

"PERTAINING TO ARTIFICIAL REEFS"

CHAPTER 4VAC20-755-10 ET SEQ.

PREAMBLE

This chapter prohibits the use of any fishing gear in the water, other than rod-and-reel, hand line, spear or gig, and only when licensed for recreational use, on the commission's artificial fishing reefs, and preserves these reefs exclusively for recreational fishing.

This chapter is promulgated pursuant to the authority contained in §28.2-201 of the Code of Virginia. This chapter amends and readopts previous Chapter 4VAC20-755-10 that was adopted on October 24, 2000 and made effective October 30, 2000. The effective date of this chapter is September 1, 2007.

4VAC20-755-10. PURPOSE.

The purpose of this chapter is to reduce gear conflicts on the commission's artificial fishing reefs.

4VAC20-755-20. DEFINITIONS.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise.

"Anglers Reef" means that permitted artificial reef site with a boundary defined as beginning at a point in the Chesapeake Bay that is 2.31+/- nautical miles west - northwesterly of the mouth of Onancock Creek and 6.51+/- nautical miles southeasterly of the southern most point of Tangier Island, said point being the SE corner of Anglers Reef and having NAD 1983 geographic coordinates of 37° 43.700' N, 75° 52.900' W; thence in a west - northwesterly direction 3191.34 feet to the SW corner, located at 37° 43.800' N, 75° 53.550' W; thence in a north - northeasterly direction 5223.86 feet to the NW corner, located at 37° 44.600' N, 75° 53.15' W; thence in an east-southeasterly direction 2954.58 feet to the NE corner, located at 37° 44.500' N, 75° 52.55' W; thence in a south - southwesterly direction 5139.82 feet to the SE corner, said corner being the point of beginning.

"Asphalt Pile Reef" means that permitted artificial reef site with a boundary defined as beginning at a point in the Chesapeake Bay that is 3.72+/- nautical miles southeasterly of the Great Wicomico Light and 4.16+/- nautical miles east - northeasterly of Hughlett Point, the northern headland of Dividing Creek, said point being the NW corner of Asphalt Pile Reef and having NAD 1983 geographic coordinates of 37° 45.175' N, 76° 13.417' W; thence in a westerly direction 961.83 feet to the NE corner, located at 37° 45.175' N, 76° 13.217' W; thence in a southerly direction 4804.48 feet to the SE corner, located at 37° 44.383' N, 76° 13.217' W; thence in an easterly direction 963.91 feet to the SW corner, located at 37° 44.383' N, 76° 13.417' W; thence in a northerly direction 4804.48 feet to the NW corner, said corner being the point of beginning.

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"Back River Reef" means that permitted artificial reef site with a boundary defined as beginning at a point in the Chesapeake Bay that is 3.55 +/- nautical miles east - northeasterly of the mouth of Back River and 9.48 +/- nautical miles southeasterly of Tue Marshes Light, said point being the center radius point of Back River Reef and having NAD 1983 geographic coordinates of 37° 08.200' N, 76° 13.900' W; thence northerly a radius of 2000 feet to a point on an arc, located at 37° 08.530' N, 76° 13.900' W, said point being the point of beginning; thence a 360° arc (circle) extending 12566.37 feet clockwise about the radius point to the point of beginning.

"Cabbage Patch Reef" means that permitted artificial reef site with a boundary defined as beginning at a point in the Chesapeake Bay that is 2.55 +/- nautical miles westerly of the former ferry dock at Kiptopeke and 4.49 +/- nautical miles northwesterly of Wise Point, the northern headland of Fishermans Inlet, said point being the SE corner of Cabbage Patch Reef and having NAD 1983 geographic coordinates of 37° 09.900' N, 76° 02.500' W; thence in a westerly direction 4613.60 feet to the SW corner, located at 37° 09.900' N, 76° 03.450' W; thence in a northerly direction 4247.76 feet to the NW corner, located at 37° 10.600' N, 76° 03.450' W; thence in an easterly direction 4612.88 feet to the NE corner, located at 37° 10.600' N, 76° 02.500' W; thence in a southerly direction 4247.77 feet to the SE corner, said corner being the point of beginning.

"Cell Reef" means that permitted artificial reef site located with a boundary defined as beginning at a point in the Chesapeake Bay that is 3.27 +/- nautical miles westerly of Mattawoman Creek and 6.26 +/- nautical miles west - southwesterly of the eastern most point of Nassawadox Point, said point being the SE corner of Cell Reef and having NAD 1983 geographic coordinates of 37° 23.800' N, 76° 03.000' W; thence in a westerly direction 3873.24 feet to the SW corner, located at 37° 23.800' N, 76° 03.800' W; thence in a northerly direction 3641.04 feet to the NW corner, located at 37° 24.400' N, 76° 03.800' W; thence in an easterly direction 3872.73 feet to the NE corner, located at 37° 24.400' N, 76° 03.000' W; thence in a southerly direction 3641.04 feet to the SE corner, said corner being the point of beginning.

"Cherrystone Reef" means that permitted artificial reef site with a boundary defined as beginning at a point in the Chesapeake Bay that is 5.56 +/- nautical miles south - southwesterly of Mattawoman Creek and 2.75 +/- nautical miles west - northerly of the western most point of Cape Charles Harbor jetty, said point being the SE corner of Cherrystone Reef and having NAD 1983 geographic coordinates of 37° 18.700' N, 76° 02.100' W; thence in a westerly direction 3877.62 feet to the SW corner, located at 37° 18.700' N, 76° 02.900' W; thence in a northerly direction 4247.82 feet to the NW corner, located at 37° 19.400' N, 76° 02.900' W; thence in an easterly direction 3877.01 feet to the NE corner, located at 37° 19.400' N, 76° 02.100' W; thence in a southerly direction 4247.82 feet to the SE corner, said corner being the point of beginning.

"East Ocean View Reef" means that permitted artificial reef site with a boundary defined as beginning at a point in the Chesapeake Bay that is 2930 +/- feet north - northeasterly of Mean Low

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Water at East Ocean View and 1.37 +/- nautical miles west - northwesterly of the mouth of Little Creek, said point being the center radius point of East Ocean View Reef and having NAD 1983 geographic coordinates of 36° 56.542' N, 76° 12.191' W; thence northerly a radius of 750 feet to a point on an arc, located at 36° 56.665' N, 76° 12.188' W, said point being the point of beginning; thence a 360° arc (circle) extending 4712.39 feet clockwise about the radius point to the point of beginning.

"Gwynn Island Reef" means that permitted artificial reef site with a boundary defined as beginning at a point in the Chesapeake Bay that is 7.99 +/- nautical miles southerly of the eastern most point of Windmill Point and 4.97 +/- nautical miles south - southeasterly of the eastern most point of Sting Ray Point, said point being the NW corner of Gwynn Island Reef and having NAD 1983 geographic coordinates of 37° 29.200' N, 76° 14.700' W; thence in an easterly direction 3867.63 feet to the NE corner, located at 37° 29.200' N, 76° 13.900' W; thence in a southerly direction 4247.96 feet to the SE corner, located at 37° 28.500' N, 76° 13.900' W; thence in a westerly direction 4247.96 feet to the SW corner, located at 37° 28.500' N, 76° 14.700' W; thence in a northerly direction 4247.96 feet to the NW corner, said corner being the point of beginning.

"Middle Ground Reef" means that permitted artificial reef site with a boundary defined as beginning at a point in Hampton Roads that is 1.45 +/- nautical miles southeasterly of the mouth of Newport News Creek (Small Boat Harbor) and 3.36 +/- nautical miles east - southeasterly of Sewells Point, said point being the center radius point of Middle Ground Reef and having NAD 1983 geographic coordinates of 36° 56.700' N, 76° 23.500' W; thence northerly a radius of 1000 feet to a point on an arc, located at 36° 56.865' N, 76° 23.495' W, said point being the point of beginning; thence a 360° arc (circle) extending 6283.19 feet clockwise about the radius point to the point of beginning.

"Mobjack Bay Reef" means that permitted artificial reef site with a boundary defined as beginning at a point at the mouth of Mobjack Bay that is 1.98 +/- nautical miles west - southwesterly of New Point Comfort Light and 4.69 +/- nautical miles northeasterly of Tue Marshes Light, said point being the SE corner of Mobjack Reef and having NAD 1983 geographic coordinates of 37° 17.500' N, 76° 19.050' W; thence in a southwesterly direction 1611.50 feet to the SW corner, located at 37° 17.325' N, 76° 19.300' W; thence in an northwesterly direction 7648.97 feet to the NW corner, located at 37° 18.300' N, 76° 20.300' W; thence in a northeasterly direction 1420.60 feet to the NE corner, located at 37° 18.450' N, 76° 20.075' W; thence in a southeasterly direction 7610.69 feet to the SE corner, said corner being the point of beginning.

"Nandua-Pungoteague Reef" means that permitted artificial reef site with a boundary defined as beginning at a point in the Chesapeake Bay that is 6.55 +/- nautical miles west - southwesterly of the mouth of Onancock Creek and 7.77 +/- nautical miles south - southeasterly of the southern most point of Tangier Island, said point being the NE corner of Nandua - Pungoteague Reef and having NAD 1983 geographic coordinates of 37° 40.500' N, 75° 57.600' W; thence in a southerly direction

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4248.13 feet to the SE corner, located at  $37^{\circ} 39.800' N, 75^{\circ} 57.600' W$ ; thence in a westerly direction 4341.95 feet to the SW corner, located at  $37^{\circ} 39.800' N, 75^{\circ} 58.500' W$ ; thence in a northerly direction 4248.14 feet to the NW corner, located at  $37^{\circ} 40.500' N, 75^{\circ} 58.500' W$ ; thence in an easterly direction 4341.27 feet to the NE corner, said corner being the point of beginning.

"Nassawadox Reef" means that permitted artificial reef with a boundary defined as beginning at a point in the Chesapeake Bay that is 5.18+/- nautical miles southwest of Occohannock Creek and 2.32+/- nautical miles west - northwesterly of the eastern most point of Nassawadox Point, said point being the SE corner of Nassawadox Reef and having NAD 1983 geographic coordinates of  $37^{\circ} 29.200' N, 76^{\circ} 00.500' W$ ; thence in a westerly direction 4352.20 feet to the SW corner, located at  $37^{\circ} 29.200' N, 76^{\circ} 01.400' W$ ; thence in a northerly direction 4247.96 feet to the NW corner, located at  $37^{\circ} 29.900' N, 76^{\circ} 01.400' W$ ; thence in an easterly direction 4351.53 feet to the NE corner, located at  $37^{\circ} 29.900' N, 76^{\circ} 00.500' W$ ; thence in a southerly direction 4247.95 feet to the SE corner, said corner being the point of beginning.

"Northern Neck Reef" means that permitted artificial reef site with a boundary defined as beginning at a point in the Chesapeake Bay that is 5.21+/- nautical miles south - southeasterly of Smith Point Light, 5.15+/- nautical miles east - southeasterly of the Great Wicomico Light and 8.57+/- nautical miles west - southwest of the southern most point of Tangier Island, said point being the SW corner of Northern Neck Reef and having NAD 1983 geographic coordinates of  $37^{\circ} 47.700' N, 76^{\circ} 09.600' W$ ; thence in a north - northeasterly direction 5223.34 feet to the NE corner, located at  $37^{\circ} 48.500' N, 76^{\circ} 09.200' W$ ; thence in an easterly direction 3188.14 feet to the NE corner, located at  $37^{\circ} 48.400' N, 76^{\circ} 08.550' W$ ; thence in a south - southwest direction 5041.27 feet to the SE corner, located at  $37^{\circ} 47.650' N, 76^{\circ} 09.000' W$ ; thence in a westerly direction 2905.48 feet to the SW corner, said corner being the point of beginning.

"Occohannock Reef" means that permitted artificial reef site with a boundary defined as beginning at a point in the Chesapeake Bay that is 3.40+/- nautical miles west - northwesterly of Occohannock Creek and 5.92+/- nautical miles north - northwesterly of the eastern most point of Nassawadox Point, said point being the SE corner of Occohannock Reef and having NAD 1983 geographic coordinates of  $37^{\circ} 34.033' N, 76^{\circ} 00.300' W$ ; thence in a west - northwesterly direction 5136.20 feet to the SW corner, located at  $37^{\circ} 34.167' N, 76^{\circ} 01.350' W$ ; thence in a north - northeasterly direction 3296.39 feet to the NW corner, located at  $37^{\circ} 34.667' N, 76^{\circ} 01.083' W$ ; thence in an east-southeasterly direction 4915.03 feet to the NE corner, located at  $37^{\circ} 34.517' N, 76^{\circ} 00.083' W$ ; thence in a south - southeasterly direction 3114.30 feet to the SE corner, said corner being the point of beginning.

"Poquoson Reef" means that permitted artificial reef site with a boundary defined as beginning at a point in the Chesapeake Bay that is 5.53+/- nautical miles west - southwest of New Point Comfort Light and 2.33+/- nautical miles east - southeasterly of Tue Marshes Light, said point being

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the NW corner of Poquoson Reef and having NAD 1983 geographic coordinates of 37° 13.383' N, 76° 20.383' W; thence in a southeasterly direction 2399.12 feet to the NE corner, located at 37° 13.133' N, 76° 20.000' W; thence in an southwesterly direction 2900.83 feet to the SE corner, located at 37° 12.766' N, 76° 20.383' W; thence in a northwesterly direction 2277.42 feet to the SW corner, located at 37° 13.016' N, 76° 20.733' W; thence in a northeasterly direction 2800.85 feet to the NW corner, said corner being the point of beginning.

"Windmill Point Reef" means that permitted artificial reef site with a boundary defined as beginning at a point in the Chesapeake Bay that is 1.72+/- nautical miles easterly of the eastern most point of Windmill Point and 4.31+/- nautical miles northeasterly of the eastern most point of Stingray Point, said point being the SW corner of Windmill Point Reef and having NAD 1983 geographic coordinates of 37° 36.917' N, 76° 14.583' W; thence in a northerly direction 4248.02 feet to the NW corner, located at 37° 37.617' N, 76° 14.583' W; thence in an easterly direction 4223.42 feet to the NE corner, located at 37° 37.617' N, 76° 13.078' W; thence in a southerly direction 4248.02 feet to the SE corner, located at 37° 36.917' N, 76° 13.078' W; thence in a westerly direction 4224.09 feet to the SW corner, said corner being the point of beginning.

"York Spit Reef" means that permitted artificial reef site with a boundary defined as beginning at a point in the Chesapeake Bay that is 3.85+/- nautical miles south - southeasterly of New Point Comfort Light and 7.17+/- nautical miles easterly of Tue Marshes Light, said point being the NW corner of York Spit Reef and having NAD 1983 geographic coordinates of 37° 14.750' N, 76° 14.200' W; thence in an easterly direction 4366.11 feet to the NE corner, located at 37° 14.750' N, 76° 13.300' W; thence in a southerly direction 4247.81 feet to the SE corner, located at 37° 14.050' N, 76° 13.300' W; thence in a westerly direction 4366.78 feet to the SW corner, located at 37° 14.050' N, 76° 14.200' W; thence in a northerly direction 4247.80 feet to the NW corner, said corner being the point of beginning.

**4VAC20-755-30. GEAR RESTRICTIONS.**

It shall be unlawful, for any person, to set, fish, or have any fishing gear in the water, other than rod and-reel, hand line, spear or gig, and only when licensed for recreational use, within the boundary of Anglers Reef, Asphalt Pile Reef, Back River Reef, Cabbage Patch Reef, Cell Reef, Cherrystone Reef, East Ocean View Reef, Gwynn Island Reef, Middle Ground Reef, Mobjack Bay Reef, Nandua-Pungoteague Reef, Nassawadox Reef, Northern Neck Reef, Occohannock Reef, Poquoson Reef, Windmill Point Reef, and York Spit Reef.

**4VAC20-755-40. PENALTY.**

As set forth in §28.2-903 of the Code of Virginia, any person violating any provision of this chapter

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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.

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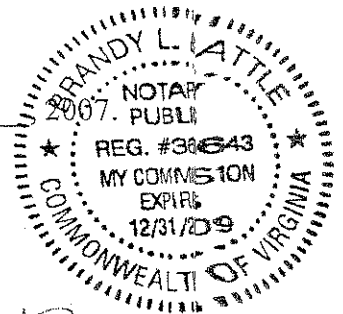
This is to certify that the foregoing is a true and accurate copy of the chapter passed by the Marine Resources Commission, pursuant to authority vested in the Commission by §28.2-201 of the Code of Virginia, duly advertised according to statute, and recorded in the Commission's minute book, at meeting held in Newport News, Virginia on August 28, 2007.

COMMONWEALTH OF VIRGINIA  
MARINE RESOURCES COMMISSION

BY: *Jack L. Travelstead*  
for Steven G. Bowman  
Commissioner

Subscribed and sworn to before me this 31 day of August

My Commission expires December 31, 2009.



*Brandy L. Battle*  
Notary Public