

“PERTAINING TO RESTRICTIONS ON OYSTER HARVEST”

EMERGENCY CHAPTER 4 VAC 20-720-10 ET SEQ.

PREAMBLE

This emergency chapter establishes times of closure and other restrictions, for conservation purposes, on the harvest of oysters from all oyster grounds in the tidal waters of the Commonwealth. This emergency chapter is promulgated pursuant to authority contained in §§ 28.2-201, 28.2-507, 28.2-210, and 28.2-518 of the Code of Virginia. This emergency chapter amends and re-adopts, as amended, previous Chapter 4 VAC 20-720-10 et seq., which was adopted August 22, 2017 and effective October 1, 2017. The effective date of this emergency chapter, as amended, is January 31, 2018.

4 VAC 20-720-40. Open oyster harvest season and areas.

A. It shall be unlawful for any person to harvest oysters from public and unassigned grounds outside of the seasons and areas set forth in this section.

B. It shall be unlawful to harvest clean cull oysters from the public oyster grounds and unassigned grounds except during the lawful seasons and from the lawful areas as described in the following subdivisions of this subsection.

1. James River Seed Area, including the Deep Water Shoal State Replenishment Seed Area: October 1, 2017, through April 30, 2018.
2. Milford Haven: December 1, 2017 through February 28, 2018.
3. Rappahannock River Area 9: November 1, 2017, through December 31, 2017.
4. Little Wicomico River: October 1, 2017, through December 31, 2017.
5. Coan River Area: October 1, 2017, through December 31, 2017.
6. Yeocomico River Area: October 1, 2017, through December 31, 2017.
7. Nomini Creek Area: October 1, 2017 through December 31, 2017.
8. Mobjack Bay Area: October 1, 2017, through October 31, 2017 (hand tong only) and, February 1, 2018, through February 28, 2018 (hand scrape only).
9. York River Rotation Area 1: January 1, 2018, through February 9, 2018.
10. Rappahannock River Rotation Area 1: October 1, 2017, through November 30, 2017.
11. Rappahannock River Rotation Area 6: November 1, 2017, through November 30, 2017 (patent tong only), December 1, 2017, through February 9, 2018 (hand scrape only).

VIRGINIA MARINE RESOURCES COMMISSION
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12. Rappahannock River Area 7: December 1, 2017, through February 9, 2018.
13. Great Wicomico River Rotation Area 1: December 1, 2017, through February 9, 2018.
14. Upper Chesapeake Bay - Blackberry Hangs Area: December 1, 2017, through February 9, 2018.
15. James River Hand Scrape Areas 1 and 3: December 1, 2017, through February 28, 2018.
16. James River Hand Scrape Area 2: October 1, 2017, through December 31, 2017.
17. Pocomoke and Tangier Sounds Rotation Area 1: December 1, 2017, through February 28, 2018.
18. Deep Rock Area: December 1, 2017, through February 28, 2018.
19. Seaside of the Eastern Shore (for clean cull oysters only): November 1, 2017, through March 31, 2018.

C. It shall be unlawful to harvest seed oysters from the public oyster grounds or unassigned grounds except during the lawful seasons. The harvest of seed oysters from the lawful areas is described in the following subdivisions of this subsection.

1. James River Seed Area: October 1, 2017, through May 31, 2018.
2. Deep Water Shoal State Replenishment Seed Area: October 1, 2017, through May 31, 2018.

This is to certify that the foregoing is a true and accurate copy of the emergency chapter passed by the Marine Resources Commission, pursuant to authority vested in the Commission by §§ 28.2-201, 28.2-507, 28.2-210, and 28.2-518, of the Code of Virginia, duly advertised according to statute, and recorded in the Commission's minute book, at the meeting held in Newport News, Virginia, January 23, 2018.

COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION

BY: Robert J. O'Rourke
John M. R. Bull
Commissioner

Subscribed and sworn to before me this 24 day of January 2018.

Jennifer G. Farmer
Notary Public

