

MINUTES

COMMISSION MEETING

October 28, 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
Lynn Kellum	
A.J. Erskine	
William Bransom	
Jeremy Headley	Associate Members
Jeanette Edwards	
Thomas Preston	
Preston White	
Kelci Block	Assistant Attorney General Via phone
Jamie Hogge	Recording Secretary
Rachael Peabody	Director of Environmental Policy
Gerald Pitt	1 st . Sgt., Marine Police
Zach Widgeon	Director of Communications
Pat Geer	Chief, Fisheries Management
Randy Owen	Chief, Habitat Management
Adam Kenyon	Chief, Shellfish Management

Virginia Institute of Marine Science (VIMS):

Lyle Varnell	Alex Sabo	Rom Lipcius
Emily Hein		

Others present:

Brent James	Eric Holloway	Bessie Cameron
Chris Moore	Rebecca Frances	Beverly Ludford
Chris Ludford	Ian Ormesher	Dianna Keen
Nick Hess	Betsy Egan	Bill Egan
George Mapp	David O'Brien	Jackie Shannon
Dave Antos	Mark Sanford	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 amended. Associate Member Bransom seconded the motion. The motion carried, 7-0.

* * * * *

MINUTES: Commissioner Green asked if there were any changes or corrections to be made to the September 24, 2024, Commission Meeting minutes.

Associate Member Headley moved to approve the minutes as presented. Associate Member Edwards seconded the motion. The motion carried, 5-0-2. Members White & Kellum abstained.

* * * * *

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

* * * * *

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

- 2A. RIVER PORT, LLC, #24-1263,** requests authorization to mechanically or hydraulically dredge up to 131,400 cubic yards of state-owned submerged lands to depths of minus 44 feet mean low water around Pier 14, minus 38 feet mean low water around Pier 15, and minus 61 feet mean low water within the dry dock between Pier 14 and Pier 15, with future maintenance dredging cycles as-needed with disposal at the Craney Island or an approved upland facility; and to install two (2) mooring dolphins at the commercial facility located along the James River at 1201 Terminal Ave in the City of Newport News. This project requires a VMRC Subaqueous permit.

- 2B. MIDDLESEX COUNTY, #24-1778,** requests authorization to mechanically or hydraulically dredge up to 123,550 cubic yards of state-owned submerged lands to maximum depths of minus 10 feet mean low water, including future maintenance cycles as necessary, from the Broad Creek Federal Channel with disposal at a previously approved upland facility, along Broad Creek in Middlesex County. This project requires a VMRC Subaqueous permit.

- 2C. NORFOLK NAVAL SHIPYARD, #24-1932,** requests authorization to construct 180 linear feet of temporary steel cofferdam, 180 linear feet of temporary turbidity curtain, and a 180-foot by 8-foot permanent concrete tremie seal slab at -46 feet mean low water, all placed channelward of the existing infrastructure to support a broader reconstruction of Dry Dock 3, serving the Norfolk Naval Shipyard, situated adjacent to the Southern Branch Elizabeth River in the City of Portsmouth.

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 2C as presented. Associate Member Headley seconded the motion. The motion carried, 7-0.

* * * * *

- 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. GPYC HOLDINGS LLC, VMRC #24-1880**, requests authorization to install a series of 8-foot wide floating docks to the existing private use Gatling Pointe Yacht Club marina, adjacent to 903 Gatling Pointe Parkway, situated along the Pagan River in Isle of Wight County. Five (5) transient boat slips will be established per the proposed expansion. 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.

There were five (5) people that spoke in support of the project and one (1) person who spoke in opposition of the project.

The matter was before the Commission for discussion and action.

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

* * * * *

- 6. RAPPAHANNOCK RIVER YACHT CLUB, INC., #24-1858**, requests authorization to extend an existing pier to accommodate an additional ten (10) slips at the Rappahannock River Yacht Club adjacent to 100 Rappahannock Road along Carter Creek in Lancaster County. This project is protested.

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.

Ms. Kellum abstained from voting on the agenda item. Her comments are a part of the verbatim record.

Ian Ormesher, Commadore of the Yacht Club, was sworn in and spoke on behalf of the project. His comments are a part of the verbatim record.

No one spoke in support or opposition of the projects.

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, 6-0-1. Member Kellum abstained from voting.

* * * * *

7. LYNNHAVEN RIVER NOW, OYSTER PLANTING GROUND, #2021-050, Requests authorization to lease approximately 5 acres of oyster planting ground in the Lynnhaven River in the City of Virginia Beach.

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.

Brent James, member of Lynnhaven River Now spoke on behalf of the application. His comments are a part of the verbatim record.

There were two (2) people that spoke in support of the application. Their comments are part of the verbatim record.

There was one (1) person who spoke in opposition of the application. His comments are part of the verbatim record.

The matter was before the Commission for discussion and action.

Associate Member Bransom moved to approve the lease as presented. Associate Member Erskine seconded the motion. The motion carried, 4-2-1. Associate Members Headley and Preston voted no. Associate Member White abstained.

* * * * *

8. PUBLIC COMMENT:

Mark Sanford: Requested to rescind the regulation to lease Condemned Waters. His comments are a part of the verbatim record.

Eric Holloway: Requested to get his Commercial Card and his oyster license back. His comments are a part of the verbatim record.

Dave Antose: Spoke on behalf of hickory shad with a managed recreational fishery. His comments are a part of the verbatim record.

Wesley Waters: Spoke on behalf of unification between recreational and commercial anglers. His comments are a part of the verbatim record.

* * * * *

9. PUBLIC HEARING: Proposal to amend Chapter 4VAC20-1250-10 et seq., “Pertaining to the Tagging of Shellfish” to modify the method of identifying harvested shellfish.

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.

No one spoke in support or opposition of the proposed amendment.

Associate Member Headley requested to extend the implementation of the regulation for 1 year to provide further education and allow time for industry to use the tagging stock they may currently have on hand prior to the regulation change.

Associate Member Kellum recommended that this should be discussed at the SMAC meeting.

The matter was before the Commission for discussion and action.

Associate Member Headley moved to table the proposed regulation change until it is discussed at a SMAC and extend the start date for at least 1 year. Associate Member Edwards seconded the motion. The motion carried, 7-0.

* * * * *

10. PUBLIC HEARING: Proposal to amend Chapter 4VAC20-270, “Pertaining to Blue Crab Fishery” to close the 2024/2025 winter crab dredge fishery and consider extending the commercial crab pot fishery season.

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.

Chris Moore, Chesapeake Bay Foundation, spoke on behalf of the past CMAC meetings. His comments are part of the verbatim record.

Mark Sanford spoke and recommended the March crab season. His comments are a part of the verbatim record.

The matter was before the Commission for discussion and action.

Associate Member White moved to approve the closure of the upcoming 2024 - 2025 winter blue crab dredge fishery season as presented. Associate Member Bransom seconded the motion. The motion carried, 6-1. Associate Member Headley voted no.

Mark Sanford spoke and recommended the March crab pot fishery season. His comments are a part of the verbatim record.

First motion on the table:

Associate Member Edwards moved to approve option 3 to extend the crab pot fishery season with a closure of December 31 and opening the season on March 1 as presented. Associate Member Erskine seconded the motion.

Substitute motion: Overrides the first motion

Associate Member Preston made a substitute motion for Option 1, with the season

Commission Meeting

**19267
October 28, 2024**

closing on December 16 and reopening March 17. Associate Member White seconded the motion. The motion carried, 6-1. Associate Member Edwards voted no.

* * * * *

There being no further business, the meeting is adjourned at 12:30 p.m. The next Commission meeting will be meeting on **Tuesday**, December 3, 2024.

Jamie L. Green, Commissioner

Jamie Hogge, Recording Secretary