

VIRGINIA MARINE RESOURCES COMMISSION
“PERTAINING TO BLACK SEA BASS”
EMERGENCY CHAPTER 4VAC20-950-10 ET SEQ.

PAGE 1 OF 3

DRAFT

PREAMBLE

This emergency chapter establishes minimum size limits, gear restrictions, and quotas for the harvest of black sea bass. This emergency chapter is promulgated pursuant to the authority contained in §§28.2-201 and 28.2-204.1 of the Code of Virginia. This emergency chapter amends and re-adopts, as amended, Chapter 4VAC20-950-10 et seq. which was promulgated December 10, 2012 and made effective ~~December 11, 2012~~ January 1, 2013. The effective date of this emergency chapter, as amended, is ~~January 1, 2013~~ January 22, 2013.

4VAC20-950-45. Recreational possession limits and seasons.

A. It shall be unlawful for any person fishing with hook and line, rod and reel, spear, gig or other recreational gear to possess more than 25 black sea bass. When fishing is from a boat or vessel where the entire catch is held in a common hold or container, the possession limit shall be for that boat or vessel and shall be equal to the number of persons on board legally eligible to fish, multiplied by 25 during any open season described in subsection D, except the January 1 through February 28, 2013 open season. The captain or operator of the boat or vessel shall be responsible for that boat or vessel possession limit. Any black sea bass taken after the possession limit has been reached shall be returned to the water immediately.

B. It shall be unlawful for any person fishing with hook and line, rod and reel, spear, gig or other recreational gear to possess more than 15 black sea bass from January 1 through February 28, 2013. When fishing is from a boat or vessel where the entire catch is held in a common hold or

“PERTAINING TO BLACK SEA BASS”

EMERGENCY CHAPTER 4VAC20-950-10 ET SEQ.

container, the possession limit shall be for that boat or vessel and shall be equal to the number of persons on board legally eligible to fish, multiplied by 15, from January 1 through February 28, 2013. The captain or operator of the boat or vessel shall be responsible for that boat or vessel possession limit. Any black sea bass taken after the possession limit has been reached shall be returned to the water immediately.

BC. Possession of any quantity of black sea bass that exceeds the possession limit described in subsections A and B of this section shall be presumed to be for commercial purposes.

CD. The open recreational fishing seasons, in 2013, shall be from January 1 through the last day of February, May 19 through October 14 and from November 1 through December 31, except as provided in subsection D E of this section.

~~D. Only if the Atlantic States Marine Fisheries Commission authorizes an open recreational fishing season of January 1 through the end of February 2013, shall Virginia establish an open season of January 1 through the end of February, in 2013.~~

E. It shall be unlawful for any person fishing recreationally to take, catch, or possess any black sea bass, except during an open recreational season.

4VAC20-950-50. Penalty.

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

“PERTAINING TO BLACK SEA BASS”

EMERGENCY CHAPTER 4VAC20-950-10 ET SEQ.

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 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 January 22, 2013.

**COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION**

BY: _____

**Jack G. Travelstead
Commissioner**

Subscribed and sworn to before me this _____ day of January, 2013.

Notary Public