines Point Light Fl. 4 § defined by Lat. 38° 10.324 N, Long. 75° 57.871 W then running approximately 105° true to the northernmost tip of Deal Island defined by Lat. 38° 10.119 N, Long. 75° 56.874 W.*

(3) *In Tangier Sound, all the waters shoreward of a line drawn from Flatcap Point defined by Lat. 38° 1.981 N, Long. 75° 52.290 W then running approximately 208° true to Janes Island Light Fl. 4 § defined by Lat. 38° 57.803 N, 75° 55.109 W then running approximately 56° true to James Island Point defined by Lat. 37° 58.474 N, Long. 75° 53.875 W.*

(4) *All the waters of Tangier Sound, Pungers Cove and Sound Gut west of a line drawn from Muscle Hole Point defined by Lat. 38° 7.617 N, Long. 76° 0.817 W then running approximately 354° true to Sound Point defined by Lat. 38° 4.724 N, Long. 76° 0.403 W on South Marsh Island.*

[H.] K. (text unchanged)

JOSH KURTZ
Secretary of Natural Resources

Subtitle 02 FISHERIES SERVICE

Notice of Proposed Action

[23-292-P]