

“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 chapter amends and re-adopts, as amended, previous Chapter 4 VAC 20-720-10 et seq., which was adopted August 25, 2020 and effective October 1, 2020. The effective date of this emergency chapter, as amended, is March 1, 2022.

4 VAC 20-720-35. Public oyster ground harvest season.

The Marine Resources Commission shall be authorized to extend the public oyster harvest season in the James River Seed Area, including the Deep Water Shoal State Replenishment Area, but the extension shall not be established to go beyond June 30.

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 this subsection.

1. James River Seed Area, including the Deep Water Shoal State Replenishment Seed Area: October 1, 2021, through April 30, 2022 (hand tong only).
2. Milford Haven: December 1, 2021, through February 28, 2022 (hand tong only).
3. Rappahannock River Area 9: October 1, 2021, through December 31, 2021 (hand tong only).
4. Corrotoman Hand Tong Area: October 1, 2021, through December 31, 2021.
5. Little Wicomico River: October 1, 2021 through December 31, 2021(hand tong only).
6. Nomini Creek Area: October 1, 2021, through January 31, 2022 (hand tong only).
7. Yeocomico River Area: October 1, 2021, through December 31, 2021 (hand tong only).
8. York River Hand Tong Area: October 1, 2021, through February 28, 2022 (hand tong only).
9. York River Rotation Areas 1 and 2: October 1, 2021, through November 30, 2021 (hand tong only).

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10. James River Area 1: October 1, 2021, through November 30, 2021 and February 1, 2022, through February 28, 2022 (hand tong only).
11. James River Area 2 and 3: October 1, 2021, through October 15, 2021 and February 1, 2022, through February 28, 2022 (hand tong only).
12. Pocomoke Sound Area: December 1, 2021, through February 28, 2022 (hand tong only).
13. Mobjack Bay Area: October 1, 2021, through January 31, 2022 (hand tong only).
14. Rappahannock River Rotation Area 3: November 1, 2021, through November 30, 2021 and January 1, 2022, through January 31, 2022 (hand scrape only).
15. Rappahannock River Area 5: December 1, 2021, through December 31, 2021 and February 1, 2022, through February 28, 2022 (hand scrape only).
16. Great Wicomico River Rotation Area 1: December 1, 2021, through January 31, 2022 (hand scrape only).
17. James River Area 1: December 1, 2021, through January 31, 2022 (hand scrape only).
18. James River Areas 2 and 3: October 18, 2021 through January 31, 2022 (hand scrape only).
19. Upper Chesapeake Bay - Blackberry Hangs Area: February 1, 2022 through February 28, 2022 (hand scrape only).
20. Mobjack Bay Area: February 1, 2022 through February 28, 2022 (hand scrape only).
21. Pocomoke Sound Rotation Area 1: December 1, 2021 through February 28, 2022 (dredge only).
22. Tangier Sound Rotation Area 1: December 1, 2021 through February 28, 2022 (dredge only).
23. Deep Rock Area: December 1, 2021 through March 15, 2022 (patent tong only).
24. Upper Chesapeake Bay - Blackberry Hangs Area: October 18, 2021 through October 31, 2021 (patent tong only).
25. Rappahannock River Rotation Area 1: October 18, 2021 through February 14, 2022 (patent tong only).
26. Seaside of the Eastern Shore (for clean cull oysters only): November 1, 2021 through March 31, 2022 (by hand and hand tong only).

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 this subsection.

VIRGINIA MARINE RESOURCES COMMISSION
“PERTAINING TO RESTRICTIONS ON OYSTER HARVEST”
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1. James River Seed Area: October 1, 2021 through May 31, 2022 (hand tong only).
2. Deep Water Shoal State Replenishment Seed Area: October 1, 2021 through May 31, 2022 (hand tong only).

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 Hampton, Virginia, February 22, 2022 .

COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION

BY: 
fw **Justin D. Worrell**
Acting Commissioner

Subscribed and sworn to before me this 28 day of February 2022.


Notary Public

ALEXA IRENE GALVAN
NOTARY PUBLIC
Commonwealth of Virginia
Registration No. 7963332
My Commission Expires 4/30/2025