

“PERTAINING TO RESTRICTIONS ON OYSTER HARVEST”

EMERGENCY CHAPTER 4 VAC 20-720-10 ET SEQ.

PREAMBLE

This emergency chapter establishes times of closure and other restrictions, for conservation purposes, on the harvest of oysters from all oyster grounds in the tidal waters of the Commonwealth. This emergency chapter is promulgated pursuant to authority contained in §§ 28.2-201, 28.2-507, 28.2-210 and 28.2-518 of the Code of Virginia. This chapter amends and re-adopts, as amended, previous Chapter 4 VAC 20-720-10 et seq., which was adopted December 6, 2022 and effective January 1, 2023. The effective date of this emergency chapter, as amended, is January 31, 2023.

**4 VAC 20-720-40. Open oyster harvest season and areas.**

A. It shall be unlawful for any person to harvest oysters from public and unassigned grounds outside of the seasons and areas set forth in this section.

B. It shall be unlawful to harvest clean cull oysters from the public oyster grounds and unassigned grounds except during the lawful seasons and from the lawful areas as described in this subsection.

1. James River Seed Area, including the Deep Water Shoal State Replenishment Seed Area: October 1, 2022, through April 30, 2023 (hand tong only).
2. Milford Haven: November 1, 2022 through March 31, 2023 (hand tong only).
3. Rappahannock River Area 9: October 1, 2022, through March 31, 2023 (hand tong only).
4. Corrotoman Hand Tong Area: October 1, 2022, through March 31, 2023.
5. Little Wicomico River: October 1, 2022 through December 31, 2022 (hand tong only).
6. Nomini Creek Area: October 1, 2022, through January 31, 2023 (hand tong only).
7. Yeocomico River Area: October 1, 2022, through December 31, 2022 (hand tong only).
8. Coan River Area: October 1, 2022, through December 31, 2022 (hand tong only).
9. Indian Creek: March 1, 2023, through March 31, 2023 (hand tong only).
10. York River Hand Tong Area: October 1, 2022, through March 31, 2023 (hand tong only).
11. York River Rotation Area 1: November 1, 2022, through March 31, 2023 (hand tong only).
12. Pocomoke Sound Area Public Ground 10: November 1, 2022, through November 15, 2022 (hand tong only).

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13. Pocomoke Sound Area Public Ground 9: November 1, 2022, through January 31, 2023 (hand tong only).
14. Rappahannock River Rotation Area 2: December 1, 2022 through February 24, 2023 (hand scrape only).
15. Rappahannock River Rotation Area 4: October 17, 2022, through November 30, 2022 and February 1, 2023 through February 28, 2023 (hand scrape only).
16. Rappahannock River Area 7: December 1, 2022, through December 31, 2022 (hand scrape only).
17. Rappahannock River Area 8: January 1, 2023 through January 31, 2023 (hand scrape only).
18. Great Wicomico River Rotation Area 2: December 1, 2022, through January 31, 2023 (hand scrape only).
19. James River Areas 1, 2, and 3: October 17, 2022, through February 24, 2023 (hand scrape only).
20. Upper Chesapeake Bay - Blackberry Hangs Area: February 1, 2023 through February 28, 2023 (hand scrape only).
21. York River Area 2: January 1, 2023 through February 28, 2023 (hand scrape only).
22. Pocomoke Sound Area Public Ground 9: February 1, 2023 through February 28, 2023 (hand scrape only).
23. Pocomoke Sound Area Public Ground 10: November 15, 2022 through November 30, 2022 and February 1, 2023 through February 28, 2023 (hand scrape only).
24. Pocomoke and Tangier Sounds Rotation Area 2: December 1, 2022, through February 28, 2023 (dredge only).
25. Deep Rock Area: November 1, 2022 through March 15, 2023 (patent tong only).
26. Rappahannock River Rotation Area 1: October 17, 2022 through February 28, 2023 (patent tong only).
27. Seaside of the Eastern Shore (for clean cull oysters only): November 1, 2022 through March 31, 2023 (by hand and hand tong only).

C. It shall be unlawful to harvest seed oysters from the public oyster grounds or unassigned grounds except during the lawful seasons. The harvest of seed oysters from the lawful areas is described in this subsection.

1. James River Seed Area: October 1, 2022 through May 31, 2023 (hand tong only).
2. Deep Water Shoal State Replenishment Seed Area: October 1, 2022 through May 31, 2023 (hand tong only).

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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, 28.2-507, and 28.2-518, of the Code of Virginia, duly advertised according to statute, and recorded in the Commission's minute book, at the meeting held in Hampton, Virginia, January 24, 2023.

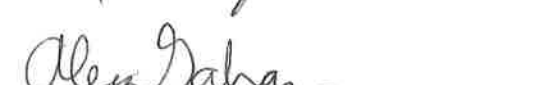
COMMONWEALTH OF VIRGINIA  
MARINE RESOURCES COMMISSION

BY:



Jamie L. Green  
Commissioner

Subscribed and sworn to before me this 31 day of January 2023.



Notary Public

ALEXA IRENE GALVAN  
NOTARY PUBLIC  
Commonwealth of Virginia  
Registration No. 7963332  
My Commission Expires 4/30/2025