

territory and to prohibit the taking or catching of oysters thereon whenever in the judgment of the Department of Tidewater Fisheries it shall seem necessary or desirable to protect or promote the growth of oysters, or to plant thereon oysters, shells, or other cultch, or to take any other restorative measures which the Department may deem advisable.

(c) *Authority to Close County Dredging and Tonging Bars.* The Department of Tidewater Fisheries is authorized to close any portion of the natural oyster bars open to tonging only or to both tonging and county dredging, and to prohibit the taking or catching of oysters thereon; provided, however, that no such bars may be closed except for the purpose of planting oysters on the same.

(d) *Procedure of Closing an Area.* Before closing any area the Department of Tidewater Fisheries shall first give notice by at least one advertisement in a newspaper of its intention to close said area. Said notice shall describe the area to be closed and the proposed date of closing, and shall be published in a newspaper of general circulation in the State if said area is in the Chesapeake Bay dredging territory, or in a newspaper of general circulation in the county where such area is located if said areas are located in county waters. No area may be closed, however, until the lapse of forty-eight hours after the publication of said notice.

(e) *Reopening and Reclosing of an Area.* After closing an area the Department of Tidewater Fisheries is authorized to reopen said area whenever, in the judgment of said Department, such reopening is advisable. An area shall be reopened by notice of such reopening published in the same newspaper or newspapers that published the notice or notices of closing; provided, however, no area shall be reopened until a lapse of forty-eight hours from the publication of the notice of reopening. The Department of Tidewater Fisheries shall have authority to close immediately by oral or written notification to tongers or dredgers any area which has been reopened.

(f) *Closed Area Taxes.* Any area which has been closed and on which the Department of Tidewater Fisheries has planted seed oysters or any area in the Chesapeake Bay dredging territory on which said Department has planted either oysters, shell, or other cultch shall, upon reopening, have a special tax levied against all oysters caught upon such area. Said special tax shall be for the purpose of recovering the expenses of planting said area and shall be at the rate of not less than ten cents (10¢) per bushel nor more than twenty cents (20¢) per bushel, said tax to be in addition to any other tax imposed by law, and to be paid to the Department of Tidewater Fish-