

MINUTES

COMMISSION MEETING

December 3, 2024

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	
William Bransom	Associate Members
Jeremy Headley	
Thomas Preston	
Kelci Block	Assistant Attorney General
Jamie Hogge	Recording Secretary
Gerald Pitt	1 st . Sgt., Marine Police
Zach Widgeon	Director of Communications
Randy Owen	Chief, Habitat Management
Adam Kenyon	Chief, Shellfish Management
Alicia Nelson	Coordinator, RFAB/CFAB
Josh McGilly	Natural Resource Specialist
Brooke Lowman	Stock Assessment Scientist

Virginia Institute of Marine Science (VIMS):

Lyle Varnell	Emily Hein	Alex Sabo
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Others present:

Katherine Chambers	Chuck Roadley	Wayne Young
Rob Allen	Wade Webb	Shari Miller
Kim Huskey	Jordan Krevonick	Rebecca Francese
Karla Havens	Brandon Eanes	Freddie Davis
George Mapp	Tom Dunlap	Vladimir Arona
Dave Sheffield	Brian Fletcher	Sharlynn Fletcher
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 presented. Associate Member Headley seconded the motion. The motion carried, 6-0.

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MINUTES: Commissioner Green asked if there were any changes or corrections to be made to the October 28, 2024, Commission Meeting minutes.

Associate Member Headley moved to approve the agenda presented. Associate Member Erskine seconded the motion. The motion carried, 5-0-1. Associate Member Hand abstained.

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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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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 2I for the Associate Members. Mr. Owen's comments are a part of the verbatim record.

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 2I for the Associate Members. Mr. Owen's comments are a part of the verbatim record.

- 2A. **WEYMOUTH FAIN, VMRC #24-0248**, requests authorization to install two (2) riprap sills totaling 56 linear feet with associated backfill along Deep Creek at 2227 Firman Street in the City of Chesapeake. This project requires a VMRC Wetlands permit.
- 2B. **JOSEPH FOULIS, #24-1488**, requests authorization to place 120 cubic yards of clean sand fill upon 1,600 square feet of intertidal wetlands along the Mattaponi River shoreline at 416 Lee Street in the City of West Point. The project requires a VMRC Wetlands Permit.
- 2C. **DARRELL RODA, #24-1562**, requests authorization to replace an 11-foot by 35-foot section of an existing concrete boat ramp; install two (2) 25-foot long timber retaining walls; install and backfill a 52-foot long bulkhead two (2) feet channelward of an existing bulkhead with two (2) 10-foot returns; remove an existing bulkhead and install and backfill a 25-foot section of bulkhead landward of the old bulkhead; and construct a 45-foot long low profile timber groin along the Rappahannock River shoreline at 327 Riverdale Road in Essex County. The project requires a VMRC Wetlands and Subaqueous Permit.
- 2D. **CORDELL PRECIADO, #24-0998**, requests authorization to install 680 linear feet of riprap, the toe of which may be installed a maximum of 10 feet channelward of mean high water, at 12212 Almer Lane, situated along the James River in Chesterfield County. This project requires a VMRC Wetlands permit.
- 2E. **SCOTT ELIAS, #24-2196**, requests authorization to replace two (2) low-profile timber groins extending 40 feet channelward of an existing bulkhead along the Rappahannock River at 113 Wildwood Place in Essex County. The project requires a VMRC Wetlands Permit.

- 2F. METRO MACHINE CORPORATION, #24-1421,** requests authorization to remove an existing floating pier and construct a new, 370-footlong floating pier at the General Dynamics shipyard adjacent to Ligon Street situated along the Southern Branch Elizabeth River in Norfolk. This project requires a VMRC Subaqueous permit.

- 2G. LOUDON COUNTY DEPARTMENT OF TRANSPORTATION AND CAPITAL INFRASTRUCTURE, #24-0754,** requests authorization to construct a new multi-user clear spanbridge over a 40-foot section of Broad Run adjacent to Westwind Drive in Loudoun County. This project requires a subaqueous permit.

- 2H. NASA GSFC WALLOPS FLIGHT FACILITY, #24-1660,** requests authorization to conduct three (3) barge landing tests on the beach adjacent to Launch Pad O-B for the transport of rocket components to the flight facility situated along the Atlantic Ocean Accomack County. This project requires a VMRC Dunes and Beaches permit.

- 2I. NGL ENERGY PARTNERS, #24-1922,** requests authorization to mechanically (maintenance) dredge up to 20,000 cubic yards of state-owned submerged lands on an as-needed basis, to maximum depths of minus thirty-seven (-37) feet mean low water from the Southern Branch of the Elizabeth River adjacent to their commercial facility at 2901 South Military Highway in the City of Chesapeake. Dredged spoils will be barged to the Craney Island Dredged Material Management Area or another approved upland facility. This project requires a VMRC Subaqueous 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 the Page 2 items 2A through 2I as presented. Associate Member Erskine seconded the motion. The motion carried, 6-0.

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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. **VLADIMIR ARANA, VMRC #24-2086,** requests authorization to construct a 33-foot by 37-foot dual slip boathouse, along the Chickahominy River at 7671 Cypress Drive in James City County. The proposal is protested by an adjoining 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.

Vladimir Arana, applicant, was sworn in and spoke in support of the application. His 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 Bransom seconded the motion. The motion carried, 6-0.

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- 6. **RIZVI FAMILY PARTNERSHIP LLC, #24-2292,** requests authorization to construct a 16-foot by 28-foot open-sided boathouse as part of a statutorily authorized private pier proposal adjacent to 17299 Nanzatico Lane, situated along Nanzatico Bay in King George County. The proposal 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. for the Associate Members. Mr. Owen’s comments are a part of the verbatim record.

Brian Fletcher, agent for the applicant, was sworn in and spoke in support of the application. 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 Headley seconded the motion. The motion carried, 6-0.

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7. **RAY LEWIS, #24-1654**, requests authorization to install a 14-foot by 22-foot open-sided gazebo roof structure onto a proposed statutorily authorized private pier along the Horn Harbor shoreline at 371 Peary Road in Mathews 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. for the Associate Members. Mr. Owen’s comments are a part of the verbatim record.

Wade Webb, agent for the 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 Bransom Member moved to approve the project as presented. Associate Member Preston seconded the motion. The motion carried, 6-0.

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8. PUBLIC COMMENT:

Kim Huskey,

Ms. Huskey, Cherrystone Aquafarms, spoke on behalf of the Board of Directors of Shellfish Growers of Virginia, introduced Jordan Krevonik as the new Executive Director of Shellfish Growers of Virginia. Ms. Krevonik will be speaking to the Commission in the future about shellfish related issues.

John Eanes

Requested to get his Oyster User Fee All Gear re-instated because he did not purchase it each year. His comments are a part of the verbatim record.

Associate Member Headley moved to approve the re-instatement his Oyster User Fee All Gear with the understanding that Mr. Eanes pay for the previous years that he did not purchase. Associate Member Bransom seconded the motion. The motion carried, 6-0.

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9. PETITIONER:

Petitioner Robert Allen requests, "Rulemaking by the Virginia Marine Resources Commission (VMRC) for a managed recreational Hickory Shad fishery in Chesapeake Bay waters and coastal rivers and their tributaries within Virginia with a daily creel limit informed by and adjusted based on best available data. The requested regulation would be part of existing VMRC fisheries management for Alosine species and is needed to conserve the Hickory Shad stock by replacing unrestricted recreational harvesting with a controlled fishery. Unrestricted take exposes this species to overharvesting and diminishes the contribution of Virginia coastal river spawners to species abundance."

Joshua McGilly, Natural Resource Specialist, gave the briefing of the information provided in the staff's evaluation, with PowerPoint slides. Mr. McGilly's comments are a part of the verbatim record.

Wayne Young, representing Coastal Conservation Association of Virginia (CCA), was sworn in and spoke. His comments are a part of the verbatim record.

Robert Allen, representing Coastal Conservation Association of Virginia (CCA), was sworn in and spoke. His comments are a part of the verbatim record.

Tom Dunlap, representing the James River Association, was sworn in and spoke in support of the petition. His 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 deny the petition as presented. Associate Member Bransom seconded the motion. The motion carried, 6-0.

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10. PUBLIC HEARING:

Proposal to amend Chapter 4VAC20-252-10 et seq., "Pertaining to Atlantic Striped Bass" to 1) adjust the commercial Chesapeake area striped bass quota from 983,393 pounds to 914,555 pounds and 2) remove existing regulatory language that prohibits commercial striped bass harvesters from obtaining both Chesapeake area and Coastal area tags at one time.

Joshua McGilly, Natural Resource Specialist, gave the briefing of the information provided in the staff's evaluation, with PowerPoint slides. Mr. McGilly's comments are a part of the verbatim record.

Chris Moore, Chesapeake Bay Foundation, was sworn in and spoke in support of the recommendation. His comments are a part of the verbatim record.

The matter was before the Commission for discussion and action.

Associate Member Hand moved to approve the changes to the regulation as presented. Associate Member Erskine seconded the motion. The motion carried, 6-0.

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11. RECOMMENDATION

Recommendation on funding proposals from the Commercial Fishing Advisory Board.

Alicia Nelson, Coordinator, RFAB/CFAB, gave the briefing of the information provided in the staff's evaluation, with PowerPoint slides. Ms. Nelson's comments are a part of the verbatim record.

Ms. Nelson explained that the Marine Fishing Improvement Fund (MFIF) is made up of sales of Virginia commercial fishing licenses. The Commercial Fishing Advisory Board (CFAB) advises the Commission on expenditures from the MFIF. The Commercial

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Fishing Advisory Board (CFAB) met virtually on November 6, 2024, to review several applications for funding from the MFIF. The Commercial Fishing Advisory Board recommended funding all four programs totaling \$118,656 from the Marine Fishing Improvement Fund.

The matter was before the Commission for discussion and action.

Associate Member Headley moved to approve staff's recommendation for the funding as presented. Associate Member Bransom seconded the motion. The motion carried, 6-0.

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There being no further business, the meeting is adjourned at a.m. The next Commission meeting will be meeting on **Tuesday**, January 28, 2025.

Jamie L. Green, Commissioner

Jamie Hogge, Recording Secretary