

AGENDA
MARINE RESOURCES COMMISSION
DECEMBER 2, 2025

** APPROVAL OF AGENDA.

1. MINUTES of previous meeting.
2. PERMITS (Projects over \$1,000,000 with no objections and with staff recommendation for approval).
3. CONSENT AGENDA ITEMS.
4. CLOSED MEETING FOR CONSULTATION WITH, OR BRIEFING BY, COUNSEL.

5. COREY SCHULTZ, VMRC #2025-0539

requests authorization to construct a 5-foot wide by 144.5-foot long private non-riparian pier, including a 37-foot by 45-foot dual-slip, open-sided boathouse/gazebo, 5-foot wide finger piers, and associated mooring piles to specifically serve 659 Villa Road - constructed on and adjacent to Tax Map Parcel 3B-2-1A in the Town of Claremont, situated along the James River in Surry County. The project is protested by an adjacent property owner.

6. PUBLIC COMMENTS

7. PUBLIC HEARING

The Commission proposes to amend Chapter 4VAC20-1390, "Pertaining to Shrimp," to expand the number of limited entry shrimp trawl licenses.

AGENDA

PAGE 2 ITEMS

A. BRON PROPERTIES, LLC, VMRC #2025-2343

requests authorization to construct 200 linear feet of timber bulkheading, a maximum of one (1) foot channelward of mean high water and landward of existing tidal vegetated wetlands, located at 570 and 274 Marshfield Road, situated along Piscataway Creek in Essex County. This project requires a VMRC Wetlands permit.

B. ANN EUBANK, VMRC #2025-2250

requests authorization to install 70 linear feet of riprap revetment at 131 Coopers Point Lane, situated along the Rappahannock River in Essex County. This project requires a VMRC Wetlands permit.

C. UPPER BRANDON TIDAL MITIGATION BANK, LLC, VMRC #2025-1892

requests authorization to mechanically dredge 1,098 square feet of nonvegetated wetlands and 23 cubic yards of state-owned submerged lands, on an as-needed basis, to create a connecting channel from the James River to the proposed tidal wetlands mitigation bank site at 1802 Upper Brandon Road in Prince George County. Dredged spoils will be utilized in the existing upland as part of the site construction. Staff recommends approval with a royalty of \$18.40 for the dredging of 23 cubic yards of state-owned submerged lands at a rate of \$0.80 per cubic yard. This project requires both a VMRC Wetlands and Subaqueous permit.

D. HUNTINGTON INGALLS- NEWPORT NEWS SHIPBUILDING, VMRC #2025-1671

requests authorization to construct a 25-foot by 425-foot platform extension to Pier 3 at the Newport News Shipbuilding facility, adjacent to 4101 Washington Avenue, situated along the James River in Newport News. This project requires a VMRC Subaqueous permit.

E. CITY OF NORFOLK, VMRC #2025-1479

requests authorization to place approximately 6,500 cubic yards of sand nourishment along 1,050 linear feet of shoreline between 13th View Street and 11th View Street behind Toler Place and approximately 43,000 cubic yards along 4,550 linear feet of shoreline from Sarah Constant Beach Park to Ocean View Beach Park, situated along the Chesapeake Bay in the City of Norfolk. Sand will be sourced from an upland location and truck-hauled to the nourishment sites. This project requires a VMRC Subaqueous permit.

F. CITY OF VIRGINIA BEACH, VMRC #2025-1823

requests authorization to annually maintenance dredge by mechanical or hydraulic means approximately 27,000 cubic yards of state-owned submerged bottomlands within the existing Crab Creek municipal channel to a maximum depth of minus nine (-9) feet mean low water adjacent to the Lynnhaven Beach and Boat Ramp Facility in Virginia Beach. Dredged spoils will be offloaded at the existing facility or transferred by barge to the Maple Street dredge material management area and

AGENDA

utilized for city beach nourishment and marsh enhancement projects. Hydraulically dredged material will be placed directly onto Ocean Park Beach. Staff recommends approval with the standard dredge permit conditions, a dredge work time-of-year restriction from March 1 - September 30 of any year to protect juvenile summer flounder, and Commission notification (including coordinates) should the relocation of temporary floating channel markers be required due to depth constraints. This project requires a VMRC Subaqueous permit.

G. VIRGINIA ELECTRIC AND POWER COMPANY, VMRC #2025-2016

requests authorization to install stormwater management pond outfall pipes and structures, in four (4) locations impacting both tidal-fresh wetlands and state-owned submerged lands of the James River, as part of the Chesterfield Power Station Coal Combustion Residuals (CCR) Closure by Removal Project, in Chesterfield County. No changes are proposed for this project, which was previously permitted under #2020-2348. That previous permit expired prior to project completion. This project requires both a VMRC Wetlands and Subaqueous permit.

COMMISSION MEETING

MINUTES

19348

October 28, 2025

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	Associate Members
William Bransom	
Jeremy Headley	
Thomas Preston	
Preston White	
Kelci Block	Assistant Attorney General Via phone
Randy Owen	Chief, Habitat Management
Adam Kenyon	Chief, Shellfish Management
Alicia Nelson	Natural Resources Manager

Virginia Institute of Marine Science (VIMS):

Lyle Varnell	Mark Luckenbach
--------------	-----------------

Others present:

Emerson Stevens	Howard Stevens	Christopher Reynolds
Jim Dunstan	Jordan Dunstan	Aubrey Stokes
Cody Weicht	Allen Rowe	Pat Foster
Brian Fletcher	Emory Rice	Larry Wilson
Jacob Jewell	Jim Wesson	David Parker
Neville Reynolds	Monica Schenemann	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 as presented. Associate Member Bransom seconded the motion. The motion carried, 6-0. Associate Member White was not present.

* * * * *

MINUTES: Commissioner Green asked if there were any changes or corrections to be made to the September 23, 2025, Commission Meeting minutes.

Associate Member Headley moved to approve the minutes as presented. Associate Member Bransom seconded the motion. The motion carried, 5-0-1. Associate Member Preston abstained. Associate Member White was not present.

* * * * *

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

* * * * *

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

Randy Owen, Chief, Habitat Management, reviewed the Page 2 items 2A through 2 C for the Associate Members. Mr. Owen's comments are a part of the verbatim record.

2A. VIRGINIA ELECTRIC & POWER COMPANY, VMRC #25-0465, requests authorization to hydraulically dredge 219,515 cubic yards of state-owned submerged lands in an effort to establish a 6,243-foot long by 120-foot wide by 11-foot deep (mean low water) channel within the James River to access the facility's intake basin located at 5570 Hog Island Road in Surry County. The project is protested by an adjacent shellfish leaseholder.

2B. RAPPAHANNOCK RIVER RUN BLUFFS OWNERS ASSOCIATION, VMRC #25-1856, requests authorization to retain and repair an existing 90-foot stone groin and to construct a 32-foot landward extension of the stone groin adjacent to 1646 Mark Haven Beach Road, situated along the Rappahannock River in Essex County. This project requires a VMRC Wetlands and Subaqueous permit.

2C. CITY OF PORTSMOUTH, VMRC #25-1557, requests authorization to construct a 99-foot wide by 205-foot long open-pile bridge over a 112-foot wide section of Paradise Creek, and to relocate an existing power line over a 120-foot section of Paradise Creek, a minimum of 35 feet above mean high water, adjacent to Victory Boulevard as part of the Paradise Creek Bridge Replacement Project in Portsmouth. This project requires a VMRC Subaqueous permit.

The matter was before the Commission for discussion and action.

Associate Member Bransom moved to approve Page 2 items 2A through 2C as presented. Associate Member Headley seconded the motion. The motion carried, 6-0. Associate Member White was not present.

* * * * *

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. RECOMMENDATION
Funding request from the Recreational and Commercial License Funds.

Alicia Nelson, Natural Resources Manager, gave the briefing of the information provided in the staff's evaluation, with PowerPoint slides. for the Associate Members. Ms. Nelson's 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 funding for thirteen proposed projects, totaling \$524,275 from the Virginia Saltwater Recreational Fishing Development Fund, and three proposed projects, totaling \$145,794 from the Marine Fishing Improvement Fund request as presented. Associate Member Headley seconded the motion. The motion carried, 6-0. Associate Member White was not present.

* * * * *

6. **VIRGINIA INSTITUTE OF MARINE SCIENCE, VMRC #25-2014,** requests authorization to construct a 110-foot long stone spur, a 135-foot long stone breakwater, and place clean sand backfill and native wetland plantings along the York River shoreline at Tax Map Parcels #51A(8)-13 and #51A(8)-12 on Spencer Road in Gloucester 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. Mr. Owen's comments are a part of the verbatim record.

Neville Reynolds, representative for the applicant, was sworn in and spoke in support of the project. Mr. Reynolds stated that there will be no negative effects for the neighboring properties. His comments are a part of the verbatim record.

Larry Wilson was sworn in and spoke in opposition to the project. His comments are a part of the verbatim record.

Associate Member White arrived prior to the final vote of the project.

The matter was before the Commission for discussion and action.

Associate Member Erskine moved to approve the project as submitted. Associate Member Bransom seconded the motion. The motion carried, 5-0-2. Associate Member White arrived prior to final vote. Associate Members Kellum and White abstained.

* * * * *

7. **LIN JOU PEI, VMRC #25-1857**, requests authorization to construct a 48-foot by 24-foot open-sided boathouse at an existing private pier adjacent to 9437 Ferry Landing Drive, situated along Dogue Creek in Fairfax 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. Mr. Owen's comments are a part of the verbatim record.

Ryan Fletcher, contractor for the applicant, was sworn in and spoke on behalf of the project. 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 Erskine seconded the motion. The motion carried, 7-0.

* * * * *

8. **WESTBAY HOMEOWNERS ASSOCIATION, VMRC #25-1429**, requests authorization to install eight (8) brackets, secured outboard of the existing pier deck, to support four (4) kayaks at the Association's Pier #1, situated along Bells Creek at the terminus of West Bay Drive in Northumberland County. The project is protested by four (4) members of the Association.

Randy Owen, Chief, Habitat Management, gave the briefing of the information provided in the staff's evaluation, with PowerPoint slides. Mr. Owen's comments are a part of the verbatim record.

Tim Murphy, president of the Westbay Homeowners Association, was sworn in and spoke in support of the project. His comments are a part of the verbatim record.

Allen Carman spoke in opposition to the project. His comments are a part of the verbatim record.

The matter was before the Commission for discussion and action.

Associate Member Preston moved to approve the project as presented. Associate Member Headley seconded the motion. The motion carried, 5-2. Associate Members Bransom and White voted no.

* * * * *

9. PUBLIC COMMENTS:

David Parker:

David Parker, waterman, asked how he could become eligible for a commercial shrimp permit. Mr. Parker had previously applied for the shrimp permit lottery but was not selected. The Commissioner advised him to speak to Chief Kenyon about asking FMAC about increasing the number of licenses. Their comments are a part of the verbatim record.

* * * * *

10. PUBLIC HEARING: The Commission proposes to amend Chapter 4VAC20-720, "Pertaining to Restrictions on Oyster Harvest" to establish the 2025-2026 areas of public harvest, public oyster harvest seasons, oyster resource conservation measures, and an oyster user fee transfer exception.

Adam Kenyon, Chief, Shellfish Management, 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.

J. C. Hudgins, representing the Virginia Waterman's Association as well as SMAC members. His comments are a part of the verbatim record. Mr. Hudgins spoke in support of the seasons as proposed as an emergency regulation and seasons in September's meeting.

Jim Wesson, was sworn in and provided further information of the Blue Ribbon Oyster Panel discussion. Mr. Wesson also provided survey information to the Associate Members as a handout. His comments are a part of the verbatim record.

There were 3 others that spoke in support of the SMAC recommendations. Their comments are a part of the verbatim record.

The matter was before the Commission for discussion and action.

Associate Member Headley moved to adopt the regulatory changes from the September Emergency Regulation. Associate Member Bransom seconded the motion. The motion carried, 6-1. Associate Member Erskine voted no.

Associate Member Bransom moved to approve regulatory changes including an Oyster User Fee transfer exception, time of day harvest restrictions and administrative language updates to Chapter 4VAC20-720, "Pertaining to Restrictions on Oyster Harvest" changes as presented. Associate Member Headley seconded the motion. The motion carried, 7-0.

* * * * *

11. PUBLIC HEARING: The Commission proposes to amend Chapter 4VAC20-650, "Establishment of Oyster Sanctuary Areas" to make non-substantive administrative language updates.

Adam Kenyon, Chief, Shellfish Management, 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.

The matter was before the Commission for discussion and action.

Associate Member Headley moved to approve the administrative regulation language updates to Chapter 4VAC20-650, "Establishment of Oyster Sanctuary Areas" changes as presented. Associate Member Preston seconded the motion. The motion carried, 7-0.

* * * * *

Commission Meeting

19355
October 28, 2025

There being no further business, the meeting was adjourned at 11:40 a.m. The next Commission meeting will be a combined November/December meeting that will be held on Tuesday, December 2, 2025.

* * * * *

Jamie L. Green, Commissioner

Jamie Hogge, Recording Secretary

Corey Schultz
#2025-0539

1. Habitat Management Evaluation dated December 2, 2025
(Pages 1-2)
2. Application drawings dated-received September 4, 2025
(Pages 3-6)
3. Quit-claim deed copy dated-received April 15, 2025
(Pages 7-9)
4. Surry County Commissioner of the Revenue email dated May 7, 2025
(Page 10)
5. Adjacent Property Owner Protest emails dated-received June 16, and
September 16, 2025
(Pages 11-12)

December 2, 2025

HABITAT MANAGEMENT DIVISION EVALUATION

COREY SCHULTZ, VMRC #2025-0539, requests authorization to construct a 5-foot wide by 144.5-foot long private non-riparian pier, including a 37-foot by 45-foot dual-slip, open-sided boathouse/gazebo, 5-foot wide finger piers, and associated mooring piles to specifically serve 659 Villa Road - constructed on and adjacent to Tax Map Parcel 3B-2-1A in the Town of Claremont, situated along the James River in Surry County. The project is protested by an adjacent property owner.

Narrative

Corey Schultz and his family own a family cottage at 659 Villa Road located on the coastal flat portion of the Town of Claremont. The current beachfront area once served as an industrial port and railroad terminus during the early 1900s.

Although 659 Villa Road is not considered a riparian property, a portion of the channelward riparian property, identified as the Hartz & Rogers Plat (now a defunct corporation) is considered an ownerless property. A portion of this property was previously quit-claimed to the Schultz family for river access. Similar quit-claim deeds were created for other neighboring properties. Multiple conversations with Town and County representatives, including the County's Commissioner of Revenue, have confirmed that the quit-claimed waterfront property is essentially considered an extension of the applicant's 659 Villa Road property.

The Schultz family has provided proof of ownership for multiple vessels, including a 38-foot Fountain. The pier and boathouse/gazebo design would cover two boats, with a temporary uncovered slip on the interior of the pier head. Given the dual-slip boathouse proposal and the unique nature of the non-riparian pier proposal, the overall request requires a Commission subaqueous permit in accordance with §28.2-1204 of the Code of Virginia.

Issues

As part of our public interest review responsibilities, a project description was advertised in The Sussex-Surry Dispatch, and staff notified the adjacent property owners (APOs). Both APOs are also non-riparian but have similar quit-claim rights to portions of the channelward riparian property. Ms. Barbara Zeiner, an APO and the owner of 673 Villa Road, submitted comments protesting the proposal. She stated that the proposed pier and boathouse would obstruct her view which would devalue her property. She also expressed concerns that the large boats using the pier would be a safety hazard for her family and friends recreating along the beach.

Attempting to address Ms. Zeiner's concerns, Mr. Schultz amended his project drawings to extend the pier head slightly farther away from the shoreline and adjusted the pier head orientation so that the two covered slips open to the northwest away from Ms. Zeiner's property. Staff again shared the revised drawings with both neighbors. Ms. Zeiner responded, stating that

although she is more comfortable with the boathouse slips opening on the opposite side, she still opposes the plan as she feels the structure will block her view and devalue her property.

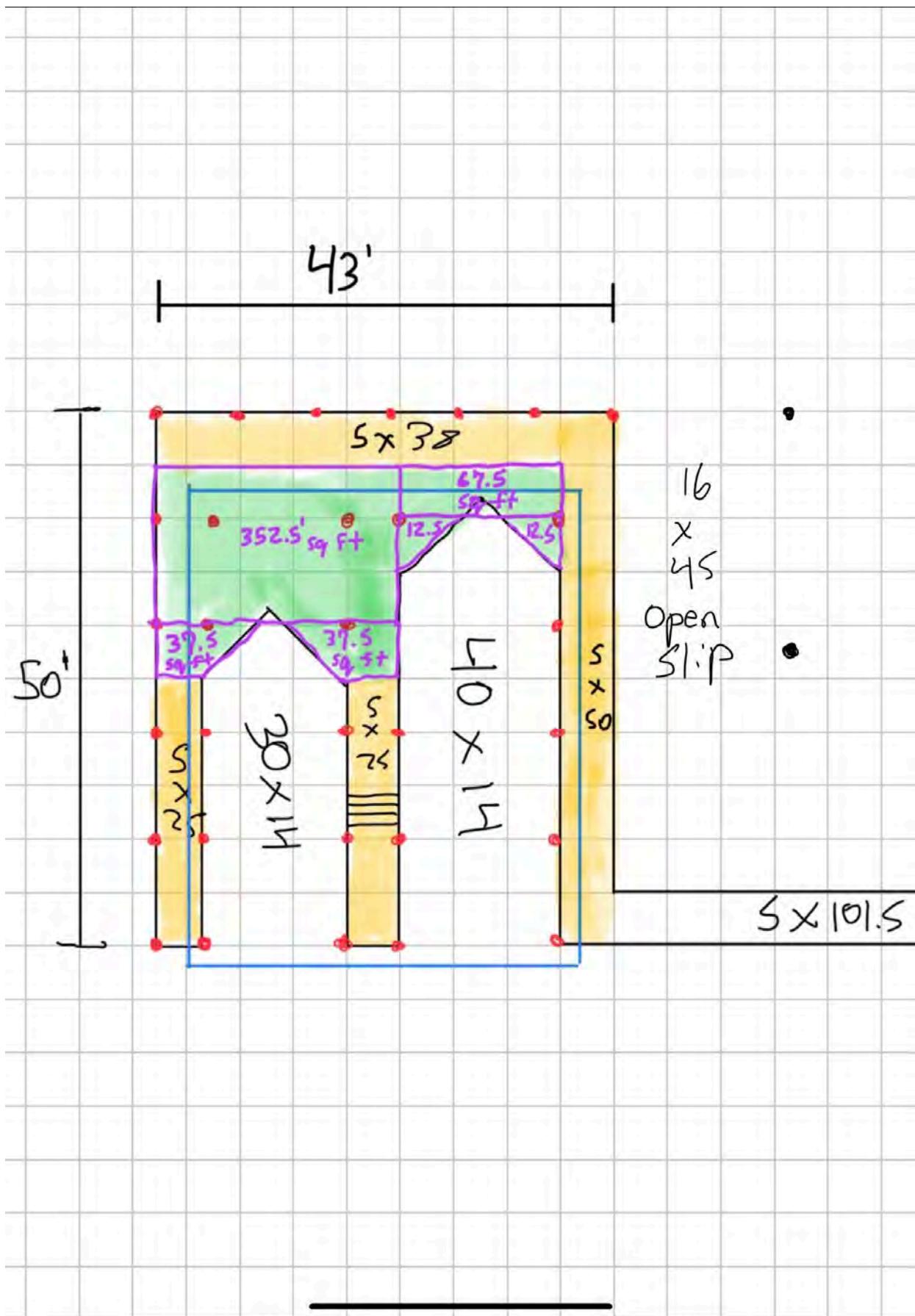
The Town of Claremont nor Surry County has any issue with the proposal, and other than a county building permit, no other local approvals are required.

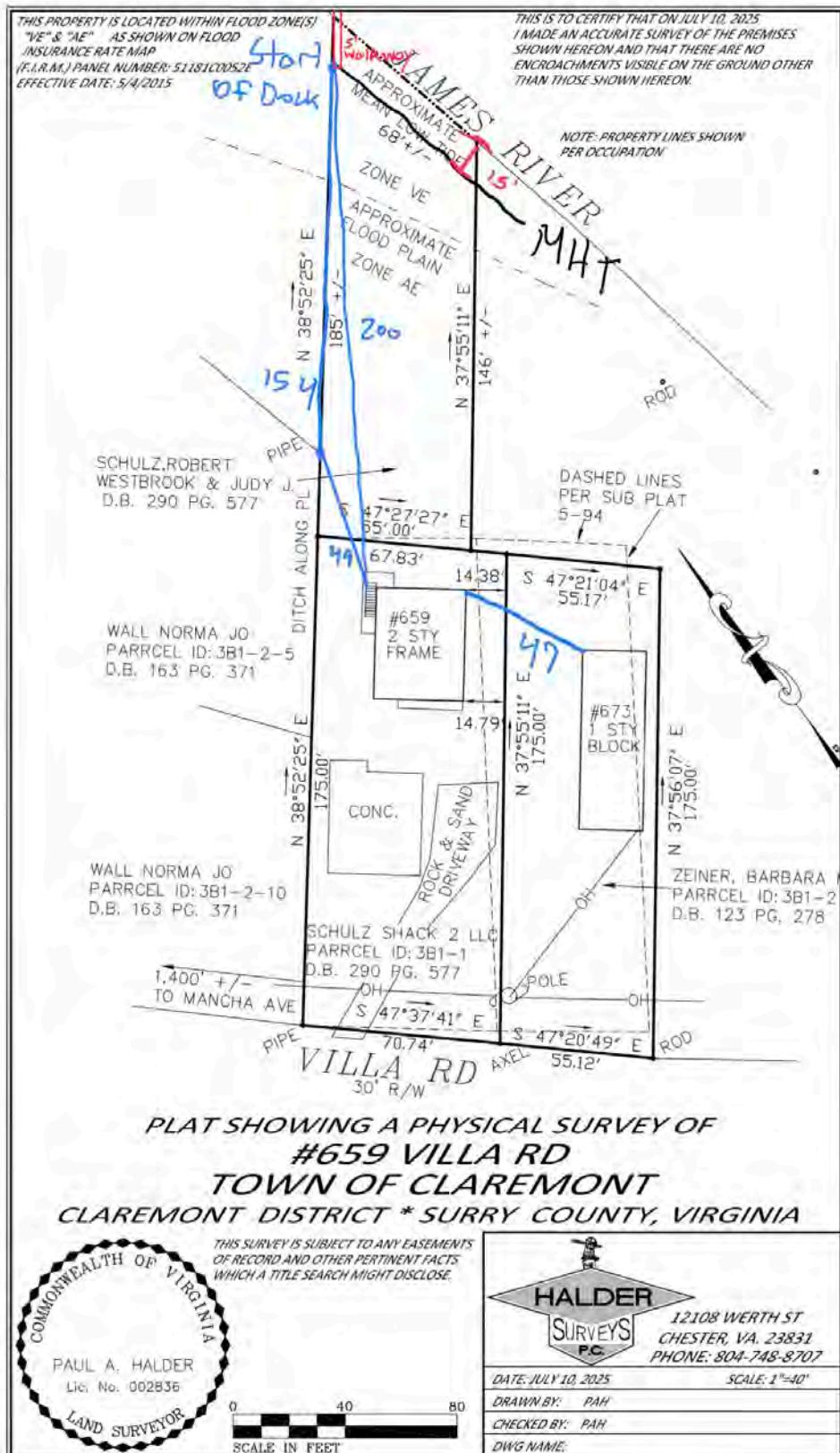
Summary/Recommendations

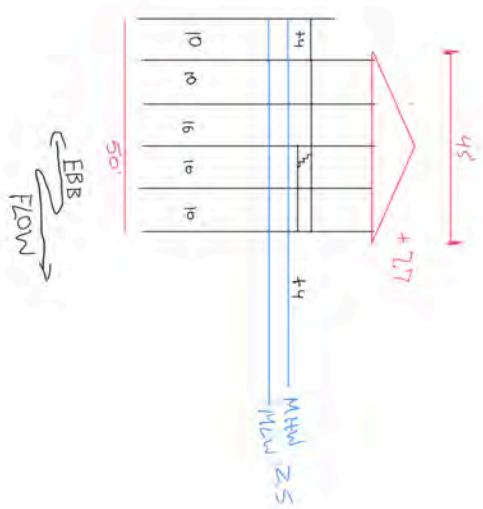
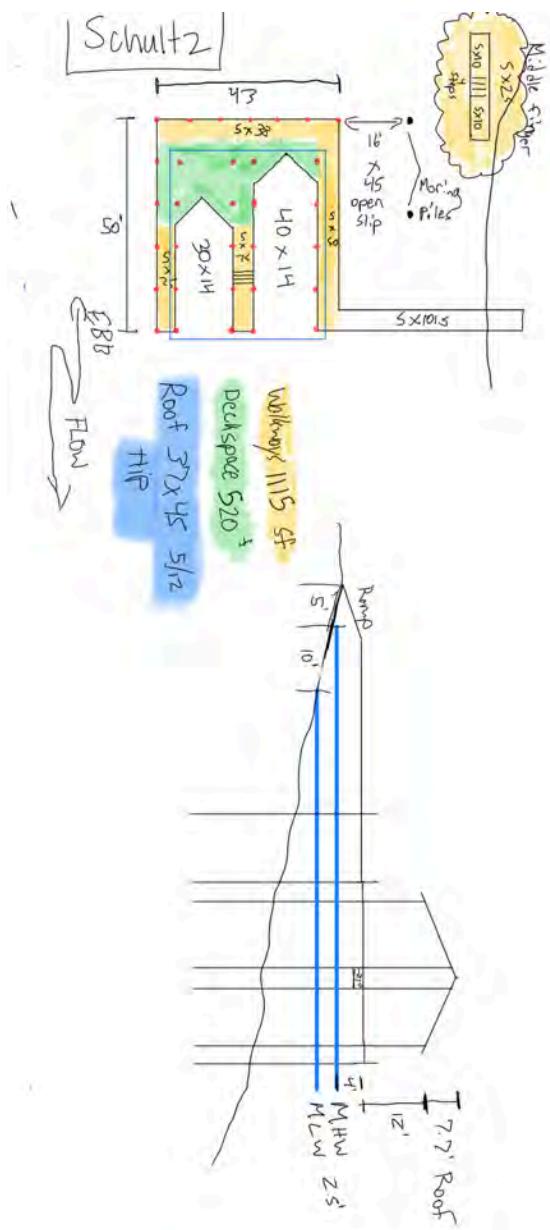
The proposed private pier including the boathouse/gazebo appears to be a reasonable use of the state-owned submerged lands in this area of the James River. Staff has thoroughly reviewed the property ownership issues with County and Town officials and is satisfied that the applicant enjoys a right to seek a Commission permit to pier out from the riparian parcel as identified in the quit-claim deed.

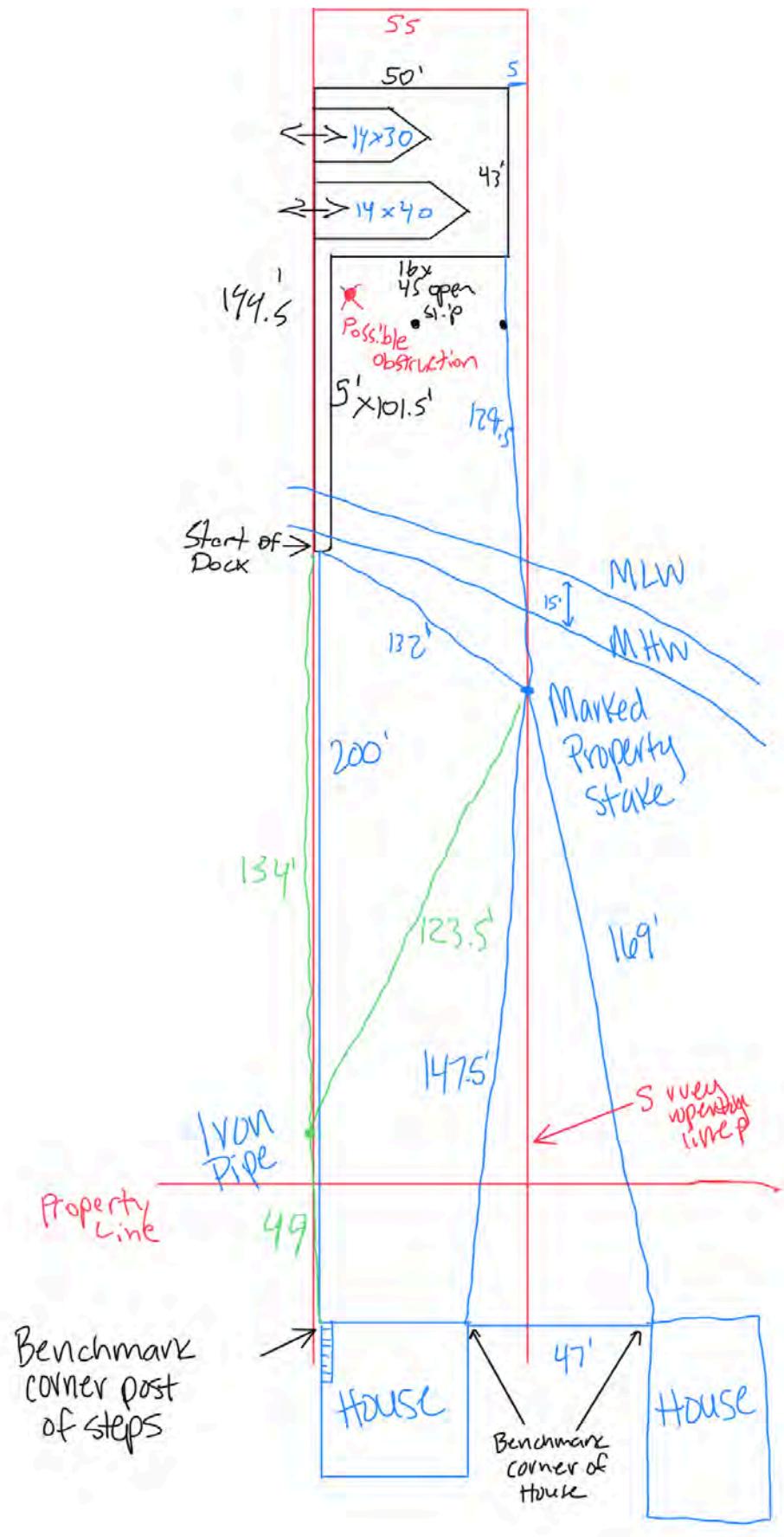
While staff is sensitive to the concerns of the protestant, there are other piers along the Claremont beach shoreline, and even one with a multi-slip boathouse just to the northwest of this site. Had the proposal not been protested by the neighboring property owner, staff would have administratively issued a permit to the applicant.

Therefore, after evaluating the merits of the project, and after considering all of the factors contained in §28.2-1205 of the Code of Virginia, staff recommends approval of the project as submitted, including a special condition that requires the removal and lawful disposal of any submerged timber materials encountered during construction, given the history of this area serving as an industrial port.









DATE: 2/6/09
RETURNED TO:

BOOK 231 PAGE 792^B

This Deed was prepared by:
Clinton B. Faison, Jr.
Attorney at Law
P. O. Box 186
Surry, Virginia 23883
(757) 294-3000
Tax Map # _____

THIS QUITCLAIM DEED, made this 12th day of January, 2009
by and between **CLINTON B. FAISON, JR.**, party of the first
part and hereinafter styled "Grantor", and **ROBERT WESTBROOK**
SCHULTZ and **JUDY J. SCHULTZ**, husband and wife, of P. O. Box
260, Waverly, Virginia 23890, parties of the second part and
hereinafter styled "Grantees".

W I T N E S S E T H : That for and in consideration of
the sum of **ONE DOLLAR (\$1.00)**, cash in hand paid, and other
good and valuable consideration, the receipt of which is
hereby acknowledged by the Grantor, the Grantor does hereby
quit-claim, release, and convey unto the said Grantees, as
TENANTS BY THE ENTIRETIES, with the right of survivorship as
at common law, any and all right, title and interest that he
may possess, in and to the following described real estate,
to-wit:

ALL that certain parcel or strip of land lying
and being situate in the Town of Claremont,
Surry County, Virginia, to the northeast side
of Lot No. 1, said lot being shown on a
certain plat of subdivision made by Lee B.
Carpenter, Certified Surveyor, dated May 1,
1955 and recorded in the Clerk's Office of the
Circuit Court of Surry County in Plat Book 5,
at page 94, being a strip of property 55 feet
long but of undetermined width, and also being
described as the area between the mean low
water mark of the James River and the
northeastern most boundary of said Lot No. 1.

This conveyance is made **EXPRESSLY SUBJECT** to all
restrictions, easements, covenants, and conditions as are
contained in instruments forming the chain of title to said
property, or as may be apparent from a careful inspection of
the premises.

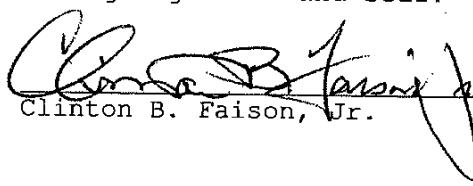
Clinton B. Faison, Jr.
Attorney at Law
Surry, VA 23883

031183^B

BOOK 231 PAGE 792^B

It is hereby made manifestly to appear from the tenor of this instrument that survivorship between joint tenants shall not be abolished as provided for by Section 55-20 of the Code of Virginia, 1950, as amended, and it is intended that the part of the one dying first should then belong to the other as provided for by Section 55-21 of the Code of Virginia, 1950, as amended.

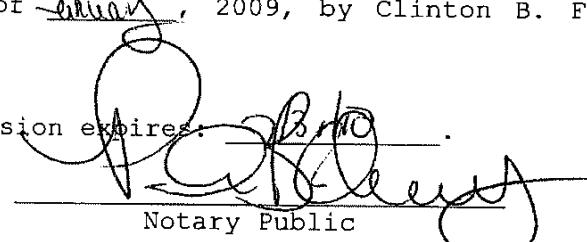
WITNESS the following signature and seal:


Clinton B. Faison, Jr. (SEAL)

STATE OF VIRGINIA
COUNTY OF SURRY, to-wit:

The foregoing instrument was acknowledged before me this 28th day of January, 2009, by Clinton B. Faison, Jr.

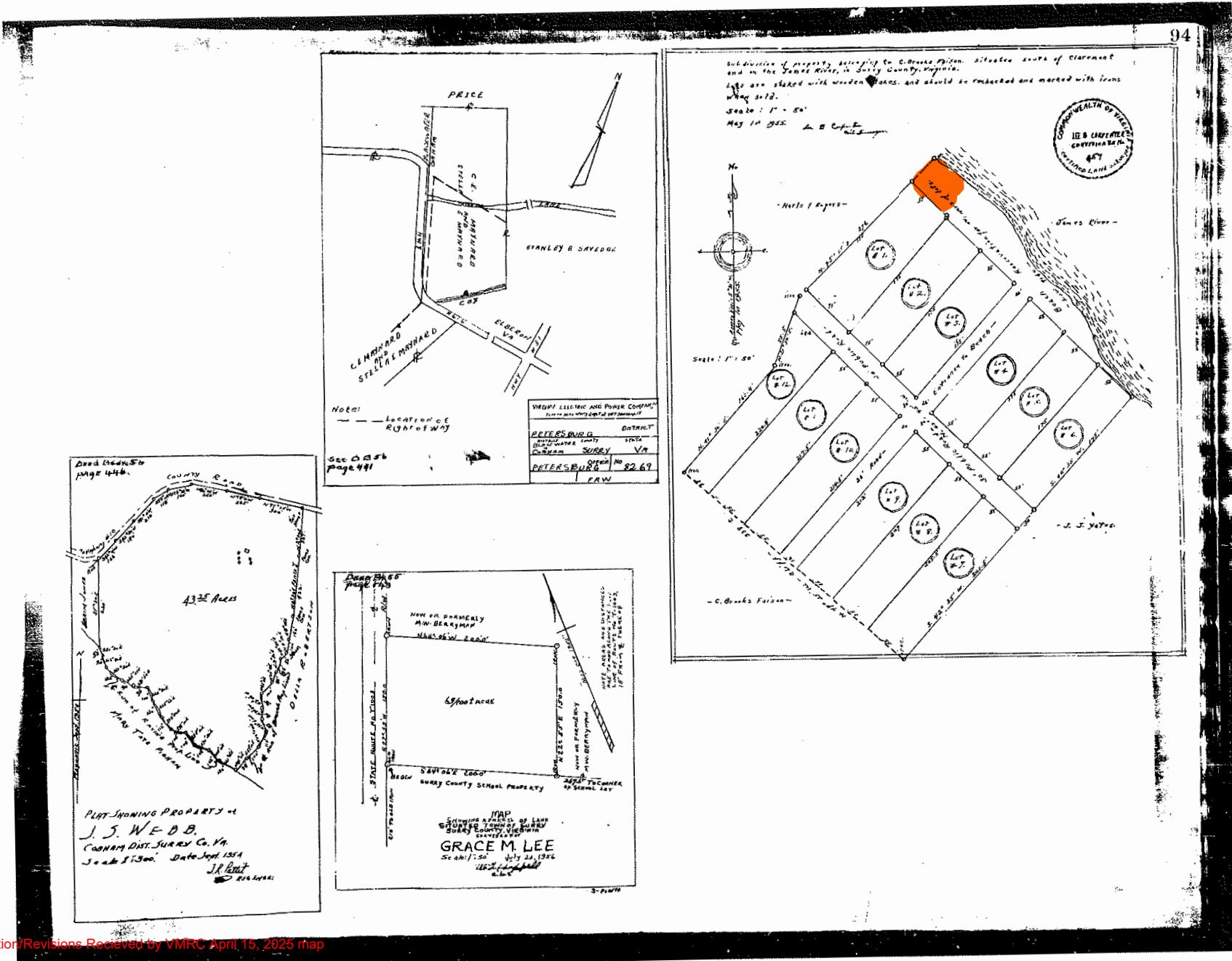
My Commission expires: 2010.


Notary Public

PAMELA B. OWNEY
Notary Public
Commonwealth of Virginia
No. 172412
My Commission Expires 7/31/10

INSTRUMENT #090031183
RECORDED IN THE CLERK'S OFFICE OF
COUNTY OF SURRY ON
FEBRUARY 6, 2009 AT 03:55PM
\$.50 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: Virginia LOCAL: \$.25 \$.25
GAIL P. CLAYTON, CLERK
RECORDED BY: KRM

Clinton B. Faison, Jr.
Attorney at Law
Surry, VA 23883



From: [Worrell, Justin \(MRC\)](#)
To: [MRC - jpa Permits](#)
Subject: FW: Surry County: Claremont Beach Property
Date: Monday, June 23, 2025 1:54:36 PM
Attachments: [image001.png](#)
[image002.png](#)

Please treat this email chain as add. Info. for #25-0539. Thanks.

From: Corey Schultz <Corey@slilawns.com>
Sent: Monday, June 23, 2025 1:09 PM
To: Worrell, Justin (MRC) <Justin.Worrell@mrc.virginia.gov>
Subject: Surry County: Claremont Beach Property

Mr. Worrell,

Below is the email correspondence that you asked for in order to get a hearing. I spoke with Mrs. Zeiner last week. The conversation was pleasant with no real outcome. There was no willingness to compromise such as building a pier with no roof.

You should have an email connecting you with Halder Surveys. Please let me know if there is anything else I can do to get the Hearing in July.

Thanks,

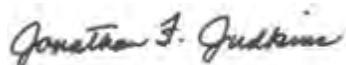
Corey

From: Jonathan Judkins <jfjudkins@surreycountyva.gov>
Date: Wednesday, May 7, 2025 at 3:02 PM
To: Corey Schultz <Corey@slilawns.com>
Subject: Claremont Beach Property

Corey,

From our records tax map parcel #3B-2-1A is considered the beach area of the Property Owners Association for the Hartz and Rodgers Plat reflected in Plat Book 5 Page 94. This parcel has no assessment assigned to the parcel, but the value in this situation is typically reflected in the lots of the subdivision. A deed was recorded Deed Book 231 Page 291 on February 6, 2009 that C.B. Faison, Jr. quit claimed any interest held between tax map parcel #3B-1-1 (lot 1) and the low water mark to Robert & Judy Schultz, that would be considered part of the beach area.

Hope this is helpful in what our office can provide to you.



Jonathan F. Judkins
Commissioner of the Revenue, MCR

Virginia Marine Resources Commission

Habitat Management Public Comments

Application Number 20250539

Print Date: Friday November 21 2025 13:14

Number	Name	Received	Position
1	BARBARA M ZEINER	06/16/2025 16:31:17 PM	OPPOSE

I STRONGLY OPPOSE THIS APPLICATION FOR THE FOLLOWING REASONS:

 1. MY HOUSE ON THE ADJOINING PROPERTY IS A SMALL ONE STORY HOUSE ON THE GROUND. THIS HUGE PIER, DUAL-SLIP, BOATHOUSE/GAZEBO WILL BLOCK MY VIEW OF THE RIVER. IT WILL DECREASE THE VALUE OF MY PROPERTY WITH THE BLOCKED VIEW.

 2. I USE THE RIVER IN FRONT OF MY PROPERTY FOR THE ENJOYMENT OF FAMILY AND FRIENDS. MY GRANDKIDS USE THIS AREA OF THE RIVER TO SWIM, RIDE PADDLE BOATS, FLOAT ON INNER-TUBES, ETC. WE ALSO LIKE TO SIT ON THE BEACH AND THIS STRUCTURE WILL BLOCK THE VIEW FROM OUR BEACH.

 3. I AM ALSO CONCERNED ABOUT THE SAFETY OF MY GUESTS WITH THE BOATS MANEUVERIN IN AND OUT OF THE SLIPS AND ALONG THE PIER. MR. SCHULTZ HAS HUGE BOATS THAT WOULD BLOCK THE VIEW EVEN MORE AND CAUSE A SAFETY HAZARD TO THE CHILDREN SWIMMING IN THIS AREA.

 4. THE PIER WOULD BE BUILT ALONG SIDE OF BROKEN OFF MASSIVE PILINGS LEFT OVER FROM THE TIME WHEN THIS WAS A DOCK TO LOAD FROM BOATS TO THE RAILROAD. IF SOMEONE FELL OFF THAT SIDE OF THE PIER, THEY COULD BE SERIOUSLY INJURED.

 5. MY PROPERTY HAS BEEN IN THE ZEINER FAMILY SINCE 1956 AND HAS BEEN ENJOYED BY NOW THE 5TH GENERATION. THIS STRUCTURE WOULD TAKE AWAY THE FEELING OF THIS SUMMER RETREAT, TAKE AWAY OUR VIEW AND SWIMMING AREA, POSSIBLY CAUSE HAZARDS TO SWIMMERS, AND INCREASE THE BOAT TRAFFIC IN FRONT OF MY PROPERTY. I STRONGLY REQUEST THAT THE APPLICATION FOR THIS PROPERTY

 BE DENIED.

 NOTE: I AM THE ADJOINING PROPERTY TO MR. SCHULTZ. THE ADDRESS OF MY PROPERTY IS 673 VILLA RD., CLAREMONT,VA. IT IS WRITTEN INCORRECTLY ON THE DRAWING.

**Virginia Marine Resources Commission
Habitat Management Public Comments
Application Number 20250539**

Print Date: Friday November 21 2025 13:14

Number	Name	Received	Position
2	BARBARA M ZEINER	09/16/2025 14:01:50 PM	OPPOSE

MY COMMENTS IN MY PREVIOUS OPPOSITION STILL HOLD TRUE. I STILL OPPOSE THE BOATHOUSE, GAZEBO, AND BOATLIFTS. I AM NOT OPPOSED TO THE ACTUAL PIER AS LONG AS IT STAYS ON THE LEFT SIDE FACING THE RIVER OF MR. SCHULTZ'S PROPERTY AND IS SAFE. I HAD MENTIONED THAT THE WATER ON THE LEFT SIDE OF THE PIER HAS OLD BOAT LANDING PILINGS. THE BOATHOUSE, GAZEBO, AND LIFTS WILL BLOCK MY VIEW OF THE RIVER FROM MY PROPERTY. I AM STILL CONCERNED ABOUT THE HUGE BOATS COMING INTO AN AREA THAT IS A SWIMMING AREA FOR CHILDREN. THE WATER SHOULD BE A SAFE AREA FOR CHILDREN TO ENJOY.



COMMONWEALTH of VIRGINIA

Marine Resources Commission

Stefanie K. Taillon
Secretary of Natural
and Historic Resources

380 Fenwick Road
Building 96
Fort Monroe, VA 23651

Jamie L. Green
Commissioner

NOTICE

The Virginia Marine Resources Commission invites public comment on proposed amendments to regulations, as shown below. By Wednesday, November 12, 2025, the proposed draft regulations may be viewed on the VMRC web calendar at <https://mrc.virginia.gov/calendar.shtm>.

In accordance with Section 28.2-209 of the Code of Virginia, a public hearing on the proposed amendments to these regulations will be held on Tuesday, December 2, 2025, at the Virginia Marine Resources Commission, 380 Fenwick Road, Bldg. 96, Fort Monroe, Virginia.

Written public comments on the proposals below or on items not on the agenda must be provided by 12:00 p.m., Wednesday, November 26, 2025. Comments should be made at the following link: https://webapps.mrc.virginia.gov/public/fisheries/search_publiccomments.php or addressed to Public Comments, 380 Fenwick Road, Bldg. 96, Fort Monroe, Virginia 23651.

I. Chapter 4VAC 20-1390, "Pertaining to Shrimp"

The Commission proposes amendments to Chapter 4VAC20-1390, "Pertaining to Shrimp," to expand the number of limited entry shrimp trawl licenses.

The purpose of these amendments is to promote and enhance the shrimp trawl fishery in an ecologically conservative manner.

**VMRC DOES NOT DISCRIMINATE AGAINST INDIVIDUALS WITH DISABILITIES;
THEREFORE, IF YOU ARE IN NEED OF REASONABLE ACCOMMODATIONS
BECAUSE OF A DISABILITY, PLEASE ADVISE MICHELE GUILFORD (757-247-2206)
NO LATER THAN FIVE WORKDAYS PRIOR TO THE MEETING DATE AND
IDENTIFY YOUR NEEDS.**

An Agency of the Natural and Historic Resources Secretariat

www.mrc.virginia.gov

Telephone (757) 247-2200 (757) 247-2292 V/TDD Information and Emergency Hotline 1-800-541-4646 V/TDD

FISHERIES MANAGEMENT DIVISION EVALUATION, 12/2/2025

PUBLIC HEARING: Proposal to amend Chapter 4VAC20-1390, "Pertaining to Shrimp," to expand the number of limited entry shrimp trawl licenses.

ISSUES: In July 2025, VMRC staff recommended expanding the number of shrimp trawl licenses to 26 which would include any individual who previously held an experimental shrimp trawl permit. The Commission voted to expand the number of licensees in the Virginia shrimp trawl fishery to only 17 licenses. Eligibility for these additional licenses was based on an individual previously holding an experimental shrimp trawl permit, having their trawl gear inspected, and reporting at least one pound of shrimp to the VMRC Mandatory Harvest Reporting Program.

During the Commission's public comment on September 23, 2025, the Commission unanimously voted to issue shrimp trawl licenses to two additional commercial watermen who previously held an experimental permit but did not meet the harvest and gear criteria. The two additional licensees do not currently meet regulation standards, thus requiring a revision of the regulation to include both establishing the maximum number of licenses and reevaluating the eligibility criteria for participation in the Virginia shrimp trawl industry.

BACKGROUND: The abundance of penaeid shrimp (mostly white shrimp) has increased in the Bay and coastal waters of Virginia during the past ten years to support viable commercial fishery. White shrimp are short-lived and highly fecund. Annual abundance can vary significantly from year to year and is driven primarily by environmental factors. Since Virginia began regulating the species in 2021, the annual harvest in the Virginia Beach Shrimp Trawl Harvest Area ranged from 40,564 lbs. (2022) to 120,463 lbs. (2023), with effort ranging from 149 (2022) to 218 (2023) trips. The dockside value of these shrimp ranges from \$2.50 - \$7.00 per lb. (heads-on) dependent on the size of the shrimp (count-size) and whether the product is sold through a buyer or independently.

This fishery has provided additional opportunities and revenue to a limited number of participants since its inception. There have been as many as 100 individuals applying for the permits (when still experimental) and licenses when the regulation was established. Maintaining limited entry but increasing the number of available licenses will grow the fishery but still provide protection from over capitalization and impacts due to potential bycatch.

The proposed regulatory changes will make all individuals with an experimental shrimp trawl permit between 2022 and 2024 eligible for a shrimp trawl harvest license, which would be an increase of 9 licenses

for a total of 26. This change would no longer have both the gear inspection and the minimum shrimp harvest as a criterion for license eligibility. This represents a potential 53% increase in participants, with a potential increase in annual harvest (96,000 lbs.), and revenue of \$450,000, based on average harvest per fisher between 2022 and 2024.

STAFF

RECOMMENDATION: Staff recommends the Commission amend Chapter 4VAC20-1390, "Pertaining to Shrimp," to expand the number of limited entry shrimp trawl licenses.

"PERTAINING TO SHRIMP"**CHAPTER 4VAC20-1390-10 ET SEQ.****PREAMBLE**

This chapter establishes a limited entry shrimp trawl gear license and associated lottery, gear restrictions, seasons, possession limits and reporting requirements for the commercial and recreational shrimp fishery. The use of trawls or similar devices is prohibited in all the waters under Virginia's jurisdiction by §28.2-314 of the Code of Virginia; however, §28.2-315 of the Code of Virginia grants the Marine Resources Commission authority to permit trawling and control the area, manner, method, size and season of catch during certain times in certain areas of Virginia's portion of the Territorial Sea.

This chapter is promulgated pursuant to the authority contained in §§ 28.2-201 and 28.2-315 of the Code of Virginia and amends and re-adopts, as amended, previous Chapter 4 VAC20-1390-10 et seq. which was promulgated May 26, 2022 July 22, 2025, and made effective on June 1, 2022 August 1, 2025. The effective date of this chapter is August 1, 2025 January 1, 2026.

4 VAC 20-1390-10. Purpose.

The purpose of this regulation is to sustainably develop and manage shrimp fisheries in an ecologically conservative manner in the waters of Virginia.

4 VAC 20-1390-20. Definitions.

The following term when used in this chapter shall have the following meaning unless the context clearly indicates otherwise:

"Agent" means an individual who possesses the Commercial Fisherman Registration License, fishing gear license, or fishing permit of any registered commercial fisherman in order to fish that commercial fisherman's gear or sell that commercial fisherman's harvest.

"Commission" means the Virginia Marine Resources Commission.

"Eastern Shore Shrimp Trawl Harvest Area" means all tidal waters of the Atlantic Ocean exclude all inlets, creeks, bays, and sounds that are bounded by a line east of the Cape Charles Lighthouse, beginning at a point, Latitude 37° 07.3582045 N, Longitude 75° 53.6101246 W.; thence east to the Three Nautical Mile Limit, Latitude 37° 07.2446251 N, Longitude 75° 48.5565844 W.; thence northerly following the Three Nautical Mile Limit to an intersection point on the Virginia – Maryland State Line, Latitude 38° 01.5500408 N, Longitude 75° 10.1645912 W.; thence westerly along the Virginia – Maryland State Line to the mean low waterline at a point on Assateague Island,

"PERTAINING TO SHRIMP"**CHAPTER 4VAC20-1390-10 ET SEQ.**

Latitude 38° 01.6369555 N, Longitude 75° 14.5347806 W.; thence southerly along the mean low water line to a point east of the Cape Charles Lighthouse, Latitude 37° 07.3582045 N, Longitude 75° 53.6101246 W; said point being the point of beginning.

"Fishing year" means the time period from September 15 of the current calendar year through January 31 of the following calendar year.

"Heads-on" means any shrimp possessed, landed, or sold with the head (carapace) intact.

"Shrimp" means any native penaeid shrimp species including white shrimp (*Penaeus setiferus*), brown shrimp (*Penaeus aztecus*), pink shrimp (*Penaeus duorarum*) or the nonnative tiger shrimp (*Penaeus monodon*).

"Tails" means any shrimp possessed, landed, or sold with the head (carapace) removed.

"Virginia Beach Shrimp Trawl Harvest Area" means all tidal waters of the Atlantic Ocean that are bounded by a line beginning at a point on the Three Nautical Mile Limit, Latitude 36° 55.5436667' N., Longitude 75° 55.9015000' W.; thence southerly following the Three Nautical Mile Limit to an intersection point on the Virginia — North Carolina State Line, Latitude 36° 33.0224955' N., Longitude 75° 48.2662043' W.; thence westerly to a point along the Virginia — North Carolina State Line at its intersection with the mean low water line, Latitude 36° 33.0224003' N., Longitude 75° 52.0510498' W.; thence northerly, following the mean low water line to the Rudee Inlet weir; thence easterly along the weir to the stone breakwater; thence following the stone breakwater to its northernmost point; thence northerly to the mean low water line at the most northeastern point of the northern stone jetty; thence westerly along the mean low water line of said stone jetty to the mean low water line along the shore; thence northerly following the mean low water line to a point, Latitude 36° 55.5781102' N., Longitude 76° 00.1530758' W., said point being the intersection of the mean low water line with the line from Cape Henry Lighthouse easterly to a point on the Three Nautical Mile Limit, Latitude 36° 55.5436667' N., Longitude 75° 55.9015000' W., said point being the point of beginning.

4 VAC 20-1390-30. Recreational fishing: general.

A. It shall be unlawful for any person fishing recreationally to take, attempt to take, catch, harvest, land, or possess shrimp by any gear or method not authorized for recreational use or without a recreational fishing license as described in §§ 28.2-302.1 and 28.2-226.1 of the Code of Virginia.

B. The daily recreational possession limit for shrimp shall be 20 quarts of shrimp with heads-on or 15 quarts of tails of shrimp per person or vessel whichever is more restrictive.

"PERTAINING TO SHRIMP"

CHAPTER 4VAC20-1390-10 ET SEQ.

4 VAC 20-1390-40. Commercial fishing: general.

A. It shall be unlawful for any person to harvest or possess shrimp for commercial purposes without possessing a valid Commercial Fisherman Registration License and any necessary gear licenses or permits as required by Title 28.2 of the Code of Virginia.

B. It shall be unlawful for any commercial fisherman registration licensee to take, catch, harvest, land, or possess greater than 20 quarts of shrimp with heads-on or 15 quarts of tails of shrimp per person or vessel per day by any gear other than trawl or cast net.

C. Registered commercial fishermen, seafood landing licensees, and licensed seafood buyers shall allow those authorized by the commission to observe shrimp fishing or to sample harvest and seafood products associated with shrimp fishing aboard a vessel or at the place of landing to obtain biological information for scientific and management purposes.

4 VAC 20-1390-50. Shrimp trawl licensing and entry requirements.

A. The maximum number of Commercial Shrimp Trawl Licenses issued in any fishing year shall be 47 26.

B. An individual shall be eligible for a Commercial Shrimp Trawl License if they possess a valid Commercial Fishing Registration License and meet either of the following criteria:

1. The individual shall have possessed a Commercial Shrimp Trawl License and reported harvest of at least 500 pounds by shrimp trawl gear to the Marine Resources Commission's Mandatory Harvest Reporting Program in at least one of the previous two fishing years.

2. The individual shall have possessed an Experimental Fishing Permit for shrimp trawling ~~and reported harvest of at least one pound of shrimp by trawl gear to the Marine Resources Commission's Mandatory Reporting Program~~ during any year from 2022 through 2024 ~~and received approval of all shrimp trawl gear prior to July 22, 2025~~.

"PERTAINING TO SHRIMP"

CHAPTER 4VAC20-1390-10 ET SEQ.

C. If the number of individuals eligible for a Commercial Shrimp Trawl License pursuant to subsection B of this section is fewer than ~~17~~ 26 by July 1 in the current calendar year, a lottery will be conducted including any individual who meets all of the following criteria:

1. The individual shall possess a valid Commercial Fisherman Registration License.
2. The individual shall complete and submit a Commercial Shrimp Trawl Application that must be received by the Marine Resources Commission by the advertised deadline of the current calendar year.
3. The individual shall have reported harvest to the Marine Resources Commission's Mandatory Harvest Reporting Program of at least 1,000 pounds of harvest per year in at least three of the previous five calendar years.

D. Any individual selected under subsection C of this section who fails to return a completed Commercial Shrimp Trawl License Acceptance Form provided by the Marine Resources Commission indicating their acceptance within 14 days of selection shall forfeit their eligibility for the current fishing year and another individual shall be selected from the list of eligible individuals pursuant to subsection C of this section.

E. The commission shall approve all shrimp trawl gear as referenced in 4VAC20-1390-60 prior to the issuance of a Commercial Shrimp Trawl License.

F. Transfers of any Commercial Shrimp Trawl License shall be prohibited without written request to the Marine Resources Commission, and approval by the commissioner of the Marine Resources Commission or the commissioner's designee. Exceptions to transfers shall only be granted due to death, medical hardships, or military service.

G. The use of agents shall be prohibited for any Commercial Shrimp Trawl Licensee without written request to the Marine Resources Commission and approval by the commissioner or the commissioner's designee. Exceptions to the use of agents shall only be granted due to death, medical hardships, or military service. The use of agents shall only be approved for a consecutive two-week period during any fishing season.

H. Each Commercial Shrimp Trawl Licensee shall report to the Marine Resources Commission's Mandatory Harvest Reporting Program an estimate of total bycatch in pounds for each fishing trip.

"PERTAINING TO SHRIMP"

CHAPTER 4VAC20-1390-10 ET SEQ.

I. Each Commercial Shrimp Trawl Licensee shall report to the Marine Resources Commission Fisheries Management Staff interactions with any protected or endangered species within 24 hours of each trip.

4 VAC 20-1390-60. Shrimp trawl gear restrictions.

B. Any shrimp trawl placed, set, or used for fishing in Virginia shall be constructed as follows:

1. With a beam or fixed frame opening no larger than 5.0 feet in height and 16 feet in width.
2. With a minimum net mesh of 1.5 inches and maximum net mesh of 2.0 inches stretched mesh.
3. With a properly installed National Marine Fisheries Service or North Carolina Division of Marine Fisheries approved bycatch reduction device.

C. It shall be unlawful for any shrimp trawl tow to exceed 30 minutes in duration.

4 VAC 20-1390-70. Commercial shrimp trawl harvest limits, seasons, and areas.

- A. It shall be unlawful for any Commercial Shrimp Trawl Licensee to harvest or land any Virginia quota managed species (Black Drum, Black Sea Bass, Bluefish, Atlantic Horseshoe Crab, Atlantic Menhaden, Scup, Speckled Sea Trout, Spiny and Smooth Dogfishes, Striped Bass, and Summer Flounder) caught by shrimp trawl.
- B. It shall be unlawful to trawl for shrimp outside of the Virginia Beach Shrimp Trawl Harvest Area or the Eastern Shore Shrimp Trawl Harvest Area.
- C. It shall be unlawful for any Commercial Shrimp Trawl Licensee to harvest shrimp by shrimp trawl from February 1 through September 14 of each calendar year.
- D. It shall be unlawful to trawl for shrimp more than 30 minutes before sunrise or 30 minutes after sunset.
- E. It shall be unlawful to trawl for shrimp within 100 yards of any marked commercial fishing gear.
- F. It shall be unlawful to trawl for shrimp within 300 yards of any navigable inlet, public boat ramp, fishing pier, or beach.

"PERTAINING TO SHRIMP"

CHAPTER 4VAC20-1390-10 ET SEQ.

4 VAC 20-1390-80. Penalty.

As set forth in § 28.2-903 of the Code of Virginia, any individual violating any provision of this chapter shall be guilty of a Class 3 misdemeanor, and a second or subsequent violation of any provision of this chapter committed by the same individual within 12 months of a prior violation is a Class 1 misdemeanor.

4 VAC 20-1390-90. Sanctions.

Any individual found guilty of violating any provision of this chapter may have his Commercial Shrimp Trawl License revoked at any time upon review by the commission as provided for in § 28.2-232 of the Code of Virginia.

* * * * *

This is to certify that the foregoing is a true and accurate copy of the chapter passed by the Marine Resources Commission, pursuant to authority vested in the Commission by §28.2-201 of the Code of Virginia, duly advertised according to statute, and recorded in the Commission's minute book, at meeting held in Hampton, Virginia on December 2, 2025.

**COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION**

BY: _____

**Jamie L. Green
Commissioner**

Subscribed and sworn to before me this _____ day of _____ 2025.

Notary Public