

MINUTES

COMMISSION MEETING

February 24, 2026

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:

Joseph Grist	Acting Commissioner
Patrick Hand	
Lynn Kellum	
William Bransom	
Jeremy Headley	Associate Members
Jeanette Edwards	
Thomas Preston	
Preston White	
Kelci Block	Assistant Attorney General
Jamie Hogge	Recording Secretary
Gerald Pitt	1 st . Sgt., Marine Police
Randy Owen	Chief, Habitat Management
Adam Kenyon	Chief, Shellfish Management

Virginia Institute of Marine Science (VIMS):

Lyle Varnell	Emily Hein	Melissa Southworth
Roger Mann		

Others present:

Jim Gunn	James Morgan	Ariane Carpenter
Kaylene Green	Bill Turviue	Nathan Pichett
Revel Walker	Jeffrey West	Katherine Chambers
Dan Hickey	Jeanne Hickey	Jerry Davis
Bob Simon	Lauren Chartrand	Samuel Dickinson
Tom Hedgpeth	James Nabb	John Krebs
Buddy Sylvia	Linda Deem	Jeff Deem

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Thom Ennel	Gregory Puzy	Robert Lawson
Richard Stark	Philip Valliant	Alex Eguigureh
Scott Krystinick	Beverly Ludford	Shelton Alley
Stuart Fisher	J.C. Hudgins	Paul Schmidt
Rebecca Frances	Brenda Fisher	Steve Greer
Joshua Webb	Sean Jessup	Nathan Everett
Sherry Ashe	Teresa Sanger	Leland Withrow
Carrie Withrow	Richard Harding	and others.

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APPROVAL OF AGENDA. – Acting Commissioner Joseph Grist asked if there were any changes from the Board members or staff.

Adam Kenyon, Chief, Shellfish Management Division, stated that Jennifer Hume was unable to attend the meeting and has requested her license status be added to the March Agenda. His comments are a part of the verbatim record.

Associate Member Bransom moved to approve the agenda amended. Associate Member Kellum seconded the motion. The motion carried, 7-0.

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MINUTES: Acting Commissioner Grist asked if there were any changes or corrections to be made to the December 2, 2025, Commission Meeting minutes.

Associate Member Bransom moved to approve the minutes as presented. Associate Member Headley seconded the motion. The motion carried, 6-0-2 Associate Member Headly and Acting Commissioner Grist abstained.

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

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Randy Owen, Chief, Habitat Management Division, introduced 2 new employees, Hannah Kieler & Olivia Upton to the Habitat Division. His comments are a part of the verbatim record.

Adam Kenyon, Chief, Shellfish Management Division, introduced the newest employee, Beth Varhola to the Shellfish Management Division. His comments are a part of the verbatim record.

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- 2. **PERMITS** (Projects over \$500,000.00 with no objections and with staff recommendation for approval).

Justin Worrell, Deputy Chief, Habitat Management, reviewed the Page 2 items 2A through 2F for the Associate Members. Mr. Worrell's comments are a part of the verbatim record.

- 2A **DEPARTMENT OF THE NAVY, VMRC #25-1137**, requests authorization to hydraulically renourish the existing beach within Public Works Cove situated along the Chesapeake Bay within the Joint Expeditionary Base Little Creek - Fort Story in Virginia Beach. Approximately 120,000 cubic yards of sand, dredged per cycle from near shore areas adjacent to Utah Beach, will be placed channelward of mean low water along the shoreline. This project requires a VMRC Subaqueous permit.
- 2B **DEPARTMENT OF WILDLIFE RESOURCES, VMRC #25-2392**, requests authorization to expand and raise the existing riprap breakwaters, previously installed under VMRC permit #24-0055 along the shoreline of the Ragged Island Wildlife Management Area, to include additional landward sand nourishment and wetlands plantings, danger marker piles, and oyster reef defender structures - situated along the James River in Isle of Wight County. This project requires a VMRC Subaqueous Permit.
- 2C **FAIRWINDS LANDING, LLC, VMRC #25-1778**, requests authorization to construct a 200-foot by 17-foot commercial floating dock with an 80-foot aluminum gangway adjacent to property leased from Norfolk Southern (500 Orapax Street) situated along the Main Stem of the Elizabeth River in the City

of Norfolk. Staff recommends approval including a royalty of \$7,200.00 for the encroachment of 3,600 square feet of state-owned submerged lands at a rate of \$2.00 / square foot. This project requires a VMRC Subaqueous Permit.

- 2D** **DOMINION TERMINAL ASSOCIATES, VMRC #25-0415**, requests authorization to hydraulically or mechanically maintenance dredge up to 80,000 cubic yards of state-owned submerged bottom on an as-needed basis to maintain depths of -57 feet at mean low water as previously authorized by VMRC permit #20-0320, adjacent to Dominion Terminal Associates Pier 11 (600 Harbor Road) along the James River in Newport News. Dredged material will be transported via barge to Craney Island rehandling basin or Shirley Plantation. This project requires a VMRC Subaqueous permit.
- 2E** **NANCY LONGEST, VMRC #25-2377**, requests authorization to extend an existing timber groin 20 feet landward and to construct an 8-foot spur on the channelward end adjacent to 155 Point Breeze Lane, situated along the Rappahannock River in Essex County. Staff recommends approval with an encroachment royalty of \$8.00 for the encroachment of 8 square feet of state-owned submerged bottom at a rate of \$1.00 per square foot. This project requires a VMRC Subaqueous and Wetlands permit.
- 2F** **NORFOLK SOUTHERN RAILWAY COMPANY, VMRC #25-2262**, requests authorization to conduct bridge repairs on an existing railroad crossing of the Pamunkey River between New Kent County and King William County by installing 14 Helper Bent structures, as part of the Bridge NSR F-164.50 Rehabilitation Project. Staff recommends approval of the project with a time of year restriction of February 15 through June 30 for the protection of anadromous fish spawning runs, and the use of ramp-up procedures and cushion blocks for piling driving activities to protect native fish populations. This project requires a VMRC Subaqueous and 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 2F as presented. Associate Member Bransom seconded the motion. The motion carried, 7-0.

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- 3. **CONSENT AGENDA ITEMS:** There were no Consent Agenda Items presented.

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

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- 5. **PUBLIC COMMENT:**

Nathan Everett:

Mr. Everett asked the Commission for an extension of the period where commercial harvesters are allowed to take striped bass over 28 inches due to the economic impact of ice on the striped bass gill net fishery. Mr. Everett also made a request for commercial striped bass tags to be distributed earlier so the season can start January 1. His comments are a part of the verbatim record.

J. C. Hudgins:

He was sworn in and spoke on behalf of the Virginia Waterman’s Association in support of the request for the Rockfish extension. His comments are a part of the verbatim record.

The Commission did not make any motions regarding the request.

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- 6. **RECOMMENDATION:** Recommendation from the Commercial Fishing Advisory Board.

Alicia Nelson, Natural Resource 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 Headly made a motion to approve the funding request for the 2026 Commercial Fisheries Offshore Ocean Planning Coordination project totaling \$175,262 from the Marine Fishing Improvement Fund as presented. Associate Member Preston seconded the motion. The motion carried, 7-0.

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7. DISCUSSION: Waterways Maintenance Fund.

Alicia Nelson, Natural Resource 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 Bransom moved to approve to adopt the Virginia Waterway Maintenance Fund guidance document as presented. Associate Member Headley seconded the motion. The motion carried, 7-0.

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8. DISCUSSION: WMF Application, Emergency Maintenance Dredging of the Little Wicomico River.

Alicia Nelson, Natural Resource 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.

Jerry Davis, agent for the applicant, was sworn in and spoke, providing a presentation for the Commission Members and the public. His comments are a part of the verbatim record.

Sandra Maynard was sworn in and spoke in support of the funding for the project. Her comments are a part of the verbatim record.

Bill Turviue was sworn in and spoke in support of the funding for the project. His comments are a part of the verbatim record.

J. C. Hudgins was sworn in and spoke in support of the funding for the project on behalf of the Commercial Waterman’s Association. His comments are a part of the verbatim record.

Daniel Hickey, owner of Smith Point Marina was sworn in and spoke in support of the funding for the project. His comments are a part of the verbatim record.

Richard Harding, owner of Purcell Seafood, was sworn in and spoke in support of the funding for the project. His comments are a part of the verbatim record.

Ariane Carpenter was sworn in and spoke support of the funding for the project. Her comments are a part of the verbatim record.

Kaylene Green was sworn in and spoke in support of the funding for the project. Her comments are a part of the verbatim record.

The matter was before the Commission for discussion and action.

Associate Member Bransom moved to approve to fund the Emergency Maintenance Dredging of the Little Wicomico River for 2.6 million dollars from the Virginia Waterway Maintenance Fund Grant Program as presented. Associate Member Headley seconded the motion. The motion carried, 7-0.

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- 9. ROANOKE CEMENT COMPANY, VMRC #25-1129**, requests authorization to construct a new 55-foot by 4-foot clear-span pedestrian footbridge placed a minimum of three (3) feet above Catawba Creek situated north of Interstate-81 and east of Catawba Road as part of the Roanoke Cement Company - Pedestrian Bridge project in Botetourt County. This project is protested by a nearby property owner.

Tiffany Birge, Environmental Engineer, Habitat Management, gave the briefing of the information provided in the staff’s evaluation, with PowerPoint slides. for the Associate Members. Ms. Birge’s comments are a part of the verbatim record.

The matter was before the Commission for discussion and action.

Associate Member Bransom moved to approve the project as presented. Associate Member Headley seconded the motion. The motion carried, 6-0-1. Associate Member White abstained.

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10. ACCOMACK COUNTY, VMRC #24-2360, requests authorization to dredge approximately 90,000 cubic yards of sand from a subtidal shoal in Wachapreague Inlet and hydraulically pump the material north for the creation of approximately 205,000 square feet of tidal wetlands as part of a coastal resiliency initiative on Cedar Island, situated along Burtons Bay in Accomack County. This project is protested.

Claire Gorman, Environmental Engineer, Habitat Management, gave the briefing of the information provided in the staff’s evaluation, with PowerPoint slides. for the Associate Members. Ms. Gorman’s comments are a part of the verbatim record.

Chuck Roadley, Agent for the applicant, was sworn in and spoke in support of the project. His comments are a part of the verbatim record.

Jeff Deem was sworn in and spoke in support of the project. His comments are a part of the verbatim record.

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

Joshua Webb was sworn in and 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 Edwards moved to approve the project as presented. Associate Member Preston seconded the motion. The motion carried, 5-1-1. Associate Member Hand voted no. Associated Member White abstained.

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- 11. TERESA JEPSON, VMRC #25-1712**, requests authorization to construct a 16-foot by 18-foot open-sided gazebo on a statutorily authorized private pier along the Barn Creek shoreline at 1012 Gum Thicket Road in Mathews County. The project is protested by an adjacent property owner.

Mike Johnson, Environmental Engineer, Habitat Management, gave the briefing of the information provided in the staff's evaluation, with PowerPoint slides. for the Associate Members. Mr. Johnson's comments are a part of the verbatim record.

Sherry Ashe, speaking on behalf of the applicant, was sworn in and spoke in support of the project. Her 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 Kellum seconded the motion. The motion carried, 7-0.

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- 12. SOUTH BAY SHORE, LLC, VMRC #25-1862** requests authorization to construct a 20-foot by 34-foot open-sided boathouse over an existing boat lift, and a 20-foot by 20-foot open-sided gazebo roof adjacent to a previously statutorily authorized private pier serving 1047 South Bay Shore Drive, situated along Little Neck Creek in the City of Virginia Beach. This project is protested by an adjacent property owner.

Tiffany Birge, Environmental Engineer, Habitat Management, gave the briefing of the information provided in the staff's evaluation, with PowerPoint slides. for the Associate Members. Ms. Birge's comments are a part of the verbatim record.

Robert Simon, Agent for the applicant, was sworn in and spoke in support of the project. His comments are a part of the verbatim record.

Gregory Puzy, representing the protestant. was sworn in and spoke in opposition 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 Kellum seconded the motion. The motion carried, 7-0.

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13. STEVEN GREER, VMRC #25-1015, requests authorization to construct a 17-foot by 37-foot open-sided boathouse on a statutorily authorized private pier situated along Chisman Creek at 202 Cheadle Loop Road in York County. This project is protested by an adjacent property owner.

Brad Reams, Environmental Engineer, Habitat Management, gave the briefing of the information provided in the staff’s evaluation, with PowerPoint slides. for the Associate Members. Mr. Ream’s comments are a part of the verbatim record.

Scott Krystinick, agent for the applicant, spoke in support of the application. His comments are a part of the verbatim record.

Steve Spencer was sworn in and spoke in opposition to the location of the project but not the boathouse. 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 White seconded the motion. The motion carried, 7-0.

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14. JOSHUA H. WEBB OYSTER PLANTING GROUND APPLICATION #2021-068, Requests authorization to lease approximately 12 acres of oyster planting ground within the North Inlet in Accomack County.

Adam Kenyon, Chief, Shellfish Management, gave the briefing of the information provided in the staff’s evaluation, with PowerPoint slides. for the Associate Members. Mr. Kenyon’s comments are a part of the verbatim record.

Joshua Webb, applicant, spoke in support of the application. His comments are a part of the verbatim record.

Paul Schmidt spoke on behalf of J.C. Walker Brothers in opposition to the application. His comments are a part of the verbatim record.

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

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

Revel Walker was sworn in and 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 Headley moved to uphold approval of the application as presented. Associate Member Bransom seconded the motion. The motion carried, 6-1. Associate Member White voted no.

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15. DISCUSSION: Request for approval of the 2026 Oyster Replenishment and Restoration Plan (ORP) and the associated Procurements Procedures.

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

Before Mr. Button began, Associate Member Kellum recused herself from the discussion. Her comments are a part of the verbatim record.

J. C. Hudgins spoke on behalf of the Virginia Waterman's Association stated that he was in favor of the proposed Replenishment and Restoration plan as presented.

The matter was before the Commission for discussion and action.

Associate Member Bransom moved to approve the 2026 Oyster Replenishment and Restoration plan (ORP) as presented. Associate Member Headley seconded the motion. The motion carried, 6-0. Associate Member Kellum was not present for the vote.

Associate Member Bransom moved to approve the 2026 Oyster Replenishment and Restoration Procurement Procedures as presented. Associate Member Headley seconded the motion. The motion carried, 6-0. Associate Member Kellum was not present for the vote.

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16. EMERGENCY REGULATION: Proposal to adopt emergency amendments to Chapter 4 VAC 20-720, "Pertaining to Restrictions on Oyster Harvest" to adjust the 2025-2026 public oyster harvest seasons and areas.

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

J. C. Hudgins spoke on behalf of the Virginia Waterman's Association to leave Rappahannock Area 2 open and extend Rappahannock Area 8 for 10 working days.

Nathan Everett spoke in support of an extension. His comments are part of the verbatim record.

The matter was before the Commission for discussion and action.

Associate Member Bransom made a motion to declare that an emergency exists that requires an emergency regulation. Associate Member Headley seconded the motion. The motion carried, 7-0.

Associate Member Headley moved to extend the oyster season by Emergency Regulation in Area 8 in the Rappahannock River and the Pocomoke and Tangier Sounds by two weeks. The closure for both areas will be March 15, 2026, as discussed. Associate Member Preston seconded the motion. The motion carried, 7-0.

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17. **DISCUSSION:** Update and information on the 2026 speckled trout cold stun event.

Ethan Simpson, Biological Survey Programs Manager, gave the briefing of the information provided in the staff's evaluation, with PowerPoint slides. for the Associate Members. Mr. Simpson's comments are a part of the verbatim record.

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18. **DISCUSSION:** License Status Request.

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

Eric Jenkins was not present.

Jeffrey West was sworn in and spoke. He requested to obtain his commercial licenses, and he agreed to pay the back fees for the year that he missed (2025). The commercial licenses that he is requesting are the following: Commercial Fishing License, Oyster User Fee All Gear, and crab pot licenses.

The matter was before the Commission for discussion and action.

Associate Member White moved to reinstate his commercial licenses as requested so as long as he pays for the year that he did not renew. Associate Member Edwards seconded the motion. The motion carried, 6-1. Associate Member Bransom voted no.

Kenneth Heath Jr. was not present.

Leland Withrow was sworn in and spoke. He requested his Oyster User Fee All Gear be reinstated because he did not purchase it in 2025. His comments are part of a verbatim record.

Associate Member Preston moved to reinstate his Oyster User Fee All Gear as requested so as long as he pays for the year that he did not renew. Associate Member Bransom seconded the motion. The motion carried, 7-0.

Steven Ayers was not present.

Brandon Balsor was not present.

Nathaniel Everett was sworn in and spoke. He requested the reinstatement of his 2026 Shrimp Trawl License.

Associate Member Bransom moved to reinstate his 2026 Shrimp Trawl License as requested. Associate Member Preston seconded the motion. The motion carried, 7-0.

Vivian Fulkerson was not present.

Arthur Elliott was not present.

Michael Shackelford was not present.

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Acting Commissioner Grist asked for Commission Members input on new dates for the March and April Commission Meeting. He announced the new dates for the March and April Commission Meetings as March 31, 2026 (5th. Tuesday) and April 21, 2026 (3rd. Tuesday).

Associate Member Headley moved to approve the dates for the March and April Commission Meeting. Associate Member White seconded the motion. The motion carried, 7-0.

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There being no further business, the meeting was adjourned at approximately 2:46 p.m. The next Commission meeting will be on **Tuesday**, March 31, 2026.

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Joseph Grist, Acting Commissioner

Jamie Hogge, Recording Secretary