

**"PERTAINING TO POUND NET LICENSE SALES"****REGULATION 4 VAC 20-600-10 ET SEQ.****PREAMBLE**

This regulation limits the sale of pound net licenses for any calendar year to the number of pound nets licensed during calendar year 1994. This regulation is promulgated pursuant to authority contained in §§ 28.2-201 and 28.2-204.1 of the Code of Virginia. This regulation amends and readopts previous Regulation 4 VAC 20-600-10 et seq. that was adopted on December 19, 1995 and was effective on January 1, 1996. The effective date of this regulation is June 26, 1997.

**4 VAC 20-600-10. PURPOSE.**

The purpose of this chapter is to limit the number of pound net licenses for any calendar year to the number of pound net licenses sold on or after January 1, 1994, and through August 5, 1994. This chapter is part of recent restrictions adopted by the Marine Resources Commission in order to reduce the weakfish fishing mortality rate and to be consistent with federal and interstate management measures.

**4 VAC 20-600-20. DEFINITIONS.**

The following word and term, when used in this chapter, shall have the following meaning unless the context clearly indicates otherwise.

*"Pound net"* means a stationary or fixed fishing device consisting of several stakes or poles which have been pushed or pumped into the bottom and attached to netting which forms a straight wall or leader which serves to guide fish through a funnel and heart shaped enclosure into a terminal head or pocket with a netting floor.

**4 VAC 20-600-30. LIMIT ON SALE OF LICENSES.**

1. Except as provided in 4 VAC 20-600-40, the total number of pound net licenses issued for any calendar year shall be limited to the number of pound net licenses sold on or before August 5, 1994, for calendar year 1994. No additional pound net licenses shall be sold for any calendar year.
2. All eligible license renewals by those licensees who meet the requirements of subsection A of this section, applications for vacant locations, if available, and requests for transfer of license shall be made in accordance with 4 VAC 20-20-10 et seq.

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4 VAC 20-600-40. EXCEPTIONS TO LIMIT ON POUND NET LICENSES.

Licenses issued for pound nets to be set in the following areas shall not be limited in number:

1. In the James River, upstream of a line connecting Scotland Wharf with Jamestown Wharf.
2. In the Mattaponi and Pamunkey Rivers, upstream of the Route 33 bridges at West Point.
3. In the Rappahannock River, upstream of the Route 360 bridge at Tappahannock.
4. In the Virginia Potomac River tributaries, upstream of the Route 301 bridge.

4 VAC 20-600-50. PENALTY.

As provided 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 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 Regulations passed by the Marine Resources Commission, pursuant to authority vested in the Commission by §§ 28.2-201, and 28.2-204.1 of the Code of Virginia, and recorded in the Commission's minute book, at the meeting held in Newport News, Virginia on June 24, 1997.

COMMONWEALTH OF VIRGINIA  
MARINE RESOURCES COMMISSION

*William A. Pruitt*  
*By R. D. [Signature]*

By: \_\_\_\_\_  
William A. Pruitt  
Commissioner

Subscribed and sworn to before me this 26th day of June, 1997.  
My Commission expires December 31, 2000.

*Deborah R. Cawthon*  
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Notary Public