

“PERTAINING TO RESTRICTIONS ON OYSTER HARVEST”

EMERGENCY CHAPTER 4 VAC 20-720-10 ET SEQ.

PREAMBLE

This emergency chapter establishes times of closure and other restrictions, for conservation purposes, on the harvest of oysters from all oyster grounds in the tidal waters of the Commonwealth. This emergency chapter is promulgated pursuant to authority contained in §§ 28.2-201, 28.2-507, 28.2-210, and 28.2-518 of the Code of Virginia. This emergency chapter amends and re-adopts, as amended, previous Chapter 4 VAC 20-720-10 et seq., which was adopted October 28, 2025, and made effective October 31, 2025. The effective date of this emergency chapter, as amended, is April 1, 2026.

4VAC20-720-10. Purpose.

The purpose of this emergency chapter is to conserve Virginia's oyster resources, especially oyster broodstock.

4VAC20-720-40. Open oyster harvest season, harvest areas, and harvest limits.

A. It shall be unlawful for any person to harvest oysters from public and unassigned grounds, except within the dates and areas and with the harvest gears set forth in this section.

B. It shall be unlawful to harvest clean cull oysters from the public oyster grounds and unassigned grounds, except within the seasons and areas and with the harvest gears as described in Table 1 in this subsection.

It shall be unlawful to exceed the daily individual bushel harvest limit or the daily vessel bushel limit of clean cull oysters in Table 1 in this subsection.

| Table 1. Clean Cull Oyster Harvest Area, Harvest Dates, Harvest Gear, and Daily Bushel Limits | | | | |
|--|---|--------------|-------------------------------|---------------------------|
| Harvest Area | Harvest Dates | Harvest Gear | Daily Individual Bushel Limit | Daily Vessel Bushel Limit |
| Great Wicomico River Rotation Area 1 | December 1, 2025, through December 31, 2025 | Hand Scrape | 8 | 16 |
| Great Wicomico River Rotation Area 2 | January 1, 2026, through January 31, 2026 | Hand Scrape | 8 | 16 |

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| James River Area 1, 2, and 3 | October 15, 2025, through March 31, 2026 | Hand Scrape | 8 | 16 |
| Mobjack Bay Area | February 1, 2026, through March 15, 2026 | Hand Scrape | 8 | 16 |
| Piankatank River Area | February 1, 2026, through March 15, 2026 | Hand Scrape | 8 | 16 |
| Pocomoke Sound Area Public Ground 10 | February 16, 2026, through February 28, 2026 | Hand Scrape | 8 | 16 |
| Rappahannock River Area 7 | December 1, 2025, through December 31, 2025 | Hand Scrape | 8 | 16 |
| Rappahannock River Area 8 | March 1, 2026, through March 15, 2026 | Hand Scrape | 8 | 16 |
| Rappahannock River Rotation Area 2 | February 1, 2026, through March 15, 2026 | Hand Scrape | 8 | 16 |
| Rappahannock River Rotation Area 4 | October 15, 2025, through November 30, 2025 | Hand Scrape | 8 | 16 |
| Upper Chesapeake Bay - Blackberry Hangs Area | February 1, 2026, through March 15, 2026 | Hand Scrape | 8 | 16 |
| White Shoal | November 1, 2025, through February 28, 2026 | Hand Scrape | 8 | 16 |
| Corrotoman Hand Tong Area | October 1, 2025, through March 31, 2026 | Hand Tong | 14 | 28 |
| Indian Creek | October 1, 2025, through March 31, 2026 | Hand Tong | 14 | 28 |
| James River Seed Area, including the Deep Water Shoal State Replenishment Seed Area | October 1, 2025, through May 31, 2026 | Hand Tong | 14 | 28 |
| James River Areas 1, 2, and 3 | October 1, 2025, through October 14, 2025, and April 1, 2026, through May 31, 2026 | Hand Tong | 14 | 28 |

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|--|---|---------------|----|----|
| Little Wicomico River | October 1, 2025, through December 31, 2025 | Hand Tong | 14 | 28 |
| Milford Haven | December 1, 2025, through February 28, 2026 | Hand Tong | 14 | 28 |
| Mobjack Bay Area | October 1, 2025, through January 31, 2026 | Hand Tong | 14 | 28 |
| Nomini Creek Area | October 1, 2025, through December 31, 2025 | Hand Tong | 14 | 28 |
| Piankatank River Area | October 1, 2025, through January 31, 2026 | Hand Tong | 14 | 28 |
| Pocomoke Sound Area Public Ground 10 | October 1, 2025, through February 15, 2026, and March 1, 2026, through March 31, 2026 | Hand Tong | 14 | 28 |
| Pocomoke Sound Hand Tong Area | October 1, 2025, through March 31, 2026 | Hand Tong | 14 | 28 |
| Rappahannock River Area 9 | October 1, 2025, through April 14, 2026 | Hand Tong | 14 | 28 |
| White Shoal | October 1, 2025, through October 31, 2025, and March 1, 2026, through May 31, 2026 | Hand Tong | 14 | 28 |
| York River Hand Tong Area | October 1, 2025, through March 15, 2026 | Hand Tong | 14 | 28 |
| York River Rotation Areas 1 and 2 | October 1, 2025, through March 15, 2026 | Hand Tong | 14 | 28 |
| Pocomoke and Tangier Sound Rotation Area 1 | December 1, 2025, through March 15, 2026 | Oyster Dredge | 8 | 16 |
| Thorofare | November 15, 2025, through November 30, 2025 | Oyster Dredge | 8 | 16 |
| Deep Rock Area and Chesapeake Bay Patent Tong Area | November 1, 2025, through March 31, 2026 | Patent Tong | 8 | 16 |

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| Seaside Eastern Shore | November 1, 2025, through March 31, 2026 | By Hand or Hand Tong | 14 | 28 |
|-----------------------|--|----------------------|----|----|

C. It shall be unlawful to harvest seed oysters from the public oyster grounds or unassigned grounds, except within the dates and areas and with the harvest gears described in Table 2 in this subsection.

| Table 2. Seed Oyster Harvest Area, Harvest Dates, and Harvest Gear | | |
|---|---------------------------------------|--------------|
| Harvest Area | Harvest Dates | Harvest Gear |
| James River Seed Area, including the Deep Water Shoal State Replenishment Seed Area | October 1, 2025, through May 31, 2026 | Hand Tong |

D. In the Pocomoke and Tangier Sounds Rotation Areas, it shall be unlawful to possess on board any vessel more than 250 hard clams.

E. It shall be unlawful to possess any blue crabs on board any vessel with an oyster scrape or oyster dredge.

F. It shall be unlawful for any person or vessel to harvest clean cull oysters with more than one gear type in any single day from the public oyster grounds or unassigned grounds in the waters of the Commonwealth of Virginia.

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, 28.2-507, 28.2-210, and 28.2-518, 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 31, 2026.

VIRGINIA MARINE RESOURCES COMMISSION

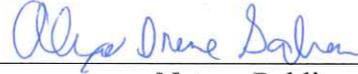
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COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION

BY: 
Joseph D. Grist
Acting
Commissioner

Subscribed and sworn to before me this 31 day of March 2026.


Notary Public

