

MINUTES

COMMISSION MEETING

October 28, 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
Patrick Hand	
Lynn Kellum	
A.J. Erskine	Associate Members
William Bransom	
Jeremy Headley	
Thomas Preston	
Preston White	
Kelci Block	Assistant Attorney General Via phone
Randy Owen	Chief, Habitat Management
Adam Kenyon	Chief, Shellfish Management
Alicia Nelson	Natural Resources Manager

Virginia Institute of Marine Science (VIMS):

Lyle Varnell	Mark Luckenbach
--------------	-----------------

Others present:

Emerson Stevens	Howard Stevens	Christopher Reynolds
Jim Dunstan	Jordan Dunstan	Aubrey Stokes
Cody Weicht	Allen Rowe	Pat Foster
Brian Fletcher	Emory Rice	Larry Wilson
Jacob Jewell	Jim Wesson	David Parker
Neville Reynolds	Monica Schenemann	and others.

* * * * *

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, 6-0. Associate Member White was not present.

* * * * *

MINUTES: Commissioner Green asked if there were any changes or corrections to be made to the September 23, 2025, Commission Meeting minutes.

Associate Member Headley moved to approve the minutes as presented. Associate Member Bransom seconded the motion. The motion carried, 5-0-1. Associate Member Preston abstained. Associate Member White was not present.

* * * * *

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

* * * * *

2. PERMITS (Projects over \$1,000,000.00 with no objections and with staff recommendation for approval).

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

2A. VIRGINIA ELECTRIC & POWER COMPANY, VMRC #25-0465, requests authorization to hydraulically dredge 219,515 cubic yards of state-owned submerged lands in an effort to establish a 6,243-foot long by 120-foot wide by 11-foot deep (mean low water) channel within the James River to access the facility's intake basin located at 5570 Hog Island Road in Surry County. The project is protested by an adjacent shellfish leaseholder.

- 2B. **RAPPAHANNOCK RIVER RUN BLUFFS OWNERS ASSOCIATION, VMRC #25-1856**, requests authorization to retain and repair an existing 90-foot stone groin and to construct a 32-foot landward extension of the stone groin adjacent to 1646 Mark Haven Beach Road, situated along the Rappahannock River in Essex County. This project requires a VMRC Wetlands and Subaqueous permit.
- 2C. **CITY OF PORTSMOUTH, VMRC #25-1557**, requests authorization to construct a 99-foot wide by 205-foot long open-pile bridge over a 112-foot wide section of Paradise Creek, and to relocate an existing power line over a 120-foot section of Paradise Creek, a minimum of 35 feet above mean high water, adjacent to Victory Boulevard as part of the Paradise Creek Bridge Replacement Project in Portsmouth. This project requires a VMRC Subaqueous permit.

The matter was before the Commission for discussion and action.

Associate Member Bransom moved to approve Page 2 items 2A through 2C as presented. Associate Member Headley seconded the motion. The motion carried, 6-0. Associate Member White was not present.

* * * * *

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

* * * * *

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

* * * * *

5. **RECOMMENDATION**
Funding request from the Recreational and Commercial License Funds.

Alicia Nelson, Natural Resources 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.

The matter was before the Commission for discussion and action.

Associate Member Erskine moved to approve the funding for thirteen proposed projects, totaling \$524,275 from the Virginia Saltwater Recreational Fishing Development Fund, and three proposed projects, totaling \$145,794 from the Marine Fishing Improvement Fund request as presented. Associate Member Headley seconded the motion. The motion carried, 6-0. Associate Member White was not present.

* * * * *

6. **VIRGINIA INSTITUTE OF MARINE SCIENCE, VMRC #25-2014,** requests authorization to construct a 110-foot long stone spur, a 135-foot long stone breakwater, and place clean sand backfill and native wetland plantings along the York River shoreline at Tax Map Parcels #51A(8)-13 and #51A(8)-12 on Spencer Road in Gloucester County. The project is protested by an adjacent property owner.

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

Neville Reynolds, representative for the applicant, was sworn in and spoke in support of the project. Mr. Reynolds stated that there will be no negative effects for the neighboring properties. His comments are a part of the verbatim record.

Larry Wilson was sworn in and spoke in opposition to the project. His comments are a part of the verbatim record.

Associate Member White arrived prior to the final vote of the project.

The matter was before the Commission for discussion and action.

Associate Member Erskine moved to approve the project as submitted. Associate Member Bransom seconded the motion. The motion carried, 5-0-2. Associate Member White arrived prior to final vote. Associate Members Kellum and White abstained.

* * * * *

7. **LIN JOU PEI, VMRC #25-1857**, requests authorization to construct a 48-foot by 24-foot open-sided boathouse at an existing private pier adjacent to 9437 Ferry Landing Drive, situated along Dogue Creek in Fairfax County. The project is protested by an adjacent property owner.

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

Ryan Fletcher, contractor for the applicant, was sworn in and spoke on behalf of the project. His comments are a part of the verbatim record.

The matter was before the Commission for discussion and action.

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

* * * * *

8. **WESTBAY HOMEOWNERS ASSOCIATION, VMRC #25-1429**, requests authorization to install eight (8) brackets, secured outboard of the existing pier deck, to support four (4) kayaks at the Association's Pier #1, situated along Bells Creek at the terminus of West Bay Drive in Northumberland County. The project is protested by four (4) members of the Association.

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

Tim Murphy, president of the Westbay Homeowners Association, was sworn in and spoke in support of the project. His comments are a part of the verbatim record.

Allen Carman spoke in opposition to the project. His comments are a part of the verbatim record.

The matter was before the Commission for discussion and action.

Associate Member Preston moved to approve the project as presented. Associate Member Headley seconded the motion. The motion carried, 5-2. Associate Members Bransom and White voted no.

* * * * *

9. PUBLIC COMMENTS:

David Parker:

David Parker, waterman, asked how he could become eligible for a commercial shrimp permit. Mr. Parker had previously applied for the shrimp permit lottery but was not selected. The Commissioner advised him to speak to Chief Kenyon about asking FMAC about increasing the number of licenses. Their comments are a part of the verbatim record.

* * * * *

- 10. PUBLIC HEARING:** The Commission proposes to amend Chapter 4VAC20-720, "Pertaining to Restrictions on Oyster Harvest" to establish the 2025-2026 areas of public harvest, public oyster harvest seasons, oyster resource conservation measures, and an oyster user fee transfer exception.

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

J. C. Hudgins, representing the Virginia Waterman's Association as well as SMAC members. His comments are a part of the verbatim record. Mr. Hudgins spoke in support of the seasons as proposed as an emergency regulation and seasons in September's meeting.

Jim Wesson, was sworn in and provided further information of the Blue Ribbon Oyster Panel discussion. Mr. Wesson also provided survey information to the Associate Members as a handout. His comments are a part of the verbatim record.

There were 3 others that spoke in support of the SMAC recommendations. Their comments are a part of the verbatim record.

The matter was before the Commission for discussion and action.

Associate Member Headley moved to adopt the regulatory changes from the September Emergency Regulation. Associate Member Bransom seconded the motion. The motion carried, 6-1. Associate Member Erskine voted no.

Associate Member Bransom moved to approve regulatory changes including an Oyster User Fee transfer exception, time of day harvest restrictions and administrative language updates to Chapter 4VAC20-720, "Pertaining to Restrictions on Oyster Harvest" changes as presented. Associate Member Headley seconded the motion. The motion carried, 7-0.

* * * * *

- 11. PUBLIC HEARING:** The Commission proposes to amend Chapter 4VAC20-650, "Establishment of Oyster Sanctuary Areas" to make non-substantive administrative language updates.

Adam Kenyon, Chief, Shellfish Management, gave the briefing of the information provided in the staff's evaluation, with PowerPoint slides. Mr. Kenyon's 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 administrative regulation language updates to Chapter 4VAC20-650, "Establishment of Oyster Sanctuary Areas" changes as presented. Associate Member Preston seconded the motion. The motion carried, 7-0.

* * * * *

Commission Meeting

19355
October 28, 2025

There being no further business, the meeting was adjourned at 11:40 a.m. The next Commission meeting will be a combined November/December meeting that will be held on **Tuesday**, December 2, 2025.

* * * * *

Jamie L. Green, Commissioner

Jamie Hogge, Recording Secretary