

Oysters and Clams - Submerged Lands Not Leaseable

FOR the purpose of clarifying what submerged lands are not leaseable with regard to natural oyster or clam bars.

BY repealing and re-enacting, with amendments,

Article - Natural Resources
Section 4-1108(c)
Annotated Code of Maryland
(1973 Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 4-1108(c) of Article - Natural Resources, of the Annotated Code of Maryland (1973 Volume) be and it is hereby repealed and re-enacted, with amendments, to read as follows:

Article - Natural Resources

4-1108.

(c) A lease may not be granted for any of the following submerged areas of the State, and a person may not acquire by lease, assignment, appropriation, or otherwise any of the enumerated areas: any area beneath any creek, cove, bay, or inlet less than 300 feet wide at its mouth at mean low tide; any natural oyster or natural clam bar as defined in this subtitle; any area within 150 feet of any natural oyster or natural clam bar IN ANY COUNTY; any area within 600 feet of any natural oyster or clam bar IN THE CHESAPEAKE BAY; Any clam bed as defined by the charts of the Oyster Survey of 1906 to 1912 and its amendments. Any lease granted in violation of the provisions of this subsection is null and void and the land described in the lease shall revert to the State as though a lease had not been made.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1974.

Approved April 30, 1974.