

"PERTAINING TO TANGIER ISLAND CRAB SCRAPE SANCTUARY"**CHAPTER 4 VAC 20-240-10 ET SEQ.****PREAMBLE**

This chapter prohibits the setting of crab pots and the taking of hard crabs by any gear in a small area north of Tangier Island.

This chapter is promulgated pursuant to authority contained in §§28.2-201 of the Code of Virginia. This chapter amends and re-adopts previous Chapter 4 VAC 20-240-10 et seq., which was adopted April 22, 1997 and effective May 1, 1997. The effective date of this chapter is July 1, 2018.

4 VAC 20-240-10. PURPOSE.

The purpose of this chapter is to minimize gear conflicts existing between crab pot fishermen and crab scrape fishermen in an area of Chesapeake Bay north of Tangier Island.

4 VAC 20-240-20. GEAR LIMITATION; CLOSED AREA.

It shall be unlawful for any person to place, set or fish a crab pot or to harvest hard crabs by any gear in the following area: (all latitudes and longitudes are based on North American Datum, 83 (1993)) beginning near the northernmost point of Fishbone Island, at 37° 53' 10.4510" north, 76° 00' 08.7703" west; thence in a northerly direction approximately 0.92 miles to a point near the eastern shore of Herring Island, at 37° 54' 03.4504" north, 76° 00' 27.7700" west; thence in a northerly direction approximately 1.67 miles to a point near Peach Orchard Point, at 37° 55' 41.4491" north, 76° 00' 53.7692" west; thence following the shoreline of South Point Marsh to a point on the marsh near South Point, at 37° 55' 19.4499" north, 76° 01' 30.7706" west; thence due west approximately 0.80 miles to the remains of the overhead power cable west of the westernmost point of Shanks Island at 37° 55' 20.7101" north, 76° 02' 31.6527" west; thence in a southeasterly direction, along the remains of the overhead power cable, approximately 2.86 miles to a point near Upper Tump, at 37° 52' 50.5065" north, 76° 00' 45.6702" west; thence in a northeasterly direction approximately 0.59 miles to a point near the northernmost point of Fishbone Island, the point of beginning.

4 VAC 20-240-25. BY-CATCH ALLOWANCE.

From August 1 through October 31, there shall be a limited daily by-catch allowance of up to three bushels of female hard crabs for valid peeler scrape licensees.

4 VAC 20-240-30. PENALTY.

As set forth in §28.2-903 of the Code of Virginia, any person violating any provision of this chapter shall be guilty of a Class 3 misdemeanor, and a second or subsequent violation of any provision of

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this chapter committed by the same person within 12 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 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 June 19, 2018.

COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION

BY: Robert S. O'Reilly
for Steven G. Bowman
Commissioner

Subscribed and sworn to before me this 25 day of June, 2018.

Jennifer G. Farmer
Notary Public

