

VIRGINIA MARINE RESOURCES COMMISSION
"PERTAINING TO THE TAKING OF BLUEFISH"
CHAPTER 4 VAC 20-450-10 ET SEQ.

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PREAMBLE

This chapter is promulgated pursuant to authority contained in §28.2-201 of the Code of Virginia.

This chapter amends and re-adopts, as amended, previous Chapter 4 VAC 20-450-10 et seq., which was adopted ~~April 23, 2019~~ February 25, 2020 and effective ~~May 1, 2019~~ March 1, 2020. The effective date of this chapter is ~~March 1, 2020~~ July 1, 2020.

4 VAC 20-450-10. PURPOSE.

The purposes of this chapter are to manage the recreational harvest of bluefish and to establish a commercial quota system for Virginia bluefish landings, in cooperation with the Mid-Atlantic Fishery Management Council and the Atlantic States Marine Fisheries Commission, to prevent overfishing.

4 VAC 20-450-15. DEFINITIONS.

The following word or term when used in this chapter shall have the following meaning unless the context clearly indicates otherwise:

“Annual quota” means Virginia’s 11.8795% share of the annual coastwide commercial bluefish quota managed by the Atlantic States Marine Fisheries Commission.

“Bluefish” means any fish of the species *Pomatomus saltatrix*.

“Captain” means the person licensed by the U. S. Coast Guard to carry passengers for hire who operates the charter boat or head boat.

“Charter vessel” or “for-hire vessel” means a vessel operating with a captain who possesses either a Class A Fishing Guide License, Class B Fishing Guide License, or Fishing Guide Reciprocity Permit.

4 VAC 20-450-20. RECREATIONAL BLUEFISH POSSESSION LIMITS.

A. It shall be unlawful for any person fishing recreationally to harvest or possess more than three bluefish, except as described in subsection B of this section. Any bluefish taken after the

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possession limit has been reached shall be returned to the water immediately.

B. It shall be unlawful for any person fishing from a charter or for-hire vessel to harvest or possess more than five bluefish. Any bluefish taken after the possession limit has been reached shall be returned to the water immediately.

C. When fishing from a boat or vessel where the entire catch is held in a common hold or container, the possession limit shall be for the boat or vessel and shall be equal to the number of persons on board that are legally eligible to fish multiplied by the personal possession limits, as described in subsection A and B of this section. The captain or operator of the boat or vessel shall be responsible for any boat or vessel possession limit.

4 VAC 20-450-30. COMMERCIAL LANDINGS QUOTA.

A. The commercial landings of bluefish shall be limited to ~~915,857 pounds during the current calendar year~~ the annual quota, except as specified in subsection B of this section.

B. If a quota transfer occurs between Virginia and another state participating in the Interstate Fishery Management Plan for bluefish, Virginia's annual quota for the current calendar year shall be limited to the annual quota amount as adjusted for transfers.

~~B.C.~~ When it is projected that 95% of the commercial landings quota has been realized, a notice will be posted to close commercial harvest and landings from the bluefish fishery within five days of posting.

~~C.D.~~ It shall be unlawful for any person to harvest or land bluefish for commercial purposes after the closure date set forth in the notice described in subsection B of this section.

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4 VAC 20-450-40. 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 and recorded in the Commission's minute book, at its meeting held in Hampton, Virginia on June 23, 2020.

COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION

BY: _____
Steven G. Bowman
Commissioner

Subscribed and sworn to before me on this _____ day of June 2020.

Notary Public