

"PERTAINING TO ON-SHORE LOADING AND UNLOADING OF SHELLFISH FROM CONDEMNED AREAS"**CHAPTER 4VAC20-980-10 ET SEQ.****PREAMBLE**

This chapter establishes locations for the on-shore loading and unloading of shellfish taken from condemned areas. This chapter is promulgated pursuant to the authority contained in §§28.2-819 and 28.2-201 of the Code of Virginia.

This chapter rescinds Order Number 83-4 which was adopted and made effective April 19, 1983.

This chapter rescinds Order Number 84-5 which was adopted May 22, 1984 and effective May 23, 1994. This chapter rescinds chapter 4 VAC 20-800-10 et seq. which was adopted and effective August 26, 1996. This chapter rescinds chapter 4VAC 20-820-10 et seq. which was adopted May 5, 1987 and effective May 6, 1987. This chapter rescinds chapter 4VAC 20- 840-10 et seq. which was adopted April 5, 1988 and effective May 2, 1988. This chapter rescinds chapter 4VAC 20-870-10 et seq. which was adopted March 27, 1990 and effective April 1, 1990. The effective date of this chapter is May 30, 1997. This chapter amends and re-adopts, as amended, previous Chapter 4VAC 20-980-10 et seq., which was promulgated May 27, 1996 and made effective May 30, 1997. The effective date of this chapter, as amended, is March 1, 2024.

4VAC20-980-10. Purpose. (Repealed).

~~The purpose of this chapter is to promote efficiency in the utilization of condemned shellfish resources.~~

4VAC20-980-20. Listing of on-shore loading and unloading locations. (Repealed).

~~A. The following locations shall be designated for the on-shore loading and unloading of clams taken from condemned areas:~~

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1. ~~L. D. Amory, Hampton~~
~~101 South King Street~~
~~Hampton, VA~~
2. ~~F. D. Hunt's Dock~~
~~Sunset Creek~~
~~Hampton, VA~~
3. ~~Jones Marina~~
~~519 Bridge Street~~
~~Hampton, VA~~
4. ~~SeaRich Seafood South~~
~~205 Jefferson Avenue~~
~~Newport News, VA~~
5. ~~Old Point Packing, Inc.~~
~~817 Jefferson Avenue~~
~~Newport News, VA~~
6. ~~Casey Seafood, Inc.~~
~~807 Jefferson Avenue~~
~~Newport News, VA~~
7. ~~Lynnhaven Waterway Marina, Inc.,~~
~~2101 Great Neck Road~~

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~~Virginia Beach, VA~~

~~B. It shall be unlawful for any person to load or unload clams taken from condemned areas at any shore-side location that is not specified in subsection A of this section or is not established according to the provisions of 4VAC20-980-30.~~

~~C. The following locations shall be designated for the on-shore loading and unloading of oysters taken from condemned areas:~~

~~1. Bevans Oyster Company~~

~~Route 1~~

~~Kinsale, VA~~

~~2. State Public Dock in Perrin~~

~~Gloucester, VA~~

~~3. Public Boat Landing, Tylers Beach~~

~~Rushmere, VA~~

~~4. Back River Seafood~~

~~435 Messick Road~~

~~Poquoson, VA~~

~~D. It shall be unlawful for any person to load or unload oysters taken from condemned areas at any on-shore location that is not specified in subsection C of this section or is not established according to the provisions of 4VAC20-980-30.~~

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4VAC20-980-30. ~~Modification of the listing of designated locations. (Repealed).~~

~~The Commissioner of Marine Resources or his designee shall be authorized to modify the listing of approved on-shore loading and unloading locations in order to promote efficient utilization of condemned shellfish resources.~~

4VAC20-980-40. ~~Penalty. (Repealed).~~

~~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 and 28.2-819 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 February 27, 2024.

**COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION**

BY: _____

Jamie L. Green

Commissioner

Subscribed and sworn to before me this _____ day of _____, 2024.

Notary Public