

**PREAMBLE**

This chapter establishes a requirement for the use of cull rings in crab pots, 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 which was promulgated May 27, 2008 and made effective on June 1, 2008. The effective date of this chapter, as amended, is March 1, 2009.

**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.

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

“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.

“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. Effective July 1, 2008 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.

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- C. Peeler pots with a mesh size less than 1-1/2 inches shall be exempt from the cull ring requirement.

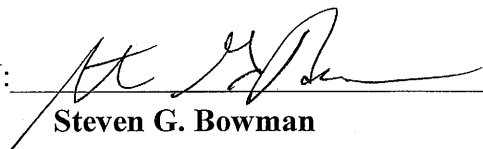
4VAC20-700-30. Penalty.

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 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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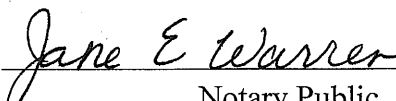
This is to certify that the foregoing is a true and accurate copy of the chapter passed by the Marine Resources Commission, pursuant to authority vested in the Commission by § 28.2-201 of the Code of Virginia, duly advertised according to statute, and recorded in the Commission's minute book, at meeting held in Newport News, Virginia on February 24, 2009.

COMMONWEALTH OF VIRGINIA  
MARINE RESOURCES COMMISSION

BY:   
Steven G. Bowman  
Commissioner

Subscribed and sworn to before me this 26 day of February, 2009.

JANE E. WARREN  
NOTARY PUBLIC  
Commonwealth of Virginia  
Reg. #7191792  
My Commission Expires 3-31-12

  
Notary Public