

"PERTAINING TO ATLANTIC TARPON"

CHAPTER 4 VAC 20-1420

PREAMBLE

This chapter establishes possession limits, gear requirements, and allowable fishing practices for Atlantic tarpon in Virginia waters.

This chapter is promulgated pursuant to authority contained in §28.2-201 of the Code of Virginia. This chapter establishes Chapter 4 VAC 20-1420 on May 26, 2026 with an effective date of June 1, 2026.

4VAC20-1420-10. Purpose.

The purpose of this chapter is to control the harvest of and minimize the negative impacts to the migratory Atlantic tarpon that enter Virginia's territorial waters.

4 VAC 20-1420-20. Definitions.

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

"Atlantic tarpon" means any fish of the species *Megalops atlanticus*.

"Bait" means any whole or part of any marine or aquatic organism, live or dead.

"Circle hook" means a non-offset, non-stainless steel hook with the point turned sharply and straight back toward the shank.

"Fishing recreationally," means fishing by any person, whether licensed or exempted from licensing, where the catch is not intended for sale, barter, trade, or any commercial purpose.

"Gaff" means to utilize a hooked, metal rod to pierce the body of a fish to better facilitate bringing it on board a vessel.

"Spear" means to fish while the person is fully submerged under the water's surface with a mechanically aided device designed to accelerate a barbed spear.

"PERTAINING TO ATLANTIC TARPON"

CHAPTER 4 VAC 20-1420

4VAC20-1420-30. Concerning recreational fishing: general.

A. It shall be unlawful for any person fishing recreationally to possess Atlantic tarpon at any time. Any Atlantic tarpon caught must remain in the water. No Atlantic tarpon may be removed from the water, at any time.

B. It shall be unlawful for any person fishing recreationally to gaff or attempt to gaff an Atlantic tarpon.

C. It shall be unlawful for any person fishing recreationally to spear or attempt to spear an Atlantic tarpon.

D. Any person fishing recreationally for Atlantic tarpon shall use non-offset, corrodible, non-stainless steel circle hooks when fishing with bait.

4VAC20-1420-40. Commercial fishery prohibition.

It shall be unlawful for any person to take, harvest, land, or possess tarpon for commercial purposes, including being offered or intended for sale, barter, or trade, at any time. Any Atlantic tarpon caught by commercial gear shall be returned to the water immediately.

4VAC20-1420-50. 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 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 Hampton, Virginia on May 26, 2026.

"PERTAINING TO ATLANTIC TARPON"

CHAPTER 4 VAC 20-1420

COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION

BY: *Joseph D. Grist*
Joseph D. Grist
Commissioner

Subscribed and sworn to before me this 27 day of may 2026.

Malinda Cross
Notary Public

