

THE CATCHING OF OYSTERS ON NATURAL OYSTER BARS WHENEVER IN ITS JUDGMENT THESE MEASURES WILL INCREASE THE PRODUCTIVITY OR UTILITY OF THESE AREAS. THE DEPARTMENT MAY PLANT OYSTERS, SHELLS, OR OTHER CULTCH OR TAKE ANY OTHER RESTORATIVE MEASURES, WHICH IT DEEMS ADVISABLE, ON NATURAL OYSTER BARS. THE DEPARTMENT SHALL PUBLISH A NOTICE OF INTENT TO CLOSE ANY AREA OF A NATURAL OYSTER BAR NOT LESS THAN 30 DAYS PRIOR TO THE PROPOSED CLOSING DATE IN ONE OR MORE NEWSPAPERS OF GENERAL CIRCULATION IN EACH COUNTY OF THE STATE. THE DEPARTMENT SHALL SCHEDULE A PUBLIC HEARING ON THE PROPOSAL NOT LESS THAN 15 DAYS BEFORE THE PROPOSED CLOSING DATE. THE HEARING SHALL BE HELD AT THE COUNTY SEAT OF THE COUNTY IN WHICH THE AFFECTED WATERS ARE LOCATED. IF THE AFFECTED WATERS ARE LOCATED IN MORE THAN ONE COUNTY THEN THE HEARING SHALL BE HELD IN THAT COUNTY SEAT CLOSEST TO THE AFFECTED WATERS. IF THE AREA AFFECTED IS TOTALLY WITHIN STATE WATERS, THEN THE HEARING SHALL BE HELD IN ANNAPOLIS.

(C) REOPENING AREA. - THE DEPARTMENT MAY REOPEN AN AREA IF IT DETERMINES REOPENING IS ADVISABLE. AN AREA SHALL BE REOPENED BY NOTICE OF REOPENING PUBLISHED IN THE SAME NEWSPAPERS THAT PUBLISHED ANY CLOSING NOTICES. HOWEVER, AN AREA MAY NOT BE REOPENED UNTIL A LAPSE OF 48 HOURS FROM THE PUBLICATION OF THE NOTICE OF REOPENING.

(D) AREAS RESERVED FOR PROPAGATION. - THE DEPARTMENT MAY SELECT AND RESERVE FOR ITS OWN USE AREAS, TO BE KNOWN AS SEED AREAS, WITHIN THE WATERS OF THE STATE FOR THE PROPAGATION OF SEED OYSTERS. THE NUMBER, SIZE, AND LOCATION OF THESE AREAS SHALL BE DETERMINED FROM TIME TO TIME BY THE DEPARTMENT. HOWEVER, NO MORE THAN FIVE PERCENT OF THE NATURAL OYSTER BARS OF THE STATE SHALL BE DESIGNATED AS SEED AREAS. THE FIRST MILLION BUSHELS OF SEED OYSTERS PRODUCED IN SEED AREAS SHALL BE PLANTED ON THE NATURAL OYSTER BARS OF THE STATE. AT LEAST 50 PERCENT OF THE SEED OYSTERS REMOVED IN ANY YEAR FROM ANY SEED AREA TO BE PLANTED ON ANY NATURAL OYSTER BAR SHALL BE PLANTED ON THE NATURAL OYSTER BARS OF THE COUNTY IN WHICH THAT SEED AREA IS LOCATED. THE DEPARTMENT SHALL PUBLISH A NOTICE OF RESERVATION NOT LESS THAN 30 DAYS BEFORE THE CLOSING DATE OF ANY SEED AREA IN ONE NEWSPAPER OF GENERAL CIRCULATION IN THE STATE AND AT LEAST ONE NEWSPAPER OF GENERAL CIRCULATION IN EACH COUNTY OF THE STATE. THE DEPARTMENT SHALL SCHEDULE A PUBLIC HEARING ON THE PROPOSAL NOT LESS THAN 15 DAYS BEFORE THE PROPOSED CLOSING DATE. THE HEARING SHALL BE HELD AT THE COUNTY SEAT OF THE COUNTY IN WHICH THE AFFECTED