

"PERTAINING TO SPADEFISH"

REGULATION 4 VAC 20-970-10 ET SEQ.

PREAMBLE

This regulation establishes a possession limit on spadefish harvested by commercial hook and line or any recreational gear. This regulation is promulgated pursuant to the authority contained in §28.2-201 of the Code of Virginia. This regulation amends and re-adopts previous Regulation 4 VAC 20-970-10 et seq. which was adopted on September 23, 1997 and was effective October 1, 1997. The effective date of this regulation, as amended, is January 1, 2002.

VAC 20-970-10. PURPOSE.

The purpose of this chapter is to promote conservation of the spadefish resource and to reduce the possibility of overfishing this resource.

4 VAC 20-970-20. DEFINITIONS.

The following words and terms, when used in this chapter shall have the following meaning unless the context clearly indicates otherwise. "Spadefish" means any fish of the species *Chaetodipterus faber*.

4 VAC 20-970-30. SPADEFISH POSSESSION LIMIT.

- A. It shall be unlawful for any person fishing with recreational hook and line, rod and reel, hand line, spear, gig or other recreational gear to possess more than four spadefish. Any spadefish taken after the possession limit of four fish has been reached shall be returned to the water immediately.
- B. When fishing from a boat or vessel where the entire catch is held in a common hold or container, the possession limit shall be for the boat or vessel and shall be equal to the number of persons on board legally eligible to fish multiplied by four. The captain or operator of the boat or vessel shall be responsible for any boat or vessel possession limit.
- C. It shall be unlawful for any person fishing with a licensed commercial hook-and-line to possess more than six spadefish. Any spadefish taken by a licensed commercial hook-and-line fisherman after the possession limit of six spadefish has been reached shall be returned to the water immediately.

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4 VAC 20-970-40. PENALTY.

As set forth in §28.2-903 of the Code of Virginia, any person violating any provision of this regulation shall be guilty of a Class 3 misdemeanor, and a second or subsequent violation of any provision of this regulation committed by the same person within twelve 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 regulation 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 October 23, 2001.

COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION

William A. Pruitt
BY: *Robert D. Ross*

William A. Pruitt
Commissioner

Subscribed and sworn to before me this 26th day of October 2001.
My Commission expires December 31, 2004.

Rebecca R. Courthorn
Notary Public