

Shellfish Violations	Impact/Threat	Recommended Sanction – Single Violation	Recommended Sanction – Two or more violations in 2 years, with listed offense being the most serious	Recommended Sanction – Listed offense occurred during probationary period	Recommended Sanction – Listed offense occurred during revocation period
Illegally harvesting oysters or clams from private (leased) grounds	Resource & Public Health	3 year probation	2 year revocation of all shellfish licenses	3 year revocation of all licenses	5 year revocation of all licenses
Harvesting oysters or clams during a closed public season	Resource	3 year probation	2 year revocation of all shellfish licenses	3 year revocation of all licenses	5 year revocation of all licenses
Harvesting oysters or clams from a condemned area	Public Health	1 year revocation of gear license & concurrent 5 year probation	3 year revocation of all shellfish licenses	4 year revocation of all licenses	5 year revocation of all licenses
Harvesting oysters or clams from a sanctuary	Resource	3 year probation	2 year revocation of all shellfish licenses	3 year revocation of all licenses	5 year revocation of all licenses
Failure to follow warm water restrictions (incl. daily time limits)	Public Health	1 year revocation of gear license & concurrent 5 year probation	3 year revocation of all shellfish licenses	4 year revocation of all licenses	5 year revocation of all licenses
Catching at least 50% over the limit of shellfish	Resource	3 year probation	1 year revocation of all shellfish licenses	1 year revocation of all licenses	3 year revocation of all licenses
Catching at least 25% over the limit of shellfish	Resource	N/A	2 year probation	1 year revocation of all shellfish licenses	1 year revocation of all licenses
Possession of at least 50% over the tolerance of undersized shellfish	Resource	1 year probation	6 month revocation of all shellfish licenses	1 year revocation of all licenses	3 year revocation of all licenses
Harvesting oysters without an oyster resource user fee and gear license	Resource	1 year probation	1 year revocation of all licenses	2 year revocation of all licenses	2 year revocation of all licenses

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(2) Where an offender has multiple violations within a 2-year period, the recommended sanction is determined by assessing what sanction is prescribed in the “Recommended Sanction – Two or more violations in 2 years” column for each charge and taking the most severe.

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Non-Virginia residents harvesting oysters	Resource	3 year probation	2 year revocation of all licenses	3 year revocation of all licenses	5 year revocation of all licenses
Failure to tag shellfish at point of harvest	Resource	N/A	1 year probation	1 year revocation of all shellfish licenses	2 year revocation of all licenses

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Crab Violations	Impact/Threat	Recommended Sanction – Single Violation	Recommended Sanction – Two or more violations in 2 years, with listed offense being the most serious	Recommended Sanction – Listed offense occurred during probationary period	Recommended Sanction – Listed offense occurred during revocation period
Crabbing without a license (without eligibility)	Resource	N/A	1 year probation	1 year revocation of all licenses	2 year revocation of all licenses
Possession of more than 20 undersized crabs per bushel (70 per barrel)	Resource	N/A	2 year probation	1 year revocation of all crabbing licenses	2 year revocation of all licenses
Possession of 20 or more dark sponge crabs per bushel (70 per barrel)	Resource	N/A	2 year probation	1 year revocation of all crabbing licenses	2 year revocation of all licenses
Exceeding bushel limit by 5 bushels or more	Resource	N/A	2 year probation	1 year revocation of all crabbing licenses	2 year revocation of all licenses
Place/set/fish crab pots exceeding license limit by 10% or more	Resource	1 year probation	1 year revocation of all crabbing licenses	2 year revocation of all licenses	3 year revocation of all licenses
Crabbing outside of lawful season or 1 hour or more outside of lawful daily time limit	Resource	N/A	1 year probation	1 year revocation of all crabbing licenses	2 year revocation of all licenses
Crabbing without a license (with eligibility)	Resource	1 year probation	1 year revocation of all crabbing licenses	1 year revocation of all licenses	3 year revocation of all licenses
Unapproved person working as crab agent	Resource	N/A	2 year probation	1 year revocation of all crabbing licenses	2 year revocation of all licenses
Possession of horseshoe crabs out of season (with eligibility)	Resource	N/A	1 year probation	1 year revocation of all crabbing licenses	2 year revocation of all licenses
Possession of horseshoe crabs out of season (without eligibility)	Resource	N/A	2 year probation	2 year revocation of all crabbing licenses	3 year revocation of all licenses

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Catching 25% over the limit of horseshoe crabs	Resource	1 year probation	1 year revocation of all crabbing licenses	1 year revocation of all licenses	3 year revocation of all licenses
Take hard crabs from fish pot	Resource	2 year probation	1 year revocation of all crabbing licenses	1 year revocation of all licenses	2 year revocation of all licenses
Baited peeler pots	Resource	2 year probation	1 year revocation of all crabbing licenses	1 year revocation of all licenses	2 year revocation of all licenses
Obstructed cull rings	Resource	N/A	2 year probation	1 year revocation of all crabbing licenses	2 year revocation of all licenses
Crabbing within the blue crab sanctuary	Resource	N/A	2 year probation	1 year revocation of all crabbing licenses	2 year revocation of all licenses

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Commercial finfish Violations	Impact/Threat	Recommended Sanction – Single Violation	Recommended Sanction – Two or more violations in 2 years, with listed offense being the most serious	Recommended Sanction – Listed offense occurred during probationary period	Recommended Sanction – Listed offense occurred during revocation period
Exceeding possession limit (100% or 1,000 pounds over limit, whichever is more restrictive)	Resource	N/A	2 year probation	1 year revocation of all commercial finfish licenses	2 year revocation of all licenses
Possession of over- or undersized fish (50% or more of total landings)	Resource	N/A	2 year probation	2 year revocation of all commercial finfish licenses	2 year revocation of all licenses
Possession of striped bass out of season	Resource	1 year probation	1 year revocation of all commercial finfish licenses	1 year revocation of all licenses	3 year revocation of all licenses
Possession of spiny dogfish out of season	Resource	N/A	1 year probation	1 year revocation of all commercial finfish licenses	2 year revocation of all licenses
Possession of sharks out of season	Resource	N/A	1 year probation	1 year revocation of all commercial finfish licenses	2 year revocation of all licenses
Fishing pots without a fish pot license	Resource	N/A	1 year probation	1 year revocation of all commercial finfish licenses	2 year revocation of all licenses
Fishing in a restricted area	Resource	N/A	1 year probation	1 year revocation of all commercial finfish licenses	2 year revocation of all licenses
Fishing during a closed season	Resource	2 year probation	1 year revocation of all commercial finfish licenses	1 year revocation of all licenses	3 year revocation of all licenses

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Commercial finfish violations	Impact/Threat	Recommended Sanction – Single Violation	Recommended Sanction – Two or more violations in 2 years, with listed offense being the most serious	Recommended Sanction – Listed offense occurred during probationary period	Recommended Sanction – Listed offense occurred during revocation period
Possession of untagged striped bass	Resource	2 year probation	1 year revocation of all commercial finfish licenses	1 year revocation of all licenses	3 year revocation of all licenses
Failure to possess a commercial license (without eligibility)	Resource	2 year probation	1 year revocation of all licenses in one of the following fisheries: shellfish, crab, or commercial finfish	1 year revocation of all licenses	3 year revocation of all licenses
Failure to possess a commercial license (with eligibility)	Resource	N/A	1 year probation	1 year revocation of all licenses in one of the following fisheries: shellfish, crab, or commercial finfish	2 year revocation of all licenses
Failure to submit mandatory harvest reports	Resource	N/A	1 year probation	1 year revocation of all licenses in one of the following fisheries: shellfish, crab, or commercial finfish	2 year revocation of all licenses

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Gear convictions (mesh size, fixed fishing devices, etc.)	Resource/ Public Safety	N/A	1 year probation	1 year revocation of all licenses in one of the following fisheries: shellfish, crab, or commercial finfish	2 year revocation of all licenses
Improper use of commercial harvester tags	Resource	N/A	1 year probation	1 year revocation of all licenses in one of the following fisheries: shellfish, crab, or commercial finfish	2 year revocation of all licenses

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Recreational finfish Violations	Impact/Threat	Recommended Sanction – Single Violation	Recommended Sanction – Two or more violations in 2 years, with listed offense being the most serious	Recommended Sanction – Listed offense occurred during probationary period	Recommended Sanction – Listed offense occurred during revocation period
Exceeding possession limit (100% or 3 fish over limit, whichever is greater)	Resource	1 year probation	1 year revocation of all recreational licenses	1 year revocation of all licenses	2 year revocation of all licenses
Failure to possess charter boat license	Resource/ Public Safety	1 year probation	1 year revocation of all recreational licenses	2 year revocation of all recreational licenses	3 year revocation of all licenses
Possession of sharks out of season	Resource	N/A	1 year probation	1 year revocation of all recreational licenses	2 year revocation of all licenses
Fishing in a restricted area	Resource	N/A	1 year probation	1 year revocation of all recreational licenses	2 year revocation of all licenses
Alteration of finfish	Resource	N/A	1 year probation	1 year revocation of all recreational licenses	2 year revocation of all licenses
Possession of striped bass out of season	Resource	N/A	1 year probation	1 year revocation of all recreational licenses	2 year revocation of all licenses
Fishing during closed season (general)	Resource	N/A	1 year probation	1 year revocation of all recreational licenses	2 year revocation of all licenses
Possession of over- or undersized fish (100% or more of total catch)	Resource	N/A	2 year probation	1 year revocation of all recreational licenses	2 year revocation of all licenses

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Possession of over- or under-sized fish (50% or more of total catch)	Resource	N/A	1 year probation	1 year revocation of all recreational licenses	2 year revocation of all licenses
Exceeding possession limits	Resource	N/A	2 year probation	1 year revocation of all recreational licenses	2 year revocation of all licenses
Failure to possess a recreational license	Resource	N/A	1 year probation	1 year revocation of all licenses in one of the following fisheries: shellfish, crab, or commercial finfish	2 year revocation of all licenses
Failure to submit mandatory harvest reports	Resource	N/A	1 year probation	1 year revocation of all licenses in one of the following fisheries: shellfish, crab, or commercial finfish	2 year revocation of all licenses
Gear convictions (mesh size, fixed fishing devices, etc.)	Resource/ Public Safety	N/A	1 year probation	1 year revocation of all licenses in one of the following fisheries: shellfish, crab, or commercial finfish	2 year revocation of all licenses

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Buyer Violations	Impact/Threat	Recommended Sanction – Single Violation	Recommended Sanction – Two or more violations in 2 years, with listed offense being the most serious	Recommended Sanction – Listed offense occurred during probationary period	Recommended Sanction – Listed offense occurred during revocation period
Failure to purchase seafood buyer’s license (POB/truck/boat)	Resource	1 year probation	1 year revocation of all licenses	2 year revocation of all licenses	3 year revocation of all licenses
Failure to obtain species specific buyer’s permit	Resource	N/A	1 year probation	1 year revocation of all licenses	2 year revocation of all licenses
Failure to obtain and maintain a certified scale	Resource	N/A	1 year probation	1 year revocation of all licenses	2 year revocation of all licenses
Purchase of seafood from an unlicensed commercial registration license holder	Resource	1 year probation	1 year revocation of all licenses	2 year revocation of all licenses	3 year revocation of all licenses

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