

AGENDA
MARINE RESOURCES COMMISSION
MAY 26, 2026

** APPROVAL OF AGENDA.

1. MINUTES of previous meeting.
2. CONSENT AGENDA ITEMS.
3. CLOSED MEETING FOR CONSULTATION WITH, OR BRIEFING BY, COUNSEL.
4. **PUBLIC COMMENTS**
5. PERMITS (Projects over \$1,000,000 with no objections and with staff recommendation for approval).
6. **C. MARSHAL FLAGG, JR. and ELENA F. FLAGG, VMRC #2026-0543,**
requests authorization to construct two (2) 80-foot stone breakwaters and one (1) 35-foot stone spur, backfilled with clean sand and native wetland plantings for the construction of a living shoreline adjacent to 188 and 256 Bayview Lane, situated along Indian Creek in Lancaster County. The project is protested by an adjacent property owner.
7. **RAYMOND CHALLONER, VMRC #2026-0182,**
requests authorization to install 208 linear feet of riprap, the toe of which may be installed a maximum of 12 feet channelward of the existing bulkhead, and to remove an existing groin and top dress an existing 60-foot groin serving 15 Barclay Road, situated along the James River in Newport News. This project requires a VMRC Beaches and Dunes permit.
8. **CHARLES DUKE, VMRC NTC #25-05,**
requests reconsideration of Commission order to refer Mr. Duke to Virginia Department of Professional and Occupational Regulation for failure to comply with NTC #25-05 regarding a violation of VMRC Permit #24-1044.
9. **PUBLIC HEARING**
Proposal to adopt Chapter 4VAC 20-1420., "Pertaining to Atlantic Tarpon", to establish prohibitions on recreational and commercial harvest and create further gear limitations to decrease the likelihood of mortality on the migratory population of tarpon encountered in Virginia's territorial waters.
10. LICENSE STATUS REQUEST.

AGENDA

PAGE 2 ITEMS

2A. YORK RIVER YACHT HAVEN, VMRC #2026-0319,

requests authorization to install and backfill 647 linear feet of vinyl bulkhead two (2) feet channelward of a failing bulkhead, install two (2) 3-foot by 35-foot finger piers and four (4) boatlifts on F Dock, install seven (7) 3-foot by 30-foot finger piers and eight (8) boatlifts on G Dock, install 34 floating and fixed finger piers of varying widths and lengths creating 40 boat slips on H Dock with 22 boatlifts, and install a 4.5-foot by 505-foot access dock and a 6-foot by 322-foot floating access dock on H Dock - along Sarah Creek at 8109 Yacht Club Road in Gloucester County. Staff recommends approval of the project with a special permit condition to hold a pre-construction meeting with the permittee and contractor. The project requires a VMRC Subaqueous Permit.

2B. STEPHEN RICHARD, VMRC #2025-2003,

requests authorization to remove and replace five (5) 48-foot low-profile timber groins; reconstruct one (1) 48-foot low-profile stone groin; and to install two (2) 48-foot low-profile stone groins at 199 and 221 Shellfield Road, situated along the Rappahannock River in Essex County. This project requires a VMRC Wetlands Permit and General Permit #2 (Groin).

2C. CHARLES TANGO, VMRC #2022-2429,

requests authorization to construct and backfill 80 linear feet of vinyl bulkhead and install 65 linear feet of stone revetment at 5237 Pickett River Drive, situated along the James River in Henrico County. Staff recommends approval with the purchase of Virginia Stream and Wetland Mitigation Program credits to compensate for proposed tidal wetland impacts. This project requires a VMRC Wetlands permit.

AGENDA

PAGE 3 ITEMS

3A. FORD'S COLONY AT WILLIAMSBURG HOMEOWNERS ASSOCIATION, VMRC #2026-0125,

requests after-the-fact authorization to retain a 9.5-foot by 19.5-foot floating dock, a 5-foot by 12-foot kayak launch with handrails, and a 5-foot by 36-foot aluminum gangway along Gordon Creek at 3475 Westport in James City County. Staff recommends approval with triple permit fees of \$900.00, triple royalties of \$108.00, and a civil charge of \$6,000.00, which the applicant has agreed to pay, in lieu of further enforcement action.

MINUTES

COMMISSION MEETING

April 21, 2026

The meeting of the Marine Resources Commission was held at the Marine Resources Commission main office at 380 Fenwick Road, Bldg. 96, Fort Monroe, Virginia with the following present:

Joseph Grist	Acting Commissioner
Patrick Hand	
Lynn Kellum	
A.J. Erskine	
William Bransom	
Jeremy Headley	Associate Members
Jeanette Edwards	
Thomas Preston	
Preston White	
Kelci Block	Assistant Attorney General
Gerald Pitt	1 st . Sgt., Marine Police
Randy Owen	Chief, Habitat Management
Justin Worrell	Deputy Chief, Habitat Management
Claire Gorman	Engineer, Habitat Management
Brad Reams	Engineer, Habitat Management
Ethan Simpson	Deputy Chief, Fisheries Management
Alexa Galvan	Fisheries Management
Adam Kenyon	Chief, Shellfish Management
Andrew Button	Deputy Chief, Shellfish Management

Virginia Institute of Marine Science (VIMS):

Lyle Varnell	Emily Hein	Megan Lafeyre
David Rudders	Alex Sabo	

Commission Meeting

Others present:

Suzanne Ash	Tom Fenn	David Bleeker
Eric Braker	Brian Owen	Gary Kellessk
Sharon Neal	Kelley Singleton	Hannah Darby
Jennifer Hume	John Waechter	Phil Zalisak
Jim Rogers	Ross Kellum	Kevin Knowles
Cindy Morgan	Cindy Mogan	Steven Morse
Ross Robbins	Karia Havens	J.C. Hudgins
Natalie Peoples	David Rudders	Pamel D'Angelo

and others.

* * * * *

APPROVAL OF AGENDA. – Acting Commissioner Joseph Grist asked if there were any changes from the Board members or staff.

Associate Member Headley moved to approve the agenda as presented. Associate Member Erskine seconded the motion. The motion carried, 7-0. Associate Member Hand was not present during the vote.

* * * * *

MINUTES: Acting Commissioner Grist asked if there were any changes or corrections to be made to the March 31, 2026, Commission Meeting minutes.

Associate Member Bransom moved to approve the minutes as presented. Associate Member Headley seconded the motion. The motion carried, 7-0. Associate Member Hand was not present during the vote.

* * * * *

Acting Commissioner Grist swore in the VMRC staff and VIMS staff that would be speaking or presenting testimony during the meeting.

* * * * *

2. CONSENT AGENDA ITEMS: There were no Consent Agenda Items presented.

* * * * *

3. CLOSED MEETING FOR CONSULTATION WITH, OR BRIEFING BY, COUNSEL. – No meeting needed

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4. PUBLIC COMMENT:

* * * * *

5. PETITION FOR RULEMAKING

Petitioner Ms. Tanya O'Connor requests the following:

1. Grant this petition by adopting a temporary moratorium on purse-seine reduction fishing for menhaden within the Chesapeake Bay and initiating rulemaking to amend 4VAC 20-1270-35.
2. Maintain the moratorium until VMRC has affirmatively demonstrated, on the administrative record, compliance with all applicable statutory and public trust obligations.

There were several people that spoke both in support and in opposition to the petition for rulemaking. Their comments are a part of the verbatim record

The matter was before the Commission for discussion and action.

Associate Member Preston moved to deny the petition base on the most available science data presented. Associate Member Headley seconded the motion. The motion carried, 6-2. Associate Members White and Hand voted no.

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6. DISCUSSION: Waterway Maintenance Fund Applications.

Alicia Nelson, Natural Resource Manager, gave the briefing of the information provided in the staff's evaluation, with PowerPoint slides. for the Associate Members. Ms. Nelson's comments are a part of the verbatim record.

Kellen Singleton, Coastal Project Manager, was sworn in and spoke on behalf of Accomack-Northampton Planning District Commission. His comments are part of the

verbatim record.

Mindy Strevis was sworn in and gave a presentation for the Middle Peninsula. Her comments are a part of the verbatim record.

The matter was before the Commission for discussion and action.

Associate Member Preston moved to approve to fund Eastern Shore work for \$1,000,000 and Middle Peninsula for \$500,000 as presented. Associate Member Edwards seconded the motion. The motion carried, 6-0-1. Associate Member Hand abstained. Associate Member White was not present during the vote.

* * * * *

7. **PERMITS** (Projects over \$500,000.00 with no objections and with staff recommendation for approval).

Justin Worrell, Deputy Chief, Habitat Management, reviewed the Page 2 items 2A and 2B for the Associate Members. Mr. Worrell's comments are a part of the verbatim record.

- 2A SKANSKA USA, VMRC #2025-2462**, requests authorization to install and backfill a 228 linear-foot steel bulkhead, a maximum of two feet channelward of the existing structure, replace five (5) existing mooring dolphins, and to mechanically dredge up to 84 cubic yards of state-owned submerged lands to maximum depths of minus seven (-7) feet mean low water from the Southern Branch of the Elizabeth River adjacent to their commercial facility at 123 Sampson Creek Road in the city of Chesapeake. Dredged material will be offloaded on-site and transported via truck to the Dominion Recycling Center. Staff recommends approval including a royalty of \$2,280.00 for the fill of 456 square feet of state-owned submerged lands at a rate of \$5.00 / square foot, \$50.40 for the dredging of 84 cubic yards of submerged material at a rate of \$0.60 / cubic yard, and \$69,862.00 for the encroachment of 34,931 square feet of state-owned submerged lands at a rate of \$2.00 / square foot. This project requires a Subaqueous permit.
- 2B UPPER BRANDON FARM, LLC, #2025-1537**, requests authorization to construct an 8-foot wide by 307-foot long multi-user, open-pile pier; and to

construct 610 linear feet of living shoreline consisting of three 25-foot wide riprap breakwaters (totaling 530 linear feet), a 215-foot long backshore riprap revetment, sand nourishment and wetlands plantings, and channelward extensions of an existing 15-inch pond overflow pipe and an 8-inch dry hydrant intake pipe - adjacent to 1802 Upper Brandon Road, situated along the James River in Prince George County. This project requires a Tidal Wetlands permit.

Associate Member Erskine moved to approve Page 2 items 2A and 2B as presented. Associate Member Headley seconded the motion. The motion carried, 7-0. Associate Member White was not present during the vote.

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- 8. **ROBBINS MARITIME, INC., VMRC #2025-1590**, requests authorization to construct and backfill 66 linear feet of steel bulkhead a maximum of 10 feet channelward of the existing structure, and to install 13 mooring dolphins adjacent to 914 Pearl Street, situated along the Elizabeth River in the City of Norfolk.

Claire Gorman, Environmental Engineer, Habitat Management, gave the briefing of the information provided in the staff’s evaluation, with PowerPoint slides. for the Associate Members. Ms. Gorman’s comments are a part of the verbatim record.

Three representatives were present and two of them spoke on behalf of Robbins Maritime Inc. Their comments are a part of the verbatim record.

The matter was before the Commission for discussion and action.

Associate Member Erskine moved to approve the project as presented. Associate Member Preston seconded the motion. The motion carried, 6-1. Associate Member Headley voted no. Associate Member White was not present during the vote.

* * * * *

- 9. **JAMES MISHLER, VMRC #2025-2275**, requests authorization to construct a 17-foot by 36-foot open-sided boathouse onto an existing statutorily authorized private pier situated along College Creek at 110A Archers Hope Drive in James City County. This project is protested by an adjacent property owner.

Brad Reams, Environmental Engineer, Habitat Management, gave the briefing of the information provided in the staff's evaluation, with PowerPoint slides. for the Associate Members. Mr. Ream's comments are a part of the verbatim record.

Carla Havens, agent for the applicant, was sworn in and spoke. Her comments are a part of the verbatim record.

The matter was before the Commission for discussion and action.

Associate Member Headley moved to approve the project as presented. Associate Member Edwards seconded the motion. The motion carried, 7-0. Associate Member White was not present during the vote.

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10. PUBLIC HEARING

Proposed amendments to Chapter 4 VAC 20-950, "Pertaining to Black Sea Bass" to establish the recreational management measures for black sea bass, including a minimum size limit of no less than 12.5 inches, and amend the annual commercial quota determination.

Alexa Galvan, Fisheries Management, gave a briefing of the information provided in the staff's evaluation, with PowerPoint slides for the Associate Members. Ms. Galvan's comments are a part of the verbatim record.

The matter was before the Commission for discussion and action.

Associate Member Bransom made a motion to set the management measures for the 2026 regular recreational season as May 1 to December 31 with a 13" minimum size limit and 15 fish bag limit and for the 2027 regular recreational season as April 1 to December 31 with a 13" minimum size limit and 15 fish bag limit as presented. Associate Member Hand seconded the motion. The motion carried, 7-0. Associate Member White was not present during the vote.

Associate Member Bransom made a motion to close the 2026 recreational season from May 1 to May 10 to pay back the February 2026 landings. Associate Member Hand seconded the motion. The motion carried, 7-0. Associate Member White was not present during the vote.

Associate Member Bransom moved to approve the recommended commercial quota change to the regulation pertaining to Chapter 4 VAC 20-950, "Pertaining to Black Sea Bass" Associate Member Hand seconded the motion. The motion carried, 7-0. Associate Member White was not present during the vote.

* * * * *

11. LICENSE STATUS REQUEST.

Adam Kenyon, Chief, Shellfish Management, gave the briefing of the information provided in the staff's evaluation, with PowerPoint slides. for the Associate Members. Mr. Kenyon's comments are a part of the verbatim record.

Jennifer Hume:

Hannah Darby was sworn in and spoke on behalf of Ms. Jennifer Hume. Ms. Jennifer Hume requested an exception to the two-year delay entry for a Commercial Fisherman Registration License so she could access the striped bass bay quota currently allotted to her. Ms. Hume last held a CFRL in 2022. Ms. Darby's comments are a part of the verbatim record.

The matter was before the Commission for discussion and action.

Associate Member Headley moved to grant an exception to the two-year delay to reestablish Jennifer Hume's Commercial Fisherman Registration License and return her striped bass bay quota and permit. Associate Member Edwards seconded the motion. The motion carried, 7-0. Associate Member White was not present during the vote.

David Bleeker:

Mr. David Bleeker requested an oyster user fee based on the history of oyster harvest. Mr. Bleeker has never held an oyster user fee since it was established. His comments are a part of the verbatim record.

The matter is before the Commission for discussion and action.

The Commission declined to make a motion on David Bleeker's request.

Commission Meeting

**19394
April 21, 2026**

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There being no further business, the meeting was adjourned at approximately 3:30 p.m.
The next Commission meeting will be on **Tuesday**, May 26, 2026.

* * * * *

Joseph Grist, Acting Commissioner

Jamie Hogge, Recording Secretary

C. Marshal Flagg, Jr. and Elena F. Flagg

VMRC #2026-0543

1. Habitat Management Evaluation dated May 26, 2026.
(pages 1-2)
2. Application plan view and cross section drawings dated received May 12, 2026.
(pages 3-7)
3. Virginia Institute of Marine Science comments dated received March 30, 2026.
(page 8)
4. Letters of protest from Mr. Walter J. Klein received dated March 23, 2026.
(pages 9-12)

All project drawings, plans and application information are available at
<https://webapps.mrc.virginia.gov/public/habitat/>

HABITAT MANAGEMENT DIVISION EVALUATION

C. MARSHAL FLAGG, JR. and ELENA F. FLAGG, VMRC #2026-0543, request authorization to construct two (2) 80-foot stone breakwaters and one (1) 35-foot stone spur, backfilled with clean sand and native wetland plantings for the construction of a living shoreline adjacent to 188 and 256 Bayview Lane, situated along Indian Creek in Lancaster County. The project is protested by an adjacent property owner.

Narrative

The project is located west of the confluence of Indian Creek and the Chesapeake Bay, within the Fleets Bay Neck area of Lancaster County. There are multiple breakwater and sill projects installed within the vicinity of the project due to the extensive fetch. On March 12, 2026, Mr. and Mrs. Flagg submitted an application requesting authorization to construct a living shoreline, including stone breakwaters and shoreline nourishment with plantings, to manage shoreline erosion at their property and promote the growth of tidal wetland vegetation. The existing timber groins will be removed. The proposal will not impact existing shellfish leases nor existing submerged aquatic vegetation (SAV).

The Lancaster County Wetlands Board heard and approved this project's proposed impacts to tidal wetlands on May 9, 2026.

Issues

As the project requires a Commission subaqueous permit for impacts to state-owned submerged lands, notification of adjoining property owners is required. The agent for the applicant, Mr. Craig Palubinski of Bayshore Design, notified the adjoining property owners of the proposal shortly after submitting the application. The adjoining property owner immediately to the west, Mr. Walker J. Klein, protested the proposal. Mr. Klein complained about the upkeep of the property by the applicants. Additionally, Mr. Klein expressed concerns that additional erosion will occur on his property due to the removal of existing groins as part of new project installation. To respond to the protestant's concerns, the applicant agreed to retain the westernmost groin in place.

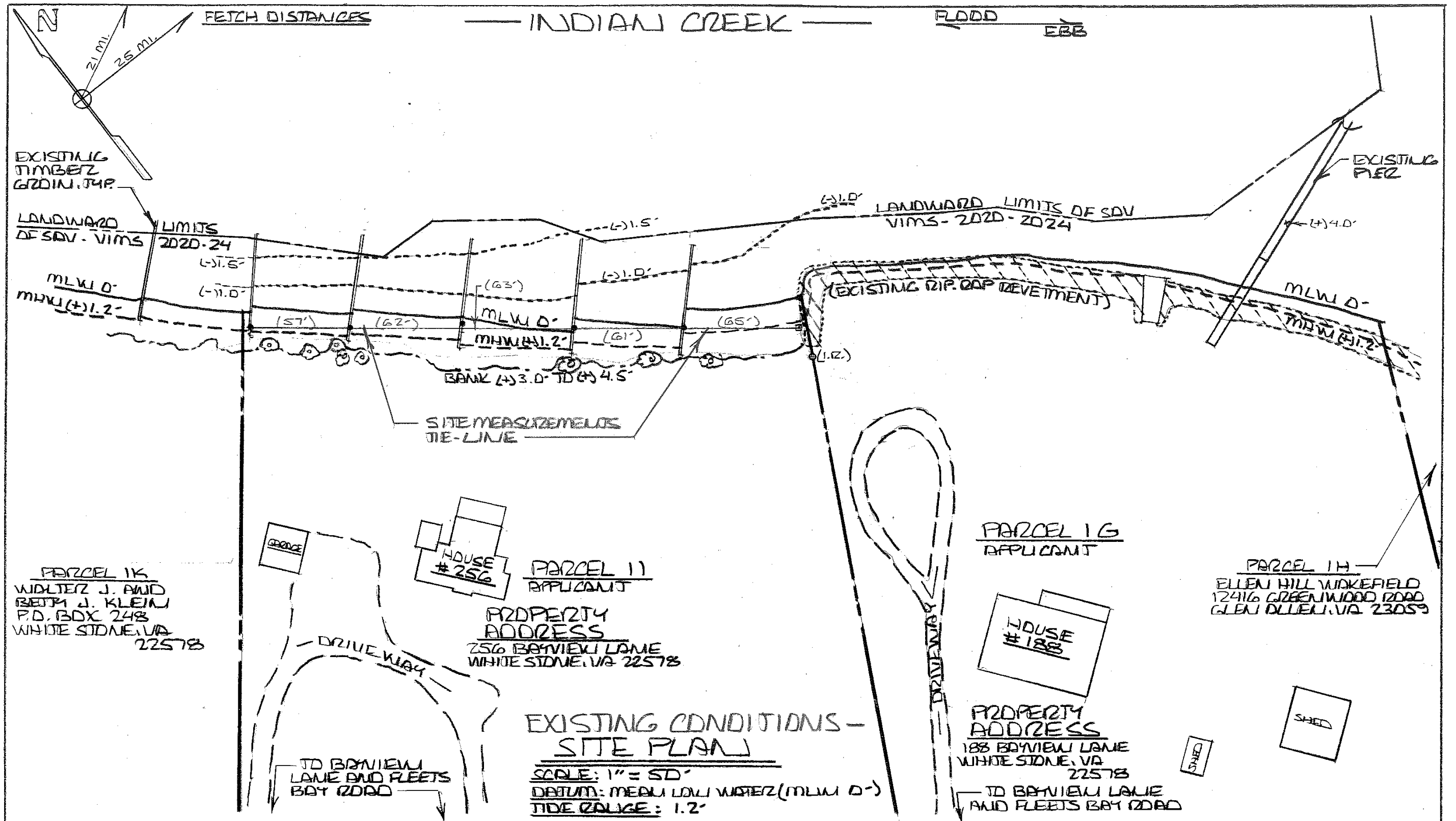
The Virginia Institute of Marine Science (VIMS) conducted a site visit and provided a report regarding the proposal. VIMS found no concerns for adverse environmental impacts and noted that the breakwaters are expected to provide long-term effective erosion control for the existing beach.

Summary/Recommendation

Staff is sympathetic to the concerns raised by Mr. Klein. We concur with VIMS, however, that the proposed breakwaters and nourishment / plantings will provide for a more stable and protected shoreline of the applicant's property. This project, as designed, would have been approved administratively had it not been protested by the adjacent property owner.

Summary/Recommendation (cont'd)

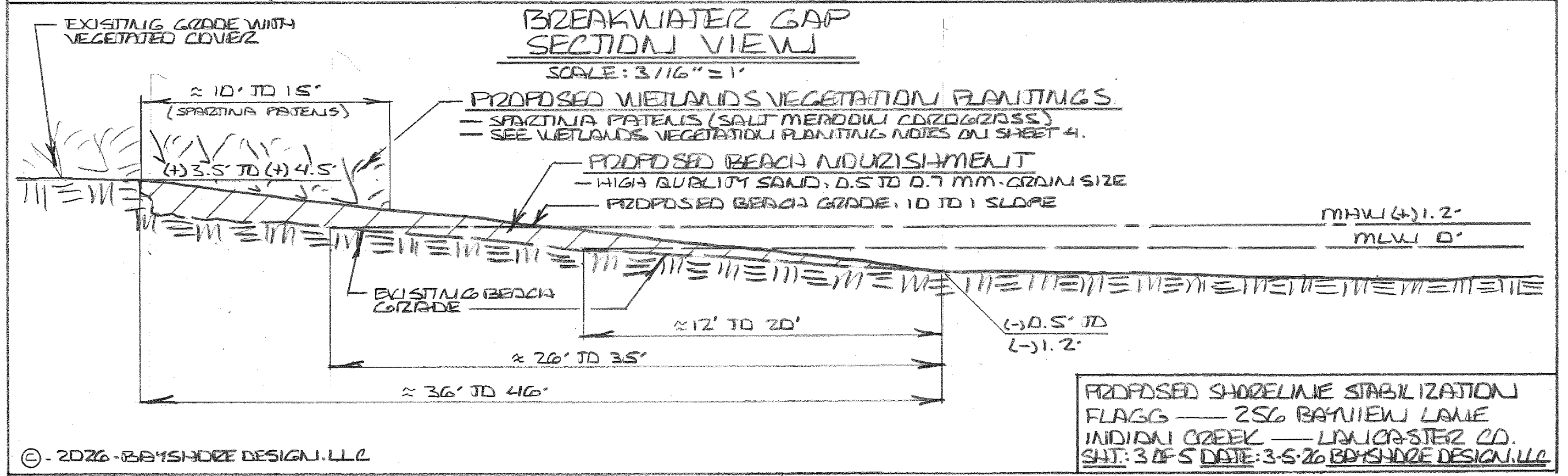
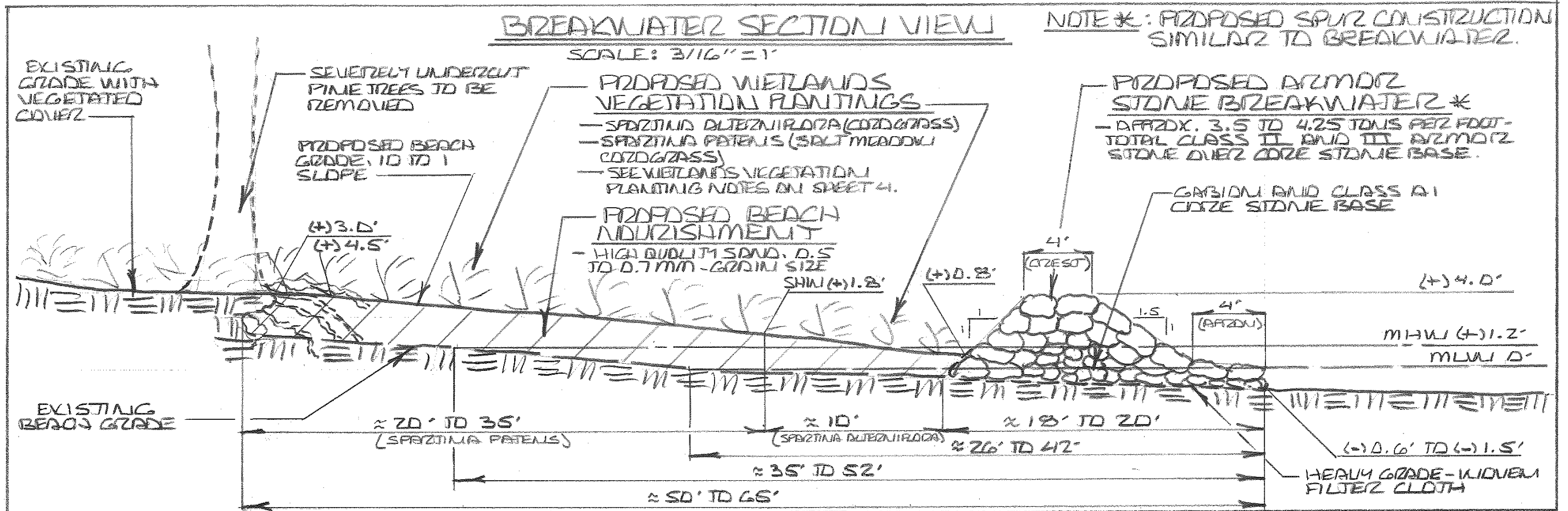
Therefore, after evaluating the merits of the project against the concerns expressed by those in opposition to the project, and after considering all the factors contained in §28.2-1205(A) of the Code of Virginia, staff recommends approval of the living shoreline project as proposed with standard living shoreline conditions, including: the material used for beach nourishment and wetlands planting fill shall be comprised of at least 90% sand; and the nourished area landward of the breakwater/sill shall be planted with appropriate wetland vegetation in conformance with the attached planting plan and schedule.



PROPOSED SHOULDER STABILIZATION
C. MARSHALL FLAGG, JR. & ELENA F. FLAGG
2506 MARION DRIVE
WILLIAMSBURG, VIRGINIA 23185

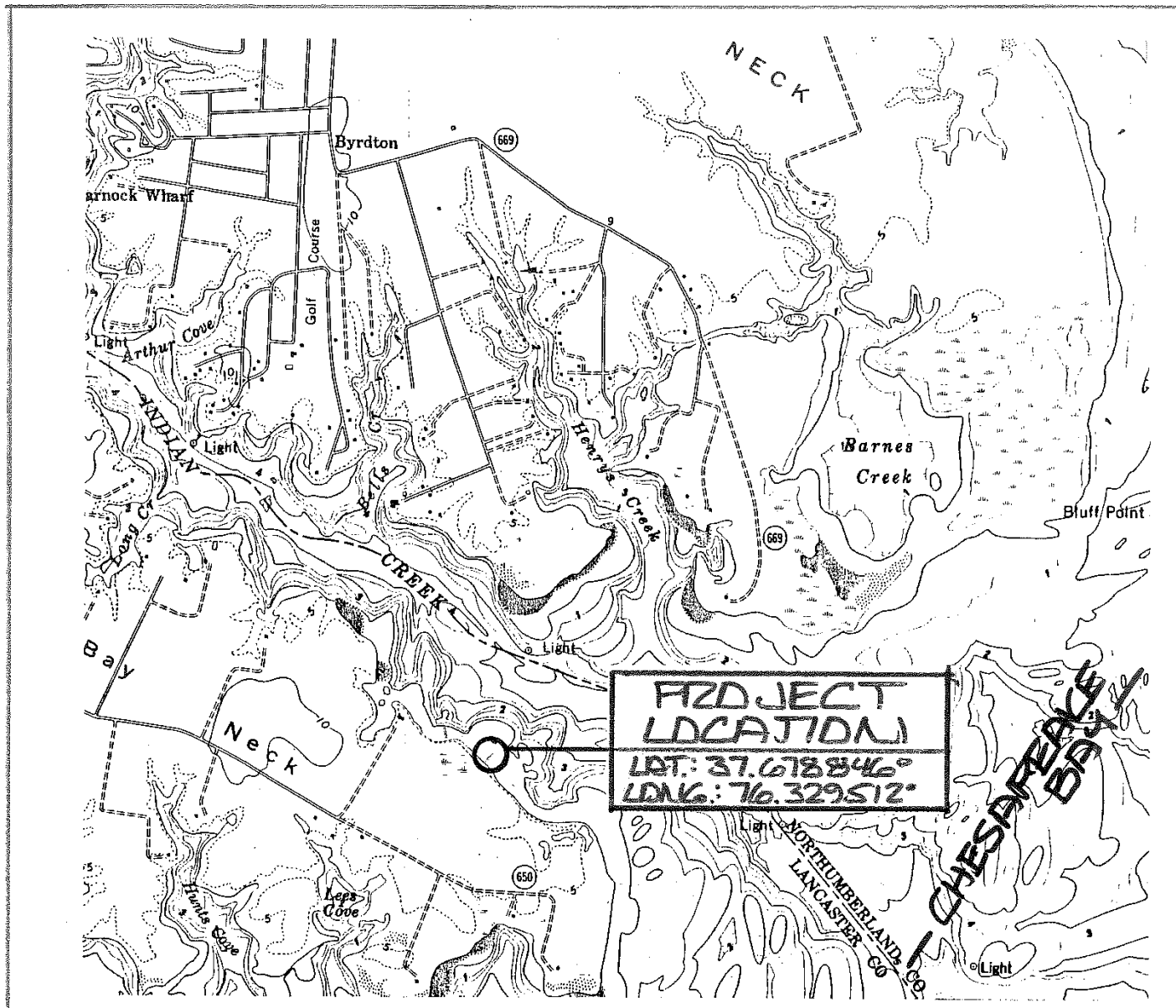
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LOCATION: 256 BAYVIEW LANE - FLEETS NECK - PARCEL 1I - WHITE STONE DISTRICT TAX MAP 30, LANCASTER COUNTY, VIRGINIA
SHT: 20FS DATE: 3-5-26 BAYSHORE DESIGN, LLC



PROPOSED SHORELINE STABILIZATION FLAGG — 256 BAYVIEW LANE
 INDIAN CREEK — LAMICASTER CO.
 SHT. 3 OF 5 DATE: 3-5-26 BAYSHORE DESIGN, LLC

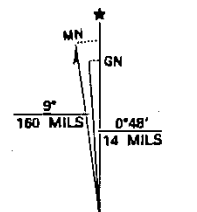
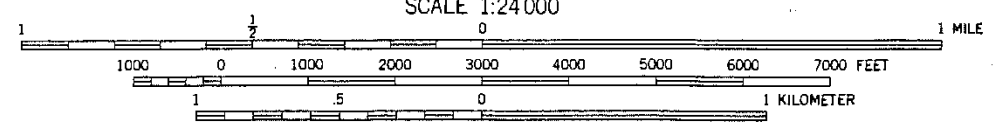
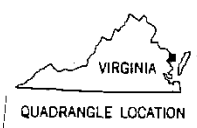
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WETLANDS VEGETATION PLANTING NOTES

1. SPARTINA ALTERNIFLORA (CORDGRASS)
 TO BE PLANTED 12" TO 18" APART. START PLANTING AT BREAK WATER-SPUR AND PLANT UP TO THE SPRING HIGH WATER (SHW) MARK (441.8' MLW)
2. SPARTINA PATENS (SALT MEADOW CORDGRASS)
 TO BE PLANTED 12" TO 18" APART. START PLANTING AT THE SPRING HIGH WATER (SHW) MARK AND PLANT THE ENTIRE DISTANCE BETWEEN SHW AND BASE OF BANK (UPPER LIMITS OF BEACH NOURISHMENT).
3. WETLANDS VEGETATION
 SHOULD BE PLANTED FROM LATE FEBRUARY TO EARLY JUNE OR PER INSTRUCTION FROM WETLANDS VEGETATION CONTRACTOR OR SUPPLIER.
4. FERTILIZING
 TO BE COMPLETED AT THE TIME OF PLANTING. USE APPROX. 1/2 OUNCE PER PLANT OF SLOW RELEASE OSAMOCOTE FERTILIZER (TO BE PLACED IN THE HOLE WITH PLANT) OR PER INSTRUCTION FROM WETLANDS VEGETATION CONTRACTOR OR SUPPLIER.
5. ANY DEBRIS AND TRASH
 THAT MAY ACCUMULATE IN PLANTING AREAS SHOULD BE PERIODICALLY REMOVED AND DISPOSED OF PROPERLY.
6. ADDITIONAL WETLANDS VEGETATION
 TO BE PLANTED TO REPLACE ANY PLANTS THAT DO NOT SURVIVE AND REVEGETATE.
7. ANY APPEARANCE OF PHragmites AUSTRALIS (REED GRASS) WITHIN WETLANDS VEGETATION PLANTING AREA TO BE ERADICATED PER INSTRUCTION FROM WETLANDS PROFESSIONAL.

VICINITY MAP



CONTOUR INTERVAL 10 FEET
 DOTTED LINES REPRESENT 5 FOOT CONTOURS
 NATIONAL GEODETIC VERTICAL DATUM OF 1929
 BATHYMETRIC CONTOUR INTERVAL 1 METER WITH SUPPLEMENTARY 0.5 METER CONTOURS-DATUM IS MEAN LOW WATER
 THE RELATIONSHIP BETWEEN THE TWO DATUMS IS VARIABLE

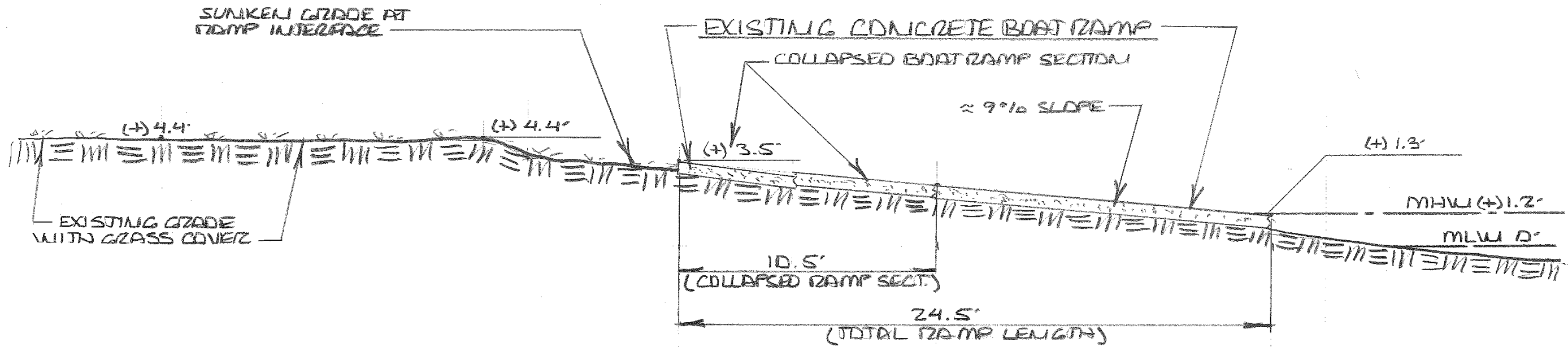
UTM GRID AND 1986 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

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PROPOSED SHOULDER STABILIZATION
 FLAGG ————— 256 BAYVIEW LANE
 INDIAN CREEK ——— LANCASTER CO.
 SHT. 4 OF 5 DATE: 3-5-26 BAYSHORE DESIGN, LLC

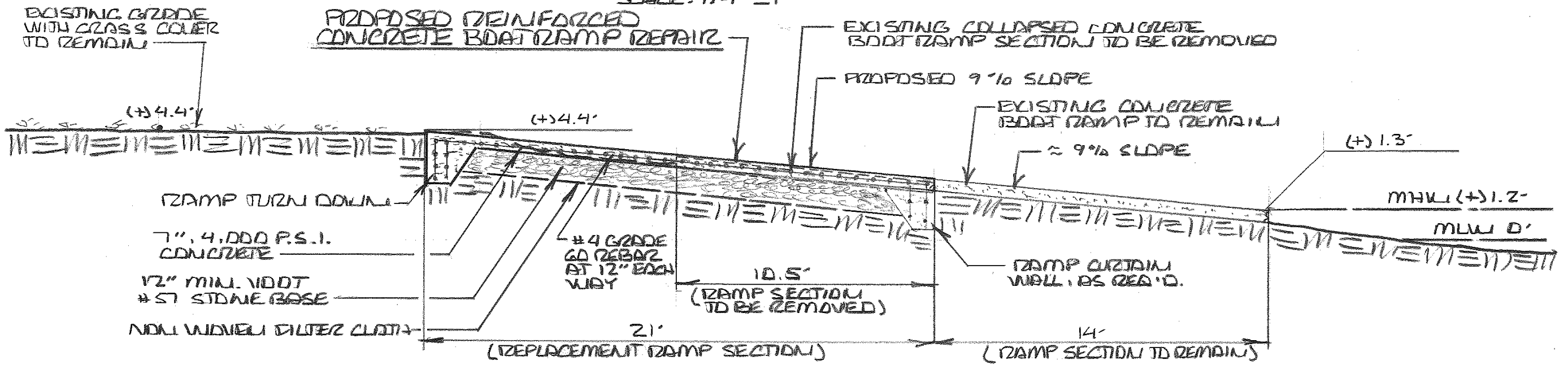
EXISTING BOAT RAMP SECTION VIEW

SCALE: 1/4" = 1'



PROPOSED BOAT RAMP REPAIR SECTION VIEW

SCALE: 1/4" = 1'



PROPOSED SHORELINE STABILIZATION
 FLAGG ——— 256 BAYVIEW LANE
 INDIAN CREEK — LANCASTER CO.
 SHT: 5 OF 5 DATE: 3-5-26 BAYSHORE DESIGN, LLC

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March 30, 2026

Ms. Kylie Harris
Environmental Engineer
Virginia Marine Resources Commission
380 Fenwick Road, Bldg. 96
Fort Monroe, VA 23651

Ms. Olivia Hall
Director of Planning and Land Use
County of Lancaster, Virginia
8311 Mary Ball Road
Lancaster, VA 22503

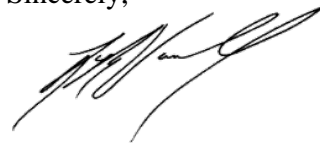
Dear Mmes. Harris and Hall,

Office of Research and Advisory Services, and Shoreline Studies Program personnel conducted the requested assessment of the proposal to replace as series of deteriorating groins with gapped breakwaters, and to repair an existing boat ramp near the mouth of Indian Creek in Lancaster County (Flagg; VMRC #2026-0543, NAO-2026-00531). Our assessment included a site visit.

The results of our project review found no concerns for adverse environmental impacts from any element of this project. The gapped breakwaters as designed are expected to provide long-term effective erosion control for this reach of shoreline, which has a large fetch exposure from the northeast and east. Historical aerial photography provides evidence that nearshore sand movement occurs shore-perpendicular as well as upriver longshore transport. It is worth noting that the nearshore sand supply for this shoreline reach is not consistent and has experienced reductions in overall volume over the past 20 years. Regardless of available sand, disruption of nearshore sand movement is not expected since the outer boundaries of the breakwaters are shoreward of the outer terminus' of the existing breakwaters, and aligned with the adjacent revetment.

Please contact me if you have questions or require further information.

Sincerely,



Lyle Varnell
Associate Director for Advisory Services

ADJACENT PROPERTY OWNER'S ACKNOWLEDGMENT FORM

I, WALTER J. & BETTY J. KLEIN, am the property owner whose land is adjacent to, across from or nearby the land of C. MATSUOKA, JIZ. & ELENA F. FURUKAWA. I have reviewed the applicant's drawings, dated 3-5-26, to be submitted for all necessary local, state, and federal permits.

RECEIVED

MAR 21 2026

 I DO NOT OBJECT to the project as proposed.

 ✓ I DO OBJECT to the project as proposed and have returned **BAYSHORE DESIGN LLC** written objections with this form. **HAGUE, VA**

The applicant has agreed to contact me for additional comments if the proposal changes prior to construction of the project.

BEFORE SIGNING THIS FORM, PLEASE BE SURE YOU HAVE CHECKED ONE OF THE LINES ABOVE. IF NO CHOICE IS MADE, IT WILL BE ASSUMED YOU HAVE NO OBJECTION TO THIS PROJECT.

SEE ATTACHED
ADJACENT OWNER'S SIGNATURE

3/17/26
DATE

NOTE: If you object to this project, please provide specific objections made in writing and return with this form.

Please return this form within two (2) weeks from the date of receipt. Please call Bayshore Design, LLC if you have any questions or wish to discuss the project.

BAYSHORE DESIGN, LLC – 8518 COPLE HIGHWAY
HAGUE, VIRGINIA 22469 PH: 804/472-4439
EMAIL: craigp@bayshoredesign.com

Indian Creek

I do not approve of the removal of the groins on the property of the Flaggs at 256 Bayview Lane. These groins and the two on my property are necessary to prevent erosion of my beach. The stone wall on the other side of that lot is responsible for the erosion of their beach. If necessary, I will challenge this project in court,

Walter J. Klein
Walter J Klein

RECEIVED

MAR 21 2026

BAYSHORE DESIGN LLC
HAGUE, VA

From: [Olivia Hall](#)
To: [Army Corps](#); [MRC - jpa Permits](#); [Harris, Kylie \(MRC\)](#)
Cc: [Craig Palubinski](#)
Subject: VMRC #26-0543 & NAO-2026-00531 - Objection
Date: Monday, March 23, 2026 3:13:28 PM
Attachments: [Signature.png](#)
[FLAGG OBJECTION.pdf](#)

Please load and note the attached public comment/objection to VMRC #26-0543 & NAO-2026-00531.

--



Olivia Hall
Director of Planning and Land Use
County of Lancaster, Virginia
8311 Mary Ball Road
Lancaster, VA 22503

Phone: 804-462-5081
Website: www.lancova.com

This project will repair over ten years of neglect by the current owner. It recommends destruction of seven existing groins on their property. This is a package that does connect with two groins on my property. The damage that has been done to his property is due to total neglect and lack of repair.

The change will shift the water flow to his one existing groin and my two groins. There is no question that this amount of water will overflow and cause serious erosion of my waterfront.

Walter J. Klein

30-16 & 30-11
Flagg

Objection to the
project.

Raymond Challoner
VMRC #2026-0182

1. Habitat Management Division Evaluation dated May 26, 2026.
(Pages 1-2)
2. Application drawings dated received January 30, 2026.
(Pages 3-6)
3. Virginia Institute of Marine Science (VIMS) comments received April 24,
2026.(Pages 7-8)

All project drawings, plans and application information are available
at <https://webapps.mrc.virginia.gov/public/habitat/>.

HABITAT MANAGEMENT DIVISION EVALUATION

RAYMOND CHALLONER, VMRC #26-0182, requests authorization to install 208 linear feet of riprap, the toe of which may be installed a maximum of 12 feet channelward of the existing bulkhead, and to remove an existing groin and top dress an existing 60-foot groin serving 15 Barclay Road along the James River in Newport News.

Narrative

The applicant's property is situated just outside of the confluence of the James River and Warwick River; properties along this stretch of the river often experience erosion and wave energy as a result of the large fetch and typically have some form of erosion control structure along their shorelines. Additionally, a city right-of-way abuts the applicant's property creating access from the street to the shoreline.

On January 30, 2026, VMRC received a Joint Permit Application (JPA) from Mr. Raymond Challoner requesting authorization to construct a riprap revetment adjacent to an existing bulkhead, remove the easternmost stone groin and top dress the existing groin on the western side of the property. The revetment is proposed to act as support for the existing bulkhead and as an enhancement of their shoreline protection.

In the past, the applicant's property has experienced impacts of erosion leading to the permitting and installation of a 100 linear foot bulkhead, riprap along two (2) existing concrete groins, a new timber groin, and 138 cubic yards of beach nourishment under VMRC #2012-1481. This was approved by the Commission at its December 10, 2012, monthly meeting wherein the agency served as the Local Dunes and Beaches board pursuant to Chapter 14, Subtitle III, of Title 28.2 of the Code of Virginia for the proposed impacts to jurisdictional beach area.

Issues

VMRC staff and a representative from the Virginia Institute of Marine Science (VIMS) performed an initial site visit for the current application on April 3, 2026. Both VIMS and VMRC staff observed no obvious erosion onsite and noted that the previously approved beach nourishment and erosion control structures authorized by VMRC Permit #2012-1481 seemed successful.

Staff performed a second site visit with the listed contractor and authorized agent, Mr. Danny Winnall and Ms. Karen Hall respectively, on April 16, 2026, to discuss the proposed beach impacts and their necessity. During this visit, staff observed a hole in the bulkhead from what appeared to be a purposeful burning incident. The agent expressed that the purpose of the revetment was for protection from future erosion as well as to protect against vandalism to the face of the bulkhead. Staff and the agent disagreed on the presence of active erosion on-site and the presence of accumulated damage to the bulkhead resulting from natural processes. Staff

Issues (cont'd)

confirmed on-site with the contractor that the hole in the bulkhead could be replaced in-line with the existing structure, resulting in no further encroachment onto the beach.

VIMS provided written comments, received April 24, 2026, in which they concurred that the existing erosion control structures were functioning well and that the proposed impacts to the beach should be avoided. The comments also questioned the proposed change in the configuration of the existing groin field, which may result in the destabilization of the beach to an unknown extent. The comments further suggest that any damage to the bulkhead can be repaired in place, and in this situation, an open structure fence might be the most effective way to address the trespassing and vandalism.

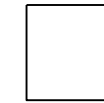
Summary/Recommendation

Due in part to the success of the 2012 permit, the current site conditions exhibit a well-stabilized shoreline with functioning erosion control structures. However, it is apparent that the property experiences frequent trespassing via the City's adjacent existing right-of-way.

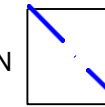
After reviewing the application, observing the site conditions, and considering comments received by VIMS, staff believes there is not adequate evidence of erosion to justify the proposed riprap installation and loss of 2,496 square feet of beach. Staff recommends repairing the bulkhead in-line with the existing structure, leaving the groin field in its existing orientation, and coordinating with the City of Newport News regarding methods of preventing trespassing onto their beach and property. Any future need to replace the existing wall should also consider alternatives to shoreline hardening or minimally replacement of the bulkhead in-line to avoid loss of beach habitat.

Accordingly, after evaluating the merits of the project and considering all the factors contained in §28.2-1403 of the Code of Virginia, staff finds the proposal to be an unreasonable and non-permissible use of the state-managed beach resource and recommends denial of the project as proposed.

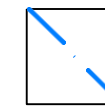
NOTE: CURRENTLY THE EXISTING WOOD BULKHEAD WILL BE ARMORED WITH THE PROPOSED RIPRAP REVETMENT AND GROIN AT 15 BARCLAY ROAD ON THE JAMES RIVER. A PROPOSED 6' X 225' WALKWAY AND 16' X 24' L-HEAD PIER WILL ALSO BE CONSTRUCTED AFTER REMOVING THE EXISTING PIER RELICS. SIXTY-ONE (61) PILINGS WILL BE DIRECTLY DRIVEN INTO THE SEDIMENT. THE EXISTING GROINS ONSITE WILL ALSO BE MODIFIED. THE EXISTING SHORELINE DOES NOT HAVE EXISTING VEGETATION. MINIMAL LAND DISTURBANCE (LESS THAN 0.25 ACRES) IS PROPOSED UPSLOPE OF MHW. SEE SHEET 2 FOR FURTHER DETAILS.



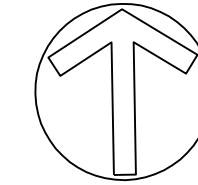
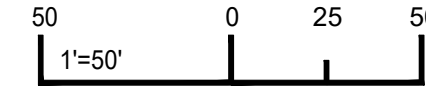
RPA
LOCATION



MHW



MLW

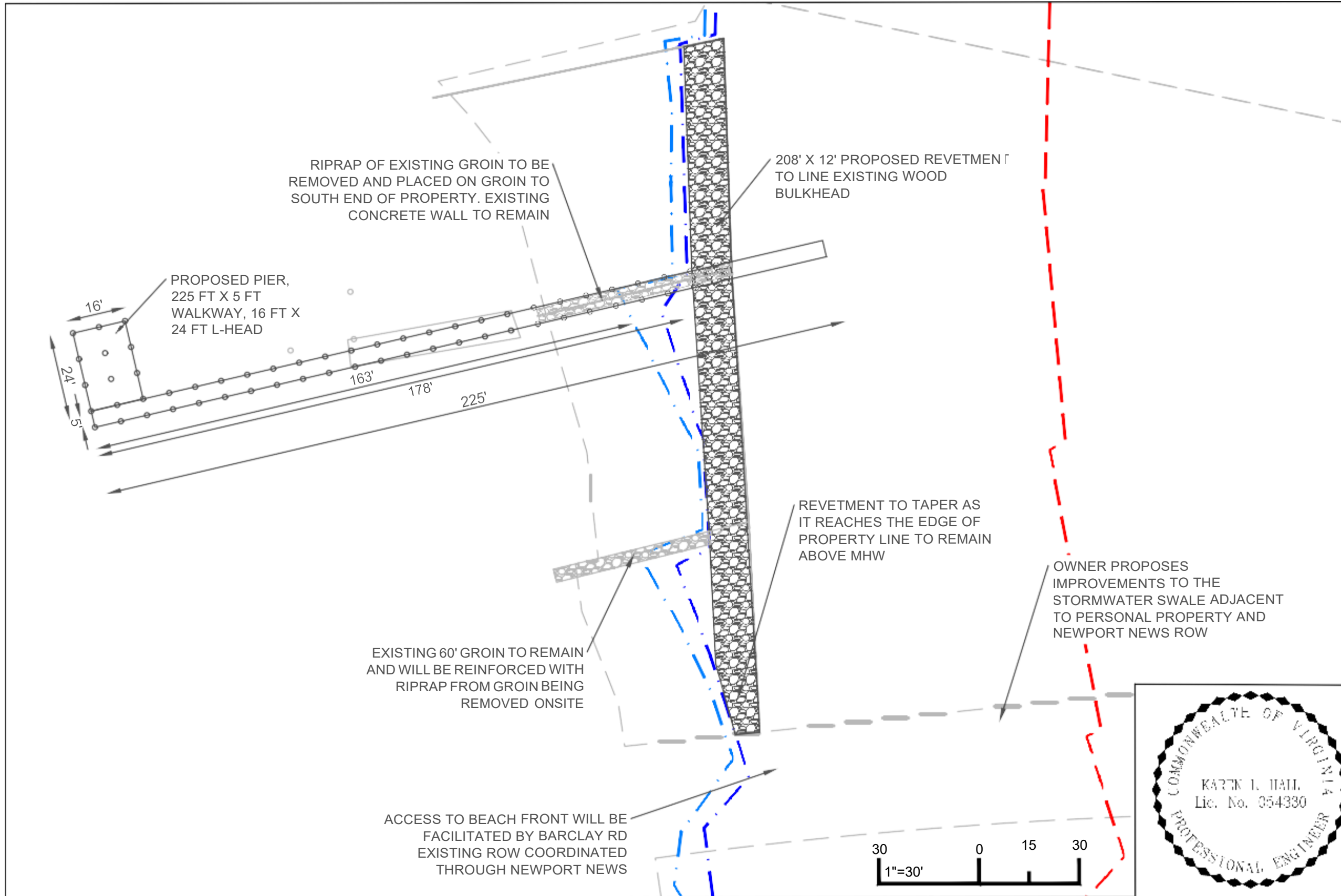


PROPOSED PLAN VIEW
15 BARCLAY RD
NEWPORT NEWS, VA

JPA



SCALE	1"=30'
DESIGNED	KLH
DRAWN	KLH
CHECKED	
DATE	01/13/2026
PROJECT #	001
SHEET:	1 OF 4



PROPOSED PLAN VIEW
15 BARCLAY RD
NEWPORT NEWS, VA
JPA



SCALE	1"=30'
DESIGNED	KLH
DRAWN	KLH
CHECKED	
DATE	01/13/2026
PROJECT #	001
SHEET:	2 OF 4

REVETMENT NOTES:

THE EXISTING WOOD BULKHEAD NEEDS SUPPORT. THE REVETMENT AND GROIN SHOULD MEET THE BELOW SPECIFICATIONS UPON COMPLETION. IF MAINTENANCE IN EXCESS OF THE ORIGINAL PROPOSAL IS FOUND DURING THE PROJECT THE CONTRACTOR MUST COORDINATE FURTHER WORK WITH THE HOMEOWNER.

- 1) THE REVETMENT WILL HAVE CLASS 1 RIPRAP CORE STONE AND CLASS 2 RIPRAP ARMOR STONE. STONE THICKNESS SHOULD NOT BE LESS THAN 3'. THE REVETMENT WILL BE LINED WITH GEOTEXTILE FABRIC.
- 2) RIPRAP REVETMENT TO BE GRADED TO A 2:1 SLOPE AND INCLUDE A BURIED TOE. PROPOSED REVETMENT TO INCLUDE APPROXIMATELY 3.0 TONS OF QUARRY STONE PER LINEAR FOOT. EACH STONE LAYER SHOULD BE NO LESS THAN DOUBLE THE AVERAGE DIAMETER OF THE STONE TYPE.
- 3) EXISTING CONTRACTOR TO IDENTIFY AND LOCATE UTILITIES BEFORE ACCESS PATH OR LAND DISTURBANCE.

EXISTING TOPOGRAPHY

12'

EXISTING WOOD BULKHEAD TO REMAIN IN PLACE

PROPOSED REVETMENT WITH CLASS 1 RIPRAP ARMOR AND CLASS 2 RIPRAP CORE WITH GEOTEXTILE LINING. RIPRAP AT BASE OF REVETMENT SHOULD BE KEYED IN A MINIMUM OF 3' INTO EXISTING GRADE.

TOE OF REVETMENT TO BE KEYED INTO EXISTING GRADE ABOVE MHW

PROPOSED PROFILE
HORIZONTAL: 1" = 10'
VERTICAL: 1" = 2'



TOP OF GROIN A MAXIMUM OF 2' ABOVE MHW

3' TOP WIDTH

TOP OF GROIN A MAXIMUM OF 2' ABOVE MHW

1.5:1 MINIMUM SLOPE

PROPOSED RIPRAP ENHANCEMENT

2.4' MHW

2.4' MHW

1.5:1 MINIMUM SLOPE

EXISTING GROIN RIPRAP

TIE GROIN INTO

PROPOSED REVETMENT

0' MLW

0' MLW

MAXIMUM 19' BOTTOM WIDTH

PROPOSED GROIN SECTION
NTS

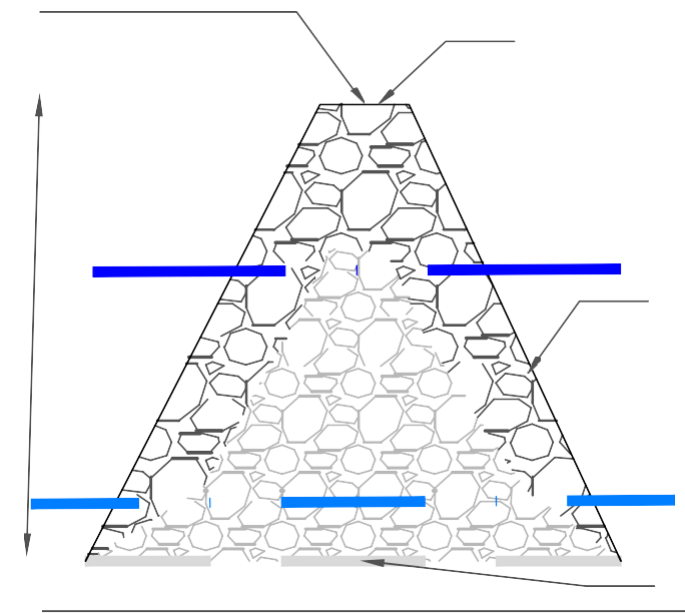
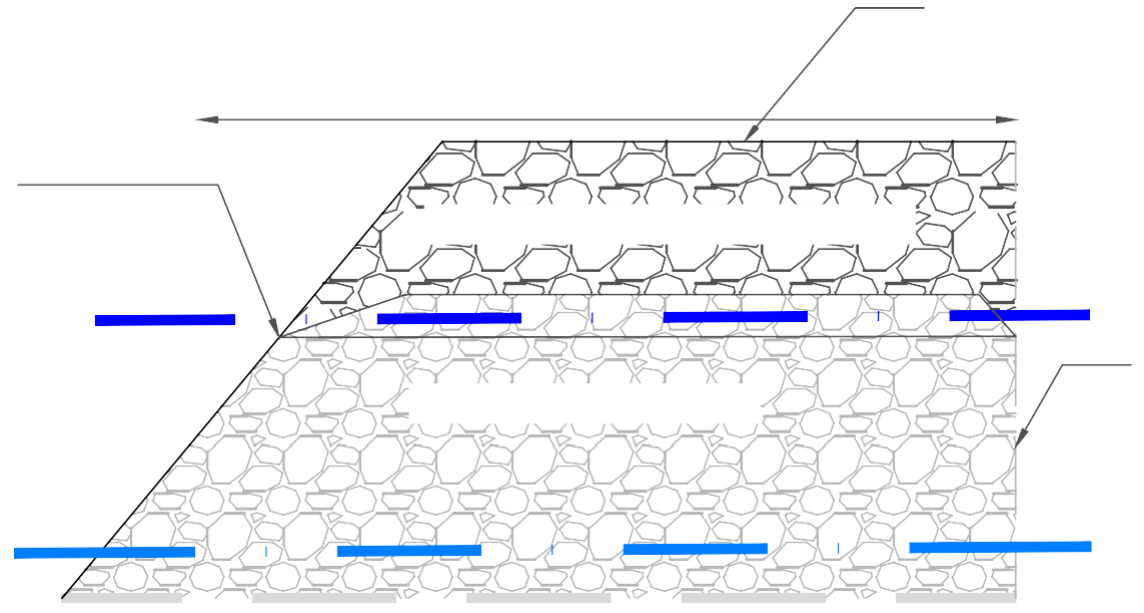
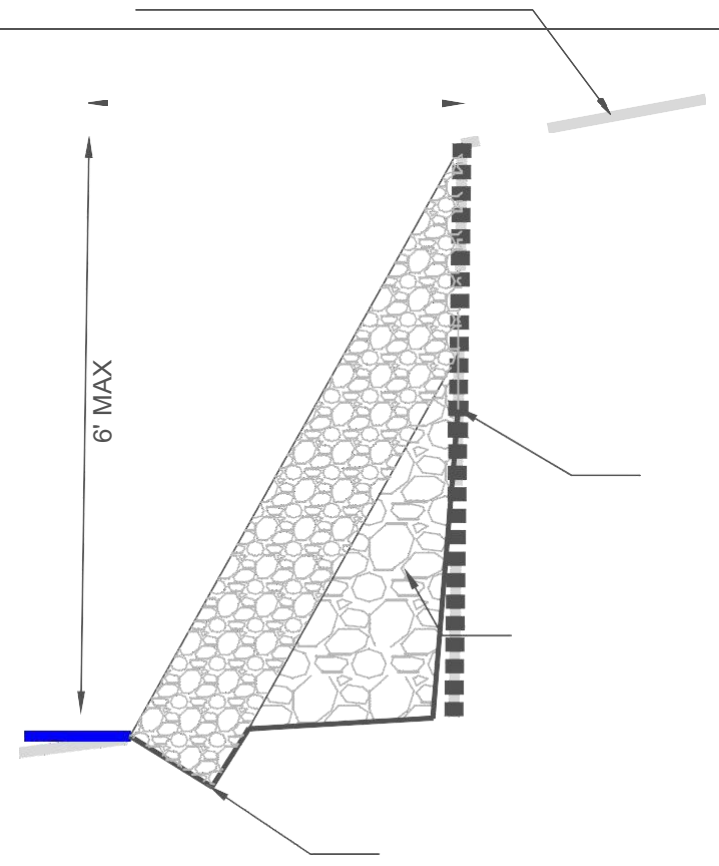
PROPOSED GROIN PROFILE



NOTES & DETAILS
 15 BARCLAY RD
 NEWPORT NEWS, VA

JPA

SCALE	N/A
DESIGNED	KLH
DRAWN	KLH
CHECKED	
DATE	01/13/2026
PROJECT #	001
SHEET:	



23 April 2026

Ms. Kirsten Travis
Environmental Engineer
Virginia Marine Resources Commission
380 Fenwick Road, Bldg. 96
Fort Monroe, VA 23651

Dear Ms. Travis:

We have evaluated the Challoner project on the James River in Newport News (VMRC #2026-0182, NAO -2012-00601). The applicant intends to construct a timber pier, rework an existing groin to increase the elevation of another existing groin, and add a rock revetment against the existing timber bulkhead. The project shoreline consists of a jurisdictional beach with a wooden bulkhead approximately six feet tall that stabilizes the upland bank which slopes upwards from the shoreline. There are three groins that extend channelward from the bulkhead: the northernmost is the longest and timber, the central groin is rock over a concrete wall, and the southernmost appears to be only rock.

The existing erosion control structures appear to be functioning well to stabilize the project shoreline. The three groins are holding sand, and we do not recommend their configuration is changed as that may destabilize the beach, though to an unknown degree. At the time the application was submitted the only clear sign of nascent failure of the bulkhead is at the northern corner where approximately five feet of the bulkhead extends beyond the northern groin. The groins on the adjacent property to the north are significantly shorter (approx. 20 feet) than this northern groin (approx. 85 feet) and the beach north of this groin is about two to three feet lower than that south of the groin. This offset in elevation has likely resulted in sediment washing out from behind the northern corner of the project bulkhead, causing the depression on the upland side of the bulkhead at that location. This area is not addressed as part of the proposed project.

At our site visit of 27 March, we observed graffiti along the entire length of the project bulkhead and on 9 April a portion of the bulkhead was damaged by fire. There is a City of Newport News right of way along the southern side of the project property at the end of Barclay Road that allows access to the south side of the project beach. We hypothesize that reducing this access to and the associated trespassing on and vandalism of the project property are the underlying goals of the project as the existing erosion control structures are functioning well. Consequently, we recommend that impacts to the beach are avoided and the only erosion control work that moves forward at this time is repair of the burned section of bulkhead. We understand the damaged section can likely be repaired in place. In this unusual situation the most effective way to address the trespassing and vandalism issues while minimizing impacts to the marine environment may include an open structure fence that extends along the southern property line, perpendicular to the beach and potentially beyond mean low water.

Please let me know if you have any questions or require additional information.

Sincerely,

A handwritten signature in blue ink that reads "Emily Hein". The signature is written in a cursive style with a large initial "E".

Emily Hein
Assistant Director for Advisory Services

Charles Duke, II
Notice To Comply #25-05
VMRC#24-1044

1. Habitat Management Evaluation dated May 26, 2026.
(Page 1)
2. Notice to Comply #25-05 dated September 5, 2025.
(Pages 2-3)
3. Letter of Finding from April 7, 2026, Public Hearing.
(Pages 4-5)
4. Commission Evaluation from March 31, 2026, Public
Hearing.(Pages 6-8)

All project drawings, plans and application information are available at
<https://webapps.mrc.virginia.gov/public/habitat/>

May 26, 2026

HABITAT MANAGEMENT DIVISION EVALUATION

CHARLES DUKE II, reconsideration of Commission order to refer Mr. Duke to Virginia Department of Professional and Occupational Regulation for failure to comply with NTC #25-05 regarding a violation of VMRC Permit #24-1044.

At its March 31, 2026, meeting, the Commission considered Mr. Duke's role in failing to comply with the Commission's September 5, 2025, directive to remove unauthorized boat slips, finger piers, mooring piles, floating docks, kayak launch, decking, and float-on boat lifts constructed in excess of VMRC Permit #24-1044 authorization, adjacent to property (Parcel #051/R1/9/A) situated along Sarah Creek at the terminus of Sunset Drive in Gloucester County. At that hearing, the Commission ordered Mr. Duke to remove all of the unauthorized structures on the Dockside Condominiums access piers by April 30, 2026, as described in NTC#25-05, pay a \$10,000.00 civil charge, and ordered staff to refer Mr. Duke to the Virginia Department of Professional and Occupational Regulation (DPOR) for construction activities undertaken without the necessary environmental permits.

On May 12, 2026, staff conducted a site visit and determined that Mr. Duke and the applicant have removed all unauthorized structures and that the access piers are now in compliance with VMRC Permit #24-1044. Additionally, Mr. Duke and the Dockside Condo Owners Association paid their respective civil charges on April 14, 2026, in compliance with the March 31, 2026, Commission directive.

Mr. Duke is now asking the Commission to reconsider its order that staff refer him to DPOR for construction activities without the necessary permits. Staff notes that while Mr. Duke has completed the required corrective actions on the community access piers and paid the civil charge, the Commission order to refer him to DPOR was part of its enforcement action. Staff believes that the severity of the violation, as discussed at the hearing by Commission members, is not ameliorated solely by removal of the unauthorized structures and payment of the civil charge. Therefore, staff recommends that the Commission reject Mr. Duke's request and confirm the previous order to refer him to DPOR.



COMMONWEALTH of VIRGINIA

Marine Resources Commission

380 Fenwick Road

Building 96

Fort Monroe, Virginia 23651

Stefanie K. Taillon
Secretary of Natural
and Historic Resources

Jamie L. Green
Commissioner

NOTICE TO COMPLY

September 5, 2025

CERTIFIED MAIL

Mr. Peyton Eastwood II
c/o Waterfront Development Corp.
10224 Mary's Lane
Gloucester, VA 23061

Post Office Box 113
Hayes, VA 23072
waterfrontdevel@yahoo.com
peytoneastwood@gmail.com

Re: Notice to Comply #25-05
VMRC Permit #2024-1044

Dear Mr. Eastwood:

Pursuant to §28.2-1212 of the Code of Virginia, J. Michael Johnson, of my staff, conducted a site inspection on August 27, 2025, after your contractor, Mr. Charles Duke II of Waterfront Development provided as built drawings for the above referenced project at Dockside Condominiums in Gloucester, VA that deviated from the issued VMRC Subaqueous Permit (MRC#2024-1044). During the inspection, staff observed the following discrepancies from that permit:

- 1) A total of 91 slips were built when only 82 were permitted.
- 2) A total of eight (8) additional finger piers and associate mooring piles have been constructed that were not part of the permit.
- 3) Total encroachment of the three docks over state-owned subaqueous bottom exceeds the permitted encroachment by 4,660 square feet.
- 4) A Dock was constructed 96 feet long measured from mean low water when it was permitted to be 89 feet long from mean low water.
- 5) D Dock was permitted to be 87 feet long measured from mean low water when it was permitted to be 79 feet long.
- 6) D Dock was constructed to be 232 feet long when it was permitted for only 208 feet long.

An Agency of the Natural Resources Secretariat

www.mrc.virginia.gov

Telephone (757) 247-2200 Information and Emergency Hotline 1-800-541-4646

- 7) There are multiple float-on docks, kayak racks, floating platforms, and a single kayak launch, that have been installed which were not a part of the permit.

The following corrective measures are necessary to bring your community use piers into compliance:

- 1) The unauthorized boat slips, finger piers, and associated mooring piles on A and D Dock should be removed.
- 2) The four permitted slips and associated mooring piles on the landward side of A Dock should be reoriented to match permit drawings.
- 3) The unauthorized boat slip, floating platforms, mooring piles and kayak launch on B Dock should be removed.
- 4) All unauthorized float-on docks for vessels/jet-skis/kayaks should be removed from their associated slips.
- 5) The T-head on Dock D should be reduced to its permitted length of 208 feet.

Failure to comply with the above corrective measures within 30 days of this Notice will result in this matter being scheduled for a hearing before the Virginia Marine Resources Commission. You and your contractor (Waterfront Development Corporation) will be required to attend this meeting.

Please be advised that any person who violates or fails to comply with a Commission notice, order, rule, regulation, or permit condition authorized under Chapter 12 of Title 28.2 of the Code of Virginia, may be assessed civil penalties by the appropriate circuit court not to exceed \$25,000.00 for each day of violation.

If you have any questions, please do not hesitate to contact J. Michael Johnson of my staff at (757) 247-2255.

Notice ordered by *Randal D. Owen* on September 5, 2025.

Randal D. Owen
Chief, Habitat Management Division

RDO:jmj/pj
HM

cc: Commissioner, Jamie Green
Assistant Attorney General Kelci Block
Gloucester County Local Wetlands Board
Applicant



COMMONWEALTH of VIRGINIA

Marine Resources Commission

380 Fenwick Road

Building 96

Fort Monroe, Virginia 23651

April 7, 2026

David L. Bulova
Secretary of Natural
and Historic Resources

Joseph D. Grist
Acting Commissioner

CERTIFIED MAIL

Mr. Charles Duke, II
Post Office Box 113
Gloucester Point, VA 23062

Re: VMRC NTC#25-05

Dear Mr. Duke:

This is to inform you that the Marine Resources Commission, at its regularly scheduled meeting on March 31, 2026, considered the roles of Dockside Condo Owners Assoc. and you as the contractor/agent in the above referenced Notice to Comply for the construction of unauthorized boat slips, finger piers, mooring piles, floating docks, kayak launch, decking, and float-on boat lifts constructed in excess of VMRC Permit #2024-1044 authorization, adjacent to property (Parcel #051/R1/9/A) situated along Sarah Creek at the terminus of Sunset Drive in Gloucester County.

The Commission reviewed a staff presentation of the proposal, all documents in the official record, exhibits presented to the commission, your testimony, and the testimony of the President of the Dockside Condo Owners Association, Mr. Peyton Eastwood. After careful deliberation and after considering all the factors contained in §28.2-1205 of the Code of Virginia, the Commission voted to accept staff's recommendation to refer you to the Virginia Department of Professional and Occupational Regulation for construction activities undertaken without the necessary permit authorization, and to direct the Office of the Attorney General to pursue civil penalties, for failure to agree to a Commission assessed civil charge, in the appropriate local circuit court pursuant to Title 28.2-1213A of the Code of Virginia.

Please be advised that any person aggrieved by a decision of the Marine Resources Commission has the right of judicial review. Part 2A of the Rules of the Supreme Court of Virginia applies to judicial appeal of Commission decisions reviewable in accordance with the Administrative Process Act. As provided by Rule 2A:2, you have 30 days from the date of service of this decision within which to initiate an appeal of this decision by filing a Notice of Appeal with:

An Agency of the Natural Resources Secretariat

www.mrc.virginia.gov

Telephone (757) 247-2200 Information and Emergency Hotline 1-800-541-4646

Mr. Charles Duke, II
Page Two

April 7, 2026
NTC#25-05

Ms. Michelle Guilford, Agency Secretary
Virginia Marine Resources Commission
Building 96
380 Fenwick Road
Fort Monroe, Virginia 23651

In the event that this decision is served on you by mail, three days are added to the 30-day period.

Should you have any questions concerning this matter, please feel free to contact Mr. Michael Johnson of my staff at 757-247-2255 or mike.johnson@mrc.virginia.gov.

Sincerely,

Randal D. Owen

Randal D. Owen
Deputy Chief, Habitat Management

RDO/jmj;lra

HM

cc: Mr. Joseph Grist, Acting Commissioner
Ms. Kelci Block, Assistant Attorney General

HABITAT MANAGEMENT DIVISION EVALUATION

DOCKSIDE CONDO OWNERS ASSOCIATION, NOTICE TO COMPLY #25-05, VMRC #24-1044, Commission consideration of the Dockside Condo Owners Association and their contractor Mr. Charles Duke II, of Waterfront Development Corporation, for failure to comply with the Commission's September 5, 2025, directive to remove unauthorized boat slips, finger piers, mooring piles, floating docks, kayak launch, decking, and float-on boat lifts constructed in excess of VMRC Permit #24-1044 authorization, adjacent to property (Parcel #051/R1/9/A) situated along Sarah Creek at the terminus of Sunset Drive in Gloucester County.

Narrative

On August 27, 2024, the Commission issued a permit to Dockside Condo Owners Association to reconstruct three (3) community use access piers following a public hearing at which staff recommended approval as an unprotested Page Two item. The permit included a total of 82 boat slips and a 20-foot by 50-foot floating dock totaling 38,072 square feet of encroachment over state-owned subaqueous bottom.

On June 9, 2025, the contractor and agent for the project, Mr. Charles Duke II, sent an email with as-built drawings requesting staff concurrence that the project construction is in compliance with the issued permit. Upon review of the as-built drawings, staff determined that they were illegible and requested an on-site meeting with the contractor and applicant for a compliance inspection.

On August 27, 2025, VMRC staff met with Mr. Duke and Mr. Peyton Eastwood, President of the Dockside Condo Owners Association, to review project drawings and inspect the final configuration of the constructed piers. During that meeting, it was determined that the replacement community docks, as constructed, were in substantial violation of the issued VMRC permit. Subsequently, staff issued a Sworn Complaint on August 29, 2025, noting the following discrepancies between the permit and the as-built pier configurations:

- 1) A total of 91 slips were constructed when only 82 were permitted.
- 2) A total of eight (8) additional finger piers with associated mooring piles have been constructed that were not part of the permit.
- 3) Total encroachment of the three (3) docks over state-owned subaqueous bottom exceeds the permitted encroachment by 4,660 square feet (as built 42,732 and permitted for 38,072).
- 4) Two (2) floating docks and a kayak launch were installed that were not part of the permit.
- 5) Dock A was constructed 96 feet long measured from mean low water when it was permitted to extend 89 feet long from mean low water.
- 6) Dock D was constructed 87 feet long measured from mean low water when it was permitted to extend 79 feet long from mean low water.
- 7) Dock D was constructed 232 feet wide when it was permitted for only 208 feet.
- 8) There are six (6) float-on docks that have been installed which were not a part of the permit.

On September 5, 2025, Mr. Randal Owen, Chief of Habitat Management and designee for the Commissioner, issued a Notice to Comply to Dockside Condo Owners Association and Mr. Charles Duke ordering the following corrective measures to bring the community access piers into compliance with the issued permit:

Narrative (Cont'd)

- 1) The unauthorized boat slips, finger piers, and associated mooring piles on Docks A and D should be removed.
- 2) The four (4) permitted slips and associated mooring piles on the landward side of Dock A should be reoriented to match permit drawings.
- 3) The unauthorized boat slip, floating platforms, mooring piles and kayak launch on Dock B should be removed.
- 4) All unauthorized float-on docks for vessels/jet-skis/kayaks should be removed from their associated slips.
- 5) The T-head on Dock D should be reduced to its permitted length of 208 feet.

Issues

To date the applicant has not started the work detailed in the Notice to Comply and has indicated to staff they wish to request after-the-fact authorization to retain the piers in their current configuration. Staff has not considered the applicant's request for after-the-fact-authorization because the as-built project greatly exceeds the previously authorized encroachment. It is staff policy not to entertain a new application without first addressing substantial violations of the existing Commission's permit.

In their dialogs with staff, the agent and applicant have indicated that there were miscommunications that led to multiple revisions prior to the initiation of construction. These revisions were not submitted to our agency for review. It should be noted that the contractor was also the authorized agent for the project and is very familiar with the VMRC permit process. He should always have a copy of the issued permit on-site during construction. Dockside Condo Owners Association nor Mr. Duke contacted staff during construction to discuss any concerns with the authorized community piers' footprints.

Summary/Recommendation

At issue is the fact that nine (9) additional slips and multiple other structures have been installed which resulted in an encroachment increase of 4,660 square feet beyond what was authorized by this Commission. As such, it is staff's recommendation that the applicant be ordered to conform to the September 5, 2025, VMRC Notice to Comply within 30 days of this hearing.

Staff additionally recommends that the authorized agent and contractor, Mr. Duke, be assessed a civil charge in the amount of \$10,000.00 for the permit violations based upon a major degree of permit non-compliance and significant environmental impact per the Civil Charge Matrix previously adopted by the Commission. Staff also recommends that the contractor be referred to the Virginia Department of Professional and Occupational Regulation for construction activities undertaken without the necessary permits.

While the applicant is complicit in the violation, Dockside Condo Owners Association indicated they were confused due to the miscommunication with Mr. Duke regarding the final design of the permitted structures. Because of this confusion, staff is recommending a reduced civil charge of \$5,000.00 to the Dockside Condo Owners Association given their failure to adhere to the VMRC Notice to Comply.

Should either party not consent to the assessment of the respective civil charges for their role in this violation, staff recommends that the Commission refer the matter to the Office of the Attorney General (OAG) to pursue the appropriate civil penalties pursuant to §28.2-1213 of the Code of Virginia.

Summary/Recommendation (Cont'd)

Should the applicant fail to undertake the corrective measures identified in the Notice To Comply by April 30, 2026, staff recommends that the OAG be directed to seek removal in the local circuit court and seek an additional \$1,000.00 civil penalty per day, from the Dockside Condo Owners Association for each day that the unauthorized structures remain over state-owned subaqueous bottom beginning April 1, 2026.

FISHERIES MANAGEMENT DIVISION EVALUATION, 5/26/2026

PUBLIC HEARING: Proposal to adopt Chapter 4VAC 20-1420., "Pertaining to Atlantic Tarpon", to establish prohibitions on recreational and commercial harvest and create further gear limitations to decrease the likelihood of mortality on the migratory population of tarpon encountered in Virginia's territorial waters.

ISSUES: At the March 31, 2026, Commission meeting, Associate Commissioner Bransom expressed his concerns regarding perceived increased mortality in the steadily expanding recreational Atlantic tarpon fishery in Virginia's territorial waters. In response to this, the Commission voted to direct staff to develop a regulation for a May Public Hearing, to manage the take and fishing practices of Atlantic tarpon to curtail mortality on the species.

BACKGROUND: Atlantic tarpon are managed on a state-by-state basis from Texas to North Carolina, with varying degrees of protection. Notably, all states encourage catch and release fishing of the species, and allowances for harvest are limited to one fish per person at most, and harvest is fully prohibited in some states without a one-per-year trophy tag. States that do allow for harvest of tarpon for trophies include minimum size limits ranging from 68" to 85". There is no federal Fisheries Management Plan for Atlantic tarpon. Similarly, there is no accepted stock assessment for the species. Recent genetic work has demonstrated that the entire population constitutes a single genetic stock, with high levels of genetic diversity and connectivity due to their highly migratory nature. Surveys conducted in Southern states, including Florida and Georgia, have noted a steady decline in the quality of the fishery since the 1970's. Considering the species has a very low food value, these declines have been theorized to be linked to recreational release mortality and habitat degradation in their nursery areas.

The earliest records of Atlantic tarpon harvest in Virginia date back to the 1930's, with the first directed landing of tarpon being attributed to Claude Rogers in 1955. In the decades that followed, a small but dedicated recreational fishery emerged, with the culmination being the capture of the current state record by Barry Truitt in 1975. The 130-pound fish was landed off Oyster, VA on a standard rod and reel gear configuration. Most recreational targeting for tarpon is done with traditional rod and reel with fresh cut bait, but there is an even smaller subset of anglers that target them with fly rods. Currently, the Virginia Saltwater Tournament offers a release citation for any tarpon landed over 36", which are all that

appear to frequent VA waters.

The agency received 14 public comments on the proposed regulatory action. All comments were in favor of the proposed regulation, as written. A draft version of the regulation was distributed to members of the Finfish Management Advisory Committee, and two comments were received in reply. One comment was in favor of the proposed regulation, as written, and the second was in favor of the regulation but sought the inclusion of additional prohibitions against archery-fishing and non-mechanical spearing/gigging. Finally, on May 18, 2026, the agency received a letter from the Virginia Saltwater Sportfishing Association in favor of the proposed regulation, as written.

Chapter 4VAC 20-1420, "Pertaining to Atlantic Tarpon" establishes a prohibition on possession of tarpon for both the commercial and recreational sectors. Additionally, it establishes prohibitions on both spearing and gaffing Atlantic tarpon and establishes the required use of circle-hooks when fishing with bait.

STAFF

RECOMMENDATION:

Staff recommends the Commission consider adopting Chapter 4VAC 20-1420., "Pertaining to Atlantic Tarpon", to establish prohibitions on recreational and commercial harvest and create further gear limitations to decrease the likelihood of mortality on the migratory population of tarpon encountered in Virginia's territorial waters.



COMMONWEALTH of VIRGINIA

Marine Resources Commission
Building 96
380 Fenwick Road
Fort Monroe, VA 23651

David L. Bulova
Secretary of Natural
and Historic Resources

Joseph D. Grist
Acting Commissioner

NOTICE

The Virginia Marine Resources Commission invites public comments on proposed amendments to regulations, as shown below. By May 7, 2026, the proposed draft regulations may be viewed on the VMRC web calendar at <https://mrc.virginia.gov/calendar.shtm>.

In accordance with Section 28.2-209 of the Code of Virginia, a public hearing on the proposed amendments to these regulations will be held on Tuesday, May 26, 2026, at the Virginia Marine Resources Commission, 380 Fenwick Road, Bldg. 96, Fort Monroe, Virginia.

Written public comments on the proposals below or on items not on the agenda must be provided by 12:00 Noon, Thursday, May 21, 2026. Comments should be made at the following link: https://webapps.mrc.virginia.gov/public/fisheries/search_publiccomments.php or addressed to Public Comments, 380 Fenwick Road, Bldg. 96, Fort Monroe, Virginia 23651.

The Commission may review Fisheries Management Division items as early as 9:30 a.m.

II. Chapter 4VAC20-1420, “Pertaining to Atlantic Tarpon” - Proposed

The Commission proposes to adopt Chapter 4VAC20-1420, “Pertaining to Atlantic Tarpon” to establish general prohibitions, including the mandatory use of circle hooks when fishing with bait, and a prohibition on harvest by either recreational or commercial anglers.

The purpose of this amendment is to protect the migratory population of tarpon that frequent VA territorial waters annually.

VMRC DOES NOT DISCRIMINATE AGAINST INDIVIDUALS WITH DISABILITIES; THEREFORE, IF YOU ARE IN NEED OF REASONABLE ACCOMMODATIONS BECAUSE OF DISABILITY, PLEASE ADVISE MICHELE GUILFORD (757-247-2206) NO LATER THAN FIVE WORKDAYS PRIOR TO THE MEETING DATE AND IDENTIFY YOUR NEEDS.

An Agency of the Natural and Historic Resources Secretariat

www.mrc.virginia.gov

Telephone (757) 247-2200 (757) 247-2292 V/TDD Information and Emergency Hotline 1-800-541-4646 V/TDD

Virginia Marine Resources Commission

Public Comments

Agenda Item: Proposal to adopt Chapter 4VAC 20-1420., "Pertaining to Atlantic Tarpon", to establish prohibitions on recreational and commercial harvest and create further gear limitations to decrease the likelihood of mortality on the migratory population of tarpon encountered in Virginia's territorial waters.

Print Date: Wednesday May 20 2026 08:10

Number	Name	Received	Position
1	KEVIN DU BOIS	05/11/2026	FAVOR

LADIES AND GENTLEMEN I WHOLE HEARTEDLY SUPPORT THE PROPOSED REGULATION PERTAINING TO ATLANTIC TARPON CHAPTER 4 VAC 20 1420 AND ESPECIALLY THE PROVISION AGAINST POSSESSION PULLING THE FISH INTO THE BOAT THIS IS UNNECESSARY AND CAN HAVE LIFE THREATENING CONSEQUENCES FOR THE FISH THANK YOU FOR YOUR SUPPORT OF THIS IMPORTANT REGULATION!
KEVIN DU BOIS VIRGINIA BEACH VA

Virginia Marine Resources Commission

Public Comments

Agenda Item: Proposal to adopt Chapter 4VAC 20-1420., "Pertaining to Atlantic Tarpon", to establish prohibitions on recreational and commercial harvest and create further gear limitations to decrease the likelihood of mortality on the migratory population of tarpon encountered in Virginia's territorial waters.

Print Date: Wednesday May 20 2026 08:10

Number	Name	Received	Position
2	CRAIG A CONOVER	05/12/2026	FAVOR

I SUPPORT ADDING REGULATIONS FOR MANAGING THE SMALL FISHERY WE HAVE HERE IN VIRGINIA FOR TARGETING TARPON I BELIEVE TARPON SHOULD BE REGULATED FOR CATCH AND RELEASE THESE FISH ARE TOO VALUABLE TO ONLY BE CAUGHT ONCE CRAIG CONOVER PRESIDENT FALMOUTH FLATS FLY FISHERS 325 665 8951

Virginia Marine Resources Commission

Public Comments

Agenda Item: Proposal to adopt Chapter 4VAC 20-1420., "Pertaining to Atlantic Tarpon", to establish prohibitions on recreational and commercial harvest and create further gear limitations to decrease the likelihood of mortality on the migratory population of tarpon encountered in Virginia's territorial waters.

Print Date: Wednesday May 20 2026 08:10

Number	Name	Received	Position
3	BRIAN PERKINSON	05/14/2026	FAVOR

DEAR COMMISSIONERS I WRITE TO URGE YOU TO ADOPT THE REGULATIONS FOR ATLANTIC TARPON PROPOSED AS CHAPTER 4 VAC 20 1420 I SUPPORT RELEASING TARPON INTO THE WATER AND PROHIBITING THEIR RECREATIONAL OR COMMERCIAL HARVEST TARPON ARE FAR MORE VALUABLE ALIVE THAN HARVESTED AS A SINGLE FISH CAN BE CAUGHT AND RELEASED BY ANGLERS MANY TIMES IN ITS LIFETIME WHICH CAN SPAN 80 YEARS OR MORE! BY MAKING TARPON CATCH AND RELEASE ONLY VIRGINIA WILL ALIGN WITH CONSERVATION MEASURES ADOPTED BY FLORIDA AND OTHER COASTAL STATES THAT SHARE THE MIGRATORY TARPON FISHERY EACH SPRING SCHOOLS OF ATLANTIC TARPON MIGRATE FROM THE FLORIDA KEYS ALONG THE EAST COAST TO REACH THE NORTHERN WATERS OF THEIR RANGE INCLUDING THE CHESAPEAKE BAY DURING THE SUMMER MONTHS TARPON FEED ON FORAGE FISH BEFORE REVERSING THEIR JOURNEY SOUTH IN THE FALL TARPON FISHING IN VIRGINIA IS A GROWING INDUSTRY ATTRACTING BOTH LOCAL AND VISITING ANGLERS MORE THAN 800 000 ANGLERS EITHER VISIT OR RESIDE IN VIRGINIA EACH YEAR AND FISHING ACCOUNTS FOR MORE THAN \$1 3 BILLION IN ECONOMIC IMPACT IN THE STATE BY PROTECTING TARPON VIRGINIA WILL BE SUPPORTING THE LOCAL BUSINESSES THAT BENEFIT FROM A HEALTHY TARPON FISHERY PLEASE SUPPORT THE FUTURE OF THE FISHERY BY ADOPTING THE REGULATIONS FOR ATLANTIC TARPON IN CHAPTER 4 VAC 20 142 28 2 201 OF THE CODE OF VIRGINIA

Virginia Marine Resources Commission

Public Comments

Agenda Item: Proposal to adopt Chapter 4VAC 20-1420., "Pertaining to Atlantic Tarpon", to establish prohibitions on recreational and commercial harvest and create further gear limitations to decrease the likelihood of mortality on the migratory population of tarpon encountered in Virginia's territorial waters.

Print Date: Wednesday May 20 2026 08:10

Number	Name	Received	Position
4	THOMAS C MOORE	05/14/2026	FAVOR

DEAR COMMISSIONERS I WRITE TO URGE YOU TO ADOPT THE REGULATIONS FOR ATLANTIC TARPON PROPOSED AS CHAPTER 4 VAC 20 1420 I SUPPORT RELEASING TARPON INTO THE WATER AND PROHIBITING THEIR RECREATIONAL OR COMMERCIAL HARVEST TARPON ARE FAR MORE VALUABLE ALIVE THAN HARVESTED AS A SINGLE FISH CAN BE CAUGHT AND RELEASED BY ANGLERS MANY TIMES IN ITS LIFETIME WHICH CAN SPAN 80 YEARS OR MORE! I HAVE BEEN A TARPON ANGLER IN FLORIDA FOR 6 YEARS AND KNOW THAT TARPON ARE MIGRATING MORE NORTHWARD EVERY YEAR DUE TO CLIMATE CHANGE BY MAKING TARPON CATCH AND RELEASE ONLY VIRGINIA WILL ALIGN WITH CONSERVATION MEASURES ADOPTED BY FLORIDA AND OTHER COASTAL STATES THAT SHARE THE MIGRATORY TARPON FISHERY EACH SPRING SCHOOLS OF ATLANTIC TARPON MIGRATE FROM THE FLORIDA KEYS ALONG THE EAST COAST TO REACH THE NORTHERN WATERS OF THEIR RANGE INCLUDING THE CHESAPEAKE BAY DURING THE SUMMER MONTHS TARPON FEED ON FORAGE FISH BEFORE REVERSING THEIR JOURNEY SOUTH IN THE FALL TARPON FISHING IN VIRGINIA IS A GROWING INDUSTRY ATTRACTING BOTH LOCAL AND VISITING ANGLERS MORE THAN 800 000 ANGLERS EITHER VISIT OR RESIDE IN VIRGINIA EACH YEAR AND FISHING ACCOUNTS FOR MORE THAN \$1 3 BILLION IN ECONOMIC IMPACT IN THE STATE BY PROTECTING TARPON VIRGINIA WILL BE SUPPORTING THE LOCAL BUSINESSES THAT BENEFIT FROM A HEALTHY TARPON FISHERY PLEASE SUPPORT THE FUTURE OF THE FISHERY BY ADOPTING THE REGULATIONS FOR ATLANTIC TARPON IN CHAPTER 4 VAC 20 142 28 2 201 OF THE CODE OF VIRGINIA

Virginia Marine Resources Commission

Public Comments

Agenda Item: Proposal to adopt Chapter 4VAC 20-1420., "Pertaining to Atlantic Tarpon", to establish prohibitions on recreational and commercial harvest and create further gear limitations to decrease the likelihood of mortality on the migratory population of tarpon encountered in Virginia's territorial waters.

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Number	Name	Received	Position
5	JOE PENICK	05/14/2026	FAVOR

TARPON NEED PROTECTION IN VA WATERS

Virginia Marine Resources Commission

Public Comments

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Number	Name	Received	Position
6	JAMES CIVITARESE	05/14/2026	FAVOR

THERE ARE NO REASONS TO KILL A TARPON WE WILL SEE MORE AS WATERS HEAT UP THEY ARE NOT A FISH THAT IS GOOD TO EAT AND THE TARPON FISHERY AS A WHOLE IS STRUGGLING

Virginia Marine Resources Commission

Public Comments

Agenda Item: Proposal to adopt Chapter 4VAC 20-1420., "Pertaining to Atlantic Tarpon", to establish prohibitions on recreational and commercial harvest and create further gear limitations to decrease the likelihood of mortality on the migratory population of tarpon encountered in Virginia's territorial waters.

Print Date: Wednesday May 20 2026 08:10

Number	Name	Received	Position
7	ANDREW H BARBOUR	05/14/2026	FAVOR

DEAR COMMISSIONERS I AM WRITING IN SUPPORT OF THE REGULATIONS FOR ATLANTIC TARPON PROPOSED AS CHAPTER 4 VAC 20 1420 I SUPPORT PROHIBITING THE RECREATIONAL AND COMMERCIAL HARVEST OF TARPON AND REQUIRING THAT ALL CAUGHT FISH BE RELEASED A TARPON CAN LIVE 80 YEARS OR MORE AND A SINGLE FISH CAN BE CAUGHT AND RELEASED BY ANGLERS MANY TIMES OVER ITS LIFETIME THEY ARE WORTH FAR MORE IN THE WATER THAN THEY EVER WOULD BE ON THE DOCK ACCORDING TO SCIENTIFIC DATA THE ATLANTIC TARPON MEGALOPS ATLANTICUS HAS BEEN SWIMMING IN ESSENTIALLY ITS CURRENT FORM FOR ROUGHLY 18 MILLION YEARS FOSSIL SPECIMENS FROM THAT ERA ARE VIRTUALLY INDISTINGUISHABLE FROM THE FISH ANGLERS ARE LANDING IN THE CHESAPEAKE TODAY THEIR BROADER LINEAGE GOES BACK MORE THAN 100 MILLION YEARS TO THE CRETACEOUS PERIOD MEANING TARPON ANCESTORS WERE IN THE OCEAN WHILE T REX WAS ON LAND FEW FISH OR FEW ANIMALS OF ANY KIND CAN CLAIM THAT KIND OF STAYING POWER TARPON HAVE SURVIVED THIS LONG FOR GOOD REASON THEY CAN GULP AIR AT THE SURFACE AND ABSORB OXYGEN THROUGH A MODIFIED SWIM BLADDER THAT WORKS SOMETHING LIKE A LUNG WHICH MEANS THEY CAN HOLD ON IN WARM LOW OXYGEN WATER THAT WOULD SUFFOCATE MOST OTHER SPECIES JUVENILE TARPON USE THIS TO THEIR ADVANTAGE TUCKING INTO STAGNANT BACKWATER SLOUGHS WHERE PREDATORS CANNOT FOLLOW THEIR EYES WHICH INSPIRED THE GENUS NAME MEGALOPS "BIG EYE" IN GREEK HAVE A REFLECTIVE TAPETUM LAYER AND EXTRA UV SENSITIVE CONE CELLS THAT LET THEM SPOT PREY IN MURKY OR DARK WATER THAT COMBINATION OF TRAITS IS A BIG PART OF WHY THIS FISH HAS BEEN AROUND SINCE THE AGE OF DINOSAURS THEIR LIFE CYCLE IS WORTH UNDERSTANDING TOO TARPON SPAWN OFFSHORE AND HATCH AS LEPTOCEPHALUS LARVAE FLAT TRANSPARENT ALMOST EEL LIKE CREATURES THAT DRIFT INSHORE ON THE CURRENTS IT IS A LARVAL FORM SHARED WITH EELS AND VERY FEW OTHER FISH A HOLDOVER FROM AN ANCIENT LINEAGE ONCE THEY REACH THE ESTUARY THEY TRANSFORM INTO JUVENILE TARPON AND BEGIN THE SLOW PROCESS OF BECOMING ONE OF THE MOST SOUGHT AFTER SPORT FISH ON THE EAST COAST BY MAKING TARPON CATCH AND RELEASE ONLY VIRGINIA WILL ALIGN WITH CONSERVATION MEASURES ADOPTED BY FLORIDA AND OTHER COASTAL STATES THAT SHARE THE MIGRATORY TARPON FISHERY EACH SPRING SCHOOLS OF ATLANTIC TARPON MIGRATE FROM THE FLORIDA KEYS ALONG THE EAST COAST TO REACH THE NORTHERN WATERS OF THEIR RANGE INCLUDING THE CHESAPEAKE BAY DURING THE SUMMER MONTHS TARPON FEED ON FORAGE FISH BEFORE REVERSING THEIR JOURNEY SOUTH IN THE FALL NONE OF THAT SCIENCE FULLY PREPARES YOU FOR THE FIRST TIME YOU HAVE A TARPON ON THE END OF A FLY LINE A FISH THAT MAY WEIGH OVER A HUNDRED POUNDS AND HAS BEEN ON THIS EARTH LONGER THAN MOST SPECIES ALIVE TODAY WILL LAUNCH ITSELF COMPLETELY CLEAR OF THE WATER HANG THERE FOR A MOMENT CRASH BACK DOWN AND DO IT AGAIN IT IS ABOUT AS VIVID A REMINDER AS NATURE OFFERS THAT SOME THINGS ARE WORTH PROTECTING TARPON FISHING IN VIRGINIA IS A GROWING INDUSTRY ATTRACTING BOTH LOCAL AND VISITING ANGLERS MORE THAN 800 000 ANGLERS EITHER VISIT OR RESIDE IN VIRGINIA EACH YEAR AND FISHING ACCOUNTS FOR MORE THAN \$1 3 BILLION IN ECONOMIC IMPACT IN THE STATE PROTECTING TARPON SUPPORTS THE LOCAL BUSINESSES THAT DEPEND ON A HEALTHY FISHERY I AM ALSO NOT AWARE OF A SINGLE INSTANCE IN WHICH TARPON ARE USED AS TABLEFARE THEY ARE NOTORIOUSLY BONY AND HAVE NO CULINARY REPUTATION TO SPEAK OF SO THERE IS NO GOOD REASON ANYONE WOULD HARVEST ONE

Virginia Marine Resources Commission

Public Comments

Agenda Item: Proposal to adopt Chapter 4VAC 20-1420., "Pertaining to Atlantic Tarpon", to establish prohibitions on recreational and commercial harvest and create further gear limitations to decrease the likelihood of mortality on the migratory population of tarpon encountered in Virginia's territorial waters.

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RECREATIONALLY OR COMMERCIALY THE REGULATIONS SHOULD ALSO ADDRESS COMMERCIAL FISHING OPERATIONS IN VIRGINIA WATERS WHICH SHOULD BE REQUIRED TO TAKE REASONABLE STEPS TO AVOID ACCIDENTAL TARPON HARVEST BYCATCH IS A GENUINE RISK WHEREVER THESE FISH ARE PRESENT AND THAT NEEDS TO BE REFLECTED IN GEAR AND HANDLING REQUIREMENTS THIS FISH HAS BEEN HERE LARGELY UNCHANGED FOR TENS OF MILLIONS OF YEARS FLORIDA AND OTHER STATES HAVE ALREADY ACTED TO PROTECT IT I HOPE VIRGINIA WILL DO THE SAME PLEASE SUPPORT THE FUTURE OF THE FISHERY BY ADOPTING THE REGULATIONS FOR ATLANTIC TARPON IN CHAPTER 4 VAC 20 142 28 2 201 OF THE CODE OF VIRGINIA RESPECTFULLY ANDREW H BARBOUR 108 EAST HOWELL AVENUE ALEXANDRIA VA 22301

Virginia Marine Resources Commission

Public Comments

Agenda Item: Proposal to adopt Chapter 4VAC 20-1420., "Pertaining to Atlantic Tarpon", to establish prohibitions on recreational and commercial harvest and create further gear limitations to decrease the likelihood of mortality on the migratory population of tarpon encountered in Virginia's territorial waters.

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Number	Name	Received	Position
8	WILLIAM M STEHLE	05/14/2026	FAVOR

ALIGN WITH OTHER SPORT FISHING INDUSTRY STATES ON TARPON REGULATION PRESERVE THE INDUSTRY AND FISHERIES IN OUR STATE

Virginia Marine Resources Commission

Public Comments

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Print Date: Wednesday May 20 2026 08:10

Number	Name	Received	Position
9	KENDALL OSBORNE	05/15/2026	FAVOR

DEAR VIRGINIA MARINE RESOURCES COMMISSION I AM WRITING TO EXPRESS MY VIEWS ON THE PROPOSED TARPON REGULATIONS I PLAN TO ATTEND THE TARPON MEETING BUT ALSO WANT TO COMMENT IN ADVANCE I HAVE BEEN TARPON FISHING IN VIRGINIA FOR DECADES I HAVE BEEN ACTIVE IN THIS FISHERY FOR A LONG TIME I FISHED THROUGH THE "SECRET" ERA WHEN TARPON FISHING WAS NOT SUPPOSED TO BE MENTIONED IN VIRGINIA BUT THOSE DAYS HAVE PASSED VIRGINIA TARPON ARE NO LONGER A SECRET VIRGINIA HAS A VIABLE TARPON FISHERY THERE ARE ENOUGH TARPON IN VIRGINIA TO BE CONCERNED ABOUT PEOPLE WHO SAY THERE ARE NOT ENOUGH TARPON IN VIRGINIA TO BE CONCERNED ABOUT ARE SIMPLY MISINFORMED MOST LIKELY BECAUSE THEY HAVE NO PERSONAL EXPERIENCE IN THE FISHERY CURRENTLY PRETTY MUCH EVERYONE PRACTICES CATCH AND RELEASE WHEN TARPON FISHING IN VIRGINIA THAT IS FORTUNATE HOWEVER TIMES CHANGE AND MANY NATURAL RESOURCES END UP BEING ABUSED OR TAKEN ADVANTAGE OF ESPECIALLY THOSE RESOURCES THAT HAVE NO LEGAL PROTECTION TARPON ARE VERY EASY TARGETS TO BOWFISHERS AND SPEAR FISHERS WITH NO REGULATION TARPON IN VIRGINIA CAN BE KILLED FOR A PHOTO THEN THROWN AWAY WITH NO PROTECTION SOMEONE COULD SPONSOR A KILL TOURNAMENT WHERE THE ANGLER WHO KILLS THE MOST WINS AT THE END OF THE DAY THE DUMPSTERS AT THE RAMP WILL BE FILLED WITH ROTTING TARPON CARCASSES THIS REGULATION WILL PREVENT THAT THIS REGULATION WILL NOT INTERFERE IN ANY CURRENT TARPON FISHING BUT WILL SIMPLY PREVENT SUCH ABUSES IN THE FUTURE AND WILL PRESERVE THE FISHING THAT CURRENTLY EXISTS I COMMEND THE COMMISSION FOR BEING PROACTIVE IN THIS REGARD FISHERIES MANAGERS ARE OFTEN ACCUSED OF DOING TOO LITTLE TOO LATE WHEN IT COMES TO PROTECTING FISHERIES THIS IS AN OPPORTUNITY TO CHANGE THAT VIRGINIA CAN PROTECT A MAGNIFICENT GAME FISH BEFORE THE FISHERY IS ABUSED REGARDING THE PROPOSED REGULATION I WOULD SUPPORT IT AND ANY REGULATION THAT MAKES TARPON CATCH AND RELEASE ONLY I WOULD PREFER THAT LANGUAGE BE ADDED THAT TARPON SHOULD BE RELEASED IN THE WATER TARPON NEED THE SUPPORT OF THE WATER AT ALL TIMES THEY ARE EASILY INJURED OFTEN UNINTENTIONALLY WHEN BROUGHT INTO A BOAT THEY ARE NOT TOUGH OUT OF THE WATER LIKE REDFISH THE BOARD SHOULD ALSO CONSIDER FLORIDA'S TARPON REGULATIONS THE FLORIDA REGS HAVE WORKED WELL AND HAVE BEEN ACCEPTED BY THE ANGLING COMMUNITY BASICALLY FLORIDA MAKES TARPON CATCH AND RELEASE AND REQUIRES LARGE TARPON TO BE RELEASED IN THE WATER ANGLERS WHO WANT THE OPPORTUNITY TO SET A RECORD CAN BUY A \$50 TAG THAT ALLOWS THEM TO POSSESS ONE POTENTIAL RECORD A YEAR THE TAGGING PROGRAM ACTUALLY GENERATES REVENUE FOR FLORIDA I WOULD BUY A TAG JUST TO SUPPORT THE CAUSE I DON'T SEE WHERE A TARPON REGULATION WOULD BE OF CONCERN TO COMMERCIAL FISHERS BUT IF NECESSARY THE COMMISSION COULD ADD LANGUAGE THAT COMMERCIAL ANGLERS CAN RELEASE ACCIDENTALLY CAUGHT TARPON WITHOUT VIOLATING THIS STATUE NEW REGULATIONS OFTEN HAVE UNINTENDED CONSEQUENCES I DO NOT SEE ANY POTENTIAL NEGATIVES IN THIS REGULATION AGAIN THANK YOU FOR TAKING UP THIS MATTER I STRONGLY ENCOURAGE THE BOARD TO MAKE TARPON HOOK AND LINE CATCH AND RELEASE ONLY IN VIRGINIA

Virginia Marine Resources Commission

Public Comments

Agenda Item: Proposal to adopt Chapter 4VAC 20-1420., "Pertaining to Atlantic Tarpon", to establish prohibitions on recreational and commercial harvest and create further gear limitations to decrease the likelihood of mortality on the migratory population of tarpon encountered in Virginia's territorial waters.

Print Date: Wednesday May 20 2026 08:10

Number	Name	Received	Position
10	FRED W REHBEIN	05/15/2026	FAVOR

THERE'S NO REASON TARPON SHOULD BE KEPT THEY ARE NOT GOOD FOR EATING AND ARE NOT INVASIVE TO ANY OTHER VIRGINIA MARINE LIFE

Virginia Marine Resources Commission

Public Comments

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Print Date: Wednesday May 20 2026 08:10

Number	Name	Received	Position
11	EDWARD W PACHECO	05/15/2026	FAVOR

I STRONGLY SUPPORT CHAPTER 4VAC20 1420 "PERTAINING TO ATLANTIC TARPON " AND ITS PROPOSED MEASURES TO PROHIBIT BOTH RECREATIONAL AND COMMERCIAL HARVEST STRENGTHEN GEAR RESTRICTIONS AND REQUIRE THAT TARPON REMAIN IN THE WATER WHEN HANDLED THESE PROTECTIONS ARE A NECESSARY AND RESPONSIBLE STEP TOWARD REDUCING AVOIDABLE MORTALITY IN THE MIGRATORY TARPON POPULATION FOUND IN VIRGINIA'S TERRITORIAL WATERS AS A HIGHLY VALUED SPORT FISH WITH LIMITED PRESENCE IN THE REGION TARPON SHOULD BE MANAGED WITH CONSERVATION AS THE CLEAR PRIORITY ALLOWING PHOTOGRAPHS TO BE TAKEN ALONGSIDE THE BOAT OR AT THE WATER'S EDGE WHILE THE FISH REMAINS IN THE WATER PROVIDES A REASONABLE BALANCE BETWEEN ANGLER EXPERIENCE AND THE NEED TO PROTECT THIS SPECIES FROM UNNECESSARY STRESS AND HARM

Virginia Marine Resources Commission

Public Comments

Agenda Item: Proposal to adopt Chapter 4VAC 20-1420., "Pertaining to Atlantic Tarpon", to establish prohibitions on recreational and commercial harvest and create further gear limitations to decrease the likelihood of mortality on the migratory population of tarpon encountered in Virginia's territorial waters.

Print Date: Wednesday May 20 2026 08:10

Number	Name	Received	Position
12	GEORGE J SAVAGE III III	05/15/2026	FAVOR

DEAR COMMISSIONERS I GREW UP ON THE EASTERN SHORE OF VIRGINIA AND HAVE BEEN FISHING FOR TARPON ON THE SEASIDE OF NORTHAMPTON COUNTY SINCE I WAS IN HIGH SCHOOL WHICH WAS 50 PLUS YEARS AGO I WRITE TO URGE YOU TO ADOPT THE REGULATIONS FOR ATLANTIC TARPON PROPOSED AS CHAPTER 4 VAC 20 1420 I SUPPORT RELEASING TARPON INTO THE WATER AND PROHIBITING THEIR RECREATIONAL OR COMMERCIAL HARVEST TARPON ARE FAR MORE VALUABLE ALIVE THAN HARVESTED AS A SINGLE FISH CAN BE CAUGHT AND RELEASED BY ANGLERS MANY TIMES IN ITS LIFETIME WHICH CAN SPAN 80 YEARS OR MORE! BY MAKING TARPON CATCH AND RELEASE ONLY VIRGINIA WILL ALIGN WITH CONSERVATION MEASURES ADOPTED BY FLORIDA AND OTHER COASTAL STATES THAT SHARE THE MIGRATORY TARPON FISHERY EACH SPRING SCHOOLS OF ATLANTIC TARPON MIGRATE FROM THE FLORIDA KEYS ALONG THE EAST COAST TO REACH THE NORTHERN WATERS OF THEIR RANGE INCLUDING THE CHESAPEAKE BAY DURING THE SUMMER MONTHS TARPON FEED ON FORAGE FISH BEFORE REVERSING THEIR JOURNEY SOUTH IN THE FALL I FISH FOR AND ENJOY VERY MUCH SEEING THE TARPON ON VIRGINIA'S EASTERN SHORE ESPECIALLY ON THE SEASIDE DURING JUNE JULY AND AUGUST SEEING THESE NIGHTLY FISH IS SPECIAL AND ANYTHING WE CAN DO TO PROTECT THE FISHERY ESPECIALLY THIS REGULATION I AM IN FAVOR OF PLEASE SUPPORT THE FUTURE OF THE FISHERY BY ADOPTING THE REGULATIONS FOR ATLANTIC TARPON IN CHAPTER 4 VAC 20 142 28 2 201 OF THE CODE OF VIRGINIA SINCERELY YOURS GEORGE JACOB JAKE SAVAGE III

Virginia Marine Resources Commission

Public Comments

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Print Date: Wednesday May 20 2026 08:10

Number	Name	Received	Position
13	CHRISTOPHER D MALGEE	05/18/2026	FAVOR

VIRGINIA HAS THE NORTHERNMOST MIGRATORY TARPON POPULATION AND THIS ANNUAL MOVEMENT IS WELL DOCUMENTED PROTECTING THE FISH THAT VISIT VIRGINIA'S WATERS IS OUR RESPONSIBILITY AND IGNORING THE POPULATION HOPING PEOPLE DO WHAT'S RIGHT IS AN ERROR I STRONGLY SUPPORT PUTTING REGULATIONS IN PLACE TO PROTECT THE ATLANTIC TARPON IN VIRGINIA'S WATERS

Virginia Marine Resources Commission

Public Comments

Agenda Item: Proposal to adopt Chapter 4VAC 20-1420., "Pertaining to Atlantic Tarpon", to establish prohibitions on recreational and commercial harvest and create further gear limitations to decrease the likelihood of mortality on the migratory population of tarpon encountered in Virginia's territorial waters.

Print Date: Wednesday May 20 2026 08:10

Number	Name	Received	Position
14	MATT BOYCE	05/18/2026	FAVOR

TARPON ARE AN IMPORTANT GAME FISH THAT IF PROTECTED WILL ALLOW THE ECOSYSTEM TO THRIVE BUT ALSO BOOST THE SPORT FISHING ECONOMY

Virginia Marine Resources Commission

Public Comments

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Print Date: Thursday May 21 2026 12:01

Number	Name	Received	Position
15	RIC BURNLEY	05/20/2026	FAVOR

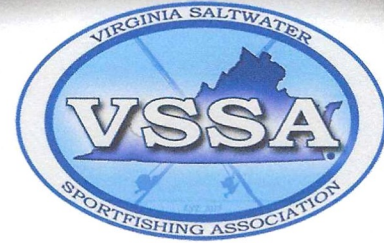
I AM WRITING TO SUPPORT CHAPTER 4VAC20 1420 10 I WOULD LIKE TO SUGGEST A FURTHER PROVISION TO PREVENT ANGLERS FROM REMOVING TARPON FROM THE WATER THANKS RIC BURNLEY

Virginia Saltwater Sportfishing Association, Inc (VSSA)

3419 Virginia Beach Blvd #5029

Virginia Beach, VA 23452

joinvssa.org



Tom Fenn
President

VIA EMAIL

Scott Greg
Vice President

Bob Mandigo
Treasurer

May 18, 2026

Grace Omer
Secretary

Mr. Adam Keynon
Acting Chief Fisheries Management
380 Fenwick Rd
Ft. Monroe, VA 23651

Re: Draft Regulation CHAPTER 4 VAC 20-1420

The Virginia Saltwater Sportfishing Assn (VSSA) supports the draft regulation CHAPTER 4 VAC 20-1420 pertaining to Atlantic Tarpon as written, in order control the harvest and to minimize negative impacts to migratory Atlantic Tarpon.

Board of Directors

Steve Atkinson

Respectfully,

John Bello

John J Bello, Jr

Tom Burkett

Kirk Casper

Scott Greg

Bob Mandigo

Les McDougall

Grace Omer

Mildred Ritter

David Tobey

Pat Valent

Jon Wehner

Chris Woody

A non-profit 501c3 Organization
Representing Virginia Recreational Anglers

"PERTAINING TO ATLANTIC TARPON"

CHAPTER 4 VAC 20-1420

PREAMBLE

This chapter establishes possession limits, gear requirements, and allowable fishing practices for Atlantic tarpon in Virginia waters.

This chapter is promulgated pursuant to authority contained in §28.2-201 of the Code of Virginia. This chapter establishes Chapter 4 VAC 20-1420 on May 26, 2026 with an effective date of June 1, 2026.

4VAC20-1420-10. Purpose.

The purpose of this chapter is to control the harvest of and minimize the negative impacts to the migratory Atlantic tarpon that enter Virginia's territorial waters.

4 VAC 20-1420-20. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise.

"Atlantic tarpon" means any fish of the species *Megalops atlanticus*.

"Recreational vessel" means any vessel, kayak, charter vessel, or headboat fishing recreationally.

"PERTAINING TO ATLANTIC TARPON"

CHAPTER 4 VAC 20-1420

"Recreational fishing," "fishing recreationally," or "recreational fishery" means fishing by any person, whether licensed or exempted from licensing, where the catch is not or is not intended for sale, barter, trade, or any commercial purpose.

"Bait" means any whole or part of any marine or aquatic organism, live or dead.

"Circle hook" means a non-offset, non-stainless steel hook with the point turned sharply and straight back toward the shank.

"Spear" or "spearing" means to fish while the person is fully submerged under the water's surface with a mechanically aided device designed to accelerate a barbed spear.

"Gaff" or "gaffing" means to utilize a hooked, metal rod to pierce the body a fish to better facilitate bringing it on board a vessel.

4VAC20-1420-30. Concerning recreational fishing: general

A. It shall be unlawful for any person fishing recreationally to possess Atlantic tarpon at any time. Any Atlantic tarpon caught shall be returned to the water immediately.

"PERTAINING TO ATLANTIC TARPON"

CHAPTER 4 VAC 20-1420

B. It shall be unlawful for any person fishing recreationally to gaff or attempt to gaff an Atlantic tarpon.

C. It shall be unlawful for any person fishing recreationally to spear or attempt to spear an Atlantic tarpon.

D. Any person fishing recreationally for Atlantic tarpon shall use non-offset, corrodible, non-stainless steel circle hooks when fishing with bait.

4VAC20-1420-40. Commercial fishery prohibition.

It shall be unlawful for any person to take, harvest, land, or possess tarpon for commercial purposes, including being offered or intended for sale, barter, or trade, at any time.

4VAC20-1420-50. Penalty.

As set forth in §28.2-903 of the Code of Virginia, any person violating any provision of this chapter shall be guilty of a Class 3 misdemeanor and a second or subsequent violation of any provision of this chapter committed by the same person within 12 months of a prior violation is a Class 1 misdemeanor.

"PERTAINING TO ATLANTIC TARPON"

CHAPTER 4 VAC 20-1420

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 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 May 26, 2026.

**COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION**

BY: _____
Joseph D. Grist
Commissioner

Subscribed and sworn to before me this _____ day of _____ 2026.

Notary Public

LICENSE STATUS REQUEST, 5/26/2026

Discussion:

Mr. Douglas Whitmire (010037) requests the Commission grant exception to the two-year delay to obtain his Commercial Fisherman Registration License. Mr. Whitmire held a Commercial Fisherman Registration License in 2025 but missed the April 30th deadline to purchase his 2026 license. He has completed and returned a two-year exception form.

Issues:

Mr. Whitmire does not meet any of the requirements for exception to the two-year delay as stated in regulation 610.

4VAC20-610-30. Commercial Fisherman Registration License; exceptions and requirements of authorized agents.

G. Exceptions to the two-year delay described in 4 VAC 20-610-30 F may be granted by the commissioner or his designee, if any of the following criteria are met:

1. The applicant is purchasing another fisherman's Commercial Fisherman Registration License, and the seller holds a valid, current Commercial Fisherman Registration License and surrenders that license to the commission at the time the license is sold.

2. An immediate member of the applicant's family, who holds a current Commercial Fisherman Registration License, has died or is retiring from the commercial fishery and the applicant intends to participate in the fishery.

3. The applicant purchased a valid Commercial Fisherman Registration License during the preceding year, did not transfer that Commercial Fisherman Registration License, and can demonstrate a significant hardship, on the basis of health or active military duty, as described in 4 VAC 20-610-30 G.4.

4. Any exceptions based on a health condition shall only be granted by the Commissioner or his designee only after receipt of an attending physician's description of the medical condition. Any exception based on active military duty shall only be granted by the Commissioner or his designee after receipt of those military orders.

Background:

- License history – Attachment 1
- Exception Form – Attachment 2
- Summons History – No Summons History

Attachment 1
 Douglas Whitmire
 License History

Virginia Marine Resources Commission
 License History Report



DOUGLAS WHITMIRE
 9612 GRIGSBY LN
 KING GEORGE, VA 22485-6931
 MRC ID: 010037

Phone: 865-399-2577
 Eyes: BLUE
 Hair: BROWN
 Weight: 205
 Birth: 9/21/68

License	Tag No.	Gear	Description	Date Sold	Year	Agent	Status
OL155052-001	18762	303	GILL NETS-600 OR LESS	2025-01-14	2025	01A07	SOLD
OL155052-002	18763	303	GILL NETS-600 OR LESS	2025-01-14	2025	01A07	SOLD
OL155052-003	19141	308	FISH TROT LINE	2025-01-14	2025	01A07	SOLD
OL155052-004	19174	310	HAUL SEINE-UNDER 500 YDS	2025-01-14	2025	01A07	SOLD
OL155052-005		372	CLASS B GILL NET PERMIT	2025-01-14	2025	01A07	SOLD
OL155052-006	19208	388	FISH POT-100 OR LESS	2025-01-14	2025	01A07	SOLD
OL155052-007	18764	303	GILL NETS-600 OR LESS	2025-01-14	2025	01A07	SOLD
OL155052-008	18765	303	GILL NETS-600 OR LESS	2025-01-14	2025	01A07	SOLD
OL155052-009	18766	303	GILL NETS-600 OR LESS	2025-01-14	2025	01A07	SOLD
OL155052-010	18767	303	GILL NETS-600 OR LESS	2025-01-14	2025	01A07	SOLD
OL155052-011	18768	303	GILL NETS-600 OR LESS	2025-01-14	2025	01A07	SOLD
OL155052-012	18769	303	GILL NETS-600 OR LESS	2025-01-14	2025	01A07	SOLD
OL155052-013	18770	303	GILL NETS-600 OR LESS	2025-01-14	2025	01A07	SOLD
OL155052-014	18771	303	GILL NETS-600 OR LESS	2025-01-14	2025	01A07	SOLD
OL631038-001		500	COMMERCIAL REGISTRATION	2024-12-05	2025	WEB	SOLD
OL154481-001	18562	303	GILL NETS-600 OR LESS	2023-12-29	2024	01A07	SOLD
OL154481-002	18563	303	GILL NETS-600 OR LESS	2023-12-29	2024	01A07	SOLD
OL154481-003	19059	308	FISH TROT LINE	2023-12-29	2024	01A07	SOLD
OL154481-004	19091	310	HAUL SEINE-UNDER 500 YDS	2023-12-29	2024	01A07	SOLD
OL154481-005		372	CLASS B GILL NET PERMIT	2023-12-29	2024	01A07	SOLD
OL154481-006	19120	388	FISH POT-100 OR LESS	2023-12-29	2024	01A07	SOLD
OL154481-007	18564	303	GILL NETS-600 OR LESS	2023-12-29	2024	01A07	SOLD
OL154481-008	18565	303	GILL NETS-600 OR LESS	2023-12-29	2024	01A07	SOLD
OL154481-009	18566	303	GILL NETS-600 OR LESS	2023-12-29	2024	01A07	SOLD
OL154481-010	18567	303	GILL NETS-600 OR LESS	2023-12-29	2024	01A07	SOLD
OL154481-011	18568	303	GILL NETS-600 OR LESS	2023-12-29	2024	01A07	SOLD
OL154481-012	18569	303	GILL NETS-600 OR LESS	2023-12-29	2024	01A07	SOLD
OL154481-013	18570	303	GILL NETS-600 OR LESS	2023-12-29	2024	01A07	SOLD
OL154481-014	18571	303	GILL NETS-600 OR LESS	2023-12-29	2024	01A07	SOLD

Virginia Marine Resources Commission License History Report



License	Tag No.	Gear	Description	Date Sold	Year	Agent	Status
OL627740-001		500	COMMERCIAL REGISTRATION	2023-12-07	2024	GHATC	SOLD
OL154001-001	19148	303	GILL NETS-600 OR LESS	2023-01-10	2023	01A07	SOLD
OL154001-002	19149	303	GILL NETS-600 OR LESS	2023-01-10	2023	01A07	SOLD
OL154001-003	19506	308	FISH TROT LINE	2023-01-10	2023	01A07	SOLD
OL154001-004	19532	310	HAUL SEINE-UNDER 500 YDS	2023-01-10	2023	01A07	SOLD
OL154001-005		372	CLASS B GILL NET PERMIT	2023-01-10	2023	01A07	SOLD
OL154001-006	19573	388	FISH POT-100 OR LESS	2023-01-10	2023	01A07	SOLD
OL154001-007	19150	303	GILL NETS-600 OR LESS	2023-01-10	2023	01A07	SOLD
OL154001-008	19151	303	GILL NETS-600 OR LESS	2023-01-10	2023	01A07	SOLD
OL154001-009	19152	303	GILL NETS-600 OR LESS	2023-01-10	2023	01A07	SOLD
OL154001-010	19153	303	GILL NETS-600 OR LESS	2023-01-10	2023	01A07	SOLD
OL154001-011	19154	303	GILL NETS-600 OR LESS	2023-01-10	2023	01A07	SOLD
OL154001-012	19155	303	GILL NETS-600 OR LESS	2023-01-10	2023	01A07	SOLD
OL154001-013	19156	303	GILL NETS-600 OR LESS	2023-01-10	2023	01A07	SOLD
OL154001-014	19157	303	GILL NETS-600 OR LESS	2023-01-10	2023	01A07	SOLD
OL399467-001		500	COMMERCIAL REGISTRATION	2022-12-14	2023	50050	SOLD
OL153302-001	19176	303	GILL NETS-600 OR LESS	2021-12-23	2022	01A07	SOLD
OL153302-002	19177	303	GILL NETS-600 OR LESS	2021-12-23	2022	01A07	SOLD
OL153302-003	19693	308	FISH TROT LINE	2021-12-23	2022	01A07	SOLD
OL153302-004	19727	310	HAUL SEINE-UNDER 500 YDS	2021-12-23	2022	01A07	SOLD
OL153302-005		372	CLASS B GILL NET PERMIT	2021-12-23	2022	01A07	SOLD
OL153302-006	19750	388	FISH POT-100 OR LESS	2021-12-23	2022	01A07	SOLD
OL153302-007	19178	303	GILL NETS-600 OR LESS	2021-12-23	2022	01A07	SOLD
OL153302-008	19179	303	GILL NETS-600 OR LESS	2021-12-23	2022	01A07	SOLD
OL153302-009	19180	303	GILL NETS-600 OR LESS	2021-12-23	2022	01A07	SOLD
OL153302-010	19181	303	GILL NETS-600 OR LESS	2021-12-23	2022	01A07	SOLD
OL153302-011	19182	303	GILL NETS-600 OR LESS	2021-12-23	2022	01A07	SOLD
OL153302-012	19183	303	GILL NETS-600 OR LESS	2021-12-23	2022	01A07	SOLD
OL153302-013	19184	303	GILL NETS-600 OR LESS	2021-12-23	2022	01A07	SOLD
OL153302-014	19185	303	GILL NETS-600 OR LESS	2021-12-23	2022	01A07	SOLD
OL388236-001		500	COMMERCIAL REGISTRATION	2021-12-01	2022	WEB	SOLD
OL152753-001	18413	303	GILL NETS-600 OR LESS	2020-12-30	2021	01A07	SOLD
OL152753-002	18414	303	GILL NETS-600 OR LESS	2020-12-30	2021	01A07	SOLD
OL152753-003	18740	308	FISH TROT LINE	2020-12-30	2021	01A07	SOLD
OL152753-004	18761	310	HAUL SEINE-UNDER 500 YDS	2020-12-30	2021	01A07	SOLD
OL152753-005		372	CLASS B GILL NET PERMIT	2020-12-30	2021	01A07	SOLD
OL152753-006	18784	388	FISH POT-100 OR LESS	2020-12-30	2021	01A07	SOLD

Virginia Marine Resources Commission License History Report



License	Tag No.	Gear	Description	Date Sold	Year	Agent	Status
OL152753-007	18842	391	EEL POT-100 OR LESS	2020-12-30	2021	01A07	SOLD
OL378163-001		500	COMMERCIAL REGISTRATION	2020-12-15	2021	50050	SOLD
OL152297-001	19967	303	GILL NETS-600 OR LESS	2020-01-21	2020	01A07	SOLD
OL152297-002	19968	303	GILL NETS-600 OR LESS	2020-01-21	2020	01A07	SOLD
OL152297-003	20241	308	FISH TROT LINE	2020-01-21	2020	01A07	SOLD
OL152297-004	20267	310	HAUL SEINE-UNDER 500 YDS	2020-01-21	2020	01A07	SOLD
OL152297-005		372	CLASS B GILL NET PERMIT	2020-01-21	2020	01A07	SOLD
OL152297-006	20296	388	FISH POT-100 OR LESS	2020-01-21	2020	01A07	SOLD
OL152297-007	20361	391	EEL POT-100 OR LESS	2020-01-21	2020	01A07	SOLD
OL368343-001		500	COMMERCIAL REGISTRATION	2020-01-21	2020	50050	SOLD

Attachment 2
Douglas Whitmire
Exception Form

VIRGINIA MARINE RESOURCES COMMISSION
FISHERIES MANAGEMENT DIVISION
380 FENWICK ROAD, BUILDING 96
FORT MONROE, VA 23651

EXCEPTION TO DELAYED COMMERCIAL REGISTRATION FORM
(REGULATION 4 VAC 20-610-10 SECTION 30, G)

FAILURE TO PROVIDE ALL INFORMATION WILL DELAY YOUR APPLICATION

FULL NAME: Douglas whitmire

DMV ID (customer) NUMBER: 010037

MAILING ADDRESS: 5901 mt nebo rd barhamsville virginia 23011

PHYSICAL ADDRESS: Same

DATE OF BIRTH: 09/21/1968 TELEPHONE: +15713510842

HEIGHT: 5/9 WEIGHT: 185 EYE COLOR: Blue HAIR COLOR: _____

REASON FOR CONSIDERATION OF AN EXCEPTION OF THE 2 YEAR DELAY: (SEE ATTACHED EXCERPT FROM
REGULATION 4 VAC 20-610-10)

My reason for asking for the consideration of the two years delay

I have went through a year long period of depression after my wife of 15 years left me for another man witch started my depression a few months later

My business partner went his own way taking a lot of my equipment as I was just getting past that my father got killed in a boating accident

Well I slipped into deep depression again a few months later I met the love of my life witch turned thing around for the better we decided to go down to Florida for the winter and clear the mind then on Christmas Day 2025 due to a freak accident on I 95 south she got killed

Leaving me devastated and in another depression state of mind I finally got it together again and come home to Virginia on 5/01/2026 now iv learned I j

iv missed the April 30 deadline to renew my Virginia waterman card so I pray that the VMRC commission will reinstate my card so I can get my life back

into a routine schedule again and get back on the water catching catfish thanks in advance for the opportunity to skip the two ye

Waiting period

PLEASE ATTACH ANY ADDITIONAL DOCUMENTS

5/14/2026

DATE

Douglas Whitmire
SIGNATURE OF APPLICANT

OFFICE USE ONLY

APPROVED

DENIED

VIRGINIA MARINE RESOURCES COMMISSIONER OR DEIGNEE

DATE