

TITLE 4. CONSERVATION AND NATURAL RESOURCES

MARINE RESOURCES COMMISSION

Final Regulation

REGISTRAR'S NOTICE: The Marine Resources Commission is claiming an exemption from the Administrative Process Act in accordance with § 2.2-4006 A 11 of the Code of Virginia; however, the commission is required to publish the full text of final regulations.

Title of Regulation: **4VAC20-960. Pertaining to Tautog (amending 4VAC20-960-30, 4VAC20-960-45, 4VAC20-960-47).**

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

Effective Date: March 1, 2018.

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Summary:

The amendments (i) change the second closure of the 2018 commercial season to May 16 through October 31; (ii) change the closure of the 2018 recreational fishing season to May 16 through June 30; and (iii) increase the recreational possession limit to four fish per person.

4VAC20-960-30. Minimum size limits.

A. The minimum size limit of tautog harvested for commercial purposes shall be 15 inches in total length.

B. The minimum size of tautog harvested for recreational purposes shall be 16 inches in total length.

C. It shall be unlawful for any person to possess any tautog ~~smaller~~ of a length less than the designated minimum size limit.

D. Total length shall be measured in a straight line from tip of nose to tip of tail.

4VAC20-960-45. Recreational fishing season and possession limits.

A. It shall be unlawful for any person fishing with hook and line, rod and reel, spear, gig or other recreational gear to possess more than ~~three~~ four tautog. When fishing is from a boat or vessel where the entire catch is held in a common hold or container, the possession limit shall be for the boat or vessel and shall be equal to the number of persons on board legally eligible to fish multiplied by ~~three~~ four. The captain or operator of the boat or vessel shall be responsible for any boat or vessel possession limit. Any tautog taken after the possession limit has been reached shall be returned to the water immediately.

B. Possession of any quantity of tautog ~~which~~ that exceeds the possession limit described in subsection A of this section shall be presumed to be for commercial purposes.

C. The recreational fishing season shall be closed from May ~~+~~ 16 through ~~September 19~~ June 30.

D. It shall be unlawful for any person fishing recreationally to take, catch, or possess any tautog during any closed recreational fishing season.

4VAC20-960-47. Commercial fishing season and possession limits.

The commercial fishing season shall be closed from January 22 through the last day of February and May + 16 through October 31, and it shall be unlawful for any person to possess tautog for commercial purposes during this period.

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