

“PERTAINING TO SCUP (PORGY)”

EMERGENCY CHAPTER 4 VAC 20-910-10 ET SEQ.

PREAMBLE

This emergency chapter establishes minimum size limits, gear restrictions, and quotas for the harvest of scup (porgy). This emergency chapter is promulgated pursuant to the authority contained in §§ 28.2-201 and 28.2-210 of the Code of Virginia. This emergency chapter amends and re-adopts, as amended, Chapter 4 VAC 20-910-10 et seq., which was adopted on April 26, 2016 and made effective May 1, 2016. The effective date of this emergency chapter, as amended, is April 26, 2017.

**4 VAC 20-910-45. Possession limits and harvest quotas.**

A. During the period January 1 through April 30 of each year, it shall be unlawful for any person to do any of the following:

1. Possess aboard any vessel in Virginia more than 50,000 pounds of scup.

2. Land in Virginia more than a total of 50,000 pounds of scup during each consecutive 7-day landing period, with the first 7-day period beginning on January 1.

B. When it is projected and announced that 80% of the coastwide quota for this period has been attained, it shall be unlawful for any person to possess aboard any vessel or to land in Virginia more than a total of 1,000 pounds of scup.

C. During the period November 1 through December 31 of each year, it shall be unlawful for any person to possess aboard any vessel or to land in Virginia more than 18,000 pounds of scup.

D. During the period May 1 through October 31 of each year, the commercial harvest and landing of scup in Virginia shall be limited to 11,812 pounds.

E. For each of the time periods set forth in this section, the Marine Resources Commission will give timely notice to the industry of calculated poundage possession limits and quotas and any adjustments thereto. It shall be unlawful for any person to possess or to land any scup for commercial purposes after any winter period coastwide quota or summer period Virginia quota has been attained and announced as such.

F. It shall be unlawful for any buyer of seafood to receive any scup after any commercial harvest or landing quota has been attained and announced as such.

G. 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 30 scup. 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 the boat or vessel and shall be equal to the number of persons on board legally eligible to fish multiplied by

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30. The captain or operator of the boat or vessel shall be responsible for any boat or vessel possession limit. Any scup taken after the possession limit has been reached shall be returned to the water immediately.

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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 and 28.2-210 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 April 25, 2017.

COMMONWEALTH OF VIRGINIA  
MARINE RESOURCES COMMISSION

BY: *John M. R. Bull*

**John M. R. Bull**  
**Commissioner**

Subscribed and sworn to before me this 20<sup>th</sup> day of April, 2017.

*Jennifer G. Farmer*  
Notary Public

