

"PERTAINING TO HARD CRAB POT LIMITS"

CHAPTER 4 VAC20-880-10 ET SEQ.

PREAMBLE

This chapter establishes daily hard crab pot and peeler pot limits. This chapter is promulgated pursuant to authority contained in §§28.2-201 and 28.2-204.1 of the Code of Virginia. This chapter amends and re-adopts, as amended, previous Chapter 4VAC20-880-10 et seq. which was adopted May 27, 2008 and made effective June 1, 2008. The effective date of this chapter is June 1, 2009.

4VAC20-880-10. Purpose.

The purpose of this chapter is to protect and conserve the blue crab resource by controlling fishing effort by establishing additional limits on the number of crab pots that can be set or fished.

4VAC20-880-20. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

"Coastal area" means the area that includes Back Bay and Virginia's portion of the Territorial Sea, plus all of the creeks, bays, inlets, and tributaries on the seaside of Accomack County, Northampton County (including areas east of the causeway from Fisherman Island to the mainland), and the City of Virginia Beach (including federal areas and state parks, fronting on the Atlantic Ocean and east and south of the point where the shoreward boundary of the Territorial Sea joins the mainland at Cape Henry).

"Mainstem Chesapeake Bay" means all tidal waters westward of the shoreward boundary of Virginia's portion of the federal territorial sea, exclusive of the tributaries of the Chesapeake Bay and Potomac River.

"Potomac River tributaries" means all the tributaries of the Potomac River that are within Virginia's jurisdiction beginning with, and including, Flag Pond thence upstream to the District of Columbia boundary.

"Tributaries of the Mainstem Chesapeake Bay" means those waters outside of the mainstem of the Chesapeake Bay but westward of the shoreward boundary of Virginia's portion of the federal territorial sea.

4VAC20-880-30. Hard crab pot limits.

- A. It shall be unlawful for any person to place, set or fish more than 255 hard crab pots in the tributaries of the mainstem Chesapeake Bay or the Potomac River tributaries.

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- B. It shall be unlawful for any person to place, set or fish more than 425 hard crab pots in the mainstem Chesapeake Bay or coastal area.
- C. It shall be unlawful for any person to place, set or fish more than 425 hard crab pots in Virginia tidal waters.
- D. It shall be unlawful for any person to take or catch hard crabs or peeler crabs using any type of pot other than a licensed hard crab pot or peeler pot except as provided in §28.2-226 of the Code of Virginia.

4VAC20-880-60. Penalty.

As set forth in §28.2-903 of the Code of Virginia, any person violating any provision of this chapter shall be guilty of a Class 3 misdemeanor, and a second or subsequent violation of any provision of this chapter committed by the same person within 12 months of a prior violation is a Class 1 misdemeanor.

This is to certify that the foregoing is a true and accurate copy of the chapter passed by the Marine Resources Commission, pursuant to authority vested in the Commission by §28.2-201 of the Code of Virginia, duly advertised according to statute, and recorded in the Commission's minute book, at meeting held in Newport News, Virginia on May 26, 2009.

COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION

By: Joak H Travelstead
for Steven G. Bowman
Commissioner

Subscribed and sworn to before me this 28th day of May, 2009.

JANE E. WARREN
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #7191792
My Commission Expires _____

Jane E Warren
Notary Public