

Island; thence along the shore of Smith Island in a northerly and easterly direction to a point due south of Solomons Lump Light; thence in a straight line to Solomons Lump Light; thence in a northerly direction to Sheepshead Point on South Marsh Island; thence in a straight line westerly to Holland Bar Light the point of the beginning. The Commission of Tidewater Fisheries is authorized to adopt rules and regulations for the management and development of said oyster propagation demonstration area, and by regulation may prohibit the taking of oysters, by closing or opening any portion or all of said area and may specify the type, nature and kind of oyster gear or gears which may be employed to harvest any oysters which may accumulate. The Commission of Tidewater Fisheries may provide for penalties for the violation of any rule or regulation which may be adopted as herein provided; however, the maximum penalty for the violation of any said regulation shall not exceed \$500. fine and/or more than six months imprisonment in the house of correction and in addition to such fine or imprisonment, any court having jurisdiction may enter an order declaring the boat and all of its gear, cargo, and equipment, involved or employed in such violation, to be confiscated and shall be delivered to the Commission of Tidewater Fisheries for such disposition thereof as in the opinion of said Commission may be most advantageous to the State.]

[(m)] (i) The Department of [Tidewater Fisheries] *Chesapeake Bay Affairs* [and the Natural Resources Institute] shall, at any time hereafter, resurvey any of the submerged areas of this State for the purpose of determining the position and extent of any natural oyster bars, clam beds, or crab beds. If, upon such resurvey, the Department finds that natural oyster beds, clam beds, or crab beds be incorrectly located on existing charts, or that the existing charts do not reflect the actual condition of the bottoms at the time of the resurvey, the said Department of [Tidewater Fisheries] *Chesapeake Bay Affairs* shall amend such charts or prepare new charts and shall cause to be marked or defined as accurately as possible thereon the correct location and bounds of all natural oyster bars, clam beds, crab beds, then existing in the area being surveyed. A natural oyster or natural clam bar shall be construed to mean and include all oyster or clam beds or bars under any of the waters of this State whereon there are oysters or clams to be found naturally and in sufficiently large quantities in such beds or bars to enable the public to use such bars or beds for a livelihood. Within ninety days after such resurvey, a copy of such amended charts or new charts shall be deposited in the Department of [Tidewater Fisheries] *Chesapeake Bay Affairs* and another copy sent to the clerk of the circuit court in which or nearest to which the area resurveyed is located.

No existing lease shall be invalidated in whole or in part by facts determined as a result of such survey or resurvey unless the lessee shall forfeit his lease voluntarily or by nonpayment of rental or other fees. No area defined by the charts or amended charts of the Oyster Survey of 1906-1912 on file in the offices of the Department of [Tidewater Fisheries] *Chesapeake Bay Affairs* or any subsequent charts or resurveys as a natural oyster bar, clam bed, or crab bed shall be subject to reclassification as barren bottom on the basis of facts determined as a result of such survey or resurvey.