

hibited under the provisions of Subsections (c) and (j) when (1) in the judgment of the Department, other natural resources will not be significantly damaged, (2) the area to be opened is clearly defined and plainly marked, and (3) at least one patrol vessel of the Department is stationed within the area at all times when dredging is permitted. In any finite geographical area where hydraulic clam dredging is prohibited under the provisions of Subsection (d), no more than one area may remain open under the provisions of this subsection at any time, and such area may not exceed 200 acres in size. IN THE WATERS OF ST. MARY'S COUNTY MORE THAN ONE SUCH AREA MAY REMAIN OPEN, PROVIDED THAT IN ANY FINITE GEOGRAPHICAL AREA ALL SUCH AREAS REMAINING OPEN TOTAL NOT MORE THAN 200 ACRES AND ARE KEPT UNDER CONTINUOUS SURVEILLANCE BY THE DEPARTMENT AT ALL TIMES WHEN DREDGING IS PERMITTED. Nothing in this subsection shall be construed to authorize the taking of soft shell clams by hydraulic clam dredge in the waters of any county named in Subsection (j). Openings and closings of areas under the provisions of this subsection shall be preceded by appropriate notice in at least one newspaper of general circulation in the State, AND IN AT LEAST ONE NEWSPAPER OF GENERAL CIRCULATION PUBLISHED IN THE AFFECTED COUNTY OR COUNTIES, and shall be effective no less than 24 hours from publication of such notice.

Regulatory Authority Of The Department

(g) *The Department is authorized to promulgate regulations governing any aspect of the soft-shell clam fishery, provided such regulations are not in conflict with the provisions of this Article, and is directed to adopt regulations governing:*

(1) *Measurement and structural details of the hydraulic clam dredge.*

(2) *The number of hydraulic clam dredges which may be carried on a vessel.*

(3) *The use of mufflers on motors and engines on hydraulic clam dredges or on board boats carrying such dredges.*

(4) *The establishment of limits on the number of bushels which may be taken by a hydraulic clam dredge, or by a boat carrying a hydraulic clam dredge, which limits shall apply to all clams caught within the ~~geographical~~ GEOGRAPHICAL limits of this State.*

(5) *The minimum size of soft shell clams.*

(6) *The time for taking, landing, and unloading soft shell clams.*

(7) *The records required to be maintained and/or submitted to the Department by persons licensed to dredge, sell, buy, ship, transport, or otherwise deal in soft shell clams.*

(8) *The licensing of persons to sell, buy, ship, transport, or otherwise deal in soft shell clams, and the methods by which they may do so, provided that such license shall not be required to sell or dispose of clams in a retail market, restaurant, or other establishment where clams are sold or served for immediate use or consumption, when such clams have been purchased from a person licensed under the provisions of this subsection or regulations adopted pursuant*