

**“PERTAINING TO CRAB POTS”**

**CHAPTER 4VAC20-700-10 ET SEQ.**

**PREAMBLE**

This chapter establishes a requirement for ~~the use of cull rings in crab pots~~ gear alterations to crab pots, including cull rings and terrapin excluder devices, and is promulgated pursuant to the authority contained in §28.2-201 of the Code of Virginia.

This chapter amends and re-adopts, as amended, previous Chapter 4VAC20-700-10 et seq., which was promulgated ~~May 27, 2008~~ February 24, 2009 and made effective on ~~June 1, 2008~~ March 1, 2009. The effective date of this chapter, as amended, is ~~March 1, 2009~~ January 1, 2022.

**4VAC20-700-10. Purpose.**

The purpose of this chapter is to conserve the blue crab resource by promoting the escape of small crabs from crab pots through the use of cull rings and to protect the diamondback terrapin population through the use of terrapin excluder devices.

**4VAC20-700-15. Definitions.**

“Crab pot” means a rigid cube or rectangular shaped device made of wire or thread net used to catch crabs.

“Mainstem Chesapeake Bay” means all tidal waters westward of the shoreward boundary of Virginia’s portion of the federal territorial sea, exclusive of the tributaries of the Chesapeake Bay and Potomac River.

“Seaside Area” means any Virginia tidal waters on the ocean side of Accomack and Northampton counties, including any bays, inlets or other waters that have an open connection to ocean waters.

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“Tributaries of the Mainstem Chesapeake Bay” means those waters outside of the mainstem of the Chesapeake Bay but westward of the shoreward boundary of Virginia’s portion of the federal territorial sea.

**4VAC20-700-20. Cull ring requirements.**

- A. It shall be unlawful for any person to place, set or fish any crab pot, in Virginia's Seaside Area, that does not contain at least two unobstructed cull rings of size and location within the pot, as described in this subsection, except as provided in subsection C of this section. One cull ring shall be at least 2-5/16 inches inside diameter, and the other cull ring shall be at least 2-3/16 inches inside diameter. These cull rings shall be located, one each, in opposite exterior side panels of the upper chamber of the pot.
- B. It shall be unlawful for any person to place, set or fish any crab pot, in any Virginia waters, except as described in subsection A of this section, that does not contain at least two unobstructed, cull rings. The two cull rings shall be at least 2-3/8 inches inside diameter and shall be located, one each, in opposite exterior side panels of the upper chamber of the pot.
- C. Peeler pots with a mesh size less than 1-1/2 inches shall be exempt from the cull ring requirement.

**4VAC20-700-25. Terrapin excluder device requirements.**

It shall be unlawful for any person to place, set, or fish any crab pot for recreational purposes as described in Code of Virginia § 28.2-226(1) and § 28.2-226.2(2) does not have a terrapin excluder device securely fastened inside each entrance funnel. The device shall be a rigid frame made of plastic or wire with a maximum internal height of 1-3/4 inches.

**4VAC20-700-30. Penalty.**

Pursuant to §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

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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 Hampton, Virginia on June 22, 2021.

**COMMONWEALTH OF VIRGINIA  
MARINE RESOURCES COMMISSION**

**BY:** \_\_\_\_\_

**Steven G. Bowman  
Commissioner**

Subscribed and sworn to before me this \_\_\_\_\_ day of June 2021.

\_\_\_\_\_  
Notary Public