

VIRGINIA MARINE RESOURCES COMMISSION
"PERTAINING TO SPECKLED TROUT ~~AND RED DRUM~~"
CHAPTER 4VAC20-280-10 ET SEQ.

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PREAMBLE

This chapter establishes minimum size limits for the taking or possession of speckled trout ~~and red drum~~ by commercial and recreational fishermen. The minimum size limits will protect the spawning stocks and increase yield in the fishery. This chapter is designed to assure that Virginia is consistent with all federal and interstate management measures for speckled trout ~~and red drum~~. In addition, this chapter establishes a commercial landings quota for speckled trout. The goal of these management measures is to perpetuate the speckled trout ~~and red drum~~ resources resource in fishable abundance throughout their range and generate the greatest possible economic and social benefits from their harvest and utilization over time.

This chapter is promulgated pursuant to authority contained in §28.2-201 of the Code of Virginia. This chapter amends and re-adopts, as amended, previous Chapter 4VAC20-280-10 et seq., which was adopted ~~August 28, 2018~~ July 28, 2020, and effective ~~September 1, 2018~~ August 1, 2020. The effective date of this chapter, as amended, is ~~August 1, 2020~~ September 1, 2021.

4VAC20-280-10. Purpose.

The purpose of this chapter is to protect and rebuild the spawning stocks of speckled trout ~~and red drum~~, minimizing the possibility of recruitment failure, and to increase yield in their fisheries.

4VAC20-280-20. Definitions.

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

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"Fishing year" means the time period from September 1 of the current calendar year through August 31 of the following calendar year.

~~"Red drum" means any fish of the species Sciaenops ocellatus.~~

"Snout" means the most forward projection from a fish's head that includes the upper and lower jaw.

"Speckled trout" means any fish of the species Cynoscion nebulosus.

"Total length" means the length of a fish measured from the most forward projection of the snout, with the mouth closed, to the tip of the longer lobe of the tail (caudal) fin, measured with the tail compressed along the midline, using a straight-line measure, not measured over the curve of the body.

4VAC20-280-30. Size and possession limits.

A. It shall be unlawful for any person to take, catch, or possess any speckled trout less than 14 inches in total length ~~provided however~~ except that, the catch of speckled trout by pound net or haul seine may consist of up to 5.0%, by weight, of speckled trout less than 14 inches in total length.

B. It shall be unlawful for any person fishing commercially with commercial hook-and-line gear, or fishing recreationally with any gear type to possess more than one speckled trout 24 inches or greater in any one day ~~from January 1 through December 31.~~

C. It shall be unlawful for any person fishing commercially with commercial hook-and-line gear or recreationally with any gear type to possess more than five speckled trout in any one day.

~~C. It shall be unlawful for any person fishing recreationally with any gear type to take, catch, or possess any red drum less than 18 inches in total length or greater than 26 inches in total length.~~

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~~D. It shall be unlawful for any person fishing commercially with any gear type to take, catch, or possess any red drum less than 18 inches in total length or greater than 25 inches in total length.~~

~~4VAC20-280-40. Possession limits. Repealed.~~

~~A. It shall be unlawful for any person fishing commercially with commercial hook and line gear or recreationally with any gear type to possess more than five speckled trout in any one day from January 1 through December 31.~~

~~B. It shall be unlawful for any person fishing recreationally with any gear type to possess more than three red drum.~~

~~C. It shall be unlawful for any person fishing commercially with any gear type to possess more than five red drum.~~

~~4VAC20-280-50. Commercial Directed commercial landings quota and daily incidental catch bycatch limit.~~

~~A. For each 12-month period of September 1 through August 31, fishing year the directed commercial landings quota of speckled trout shall be limited to 51,104 pounds.~~

~~B. When it is projected and announced that 80 percent of the commercial landings quota has been taken, it shall be unlawful for any commercial fisherman registration licensee to take, harvest, land, or~~

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~~possess a daily bycatch of greater than 100 pounds of speckled trout, and that daily bycatch landing limit of speckled trout shall consist of at least an equal amount of other fish species.~~

B. When the commission announces that the directed commercial landings quota has been reached, it shall be unlawful for any Commercial Fisherman Registration Licensee to take, harvest, land, or possess more than the daily incidental catch limit for the remainder of the fishing year. The daily incidental catch limit shall be 50 pounds of speckled trout per licensee aboard the vessel, not to exceed 150 pounds per vessel.

~~C. When it is projected that the commercial landings quota will be met by a certain date within the above period, the commission will provide notice of the closing date for commercial harvest and landing of speckled trout during that period, and it shall be unlawful for any person to harvest or land speckled trout for commercial purposes after such closing date for the remainder of that period.~~

4VAC20-280-55. Seafood Buyer Reporting Requirements.

Any licensed seafood buyer who purchases speckled trout from August 1 through November 30 shall report daily purchases in pounds using the commission's interactive voice recording system on the day of purchase.

4VAC20-280-60. Penalty.

Pursuant to §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.

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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 Hampton, Virginia on July 27, 2021.

COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION

BY: _____
Steven G. Bowman
Commissioner

Subscribed and sworn to before me this _____ day of August 2021.

Notary Public