

MINUTES

COMMISSION MEETING

December 5, 2023

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
John Cosgrove	Deputy Commissioner
William Bransom	
James E. Minor III	
Jeremy Headley	Associate Members
A.J. Erskine	
Patrick Hand	
Kelci Block	Assistant Attorney General Via Phone
Lisa Pyle	Recording Secretary
Jamie Hogge	Recording Secretary
Todd Sperling	Bs. Systems Manager
Pat Geer	Chief, Fisheries Mgmt.
Shanna Madsen	Deputy Chief, Fisheries Mgmt.
Jennifer Farmer	Regulatory Coordinator
Ronald Cagle	Captain, Law Enforcement
Herbert Bell	Deputy Chief, Law Enforcement
Jeff Copperthite	First Sgt., Law Enforcement
Robert Berryman	Lt. Col., Law Enforcement
C. Dameron	Marine Police Officer
M. Custalow	Marine Police Officer
Zach Widgeon	Director of Communication

Commission Meeting

**19162
December 5, 2023**

Randy Owen	Chief, Habitat Management
Justin Worrell	Deputy Chief, Habitat Management
Jeff Madden	Environmental Engineer, Sr.
Mike Johnson	Environmental Engineer, Sr.
Tiffany Birge	Environmental Engineer, Sr.
Adam Kenyon	Chief, Shellfish Management
Andrew Button	Deputy Chief, Shellfish Management
Joe Grist	Deputy Chief, Fisheries Mgmt.
Jill Ramsey	Fisheries Mgmt. Specialist
Alicia Nelson	Natural Resource Manager
Lewis Gillingham	Director, SWFT
Kirsten Travis	Environmental Engineer, Sr.
Khadijah Payne	Environmental Engineer, Sr.
Claire Gorman	Environmental Engineer, Sr.

Virginia Institute of Marine Science (VIMS):

Lyle Varnell	Mark Luckenbach	Alex Sabo
	Emily Hein	

Others present:		
Aaron Rohlfing	Andy Cortez	Steve Martin
Emily Reynolds	John Eddy	Lynn Eddy
Melissa Dettling	Mike Hutt	Richard Green
Brad Martin	Jim Hudgins	Eddie Smith
Sarah Mathesen	Roberta Kellam	Tom Burkett
David Fauber	JC Hudgins	Tommy Eskridge
Christi Medice	Jeff Staples	Julie Kacmarcik
Lynn Jenkins	Ben Stagg	Bob Beichel
Nancy Smith	Freedra Cathcart	and others.

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APPROVAL OF AGENDA. – Commissioner Jamie Green asked if there were any changes from the Board members or staff. Randy Owens, Chief, Habitat Management, asked for the removal of Item 5, and for the Commission to hear item 2E in its place.

Associate Member Erskine moved to approve the modified agenda. Associate Member Bransom 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 24, 2023, Commission Meeting minutes.

Associate Member Erskine moved to approve the minutes as presented. Associate Member Headley seconded the motion. The motion carried, 5-0-1, Ms. Lusk 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 item 2F for the Associate Members. Mr. Owen’s comments are a part of the verbatim record.

2A. NORFOLK OFFICE OF RESILIENCE, #23-2013 requests authorization to install one (1) 24-inch diameter water line via horizontal directional drilling under the Eastern Branch of the Elizabeth River between Harbor Park and South Main Street in Norfolk. The line will be installed approximately 66 feet below the natural riverbed with no instream construction impacts. Recommend approval with inclusion of the Frac-Out Contingency Plan submitted with the application.

- 2B. VERIZON VIRGINIA, LLC, #23-2282** requests authorization to install a 16-inch HDPE communications line a minimum of forty (40) feet below the riverbed of the Eastern Branch of the Elizabeth River via horizontal directional drilling between Harbor Park and South Main Street in the City of Norfolk. The line is needed to maintain current utility service in anticipation of the new Norfolk seawall installation in this location. Recommend approval with a royalty in the amount of \$2,370.00 for the encroachment under 790 linear feet of state bottom at the standard rate of \$3.00 per linear foot and the inclusion of the Drilling Fluid Contingency and Disposal Plan submitted with the application.

- 2C. PRINCE GEORGE COUNTY, #23-0010** requests authorization to install a 24-inch water main under 411 linear feet of the Appomattox River, using horizontal drilling methodology, near the Rt 144 Bridge in Prince George and Chesterfield Counties. Staff recommends approval of the project as proposed with a special permit condition that the applicant agrees to follow the Frac-Out Monitoring and Response Plan provided in the application.

- 2D. JAMES CITY COUNTY SERVICE AUTHORITY, #23-2034** requests authorization to replace an existing water main with a new 16-inch MECH-LOK ductile iron watermain over 595 linear feet of College Creek, by attachment to the Route 199 Bridge, in James City County.

- 2F. NORTHERN NECK CONSTRUCTION, #23-2014** requests authorization to install a 214 linear foot riprap revetment, aligned landward of mean low water, adjacent to the James River at 12100 Ganesh Lane in Chesterfield County. The 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 Headley moved to approve the Page 2 items 2A through 2D and 2F as presented. Associate Member Bransom seconded the motion. The motion carried 6-0.

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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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Associate Member Minor recused himself for Item 2E.

2E. COLUMBIA GAS TRANSMISSION, #23-0100 requests authorization to replace approximately 50 miles of existing, 12-inch-diameter gas pipeline with 24-inch diameter gas pipeline, using the horizontal directional drill method, crossing seven (7) jurisdictional waterways in Isle of Wight County, Suffolk, and Chesapeake, and to impact tidal wetlands for the widening of an access road associated with pipeline replacement in the City of Chesapeake. The project requires a VMRC wetlands and subaqueous permit.

Claire Gorman, Environmental Engineer, gave the briefing of the information provided in the staff’s evaluation, with PowerPoint slides. Her comments are part of the verbatim record. VIMS, DWR, and DCR had no major concerns for the project. Staff recommended approval of the project as proposed with a royalty in the amount of \$6,810 for the encroachment under 2,270 linear feet of state bottom at the standard rate of \$3.00 per linear foot; permit condition that the applicant agrees to follow the Frac-Out Monitoring and Rescue Plan provided in the application; and the purchase of wetland credits from a mitigation bank for the permanent impacts proposed.

Associate Member Hand asked what the enforceability was should something go wrong with the project. Ms. Gorman stated that any violation of any permit condition for either of the permits would be a violation of the board’s jurisdiction and that it would be pursued with standard enforcement procedures.

Associate Member Headley asked whether the pipeline is being replaced due to increased demand or due to deterioration. Ms. Gorman answered that the pipeline is being replaced because of increased demand on energy and that it has reached the end of its lifespan.

Melissa Dettling, environmental project manager for the project, was sworn in and spoke. Her comments are part of the verbatim record. Ms. Dettling stated that there is regulatory oversight from both the Federal Energy Regulatory Commission and the Corps of Engineers for how Columbia Gas adheres to all the permit conditions. She also stated that Columbia Gas is held responsible for monitoring for up to 5 years to ensure that everything is restored correctly.

Associate Member Erskine asked Ms. Dettling if there was a history of this type of work and what issues may arise. Ms. Dettling responded that this specific pipeline has been in the ground since the 1950's, and that in her 22 years in the industry, she has not worked on a project where there was a horizontal directional drill failure. She also remarked that during the project there will be 24-hr surveillance, and that pressure and fluid levels are measured as well.

No one spoke in support of the project.

Two members of the public were sworn in and spoke in opposition to the project. Their comments are part of the verbatim record.

Jeff Staples stated that the need has not been exceeded for the existing pipe and that it has served the community well. He also remarked that the area has already been decimated by industrial pollution, citing prior arsenic contamination. He asked that staff deny the project.

Freeda Cathcart, Roanoke representative for the Soil and Water Conservation board, stated that there are liabilities and risks associated with allowing industry to accelerate extreme weather events. Ms. Cathcart also remarked that the project area is a vulnerable one and that there is a government incentive for companies to build infrastructure such as gas pipelines.

The matter was before the Commission for discussion and action.

Associate Member Erskine made a motion to approve staff recommendation. Associate Member Bransom seconded the motion. The motion carried, 4-1, Ms. Lusk opposed.

- 5. BRIAN TWIDDY, #23-1592** Requests authorization to construct a private, open-pile 5-foot by 270-foot pedestrian bridge across Elliot's Creek adjacent to property (TM #104D-1-31A) located on Sand Hill Drive in Northampton County. This project is protested.

Item 5 was struck from the agenda, to be heard at a later date.

- 6. JOHN EDDY, #23-2069** Requests after-the-fact authorization to retain and backfill a 210 linear foot timber replacement bulkhead aligned 14 inches (245 square feet) channelward of an existing failing bulkhead situated along Potomac Creek at 18 Menne Drive in Stafford County.

Jeff Madden, Environmental Engineer, gave the briefing of the information provided in the staff's evaluation, with PowerPoint slides. His comments are part of the verbatim record. Associate Member Bransom asked if there were any other permits required, to which Mr. Madden answered there were not. Jim Beck, engineer for the applicant was sworn in and spoke. His comments are part of the verbatim record. Mr. Beck noted that there were improvements that needed to be made to the failing bulkhead and reiterated the plans for continued work.

Commissioner Green noted that there needed to be two separate votes, one for the after-the-fact project and one for the contractor of the project who performed work without a permit.

No one spoke in opposition of the project.

The matter was before the Commission for discussion and action.

Associate Member Erskine made a motion to approve the after-the-fact permit. Associate Member Minor seconded the motion. The motion carried, 6-0.

Mr. Tylert Roth, attorney for the contractor Mr. Martin, spoke on behalf of his client. His comments are part of the verbatim record. Mr. Roth stated that Mr. Martin was not involved in the design or construction of the bulkhead, but that it was a Ms. Robin Harvey who in fact signed the contract with Mr. Eddy. Mr. Roth also asserted that Mr. Martin did not visit the job site, that the workers only worked at Ms. Harvey's behest and that Ms. Harvey was fully and totally in charge of the project and permitting. Mr. Roth noted that Mr. Martin is not a licensed contractor, but merely the person who answered the phones for the business and who also delivered the contract to Mr. Eddy. Mr. Roth asserted that Mr. Martin should not be held personally liable.

Commissioner Green asked Mr. Madden if he had any conversations with Mr. Martin. Mr. Madden commented that he spoke with Mr. Martin on the phone after his visit to the job site and that Mr. Martin had stated, "I am Shoreline Services." There was also discussion about pending litigation on a case from April 2023 in which Mr. Martin acted as a contractor. Associate member Erskine asked if Mr. Roth was familiar with Mr. Martin's role in past violations, to which Mr. Roth answered that he was not aware. John Eddy, property owner, was sworn in and spoke. His comments are part of the verbatim record. Associate Member Bransom asked Mr. Eddy who built the original bulkhead on his property, to which Mr. Eddy answered that it was in place when he purchased the property, but that Shoreline Construction built the new one. Mr. Eddy stated that he saw Mr. Martin when he delivered the contract to him but that their primary communication was via phone. Commissioner Green asked whether Mr. Eddy was aware if the phone number was an office or personal line, to which Mr. Eddy responded that he was unsure. Commissioner Green then asked Mr. Madden and Mr. Owens if anyone on staff had communication with Ms. Robin Harvey, to which Mr. Madden answered that it seems Ms. Harvey is currently out of the business and not available for comment on this matter. Mr. Madden remarked that Ms. Harvey was the point of contact for the company for some time, but that once prior cases were sent to litigation, she disappeared.

Mr. Roth stated that Mr. Martin is currently in litigation with Ms. Harvey in relation to the business. Associate Member Erskine asked who the partners of the company are. Mr. Roth answered that currently both Mr. Martin and Ms. Harvey are the partners but that at the time of construction, it was only Ms. Harvey.

The matter was before the Commission for discussion and action.

Mr. Hand asked if the reporting to the attorney general can be made to the LLC instead of solely Mr. Martin. Ms. Kelci Block stated that that would be acceptable. Mr. Hand made a motion to accept staff recommendations and to amend the verbiage of the notice to the attorney general's office.

Associate Member Hand made a motion to accept staff recommendations and to amend the verbiage to the notice to the attorney general's office. Associate Member Bransom seconded the motion. The motion carried, 6-0.

7. **PUBLIC HEARING:** To increase regulatory efficiency by reducing redundant regulatory requirements, the Commission will consider proposals to repeal Chapters: 4 VAC 20-770-10 et seq., "Piankatank River Management Area," 4 VAC 20-780-10 et seq., "Patent Tong Restrictions," 4 VAC 20-790-10 et seq., "Open Public Oyster Rocks, Pocomoke Sound," 4 VAC 20-810-10 et seq., "Opening of John East Turn and Poynter Rocks and Closing Beaseley Bay Rock and Deep Creek Channel, Buoy No. 7," 4 VAC 20-830-10 et seq., "A Change in the Oyster Cull Size for Oysters Harvested from Russ Rock, Rappahannock River," 4 VAC 20-850-10 et seq., "Expansion of the Jail Island Clean Cull Area." 4 VAC 20-860-10 et seq., "A Change in the Oyster Cull Size for Oysters Harvested from Little Carters Rock, Rappahannock River".

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

No one spoke in support or opposition of the repeals.

The matter was before the Commission for discussion and action.

Associate Member Bransom made a motion to approve staff recommendation. Associate Member Erskine seconded the motion. The motion carried, 6-0.

8. **PUBLIC HEARING:** To consider removal of a portion of Additional Clam Grounds as previously set aside by the Commission in 1929, within the Ware River, in response to Oyster Planting Ground Application #2022-021 submitted by South Bay Company LLC, who requests authorization to lease approximately 112 acres of oyster planting ground in Ware River in Gloucester County.

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

Staff received an oyster planting ground lease application from South Bay Company LLC., on April 15, 2022. The application underwent a public interest review process to include a newspaper public notice and notification of a nearby highland property owners. Staff sent a letter to deny the application as the area cannot currently be leased due to its designation as public clam grounds. The applicant appealed that decision and requested a public hearing for Commission consideration. The Commission set aside additional clam grounds for public use in the Ware River area in 1929 and 1930. These grounds were not part of the “Baylor Survey” nor were they added as additional public ground by the General Assembly. Instead, they are grounds that were declared additional public clam grounds by the Commission and under this classification they are not currently available for private leasing. Due to the ongoing resurgence of oyster aquaculture, suitable bottomlands for such activity are becoming increasingly difficult to find and/or lease due to other competing uses of these near shore shallow water areas. South Bay Company has requested to lease approximately 112 acres of such bottomlands at the western side of an area of additional clam grounds that were set aside by the Commission. While staff accepted the application, the area cannot currently be leased due to its designation as public clam grounds. The Commission would need to consider removing a portion of the area of Additional Clam Grounds originally set aside by the Commission to approve any leases in this area.

Staff is requesting guidance from the Commission to approve or deny the application based upon consideration of the objections raised by local residents, comments concerning support of the request, and consideration of the public trust doctrine. Staff is also requesting that based on approval or denial of the application, that the Commission remove the area from the public clamming set-aside that was established in 1930.

Mr. Kenyon reiterated that the area is not currently used for clamming and stated that it is unlikely the area will be used for clamming in the future. Associate Member Headley opposed the continued threat to public ground, and Commissioner Green cautioned the Board on how public ground is leased.

Ms. Sarah Mathesen-Harris, applicant, was sworn in and spoke. Her comments are part of the verbatim record. Ms. Harris stated that she intends to replenish the substrate at the proposed planting grounds. She also remarked that the site is remote with no direct neighbors, and that in spring and summer, it is easily managed. Ms. Harris stated her intent to rotate plantings and gear placements.

The matter was before the Commission for discussion and action.

Associate Member Headley made a motion to deny the application. Associate Member Bransom seconded the motion. The motion carried, 4-0-1, Ms. Lusk abstained.

9. **PUBLIC HEARING:** To consider removal of a portion of Additional Clam Grounds as previously set aside by the Commission in 1930, within the Ware River, in response to Oyster Planting Ground Application #2021-013 submitted by Mr. Richard Green, who requests authorization to lease approximately 250 acres of oyster planting ground in Ware River in Gloucester County.

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

Staff received an oyster planting ground lease application from Richard Green., on May 25, 2021. The application underwent a public interest review process to include a newspaper public notice and notification of a nearby highland property owners. The agency has received two written comments opposed to leasing existing public clamming grounds. Staff sent a letter to deny the application as the area cannot currently be leased due to its designation as public clam grounds. The applicant appealed that decision and requested a public hearing for Commission consideration. The Commission set aside additional clam grounds for public use in the Ware River area in 1929 and 1930. These grounds were not part of the "Baylor Survey" nor were they added as additional public ground by the General Assembly. Instead, they are grounds that were declared additional public clam grounds by the Commission and under this classification they are not currently available for private leasing. Due to the ongoing resurgence of oyster aquaculture, suitable bottomlands for such activity are becoming increasingly difficult to find and/or lease due to other competing uses of these near shore shallow water areas. Richard Green has requested to lease approximately 250 acres of such bottomlands at the western side of an area of additional clam grounds that were set aside by the Commission. While staff accepted the application, the area cannot currently be leased due to its designation as public clam grounds. The Commission would need to consider removing a portion of the area of Additional Clam Grounds originally set aside by the Commission to approve any leases in this area.

Staff is requesting guidance on whether to proceed with the application process. The application would then be advertised as required by §28.2-606. If substantial opposition is received, the application would come before the Commission for a decision. The Code of Virginia § 28.2-1205 allows the Commission to grant or deny any permit for the use of state-owned bottomlands taking into consideration the public and private benefits of the proposed project. Staff is requesting guidance from the Commission to approve or deny the application based upon consideration of the objections raised by local residents, comments concerning support of the request, and consideration of the public trust doctrine.

Richard Green, applicant, was sworn in and spoke. His comments are part of the verbatim record. Mr. Green stated that there have already been two pieces of bottom that have been granted. He also noted that the area he applied for has been open and that he is following in the footsteps of prior lessees.

The matter was before the Commission for discussion and action.

Associate Member Headley made a motion to deny the application. Associate Member Hand seconded the motion. The motion carried, 4-1. Associate Member Lusk opposed.

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10. PUBLIC COMMENT:

Tommy Eskridge User Fee Reinstatement:

Mr. Eskridge, commercial fisherman, was sworn in and spoke. His comments are part of the verbatim record. Mr. Eskridge requested the reinstatement of his oyster license user fee. Commissioner Green asked if last year was the first year that he did not purchase the license, to which Mr. Eskridge answered yes. Associate Member Bransom asked Mr. Eskridge how many years he has been renewing his license. Mr. Eskridge estimated ten years and stated that he simply forgot to pay the user's fee. Associate Member Headley asked if Mr. Eskridge had any violations for oysters and Mr. Eskridge answered that he did not.

Ms. Block stated that the Commission has given exceptions in the past. Associate member Erskine asked Mr. Button what the user fee goes to. Mr. Button stated that the all-gear oyster user fee supports the work the Commission does to maintain oyster population and to replace oyster taxes that were levied on oyster harvest prior to 2013.

The matter was before the Commission for discussion and action.

Associate Member Headley asked Mr. Eskridge if he would be agreeable to pay last year's and this year's user fees to bring him up to date. Mr. Eskridge responded that he would be fine with doing so.

Associate Member Headley made a motion to reinstate Mr. Eskridge's user fee, and to have Mr. Eskridge pay user fees for the current and previous years. Associate Member Lusk seconded the motion. The motion carried, 5-0

Seven members of the public were sworn in and spoke. Their comments are part of the verbatim record.

Julie Kacmarcik presented a fictional scenario in which a clutch of osprey chicks is starving due to lack of menhaden resulting from overharvesting and export to Canada. She asked the Commission why they would allow harvesting from VA waters to feed mouths overseas.

Andy Cortez alleged that Associate Member Kellum used a loophole to circumvent the Virginia Conflict of Interests Act. He stated that what she did was ethically wrong, despite it being legally right. Mr. Cortez further remarked that Ms. Kellum has a sworn duty to serve the Commonwealth without bias, but that she also has a fiduciary duty to her company. He asserted that Ms. Kellum should have abstained from the vote on a petition at the October 24, 2023, meeting (Item 11).

Roberta Kellam, former two-term member of the State Water Control Board, spoke. She cited taxpayer funds that have gone toward restoring water quality in the Chesapeake Bay over the past few decades, and stated that in return, Virginians are promised fishable and swimmable waters pursuant to the Clean Water Act. Ms. Kellam stated that while much progress has been made, it will mean nothing if keystone marine species, such as menhaden, are depleted from the bay. Ms. Kellam alleged that not enough study has been done on menhaden population and the impact of global warming, and she asked the VMRC to declare a moratorium on menhaden fishing from spring to summer 2024.

Tom Burkett requested a moratorium on the menhaden fishery in 2024. He cited a VIMS study released earlier this year as well as a William and Mary osprey study and VIMS blue crab abundance report. He also cited the ban of menhaden reduction fisheries which other states have adopted.

Francis Lynn-Jenkins spoke regarding the menhaden fishery. She cited documentaries highlighting the species.

David Farber expressed concern over menhaden harvesting. He stated that it causes collateral damage on other fish species and habitat. As the owner and operator of a charter vessel, Mr. Farber said that he has noticed the decline of multiple fish species over the past twenty-five years, which he attributes to overharvesting. Mr. Farber asked the Commission to move the fishery out of the Bay and into deeper waters.

Christi Medice stated that the nets of the menhaden boats are too big for the bay, citing net tears.

Pat Geer, as well as a member of law enforcement, stated that there has been no documentation of any spills from Omega Protein.

Associate Member Lusk expressed her appreciation of the members of public who spoke regarding the menhaden fishery. She stated that as a Commission, she feels it's important to listen to the public and to take what they say into consideration.

Commissioner Green agreed with Ms. Lusk, assuring that the Commission does hear the public's concerns, and asserting that the Commission is actively working with VIMS to ensure the decisions it makes are educated.

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11. RECOMMENDATION: Recommendation on funding requests from the Recreational and Commercial Fisheries License Funds.

Alicia Nelson, Natural Resource Manager, gave the briefing of the information provided in the staff's evaluation, with PowerPoint slides. Her comments are part of the verbatim record. The Recreational Fishing Advisory Board (RFAB) advises the Commission on expenditures from the Virginia Saltwater Fishing Development Fund (VSRFDF). In 2023, RFAB reviewed twelve projects during their cycle. The Commercial Fishing Advisory Board (CFAB) advises the Commission on expenditures from the Marine Fishing Improvement Fund (MFIF). In 2023, CFAB reviewed three ongoing projects and one new program. There are two projects that are traditionally split funded by both boards since the projects benefit both recreational and commercial fisheries. Each was reviewed separately by both advisory boards.

The new program involves supporting the spiny dogfish industry. In spring 2023, the primary buyer of spiny dogfish in Virginia shut down. Most of the industry lands in the Rudee Inlet area and will have no buyer for the upcoming season. The industry reached out to the VMRC requesting assistance for the 2023/2024 season. Staff proposed utilizing the MFIF to support proposals from individuals to purchase and ship spiny dogfish to the remaining processing plant in Massachusetts. If approved by the Commission, a Request for Proposals (RFP) will be initiated in early December., with the goal to award a contract in early 2024 to assist the industry for the remaining season (ending April 30, 2024). CFAB voted unanimously in support of the RFP approach. After reviewing concepts with industry members, up to \$150,000 is proposed to support proposals.

RFAB recommended funding eleven of the twelve project requests for the 2023 cycle, totaling \$289,154 from the VSRFDF.

CFAB recommended approval for all four of the projects and programs it reviewed, totaling \$227,541 from the MFIF.

No one spoke in support or opposition of the recommendation.

The matter was before the Commission for discussion and action.

Associate Member Headley asked what the \$150,000 spiny dogfish budget would be going towards. Ms. Nelson explained that the proposals would be for the services of purchasing and moving the product, so the \$150,000 would go to the purchase of those services, and it could be less than that amount but that would be the maximum amount.

Associate Member Erskine made a motion to approve staff recommendation. Associate Member Lusk seconded the motion. The motion carried, 5-0.

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Commission Meeting

**19176
December 5, 2023**

There being no further business, the meeting was adjourned at approximately 12:39p.m.
The next Commission meeting will be Tuesday, January 23, 2024.

Jamie L. Green, Commissioner

Lisa Pyle, Recording Secretary