



townhall.virginia.gov

Exempt Action: Final Regulation Agency Background Document

Agency name	Virginia Marine Resources Commission
Virginia Administrative Code (VAC) Chapter citation(s)	4 VAC 20-1140
VAC Chapter title(s)	Prohibition of Crab Dredging in Virginia Waters
Action title	Closure of crab dredging in Virginia waters for the 2024-2024 season.
Final agency action date	July 5, 2024
Date this document prepared	May 20, 2024

This information is required for executive branch review pursuant to Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19. In addition, this information is required by the Virginia Registrar of Regulations pursuant to the Virginia Register Act (§ 2.2-4100 et seq. of the Code of Virginia). Regulations must conform to the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

The Virginia Marine Resources Commission (VMRC) proposes to amend Chapter 4VAC20-1140-10 et seq., "Prohibition of Crab Dredging in Virginia Waters", to close the December 1, 2024, through March 31, 2025, winter commercial crab dredge fishing season, in accordance with the provisions of Section 28.2-707 of the Code of Virginia.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in the

ORM procedures, “a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part.”

[Mandate] VMRC is authorized by § 28.2-201 of the Code of Virginia to promulgate regulations and guidelines necessary to carry out the provisions of Title 28.2.

[Impetus] Since 2008, when Virginia effected a large decrease in harvest to conserve a consistently low blue crab population, the winter crab dredge fishery season has remained closed. The winter crab dredge fishery season is from December 1 to the following March 31. During these months, most of the crabs available for harvest matured from the juvenile stage in the previous winter. The majority of the overwintering female crabs are pre-spawners, and studies have shown that the dredge fishery harvested mostly (95%) female crabs. A winter dredge fishery season, especially when blue crab adult female abundance has not achieved the desired target, could negatively affect subsequent spawning events and crab pot harvest. For these reasons, staff recommends closing the upcoming 2024/2025 winter crab dredge fishery season.

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

This is to certify that the foregoing is a true and accurate copy of the chapter (4VAC20-1140-10 et seq., “Prohibition of Crab Dredging in Virginia Waters”, 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 Hampton, Virginia on June 25, 2024.