

clams (*mya arenaria*) within the waters of St. Mary's County by the use of any hydraulic, mechanical, or other dredge, except under such rules and regulations as shall be promulgated by the Commission of Tidewater Fisheries and as further restricted herein. For the purpose of this section, the term "waters of St. Mary's County" shall mean all tidal waters within the boundaries of St. Mary's County including the Chesapeake Bay, the Patuxent River and the tributary waters of the Potomac River; but excluding the tributary waters of the Chesapeake Bay and the tributary waters of the Patuxent River and all waters of the Potomac River. OF SAID COUNTY WATERS.

(b) In order to further and promote the Soft Shell Clam industry to the greatest advantage and benefit of the peoples of the State of Maryland; to properly regulate the processes of that industry so as to insure its continuance and healthy growth; to provide for a hydrographic survey of the clamming areas in order to bring about the peaceful non-interference on the part of the clam industry with other industries of the tidal waters; and to prevent any trespass or violation by that industry of the rights and privileges of owner of properties contiguous to possible areas of operation of the Soft Shell Clam industry; the Commission of Tidewater Fisheries is hereby authorized and directed to adopt and publish, immediately upon the effective date of this section, or as soon as possible thereafter, and from time to time add to, change, alter or completely revise or repeal as it may deem necessary and advisable, all rules and regulations which, pursuant to this section, shall govern the boat and the gear, as well as the nature and size thereof, which lawfully may be used in taking or catching soft shell clams with hydraulic, mechanical or other dredge; the issuance, suspension and revocation of all licenses; the collection of license fees and of an inspection tax; the areas of operation, or the entire area, which may be opened and closed, and re-opened and re-closed as the Commission may deem necessary and expedient; the methods of taking or catching soft shell clams; the circumstances of their possession and their marketing; as the Commission may judge to be necessary in the best interests of the State; provided that it shall be unlawful to take or catch or attempt to take or catch soft shell clams with a hydraulic or mechanical dredge or with any other type gear upon any Natural Oyster Bar as defined in the first paragraph of Section 696(i) of this Article, and further in the waters of St. Mary's County it shall also be unlawful to take or catch, or attempt to take or catch, soft shell clams by hydraulic or mechanical dredge:

(1) within 50 yards of any commercially productive oyster tonging area defined on the charts of the Commission of Tidewater Fisheries, or as defined under Section 696(i) of this Article, or

(2) within 150 feet of any bulkhead, wharf or pier, constructed or erected in, out in, over or under any of the waters of this State, or

(3) within 1,000 feet of any public bathing beach during the months of May, June, July, August and September of any year, or

(4) within 100 yards of any private bathing beaches, during the months of May, June, July, August and September; provided that the private bathing beaches shall be staked and marked by the owners thereof upon which shall be lettered "Bathing Beach" and the owners name of a readily discernible size, or as may be required by any rule or regulation of the Commission of Tidewater Fisheries; provided,