

"PERTAINING TO ATLANTIC CROAKER"**CHAPTER 4 VAC 20-1370-10 ET SEQ.****PREAMBLE**

This chapter establishes recreational and commercial limitations on the harvest and landings for Atlantic croaker in Virginia waters.

This chapter is promulgated pursuant to the authority contained in § 28.2-201 of the Code of Virginia. The effective date of this chapter is April 15, 2021.

4 VAC 20-1370-10. Purpose.

The purpose of this chapter is to conserve and protect Atlantic croaker stocks in Virginia waters and to be consistent with federal and interstate management measures.

4 VAC 20-1370-20. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

“Atlantic croaker” means any fish of the species *Micropogonias undulatus*.

"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.

“Mate” means any person designated to assist on the charter vessel or for-hire vessel.

“Recreational vessel” means any vessel, kayak, charter vessel, or headboat fishing recreationally.

4 VAC 20-1370-30. Recreational Harvest Limit.

A. It shall be unlawful for any person fishing recreationally with any gear type to harvest or possess more than 50 Atlantic croaker per day.

B. When fishing from a recreational vessel, the possession limit 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 of this section. The operator of the recreational vessel shall be responsible for any recreational vessel possession limit.

4 VAC 20-1370-40. Charter and For-Hire Live Bait Limit.

"PERTAINING TO ATLANTIC CROAKER"

CHAPTER 4 VAC 20-1370-10 ET SEQ.

When intended for use as live bait for a charter or for-hire vessel, it shall be unlawful to possess more than 50 live Atlantic croaker for bait per day, multiplied by the customer capacity of the charter or for-hire vessel.

- 1. The customer capacity of the charter vessel shall not include any person who is the captain or mates.
- 2. The captain of the charter or for-hire vessel shall be responsible for any charter or for-hire live bait limit.

4 VAC 20-1370-50. Commercial Fishery.

It shall be unlawful for any person fishing commercially with any gear type to harvest or land any Atlantic croaker before January 15 of the current calendar year.

4 VAC 20-1370-60. Penalty.

As set forth in § 28.2-903 of the Code of Virginia, any individual 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 individual 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, duly advertised according to statute, and recorded in the Commission's minute book, at the meeting held in Hampton, Virginia, on March 23, 2021.

COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION

BY: *Steven G. Bowman*
Steven G. Bowman
Commissioner

Subscribed and sworn to before me this 31 day of March 2021.

Michele Guilford
Notary Public

