

“PERTAINING TO THE USE OF TRAWLS IN THE TERRITORIAL SEA”

REGULATION 4 VAC 20-420-10 ET. SEQ.

§ 4VAC20-420-10 Purpose.

The purpose of this chapter is to provide for the conservation of Virginia's summer flounder stocks and stocks of other species utilizing the Territorial Sea as a migratory pathway to spawning grounds and nursery areas.

Statutory Authority §§28.2-201 and 28.2-315 of the Code of Virginia.

Historical Notes

Derived from VR450-01-0055 §1; eff. July 1, 1989; amended, Virginia Register Volume 11, Issue 17, eff. April 13, 1995.

§ 4VAC20-420-20 Prohibition.

It shall be unlawful for any person to operate any trawl net or to take or catch fish, crabs or shellfish by use of trawl net within the area between the baseline from which the Territorial Sea is measured and three nautical miles seaward to the Three Nautical Mile Line.

Statutory Authority §§28.2-201 and 28.2-315 of the Code of Virginia.

Historical Notes

Derived from VR450-01-0055 §2; eff. July 1, 1989; amended, Virginia Register Volume 11, Issue 17, eff. April 13, 1995.

§ 4VAC20-420-30 Penalty.

As set forth in §28.2-314 of the Code of Virginia, use of a trawl or similar device in the waters of the Commonwealth of Virginia, unless specifically permitted by the Marine Resources Commission as provided in §28.2-315 of the Code of Virginia, shall be a Class 1 misdemeanor.

Statutory Authority §§28.2-201 and 28.2-315 of the Code of Virginia.

Historical Notes

Derived from VR450-01-0055 §3; eff. July 1, 1989; amended, Virginia Register Volume 11, Issue 17, eff. April 13, 1995.

"PERTAINING TO THE USE OF TRAWLS IN THE TERRITORIAL SEA"

REGULATION 450-01-0055

PREAMBLE

This regulation establishes a prohibition on the use of trawls in Virginia's portion of the Territorial Sea. The use of trawls or similar devices is prohibited in all the waters under Virginia's jurisdiction by §28.2-314 of the Code of Virginia; however, §28.2-315 of the Code of Virginia grants the Marine Resources Commission authority to permit trawling and control the area, manner, method, size and season of catch during certain times in certain areas of Virginia's portion of the Territorial Sea. The Marine Resources Commission has elected not to exercise this authority at this time, and by this regulation affirms its intent to keep Virginia's portion of the Territorial Sea closed to trawling.

This regulation is promulgated pursuant to authority contained in §§28.2-201 and 28.2-315 of the Code of Virginia. This regulation amends previous Regulation 450-01-0055, which was adopted March 7, 1989 and effective July 1, 1989. The effective date of this regulation is April 13, 1995.

§ 1. PURPOSE:

The purpose of this regulation is to provide for the conservation of Virginia's summer flounder stocks and stocks of other species utilizing the Territorial Sea as a migratory pathway to spawning grounds and nursery areas.

§ 2. PROHIBITION:

It shall be unlawful for any person to operate any trawl net or to take or catch fish, crabs or shellfish by use of trawl net within the area between the baseline from which the Territorial Sea is measured and three nautical miles seaward to the Three Nautical Mile Line.

§3. PENALTY:

As set forth in §28.2-314 of the Code of Virginia, use of a trawl or similar device in the waters of the Commonwealth of Virginia, unless specifically permitted by the Marine Resources Commission as provided in §28.2-315 of the Code of Virginia, shall be a Class 1 misdemeanor.

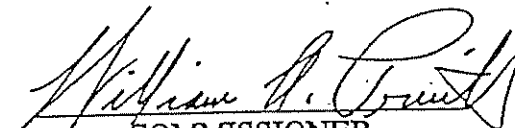
This is to certify that the foregoing is a true and accurate copy of Regulations passed by the Marine Resources Commission, pursuant to authority vested in the Commission by §§ 28.2-201 and 28.2-

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REGULATION 450-01-0055

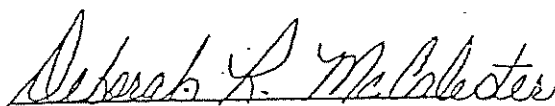
315 of the Code of Virginia, duly advertised according to statute, and recorded in the Commission's minute book, at meeting held in Newport News, Virginia on March 28, 1995.

COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION


COMMISSIONER

Subscribed and sworn to before me this 13th day of April, 1995.

My Commission Expires December 31, 1996.


Notary Public