

MINUTES

COMMISSION MEETING

July 23, 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:

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| Jamie L. Green | Commissioner |
| Lynn Kellum | |
| William Bransom | |
| Jeremy Headley | |
| A.J. Erskine | Associate Members |
| Jeanette Edwards | |
| Patrick Hand | |
| Thomas Preston | |
| Kelci Block | Assistant Attorney General |
| Jamie Hogge | Recording Secretary |
| Lisa Pyle | IT Specialist |
| Todd Sperling | Bs. Systems Manager |
| Rachael Peabody | Director of Coastal Policy |
| Gerald Pitt | 1 st . Sgt., Marine Police |
| Zach Widgeon | Director of Communication |
| Pat Geer | Chief, Fisheries Management |
| Randy Owen | Chief, Habitat Management |
| Adam Kenyon | Chief, Shellfish Management |

Virginia Institute of Marine Science (VIMS):

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| Lyle Varnell | Alex Sabo |
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Others present:

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| Mark Roland | John Milford | Elizabeth Roland |
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Commission Meeting

**19239
July 23, 2024**

Jason Smith
Chris Frye
Rebecca Frances
George Townsend
Bryan Peeples
Kim Huskey
Ellie Franklin
Thomas Hyde
Denise Robinson
Rene Philhower
Courtney Stede
Pricilla Milford

Victoria Chapman
Michael Mann
Greg Hensid
Karen Dobson
Karla Havens
Jeremy Laws
David Kledzilc
Yoanna Hyde
Gary Grabb
J. R. Edwards
Travis Willow
and others.

Jack Chapman
Kyle Perkins
Guy Miller
J. Clay Backus
Ashley Williams
Rosalie McGuirk
Callie Robinson
Casey Robinson
Sue Grabb
Justin Forbes
Mallory Tuttle

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

Randy Owen, Chief, Habitat Management, requested that Item #6 be removed from the agenda because the matter was resolved. His comments are a part of the verbatim record.

Associate Member Headley moved to approve the agenda amended. 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 June 25, 2024, Commission Meeting minutes.

Associate Member Erskine moved to approve the minutes as presented. Associate Member Headley seconded the motion. The motion carried, 6-0.

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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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- 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. **WILLIAM DIDLAKE JR., #24-0822**, requests authorization to replace an existing boat ramp with a 12-foot by 26-foot concrete boat ramp, construct a 12-foot rock sill extension onto an existing sill, and place one (1) cubic yard of clean sand backfill, with plantings of native wetland vegetation, landward of the sill extension along Baker's Creek at 560 Hockey's Lane in King and Queen County. The project requires a Commission wetlands and subaqueous permit.
- 2B. **GRANT ANCARROW, #24-0289**, requests authorization to construct an 11-foot by 38-foot gravel boat ramp with associated timberretaining walls and a 6-foot wide by 32-foot long open pile tending pier along Piscataway Creek at the applicant's property identified as Tax Map #38-6-1 on Haile Road in Essex County. The applicant has agreed to purchase wetlands credits from the Virginia Aquatic Trust Fund to offset the tidal vegetated wetland loss of 50 square feet. The project requires a Commission wetlands and subaqueous permit.
- 2C. **KEVIN LUCK, #24-0724**, requests authorization to construct a 180-foot long rock revetment along the James River shoreline at 1450 Battery Hill Drive in Henrico County. The project requires a Commission wetlands permit.
- 2D. **UNITED STATES COAST GUARD, #24-0371**, requests authorization to remove an existing pier and to install a temporary cofferdam for the construction of a 16-foot by 50-foot concrete boat ramp extension and to construct a 4-foot by 36-foot aluminum gangway leading to an 8-foot wide by 40-foot-long concrete floating dock at the Coast Guard Training Center Yorktown situated along Wormley Creek in York County.
- 2E. **SMM SOUTHEAST LLC, #23-2024**, requests authorization to excavate 1,078 square feet (SF) of vegetated wetlands and 235 SF of nonvegetated wetlands to minus 12 feet mean low water and to fill 1,140 SF of vegetated wetlands and 25 SF of nonvegetated wetlands for the construction of a new 228 linear-foot concrete bulkhead adjacent to property serving 4300 Buell Street situated along Milldam Creek in Chesapeake. This application requires a Commission tidal wetlands permit. Wetland credits must be purchased from New Mill Creek tidal mitigation bank to offset the proposed impacts to vegetated wetlands prior to permit issuance.

2F. GAIL SMITH, #23-2056, requests authorization to construct a 136 linear-foot stone revetment channelward of an existing bulkhead and to install a 16-linear-foot and a 245-linear-foot stone sill with sand fill and wetlands plantings for the construction of a living shoreline adjacent to 4038 Tanglewood Trail situated along the Eastern Branch Elizabeth River in Chesapeake. This application requires a Commission tidal 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 the 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.

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

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**5. SHELLFISH
STEAMBOAT WHARF OYSTER COMPANY**

Oyster Aquaculture Joint Permit Application, #2024-0849, requests authorization to install a traditional oyster flip farm which contains 600 floating oyster baskets (3'x2') within 0.5 acres of Little Oyster Creek, a tributary of the Rappahannock River in Lancaster County. The request has received 188 written comments.

Adam Kenyon, Chief, Shellfish Mgmt., 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.

Thomas Hyde, applicant for the project, was sworn in. His comments are a part of the verbatim record.

There were 6 individuals that spoke in support of the proposed application. There were 13 people who spoke in opposition of the proposed application. Their comments are part of the verbatim record.

Associate Member Edwards made a motion to accept staff recommendations as submitted. Associate Member Brandsom seconded the motion. The motion carried, 7-0.

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REMOVED FROM THE AGENDA PRIOR AT THE START OF THE MEETING

6. **PAUL FOX, #24-0719**, requests authorization to install a 60-foot extension to an existing breakwater, including beach nourishment, serving 297 Windfall Lane, situated along the Chesapeake Bay in Lancaster County. This project is protested by the adjacent property owner.

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7. **PUBLIC COMMENT: No one spoke for public comment.**

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8. **DISCUSSION**

Recreational Fishing Advisory Board recommendation on funding request from the Virginia Saltwater Recreational Fishing Development Fund.

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

No one spoke in support or opposition of the funding request.

The matter was before the Commission for discussion and action.

Associate Member Headley made a motion to accept staff recommendations. Associate Member Edwards seconded the motion. The motion carried, 7-0.

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Commission Meeting

**19243
July 23, 2024**

There being no further business, the meeting, is adjourned at 11:51 am. The next Commission meeting will be meeting on Tuesday, August 27, 2024.

Jamie L. Green, Commissioner

Jamie Hogge, Recording Secretary