



March 8, 2024

Mr. Joshua Kurtz, Secretary  
Maryland Department of Natural Resources  
Tawes State Office Building  
580 Taylor Avenue  
Annapolis, MD 21401

Dear Secretary Kurtz:

The Maryland Department of the Environment has determined by sampling of the water and appropriate investigation that the area described below complies with the standards for the harvesting of shellfish. Therefore, pursuant to the Annotated Code of Maryland, Natural Resources Article § 4-742, MDE hereby reclassifies the area described below to approved for the harvesting of shellfish **effective March 25, 2024.**

**Sheep Pen Gut, Hunter Gut, Shanks Creek, Smith Island, Somerset County (70A)**

All of the waters of Sheep Pen Gut south of a line running in a slight southeasterly direction from a point of land (37°59'18.3" North Latitude, 76°02'34.0" West Longitude) on the eastern shore of Sheep Pen Gut to a point of land (37°59'18.5" North Latitude, 76°02'34.7" West Longitude) on the opposite shore, and all of the waters of Sheep Pen Gut east of a line running in a northerly direction from a point (37°58'43.6" North Latitude, 76°02'49.0" West Longitude) on the southwest side of Sheep Pen Gut to a point (37°58'44.9" North Latitude, 76°02'50.7" West Longitude) on the north shore of Sheep Pen Gut; and all of the waters east of a line running in a northwesterly direction from point of land (37°58'56.8" North Latitude, 76°02'52.7" West Longitude) on the south side of an unnamed gut north of Sheep Pen Gut to a point (37°58'56.8" North Latitude, 76°02'55.0" West Longitude) on the north side of the unnamed gut, and all of the waters west of a line running in a northeasterly direction from a point of land (37°58'12.6" North Latitude, 76°01'44.8" West Longitude) on the western shore of North Tyler Creek to a point of land (37°58'12.6" North Latitude, 76°01'53.1" West Longitude) on the opposite shore, and all of the waters west of a line running in a slight northwesterly direction from a point of land (37°57'37.0" North Latitude, 76°01'43.7" West Longitude) on the south shore of Hunter Gut to a point of land (37°57'42.2" North Latitude, 76°01'45.3" West Longitude) on the opposite shore, and all of the waters of Shanks Creek north of a line running in a easterly direction along the Maryland/Virginia boarder line from a point of land (37°57'14.3" North Latitude, 76°02'17.3" West Longitude) on the western shore of Shanks Creek to a point of land (37°57'13.6" North Latitude, 76°01'45.7" West Longitude) on the opposite shore.

The following area will remain restricted to shellfish harvesting:

### **Big Thorofare, Tyler Creek, Levering Creek, Smith Island, Somerset (70A)**

All of the waters of Levering Creek and Tyler Creek westerly of a line running in a northwesterly direction from Eastern Point (37° 59' 22.1" North Latitude, 76° 00' 49.6" West Longitude) to a point of land on the north eastern side of Goat Island (38° 00' 02.1" North Latitude, 76° 01' 56.8" West Longitude); and all of the waters of Levering Creek east of a line extending in a southeasterly direction from a point of land (37°59'44.3" North Latitude, 76°01'46.6" West Longitude) on the north side of the mouth of an unnamed canal connection Levering Creek to Big Thorofare to a point of land (37°59'42.2" North Latitude, 76°02'34.0" West Longitude) on the opposite shore; all of the waters of Levering Creek and Tyler Ditch east of a line extending in a southerly direction from a point of land (37°59'10.9" North Latitude, 76°01'16.7" West Longitude) on the north shore of The Canal to a point of land (37°59'05.4" North Latitude, 76°01'16.9" West Longitude) on the opposite shore; and all of the waters of Tyler Ditch north of a line extending in a easterly direction from a point of land (37°58'33.0" North Latitude, 76°01'14.9" West Longitude) on the western shore of Tyler Ditch to a point of land (37°58'33.0" North Latitude, 76°01'08.2" West Longitude); all of the waters of Tyler Creek east of a line extending in a southeasterly direction from a point of land (37°57'37.8" North Latitude, 76°00'38.2" West Longitude) on the north shore of Tyler Creek to a point of land (37°57'21.8" North Latitude, 76°00'22.7" West Longitude) on the opposite shore; and all the waters west and north of a line near the mouth end of Brownies running in a southwesterly direction from a point of land (37° 57' 30.4" North Latitude, 75° 59' 33.8" West Longitude) to a point of land (37° 57' 29.6" North Latitude, 75° 59' 34.3" West Longitude) on the opposite shore; and all the waters west and south of a line near the north end of Lyons Canal running in an easterly direction from a point of land (37° 58' 04.0" North Latitude, 75° 59' 55.3" West Longitude) to a point on a small piece of land (37° 58' 04.1" North Latitude, 75° 59' 52.9" West Longitude) at the north end of Lyons Canal and from a point on the other end of the small piece of land (37° 58' 03.1" North Latitude, 75° 59' 51.5" West Longitude) to a point of land (37° 58' 02.1" North Latitude, 75° 59' 50.3" West Longitude) on the opposite shore; and all of the waters south and west of a line near the north end of Long Branch running in a southerly direction from a point of land (37° 58' 38.0" North Latitude, 76° 00' 26.2" West Longitude) to a point of land (37° 58' 35.2" North Latitude, 76° 00' 24.1" West Longitude) on the opposite shore.

The following area will remain prohibited to shellfish harvesting:

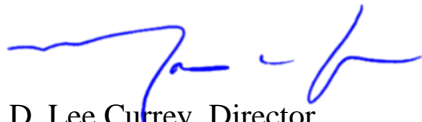
### **Smith Island, Closed Safety Zone for Ewell and Tylerton WWTPs (70B)**

All of the waters south of a line extending in a north east direction from a point of land near Chaisley Point (37° 59' 52.0" North Latitude, 76° 02' 46.5" West Longitude) to a point of land on the north west end of Goat Island (38° 00' 02.8" North Latitude, 76° 02' 06.3" West Longitude); and all of the waters of Sheep Pen Gut north of line running in a slight southeasterly direction from a point of land (37°59'18.5" North Latitude, 76°02'34.7" West Longitude) on the western shore of Sheep Pen Gut to a point of land (37°59'18.3" North Latitude, 76°02'34.0" West Longitude) on the opposite shore; and all of the waters of Levering Creek west of a line extending in a southeasterly direction from a point of land (37°59'44.3" North Latitude, 76°01'46.6" West Longitude) on the north side of the mouth of a canal connection Levering Creek to Big Thorofare to a point of land (37°59'42.2" North Latitude, 76°02'34.0" West Longitude) on the opposite shore; all of the waters of Levering Creek and Tyler Ditch west of a line extending in a southerly direction from a point of land (37°59'10.9" North Latitude,

76°01'16.7" West Longitude) on the north shore of The Canal to a point of land (37°59'05.4" North Latitude, 76°01'16.9" West Longitude) on the opposite shore; and all of the waters of Tyler Ditch south of a line extending in a easterly direction from a point of land (37°58'33.0" North Latitude, 76°01'14.9" West Longitude) on the western shore of Tyler Ditch to a point of land (37°58'33.0" North Latitude, 76°01'08.2" West Longitude); and all of the waters of Tyler Creek west of a line extending in a southeasterly direction from a point of land (37°57'37.8" North Latitude, 76°00'38.2" West Longitude) on the north shore of Tyler Creek to a point of land (37°57'21.8" North Latitude, 76°00'22.7" West Longitude) on the opposite shore; and all of the waters of Tyler Creek north of a line running in an easterly direction along the Maryland/Virginia border line from a point of land (37° 57' 12.4" North Latitude, 76° 01' 02.5 " West Longitude) on the western shore of Tyler Creek to a point of land (37° 57' 12.3" North Latitude, 76° 03' 22.2" West Longitude) on the opposite shore; and all of the waters east of a line running in a line running in a slight northwesterly direction from a point of land (37°57'37.0" North Latitude, 76°01'43.7" West Longitude) on the south shore of Hunter Gut to a point of land (37°57'42.2" North Latitude, 76°01'45.3" West Longitude) on the opposite shore; and all of the waters east of a line running in a northeasterly direction from a point of land (37°58'12.6" North Latitude, 76°01'44.8" West Longitude) on the western shore of North Tyler Creek to a point of land (37°58'12.6" North Latitude, 76°01'53.1" West Longitude) on the opposite shore.

Maps of these areas are attached.

Sincerely,

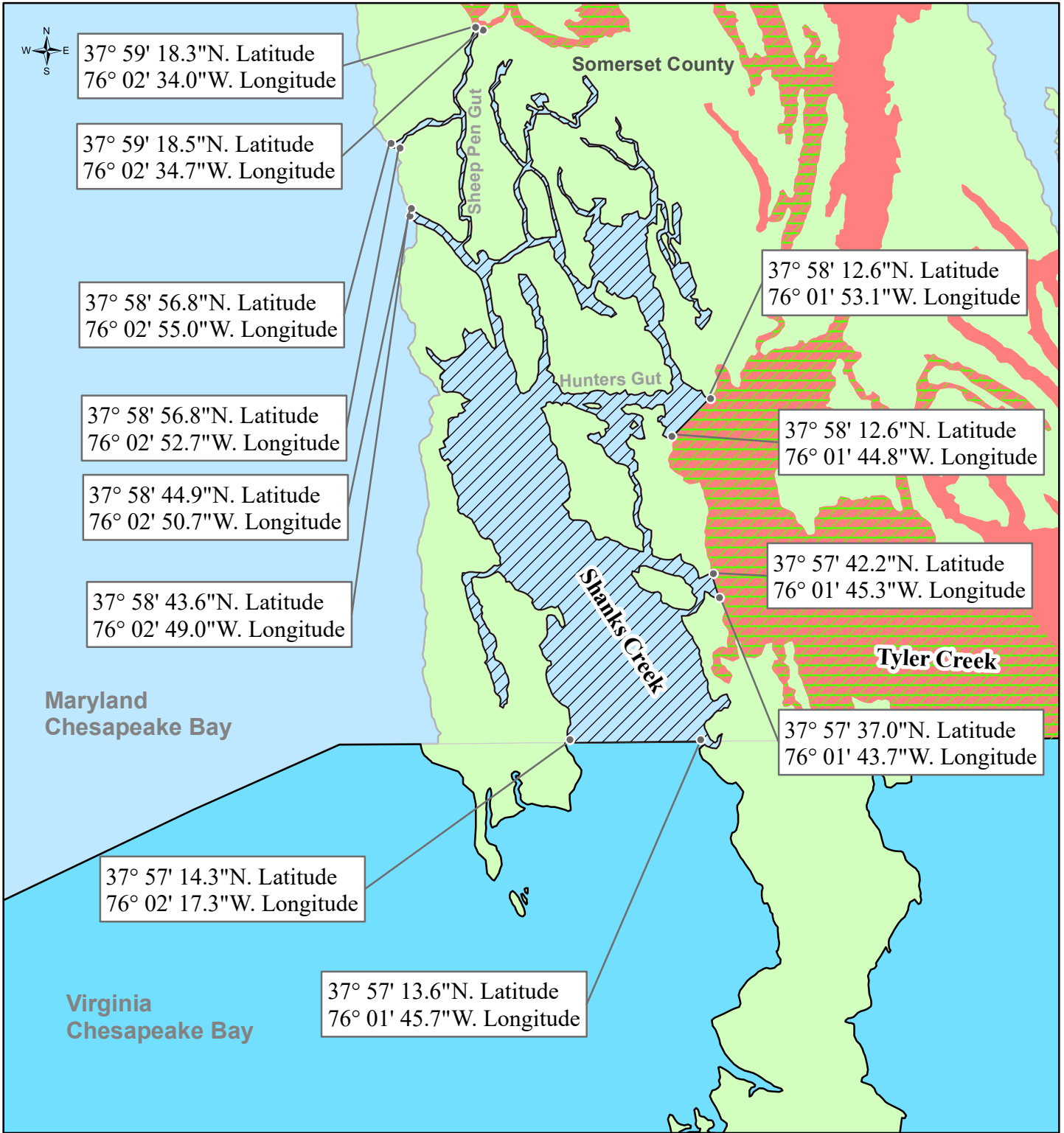


D. Lee Currey, Director  
Water and Science Administration

Attachment

cc: (see attached list)

Notice of Changes to Shellfish Waters



Sheep Pen Gut, Hunter Gut, Shanks Creek, Smith Island, Somerset County  
 Prohibited Shellfish Area Map 70A  
 March 2024

- Approved By This Letter
- Remains Approved By This Letter
- Remains Restricted By This Letter
- Closed Safety Zones
- Virginia Waters



Wes Moore, Governor  
 Aruna Miller, Lieutenant Governor  
 Serena C. McIlwain, Secretary

## CC List

Mr. Bill Sieling, Chesapeake Bay Seafood Industries Association  
Mr. Rusty McKay, Compliance Monitoring Division  
Mr. John Backus, Compliance Monitoring Division  
Ms. Amy Hontz, MDH, Division of Food Control  
Ms. Kim Coulbourne, MDH, Division of Food Control  
Dr. Maureen Edwards, MDH Environmental Health Coordination  
Mr. William Evans, MD Dept. of the Environment  
Dr. Brian Callam, Director, Dept. of Natural Resources  
Dr. Cliff Mitchell, MDH, Community Health Administration  
Honorable Randy Laird, President, Board of Somerset County Commissioners  
Mr. Chris Judy, Fisheries Service  
Mr. Ronald Owens, Executive Secretary, Potomac R. Fisheries Commission  
Ms. Jodi Baxter, Fisheries Service  
Ms. Ingrid Braun, Executive Secretary, Potomac R. Fisheries Commission  
Mr. Bob Mitchell, Director, Dept. of Environmental Programs  
Ms. Allison Marine, Director, Environmental Health  
Mr. Michael H. McIntyre, Director, Environmental Health  
Ms. Julie Anbarchian, USFDA  
Mr. Gary J. Wolf, USFDA  
Mr. Walter R. Witt, Jr., Anne Arundel County Oyster Committee  
Mr. Brian Hite, St. Mary's County Oyster Committee  
Mr. Harry White, Kent County Oyster Committee  
Mr. Dale S Dean, Calvert County Oyster Committee  
Mr. William Troy Wilkins, Queen Anne's County Oyster Committee  
Mr. Herman J. Harrison, Talbot County Oyster Committee  
Mr. Daniel Ralph Webster, Somerset County Oyster Committee  
Mr. Cody Paul, Dorchester County Oyster Committee  
Mr. Alan Keith Bradley, Wicomico County Oyster Committee  
Mr. Francis W. Kilinski, Charles County Oyster Committee  
Mr. Robert Howes, Anne Arundel County Oyster Committee  
Mr. Hollice John Edward Lowe, Baltimore County Oyster Committee  
Mr. Jeff Eutsler, Director, Worcester Co. Watermen's Association  
Mr. Roland Bradshaw., Director, Tangier Sound Watermen's Association  
Mr. Robert T. Brown, Sr., President, Maryland's Watermen's Association