

MINUTES

COMMISSION MEETING

May 27, 2025

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:

Jamie L. Green	Commissioner
Lynn Kellum	
A.J. Erskine	
William Bransom	Associate Members
Jeremy Headley	
Jeanette Edwards	
Thomas Preston	
Preston White	
Kelci Block	Assistant Attorney General
Randy Owen	Chief, Habitat Management
Adam Kenyon	Chief, Shellfish Management
Pat Geer	Chief, Fisheries Management

Virginia Institute of Marine Science (VIMS):

Lyle Varnell	Emily Hein	Mark Luckenbach
Alex Sabo		

Others present:

John Bryant	Tim Jones	Heather Kennedy
Phillip Gibson	Valene Malzare	Lauren Chartland
Leslie Clenke	JoAnn Clenke	Juliana Cerny
Eldon Sully	George Mapp	Rich Calvert
Dustin Pringle	Jordan Krevonick	Rebecca Frances
David O'Brien	Kim Husky	Hazel Von Hollen
Amelia Clements	and others.	

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APPROVAL OF AGENDA. – Commissioner Jamie Green asked if there were any changes from the Board members or staff.

Associate Member Erskine moved to approve the agenda as presented. Associate Member Bransom seconded the motion. The motion carried, 7-0.

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MINUTES: Commissioner Green asked if there were any changes or corrections to be made to the April 22, 2025, Commission Meeting minutes.

Associate Member Erskine moved to approve the minutes as presented. Associate Member Headley seconded the motion. The motion carried, 7-0.

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

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Commissioner Green recognized Beth Howell and Stephanie Iverson-Cason on their retirement. Their comments are a part of the verbatim record.

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

Randy Owen, Chief, Habitat Management, reviewed the Page 2 items 2A through 2F for the Associate Members. Mr. Owen's comments are a part of the verbatim record.

- 2A. **PERDUE AGRIBUSINESS LLC, #25-0254** requests authorization to mechanically dredge 14,000 cubic yards of state-owned submerged lands to a maximum depth of -38 feet mean low water adjacent to the existing unloading dock, and -42 mean low water adjacent to the existing loading dock at the Perdue

Agribusiness facility located along the confluence of the Southern Branch Elizabeth River and Jones Creek in the City of Chesapeake. Dredged material will be barged and offloaded at either Craney Island Dredged Material Management Area, Shirley Plantation in Charles City, or Precon Marine facility in the City of Chesapeake. Staff recommends approval with our standard dredge conditions. This project requires a VMRC Subaqueous permit.

- 2B. **CITY OF VIRGINIA BEACH, #25-0277** requests authorization to maintenance dredge approximately 500,000 cubic yards (per cycle) of state-owned submerged bottom within the Rudee Inlet federal navigational channel, sand trap, and outer deposition basin, to a maximum depth of -22 feet mean lower low water, situated along the Atlantic Ocean in Virginia Beach. Dredging will occur either by hydraulic or hopper-dredge methods on an as-necessary basis, with sidecast dredging utilized as an emergency measure. Dredged sand will be hydraulically pumped to the resort beach area, released/placed in the near-shore beach area north of Rudee Inlet, or placed on Croatan Beach south of Rudee Inlet. Staff recommends approval with our standard dredge conditions and the previous sidecast dredging special conditions. This project requires a Subaqueous permit.
- 2C. **ELIAS SCOTT, #24-2196** requests authorization to construct a 40-foot low profile groin extending channelward of an existing bulkhead along the Rappahannock River shoreline at 113 Wildwood Place in Essex County. The project requires a VMRC Wetlands and a VGP-2 Groin General Permit.
- 2D. **VIRGINIA PORT AUTHORITY and ROCKET LAB USA, #25-0521** request authorization to dredge approximately 59,042 cubic yards of state-owned submerged lands to achieve a maximum depth of minus seven (-7) feet mean low water, on an as-needed basis, within Sloop Gut Channel adjacent to Wallops Island in Accomack County. Dredged material will be barged to Shirley Plantation and offloaded for upland disposal. Staff recommends approval with our standard dredge conditions and the use of a turbidity curtain and environmental dredge bucket to minimize impacts on adjacent leased shellfish beds. This project requires a Subaqueous permit.

- 2E. NAVAL STATION NORFOLK #2023-1875** requests authorization to construct a 200-foot-long by 16-inch-wide concrete sheet pile breakwater structure spanning the northside of an exempt concrete open-pile pier adjacent to Building V-47 serving Norfolk Naval Station situated along Willoughby Bay in the City of Norfolk. The project requires a Subaqueous permit.

- 2F. VIRGINIA ELECTRIC & POWER D/B/A DOMINION ENERGY, #25-0278** requests authorization to install a monopile support structure that will result in 20 square feet of tidal vegetated wetland impacts situated along Proctors Creek in Chesterfield County, serving Dominion Chesterfield Power Station. The applicant has purchased tidal wetlands credits from the Virginia Aquatic Resources Trust Fund. This project requires a VMRC Wetlands permit.

No one spoke in support or opposition of the projects.

The matter was before the Commission for discussion and action.

Associate Member Bransom moved to approve Page 2 items 2A through 2F as presented. Associate Member Edwards seconded the motion. The motion carried, 7-0.

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- 3. CONSENT AGENDA ITEMS:** There were no Consent Agenda Items presented.

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- 4. CLOSED MEETING FOR CONSULTATION WITH, OR BRIEFING BY, COUNSEL. – No meeting needed**

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- 5. PHILLIP GIBSON, #24-1759** requests authorization to construct a 17-foot by 48-foot open-sided boathouse adjacent to an existing private pier serving 119 Dandy Haven Lane, situated along Back Creek in York County. This project is protested by the adjacent property owner.

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

Phillip Gibson, applicant, was sworn in and spoke. His comments are a part of the verbatim record.

Annette Gibson, applicant's wife, was sworn in and spoke. Her comments are a part of the verbatim record.

John Bryant was sworn in and spoke in support of the application. His comments are a part of the verbatim record.

Carl Eason, representing Mr. Regan spoke in opposition to the application. His comments are a part of the verbatim record.

Dewy Regan, protestant, spoke in opposition of the application. His comments are a part of the verbatim record.

Associate Member Preston moved to approve the project as presented. Associate Member Edwards seconded the motion. The motion carried, 6-0. Associate Member White abstained.

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6. **WYATT LANDING DEVELOPMENT LLC, #24-2634** Commission review, on appeal by the applicant of the April 2, 2025, decision of the Portsmouth Wetlands Board to deny their request to construct two (2) stormwater outfalls with an associated riprap aprons in tidal wetlands serving the proposed residential subdivision adjacent to 3552 Cardinal Lane along Lily Creek in Portsmouth.

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

Dustin Pringle, Natural Resource Manager with Bay Environmental was sworn in and spoke. His comments are a part of the verbatim record.

Leslie Clark was sworn in and spoke. His comments are a part of the verbatim record.

Dr. Janice Bray was sworn in and spoke. Her comments are a part of the verbatim record.

Tim Jones was sworn in and spoke. His comments are a part of the verbatim record.

The matter was before the Commission for discussion and action.

Associate Member Erskine moved to accept staff recommendation to remand the case back the City of Portsmouth Local Wetlands Board for further consideration. Associate Member Kellum seconded the motion. The motion carried, 7-0.

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7. PUBLIC COMMENT:

James M. Glasco requested his oyster resource user fee be reinstated after not purchasing it since 2017.

Associate Member Headley moved to reinstate his Oyster Resource User Fee so long as he pays the back fees for the years he did not renew. Associate Member Bransom seconded the motion. The motion carried, 6-0-1. Associate Member Kellum abstained.

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8. PUBLIC HEARING Proposal to amend Chapter 4 VAC 20-950-10 et seq., "Pertaining to Black Sea Bass," to establish the 2025 recreational management measures for this species.

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

The matter was before the Commission for discussion and action.

Associate Member Bransom moved to approve to approve staff recommendation to establish the 2025 recreational management measures for this species. The 2025

Commission Meeting

**19319
May 17, 2025**

recreational black sea bass section will be May 15 through July 15 and August 5 through December 31. Associate Member Headley seconded the motion. The motion carried, 7-0.

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There being no further business, the meeting was adjourned. The next Commission meeting will be held on **Tuesday**, June 24, 2025.

Jamie L. Green, Commissioner

Jamie Hogge, Recording Secretary