

Shellfish Violations	Impact/Threat	Recommended Sanction – Single Violation	Recommended Sanction – Two or more violations in 2 years, with listed offense being the most serious	Recommended Sanction – Listed offense occurred during probationary period	Recommended Sanction – Listed offense occurred during revocation period
Illegally harvesting oysters or clams from private (leased) grounds	Resource & Public Health	3 year probation	2 year revocation of all shellfish licenses and privileges	3 year revocation of all licenses and privileges	5 year revocation of all licenses and privileges
Harvesting oysters or clams during a closed public season	Resource	3 year probation	2 year revocation of all shellfish licenses and privileges	3 year revocation of all licenses and privileges	5 year revocation of all licenses and privileges
Harvesting oysters or clams from a condemned area	Public Health	1 year revocation of gear license and privileges & concurrent 5 year probation	3 year revocation of all shellfish licenses and privileges	4 year revocation of all licenses and privileges	5 year revocation of all licenses and privileges
Harvesting oysters or clams from a sanctuary	Resource	3 year probation	2 year revocation of all shellfish licenses and privileges	3 year revocation of all licenses and privileges	5 year revocation of all licenses and privileges
Failure to follow warm water restrictions (incl. daily time limits)	Public Health	1 year revocation of gear license and privileges & concurrent 5 year probation	3 year revocation of all shellfish licenses and privileges	4 year revocation of all licenses and privileges	5 year revocation of all licenses and privileges
Catching at least 50% over the limit of shellfish	Resource	3 year probation	1 year revocation of all shellfish licenses and privileges	1 year revocation of all licenses and privileges	3 year revocation of all licenses and privileges

**Notes:** (1) The Commission has the discretion to impose a civil penalty in certain circumstances and revoke fishing privileges under other circumstances. The Commission makes such determinations on a case-by-case basis.

(2) Where an offender has multiple violations within a 2-year period, the recommended sanction is determined by assessing what sanction is prescribed in the “Recommended Sanction – Two or more violations in 2 years” column for each charge and taking the most severe.

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Catching at least 25% over the limit of shellfish	Resource	N/A	2 year probation	1 year revocation of all shellfish licenses and privileges	1 year revocation of all licenses and privileges
Possession of at least 50% over the tolerance of undersized shellfish	Resource	1 year probation	6 month revocation of all shellfish licenses and privileges	1 year revocation of all licenses and privileges	3 year revocation of all licenses and privileges
Harvesting oysters without an oyster resource user fee and gear license	Resource	1 year probation	1 year revocation of all licenses and privileges	2 year revocation of all licenses and privileges	2 year revocation of all licenses and privileges
Non-Virginia residents harvesting oysters	Resource	3 year probation	2 year revocation of all licenses and privileges	3 year revocation of all licenses and privileges	5 year revocation of all licenses and privileges
Failure to tag shellfish at point of harvest	Resource	N/A	1 year probation	1 year revocation of all shellfish licenses and privileges	2 year revocation of all licenses and privileges

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<b>Crab Violations</b>	<b>Impact/Threat</b>	<b>Recommended Sanction – Single Violation</b>	<b>Recommended Sanction – Two or more violations in 2 years, with listed offense being the most serious</b>	<b>Recommended Sanction – Listed offense occurred during probationary period</b>	<b>Recommended Sanction – Listed offense occurred during revocation period</b>
Crabbing without a license (without eligibility)	Resource	1 year probation	1 year revocation of all crabbing licenses and privileges	1 year revocation of all licenses and privileges	2 year revocation of all licenses and privileges
Possession of more than 20 undersized crabs per bushel (70 per barrel)	Resource	N/A	2 year probation	1 year revocation of all crabbing licenses and privileges	2 year revocation of all licenses and privileges
Possession of 20 or more dark sponge crabs per bushel (70 per barrel)	Resource	N/A	2 year probation	1 year revocation of all crabbing licenses and privileges	2 year revocation of all licenses and privileges
Exceeding bushel limit by 5 bushels or more	Resource	N/A	2 year probation	1 year revocation of all crabbing licenses and privileges	2 year revocation of all licenses and privileges
Place/set/fish crab pots exceeding license limit by 10% or more	Resource	1 year probation	1 year revocation of all crabbing licenses and privileges	2 year revocation of all licenses and privileges	3 year revocation of all licenses and privileges
Crabbing outside of lawful season or 1 hour or more outside of lawful daily time limit	Resource	N/A	1 year probation	1 year revocation of all crabbing licenses and privileges	2 year revocation of all licenses and privileges
Crabbing without a license (with eligibility)	Resource	N/A	1 year probation	1 year revocation of all licenses and privileges	3 year revocation of all licenses and privileges

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Unapproved person working as crab agent	Resource	N/A	2 year probation	1 year revocation of all crabbing licenses and privileges	2 year revocation of all licenses and privileges
Possession of horseshoe crabs out of season (with eligibility)	Resource	N/A	1 year probation	1 year revocation of all crabbing licenses and privileges	2 year revocation of all licenses and privileges
Possession of horseshoe crabs out of season (without eligibility)	Resource	N/A	2 year probation	2 year revocation of all crabbing licenses and privileges	3 year revocation of all licenses and privileges
Catching 25% over the limit of horseshoe crabs	Resource	1 year probation	1 year revocation of all crabbing licenses and privileges	1 year revocation of all licenses and privileges	3 year revocation of all licenses and privileges
Take hard crabs from fish pot	Resource	2 year probation	1 year revocation of all crabbing licenses and privileges	1 year revocation of all licenses and privileges	2 year revocation of all licenses and privileges
Baited peeler pots	Resource	2 year probation	1 year revocation of all crabbing licenses and privileges	1 year revocation of all licenses and privileges	2 year revocation of all licenses and privileges
Obstructed cull rings	Resource	N/A	2 year probation	1 year revocation of all crabbing licenses and privileges	2 year revocation of all licenses and privileges
Crabbing within the blue crab sanctuary	Resource	N/A	2 year probation	1 year revocation of all crabbing licenses and privileges	2 year revocation of all licenses and privileges

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<b>Commercial finfish Violations</b>	<b>Impact/Threat</b>	<b>Recommended Sanction – Single Violation</b>	<b>Recommended Sanction – Two or more violations in 2 years, with listed offense being the most serious</b>	<b>Recommended Sanction – Listed offense occurred during probationary period</b>	<b>Recommended Sanction – Listed offense occurred during revocation period</b>
Exceeding possession limit (100% or 1,000 pounds over limit, whichever is more restrictive)	Resource	N/A	2 year probation	1 year revocation of all commercial finfish licenses and privileges	2 year revocation of all licenses and privileges
Possession of over- or undersized fish (50% or more of total landings)	Resource	N/A	2 year probation	2 year revocation of all commercial finfish licenses and privileges	2 year revocation of all licenses and privileges
Possession of striped bass out of season	Resource	1 year probation	1 year revocation of all commercial finfish licenses and privileges	1 year revocation of all licenses and privileges	3 year revocation of all licenses and privileges
Possession of spiny dogfish out of season	Resource	N/A	1 year probation	1 year revocation of all commercial finfish licenses and privileges	2 year revocation of all licenses and privileges
Possession of sharks out of season	Resource	N/A	1 year probation	1 year revocation of all commercial finfish licenses and privileges	2 year revocation of all licenses and privileges
Fishing pots without a fish pot license	Resource	N/A	1 year probation	1 year revocation of all commercial finfish licenses and privileges	2 year revocation of all licenses and privileges

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(2) Where an offender has multiple violations within a 2-year period, the recommended sanction is determined by assessing what sanction is prescribed in the “Recommended Sanction – Two or more violations in 2 years” column for each charge and taking the most severe.

<b>Commercial finfish violations</b>	<b>Impact/Threat</b>	<b>Recommended Sanction – Single Violation</b>	<b>Recommended Sanction – Two or more violations in 2 years, with listed offense being the most serious</b>	<b>Recommended Sanction – Listed offense occurred during probationary period</b>	<b>Recommended Sanction – Listed offense occurred during revocation period</b>
Fishing in a restricted area	Resource	N/A	1 year probation	1 year revocation of all commercial finfish licenses and privileges	2 year revocation of all licenses and privileges
Fishing during a closed season	Resource	2 year probation	1 year revocation of all commercial finfish licenses and privileges	1 year revocation of all licenses and privileges	3 year revocation of all licenses and privileges
Possession of untagged striped bass	Resource	2 year probation	1 year revocation of all commercial finfish licenses and privileges	1 year revocation of all licenses and privileges	3 year revocation of all licenses and privileges
Failure to possess a commercial license (without eligibility)	Resource	2 year probation	1 year revocation of all licenses and privileges in one of the following fisheries: shellfish, crab, or commercial finfish	1 year revocation of all licenses and privileges	3 year revocation of all licenses and privileges
Failure to possess a commercial license (with eligibility)	Resource	N/A	1 year probation	1 year revocation of all licenses and privileges in one of the following fisheries: shellfish, crab, or commercial finfish	2 year revocation of all licenses and privileges

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Failure to submit mandatory harvest reports	Resource	N/A	1 year probation	1 year revocation of all licenses and privileges in one of the following fisheries: shellfish, crab, or commercial finfish	2 year revocation of all licenses and privileges
Gear convictions (mesh size, fixed fishing devices, etc.)	Resource/ Public Safety	N/A	1 year probation	1 year revocation of all licenses and privileges in one of the following fisheries: shellfish, crab, or commercial finfish	2 year revocation of all licenses and privileges
Improper use of commercial harvester tags	Resource	N/A	1 year probation	1 year revocation of all licenses and privileges in one of the following fisheries: shellfish, crab, or commercial finfish	2 year revocation of all licenses and privileges

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<b>Recreational finfish Violations</b>	<b>Impact/Threat</b>	<b>Recommended Sanction – Single Violation</b>	<b>Recommended Sanction – Two or more violations in 2 years, with listed offense being the most serious</b>	<b>Recommended Sanction – Listed offense occurred during probationary period</b>	<b>Recommended Sanction – Listed offense occurred during revocation period</b>
Exceeding possession limit (100% or 3 fish over limit, whichever is greater)	Resource	1 year probation	1 year revocation of all recreational licenses and privileges	1 year revocation of all licenses and privileges	2 year revocation of all licenses and privileges
Failure to possess charter boat license	Resource/ Public Safety	1 year probation	1 year revocation of all recreational licenses and privileges	2 year revocation of all recreational licenses and privileges	3 year revocation of all licenses and privileges
Possession of sharks out of season	Resource	N/A	1 year probation	1 year revocation of all recreational licenses and privileges	2 year revocation of all licenses and privileges
Fishing in a restricted area	Resource	N/A	1 year probation	1 year revocation of all recreational licenses and privileges	2 year revocation of all licenses and privileges
Alteration of finfish	Resource	N/A	1 year probation	1 year revocation of all recreational licenses and privileges	2 year revocation of all licenses and privileges
Possession of striped bass out of season	Resource	N/A	1 year probation	1 year revocation of all recreational licenses and privileges	2 year revocation of all licenses and privileges

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<b>Recreational finfish violations</b>	<b>Impact/Threat</b>	<b>Recommended Sanction – Single Violation</b>	<b>Recommended Sanction – Two or more violations in 2 years, with listed offense being the most serious</b>	<b>Recommended Sanction – Listed offense occurred during probationary period</b>	<b>Recommended Sanction – Listed offense occurred during revocation period</b>
Fishing during closed season (general)	Resource	N/A	1 year probation	1 year revocation of all recreational licenses and privileges	2 year revocation of all licenses and privileges
Possession of over- or undersized fish (100% or more of total catch)	Resource	N/A	2 year probation	1 year revocation of all recreational licenses and privileges	2 year revocation of all licenses and privileges
Possession of over- or undersized fish (50% or more of total catch)	Resource	N/A	1 year probation	1 year revocation of all recreational licenses and privileges	2 year revocation of all licenses and privileges
Exceeding possession limits	Resource	N/A	2 year probation	1 year revocation of all recreational licenses and privileges	2 year revocation of all licenses and privileges
Failure to possess a recreational license	Resource	N/A	1 year probation	1 year revocation of all licenses and privileges in one of the following fisheries: shellfish, crab, or commercial finfish	2 year revocation of all licenses and privileges

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Failure to submit mandatory harvest reports	Resource	N/A	1 year probation	1 year revocation of all licenses and privileges in one of the following fisheries: shellfish, crab, or commercial finfish	2 year revocation of all licenses and privileges
Gear convictions (mesh size, fixed fishing devices, etc.)	Resource/ Public Safety	N/A	1 year probation	1 year revocation of all licenses and privileges in one of the following fisheries: shellfish, crab, or commercial finfish	2 year revocation of all licenses and privileges

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<b>Buyer Violations</b>	<b>Impact/Threat</b>	<b>Recommended Sanction – Single Violation</b>	<b>Recommended Sanction – Two or more violations in 2 years, with listed offense being the most serious</b>	<b>Recommended Sanction – Listed offense occurred during probationary period</b>	<b>Recommended Sanction – Listed offense occurred during revocation period</b>
Failure to purchase seafood buyer’s license (POB/truck/boat)	Resource	1 year probation	1 year revocation of all licenses and privileges	2 year revocation of all licenses and privileges	3 year revocation of all licenses and privileges
Failure to obtain species specific buyer’s permit	Resource	N/A	1 year probation	1 year revocation of all licenses and privileges	2 year revocation of all licenses and privileges
Failure to obtain and maintain a certified scale	Resource	N/A	1 year probation	1 year revocation of all licenses and privileges	2 year revocation of all licenses and privileges
Purchase of seafood from an unlicensed commercial registration license holder	Resource	1 year probation	1 year revocation of all licenses and privileges	2 year revocation of all licenses and privileges	3 year revocation of all licenses and privileges

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