

MINUTES

COMMISSION MEETING

August 25, 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	Commissioner
Lynn Kellum	
A.J. Erskine	
William Bransom	Associate Members
Jeremy Headley	
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
Kylie Harris	Engineer, Habitat Management
Jeffrey Madden	Engineer, Habitat Management
Mike Johnson	Engineer, Habitat Management
Tiffany Birge	Engineer, Habitat Management
Claire Gorman	Engineer, Habitat Management
Kirsten Travis	Engineer, Habitat Management
Brad Reams	Engineer, Habitat Management
Olivia Upton	Engineer, Habitat Management
Ethan Simpson	Chief, Fisheries Management
Alexa Galvan	Fisheries Management Specialist
Adam Kenyon	Chief, Shellfish Management
Andrew Button	Deputy Chief, Shellfish Management

Commission Meeting

19416
July 28, 2026

Virginia Institute of Marine Science (VIMS):

Lyle Varnell Emily Hein Alex Sabo

Others present:

Dixie Doerr	Nate Cutler	Cameron Cutler
Jefferson Hooper	Bob Simon	Karen Hall
Greg Henrich	Sally Bell	Laura Howard
Cassidy McKelvie	Jim Hunter	Patricia Hunter
David Lkedzik	Aaron Williams	Troy Baldwin
Jeff Waple	Karen Waple	Matt Otto
Geoff Hershelwood	Jim Beck	Paul So
Shigeru Honda	David Spencer	Genevieve Patrick
Chris Ludford	Melissa Southworth	Kim Huskey
Rebecca Francese	Brian Fletcher	and others.

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

Randy Owen, Chief, Habitat Management, requested to remove Item #9 from Agenda due because the objection was dropped by the adjacent property owner. Mr. Owen’s comments are a part of the verbatim record.

Associate Member Erskine moved to approve the agenda as modified. Associate Member Bransom seconded the motion. The motion carried, 5-0.

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MINUTES: Commissioner Grist asked if there were any changes or corrections to be made to the July 28, 2026 meeting minutes.

Associate Member Erskine moved to approve of the minutes as presented. Associate Member Kellum seconded the motion. The motion carried, 4-0-1. Associate Member Headley abstained.

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

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2. CONSENT AGENDA ITEMS:

- 3A DAVID RAO, VMRC #2026-0929,** requests after-the-fact authorization to retain a 21-foot by 47-foot open-sided boathouse constructed as part of a previously statutorily authorized private pier serving 9099 Pebble Beach Lane, situated along the Potomac River in King George County. Staff recommends approval with triple permit fees of \$900.00 and civil charges of \$3,000.00 assessed to both the applicant and contractor in lieu of further enforcement action.

Justin Worrell, Deputy Chief, Habitat Management, reviewed item 3A for the Associate Members. Mr. Worrell’s comments are a part of the verbatim record.

The matter is before the Commission for discussion and action.

Associate Member Bransom moved to approve project 3A as presented. Associate Member Erskine seconded the motion. The motion carried, 5-0.

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

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4. PUBLIC COMMENT: No one spoke during Public Comment.

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

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

- 2A RIVER PORT, LLC, VMRC #2026-0740**, to install a new heavy lift platform with two new 30-foot by 20-foot concrete mooring dolphins; install and backfill a 234 linear-foot replacement steel bulkhead a maximum of two feet channelward of the existing structure; and install a 225 linear-foot low-profile steel toe wall; and to mechanically dredge up to 174,390 cubic yards of state-owned submerged lands to depths of minus fifty (-50) feet mean low water out to the federal navigation channel and to depths of minus sixty (-60) feet mean low water around the new heavy lift platform adjacent to Pier 14 located along the James River at 1201 Terminal Avenue in the City of Newport News. Dredged material will be barged to Shirley Plantation for disposal. Staff recommends approval, including a royalty of \$104,634.00 for the dredging of 174,390 cubic yards of state-owned submerged bottom material at a rate of \$0.60 per cubic yard. This project requires a VMRC Subaqueous permit.
- 2B STEVEN WILKINSON, VMRC #2026-0660**, requests authorization to construct two (2) vinyl low profile groins, extending 48 feet from mean high water and to construct 57 feet of vinyl bulkhead immediately adjacent to the unprotected bank at 101 Wildwood Place, situated along the Rappahannock River in Essex County. This project requires a VMRC Beach and Dune Permit.
- 2C SKANSKA USA, VMRC #2026-0957**, requests authorization to install a new 37-foot by 50-foot crane platform and trestle along the Southern Branch of the Elizabeth River at their commercial facility (123 Sampson Creek Road) in the city of Chesapeake. Staff recommends approval with the purchase of credits from an approved Tidal Wetlands Mitigation Bank for the loss of 599 square feet of tidal wetlands. This project requires a VMRC Wetlands permit.
- 2D SPENCER HULL, VMRC #2025-2129**, requests authorization to install 227 linear feet of riprap, the toe of which may be installed a maximum of 8 feet channelward of the existing bulkhead serving 800 Heritage Point along Bells Mill Creek in the city of Chesapeake. This project requires a VMRC Wetlands and Subaqueous permit.

- 2E COLONIAL PIPELINE COMPANY, VMRC #2025-2641**, requests authorization to perform ongoing maintenance of existing Line 27, a 16-inch-diameter underground petroleum pipeline, located in a right-of-way (ROW) that may require impacts to tidal wetlands in the Counties of Chesterfield and Henrico, and the Cities of Richmond and Chesapeake. This project requires a VMRC Wetlands and Subaqueous Permit.
- 2F WEST ROCK CP, LLC VMRC #2026-0260**, requests authorization to remove an existing bulkhead and jersey wall barrier and construct two (2) rock revetments, 310 and 607 feet long respectively; and install and backfill a 277-foot long steel sheet pile bulkhead along the Pamunkey River shoreline at 1901 Main Street in the Town of West Point. Staff recommends approval of the project with the purchase of mitigation credits for the fill loss of 1,512 square feet of non-vegetated wetlands. The project requires a VMRC Subaqueous and Wetlands Permit.

The matter is before the Commission for discussion and action.

Associate Member Bransom moved to approve project 2A through 2 F as presented. Associate Member Headley seconded the motion. The motion carried, 5-0.

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- 6. DAVID SPENCER, VMRC #2023-0895**, Commission review of the July 16, 2026, Suffolk Wetlands Board decision to approve unquantified impacts to vegetated tidal wetlands as part of a riprap revetment proposal at 6954 Repass Beach Road situated along the mouth of Streeter Creek in the City of Suffolk.

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

Geoff Henshelwood, Chairman of the Suffolk Wetlands Board, was sworn in and spoke. His comments are a part of the verbatim record.

Cassidy McKelvie, City of Suffolk was sworn in and spoke. Her comments were a part of the verbatim record.

Justin Worrell, Deputy Chief, Habitat Management, explained to the board that VIMS staff would only be able to speak to ‘post wetlands board’ decision, careful not to open the record. His comments are a part of the verbatim record.

Lyle Varnell was called to the podium. He stated that Alex Sabo was knowledgeable of the project and site visits. His comments are a part of the verbatim record.

David Spencer, applicant, was sworn in and spoke. His comments are a part of verbatim record.

The matter was before the Commission for discussion and action.

Associate Member Bransom remanded the project back to the City of Suffolk Local Wetlands Board to reconsider their previous decision to approve a project impacting vegetated wetlands. Associate Member Erskine seconded the motion. The motion carried, 5-0.

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7. **GREEN BLUFF, LLC, VMRC #2026-0363**, requests authorization to construct a 10-foot by 20-foot switchback staircase with exterior support beams for access to a 142-foot long private, open-pile pier including a 10-foot by 41-foot L-head and 5-foot wide finger piers surrounding two (2) uncovered boat lifts; and to install 184 linear feet of riprap stone revetment with two (2) riprap breakwater spurs measuring 50 feet and 54 feet in length adjacent to 421 Marlborough Point Road, situated along the Potomac River in Stafford County. The project is protested by an adjacent property owner.

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

Jim Beck, engineer for the project, was sworn in. His comments are part of verbatim record.

The protestant was not present.

The matter was before the Commission for discussion and action.

Associate Member Bransom moved to approve the application per staff recommendation as presented. Associate Member Kellum seconded the motion. The motion carried, 5-0.

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- 8. JEFFREY WAPLE, VMRC #2026-0558,** requests authorization to construct a 16.5-foot wide by 42-foot long open-sided single slip boathouse addition to a statutorily authorized private pier adjacent to property situated along the Potomac River at 200 Church Point Lane in Westmoreland County. The project is protested by an adjacent property owner.

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

Jeffrey Waple, applicant, 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 Headley moved to approve the application per staff recommendation as presented. Associate Member White seconded the motion. The motion carried, 5-0.

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REMOVED FROM THE AGENDA AT THE BEGINNING OF THE MEETING

- 9. MARQUEE HOMES, INC, VMRC #2025-2752,** requests authorization to construct a 16-foot by 18-foot open-sided gazebo and a 15-foot by 37-foot open-sided boathouse as part of a statutorily authorized pier along the Poquoson River at 132 Breezy Point Drive in York County. This project is protested by an adjacent property owner.

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10. **BIC, INC, VMRC #2025-1263**, requests authorization to change the use of a previously statutorily authorized and existing private pier to a multi-user structure; and to retain unauthorized pier expansions adjacent to property (TM #45-A-5) located on Main Street, situated along the Chincoteague Channel in Accomack County.

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.

Raymond Britton, applicant, was sworn in. His comments are a part of verbatim record.

The matter was before the Commission for discussion and action.

Associate Member Bransom moved to approve the removal the unauthorized decking and pier from state-owned subaqueous bottom within 90 days and to refer the contractor to the Department of Professional Occupational and Regulation for failure to obtain all necessary permits before construction. They further ordered that failure to remove the structures within 90 days would result in the matter being referred to the Office of the Attorney General for further enforcement action. Associate Member White seconded the motion. The motion carried, 5-0.

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11. **SHELLFISH**
DIXIE M. DOERR
Oyster Planting Ground Application #2024-035, requests authorization to lease approximately 249 acres of oyster planting ground within the Rappahannock River in Middlesex County.

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.

Dixie Doerr, Nate Cutler, and Cameron Cutler were sworn in and spoke. Their intentions are to use the lease as bottom planting only. They currently have a 40-acre adjacent lease inshore where they are permitted for bottom cages. Their comments are a part of the verbatim record.

There were four (4) people that were sworn in and spoke in opposition to the application. Their comments are a part of the verbatim record.

The matter was before the Commission for discussion and action.

Associate Member Headley moved to approve of the application as presented. Associate Member Bransom seconded the motion. The motion carried, 4-0-1. Associate Member Kellum abstained.

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12. SHELLFISH

Modification of the 2026 Oyster Replenishment and Restoration Plan (ORP) and update on projects conducted as part of the 2026 ORP.

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

The matter was before the Commission for discussion and action.

Associate Member Headley made a motion to accept staff recommendations to modify the 2026 Oyster Replenishment and Restoration Plan (ORP) as presented. Associate Member White seconded the motion. The motion carried, 5-0.

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13. PUBLIC HEARING

Proposed amendments to Chapter 4 VAC 20-720 "Pertaining to Restrictions on Oyster Harvest," to establish the 2026-2027 areas of public harvest, public oyster seasons, and oyster resource conservation measures.

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

The matter was before the Commission for discussion and action.

Associate Member Headley made a motion to accept the Public Oyster Season as recommended by the SMAC with the addition of an extended season in both the Deep Creek PT Area through March 31 and the CBPT Area from October 1 through March 31. Associate Member Bransom seconded the motion. The motion carried, 5-0.

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14. PUBLIC HEARING

Chapter 4 VAC 20-620, "Pertaining to Summer Flounder;"
Chapter 4 VAC 20-920, "Pertaining to Landing Licenses;"
Chapter 4 VAC 20-995, "Pertaining to Commercial Hook-and-Line Fishing;"
The Commission proposes to amend the above regulations to remove language requiring vessel license decals.

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

The matter was before the Commission for discussion and action.

Associate Member Headley made a motion to amend Chapter 4VAC20-620, "Pertaining to Summer Flounder," Chapter 4VAC-920, "Pertaining to Landing Licenses," and Chapter 4VAC-995, "Pertaining to Commercial Hook-and-Line Fishing" to remove language requiring vessel license decals. Associate Member Erskine seconded the motion. The motion carried, 5-0.

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15. PUBLIC HEARING

Proposed amendments to Chapter 4 VAC 20-890, "Pertaining to Channeled Whelk" to remove language requiring vessel license decals, clarify gear marking requirements, allow agenting of channeled whelk pot licenses, and clarify existing language.

Alexa Galvan, Fisheries Management Specialist, Fisheries Management, gave the 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 Headley made a motion to amend Chapter 4VAC20-890, "Pertaining to Channeled Whelk," to remove language requiring vessel license decals, clarify gear marking requirements, allow agenting of channeled whelk pot licenses, and clarify existing language. Associate Member Erskine seconded the motion. The motion carried, 5-0.

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There being no further business, the meeting was adjourned at 1:56 p.m. The next Commission meeting will be on **Tuesday**, September 22, 2026.

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Joseph Grist, Commissioner

Jamie Hogge, Recording Secretary