

## TITLE 4. CONSERVATION AND NATURAL RESOURCES

### MARINE RESOURCES COMMISSION

#### Emergency Regulation

Title of Regulation: **4VAC20-252. Pertaining to the Taking of Striped Bass (amending 4VAC20-252-80 through 4VAC20-252-110, 4VAC20-252-135).**

Statutory Authority: §§ 28.2-201 and 28.2-210 of the Code of Virginia.

Effective Dates: August 27, 2019, through September 26, 2019.

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Preamble:

*The amendments (i) lower the recreational striped bass possession limits and change the recreational striped bass size limits in the Chesapeake Bay area and (ii) establish maximum gill net mesh size requirements for commercial striped bass in the Chesapeake Bay and coastal areas.*

**4VAC20-252-80. Bay spring/summer striped bass recreational fishery.**

A. The open season for the Bay spring/summer striped bass recreational fishery shall be May 16 through June 15 inclusive.

B. The area open for this fishery shall be the Chesapeake Bay and its tributaries.

C. The minimum size limit for this fishery shall be 20 inches total length, and the maximum size limit for this fishery shall be 28 inches total length.

D. The possession limit for this fishery shall be ~~two~~ one fish per person.

**4VAC20-252-90. Bay fall striped bass recreational fishery.**

A. The open season for the bay fall striped bass recreational fishery shall be October 4 through December 31, inclusive.

B. The area open for this fishery shall be the Chesapeake Bay and its tributaries.

C. The minimum size limit for this fishery shall be 20 inches total length.

D. The maximum size limit for this fishery shall be ~~28~~ 36 inches total length; ~~however, the maximum size limit shall only apply to one fish of the possession limit.~~

E. The possession limit for this fishery shall be ~~two~~ one fish per person.

**4VAC20-252-100. Potomac River tributaries summer/fall striped bass recreational fishery.**

A. The open season for the Potomac River tributaries summer/fall striped bass fishery shall correspond to the open summer/fall season as established by the Potomac River Fisheries Commission for the mainstem Potomac River, ~~except as provided in subsection D of this section.~~

B. The area open for this fishery shall be the Potomac River tributaries.

C. The minimum size limit for this fishery shall be 20 inches total length.

D. ~~The maximum size limit for this fishery shall be 28 inches total length from~~ From May 16 through June 15 the maximum size limit for this fishery shall be 28 inches total length.

E. From June 16 through December 31 the maximum size limit for this fishery shall be 36 inches total length.

F. The possession limit for this fishery shall be ~~two~~ one fish per person.

**4VAC20-252-110. Coastal striped bass recreational fishery.**

A. The open seasons for the coastal striped bass recreational fishery shall be January 1 through March 31 and May 16 through December 31, inclusive.

B. The area open for this fishery shall be the coastal area as defined in this chapter.

C. The minimum size limit for this fishery shall be 28 inches total length.

D. The maximum size limit for this fishery shall be 36 inches total length.

E. The possession limit for this fishery shall be one fish per person per day.

**4VAC20-252-135. Gill net mesh size and tending restrictions: exemptions.**

A. Any registered commercial fisherman who is permitted to harvest striped bass from the coastal area in accordance with 4VAC20-252-130 A and C and sets or fishes any gill net in the coastal area shall be prohibited from using a gill net mesh size greater than nine inches in stretched mesh.

B. Any registered commercial fisherman who is permitted to harvest striped bass from the coastal area in accordance with 4VAC20-252-130 A and C and sets or fishes any gill net in the coastal area shall be exempt from the maximum gill net mesh size requirements during November and December as described in 4VAC20-430-65 A and B.

~~B. C.~~ C. Any registered commercial fisherman who is permitted to harvest striped bass from the coastal area in accordance with 4VAC20-252-130 A and C and sets or fishes any gill net seven inches or greater in stretched mesh in the coastal area shall be exempt from the tending requirements described in 4VAC20-430-65 E and F during the months of November and December.

~~C. D.~~ D. Any registered commercial fisherman who is permitted to harvest striped bass from the coastal area in accordance with 4VAC20-252-130 A and C shall display an optic yellow flag issued by the commission while fishing for striped bass in the coastal area and while transiting the coastal area before and after a striped bass fishing trip. This flag shall be prominently displayed on the starboard side of the vessel.

E. Any registered commercial fisherman who is permitted to harvest striped bass from the Chesapeake Bay area in accordance with 4VAC20-252-130 A and C and sets or fishes any gill net in the Chesapeake Bay area shall be prohibited from using a gill net greater than seven inches in stretched mesh with the exception of restricted areas as defined in 4VAC20-751-20.