

## MINUTES

## COMMISSION MEETING

April 22, 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	
William Bransom	Associate Members
Jeremy Headley	
Jeanette Edwards	
Thomas Preston	
Preston White	
Kelci Block	Assistant Attorney General
Jamie Hogge	Recording Secretary
Randy Owen	Chief, Habitat Management
Pat Geer	Chief, Fisheries Management

Virginia Institute of Marine Science (VIMS):

Lyle Varnell	Emily Hein	Mark Luckenbach
Alex Sabo		

Others present:

Phil Zalesok	Jacob Stenberg	Sergio Garcia
Randy Whittaker	John Tyson	Thomas Moore
Monty Deihl	Forrest Brann	Fredrick Rogers
Robert Birch	Taylor Deihl	Mike Mohler
Aileen Black	Reed Black	Brian Collins
Kathryn Walker	Ben Russo	Alan Hinson
David Reed	Jimmy Kellum	Ross Kellum

Chad Dameron	Julie Kacmarak	Lynn Jenkins
Tom Charlock	Tom Lilly	Deb Campbell
David O’Brien	Brad Beach	Dawn Beach
Chris Ambrio	J.C. Hudgins	Bob Simon
Tommy Byrne	Bill Lascara	Lyons Lascara
Joan Millard	Vance Hull	Rebecca Frances
Nathan Everett	Greg Henrick	Jackie Shannon
Robert Wiley	Steve Horton	David Hiltop
Jacob Jewell	Austin Robbins	John Balderson
and others.		

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

**Associate Member Headley moved to approve the agenda as presented. Associate Member Bransom seconded the motion. The motion carried, 8-0.**

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**MINUTES:** Commissioner Green asked if there were any changes or corrections to be made to the March 25, 2025, Commission Meeting minutes.

**Associate Member Erskine moved to approve the minutes as presented. Associate Member Bransom seconded the motion. The motion carried, 7-0-1. Associate Member Headley 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 items 2A through 2E for the Associate Members. Mr. Owen's comments are a part of the verbatim record.

- 2A. **PHILIP HORNER, #24-2520**, requests authorization to construct two (2) 50-foot riprap groins along the York River shoreline at 147 Ridge Road in King and Queen County. The project requires a VMRC Beach Permit and a Virginia General Permit #2 (Groins).
- 2B. **BRIAN PEAY, #25-0398**, requests authorization to construct a 158-foot long rock revetment along the Mattaponi River at Tax Map Parcel 24-31L-14B1 on Grass Creek Trail in King and Queen County. The project requires a VMRC Wetlands Permit.
- 2C. **CHRISTINE SOTIR, #24-1242**, requests authorization to install a living shoreline consisting of 275 linear feet of oyster castle and core log sill with backfill and plantings and loose oyster shell serving 2822 Meadowgreen Court situated along Drum Point Creek in Chesapeake. This project requires a VMRC Wetlands Permit.
- 2D. **RED SKY HOLDINGS LLC, #25-0021**, requests authorization to construct a 23-foot wide by 72-foot long open-pile deck with an attached 20-foot by 8-foot floating dock, and to install 72 linear feet of riprap, the toe of which may be installed a maximum of five (5) feet channelward of mean high water, serving the commercial facility at 103 Watson Road along the Southern Branch of the Elizabeth River. This project requires a VMRC Wetlands Permit.
- 2E. **W.F. MAGANN CORPORATION, #25-0144**, requests authorization to mechanically dredge up to 59,250 cubic yards of state-owned submerged lands to maximum depths of minus 17 feet mean low water with future maintenance dredging as necessary, adjacent to their East Yard Facility at 3106 West Norfolk Road, situated along the Western Branch of the Elizabeth River in Portsmouth. Dredged spoils will be barged to and offloaded at Shirley Plantation for eventual upland disposal. Previous VMRC permit #22-0093 authorized the dredging of 42,525 cubic yards of material at this site; the royalty was paid; however, the dredging did not occur. This project requires a VMRC Subaqueous Permit, and staff recommends approval with standard dredging special conditions and a royalty totaling \$10,035.00 for the removal of 16,725 cubic yards at a rate of \$0.60 per cubic yard.

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 Page 2 items 2A through 2E as presented. Associate Member Headley seconded the motion. The motion carried, 8-0.**

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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. **PETITION:** Petition for Rulemaking Regarding Atlantic Menhaden, the Chesapeake Bay, and the reduction fishery.

Deputy Commissioner Joseph Grist provided the petition process prior to the presentation. Chief, Fisheries Management Pat Geer, gave a briefing of the information provided in the staff's evaluation for the Associate Members. Their comments are a part of the verbatim record.

Several people spoke, both in support and opposition to the petition. Their comments are a part of the verbatim record.

The matter was before the Commission for discussion and action.

**Associate Member Hand moved to amend the petition to a 20% reduction to #1 across all sectors of the Chesapeake Bay and deny the remaining petition. Associate Member White seconded the motion. The motion fails, 6-2. Associate Members Kellum, Erskine, Bransom, Headley, Edwards and Preston voted no.**

**Associate Member Preston moved to deny the petition as presented. Associate Member Headley seconded the motion. The motion carried, 6-2. Associate Members Hand and White voted no.**

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- 6. JACEY VINEYARD LLC, #24-0701,** requests authorization to construct an 80-foot long by 6-foot wide timber commercial pier with a 30-foot long by 12-foot wide L-head and three (3) associated mooring piles, adjacent to property situated along Mill Creek at 619 Trane Lane in Northumberland County. The project is protested by adjacent and nearby property owners.

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.

Tommy Burn was sworn in and spoke in support of the project. His 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 project with a modified width up to 8 feet as amended by Associate Member Headley. Associate Member Bransom seconded the motion. The motion carried, 7-0. Associate Member Hand was not present during the final vote.**

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- 7. DONALD DEBORD, #24-2678,** requests authorization to install a 14-foot by 37-foot open-sided boathouse and a 16-foot by 18-foot open-sided gazebo on an existing statutorily authorized private pier along the York River at 361 Simpson Creek Road in King and Queen 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. for the Associate Members. Mr. Owen's comments are a part of the verbatim record.

Greg Hendrich was sworn in and spoke. His comments are a part of the verbatim record.

Tresure Johnson was sworn in and spoke in opposition of the project. Her 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 Bransom seconded the motion. The motion carried, 7-0. Associate Member Hand was not present during the final vote.**

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8. **BRADLEY BEACH, #24-1402**, requests authorization to construct a 16-foot by 18-foot open-sided gazebo roof structure and an 18-foot by 26-foot open-sided boathouse adjacent to an existing private pier serving 353 Whiting Lane, situated along Back Bay in Virginia Beach. This project is protested by nearby property owners.

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.

Chris Ambrosio, attorney for the applicant, spoke in support of the application. His comments are a part of the verbatim record.

Bill Lascara, attorney representing the family opposing the project. 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 project as presented. Associate Member Headley seconded the motion. The motion carried, 6-0. Associate Member Hand and Preston were not present during the final vote.**

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9. **DISCUSSION:** Request for approval to support the Potomac River Fisheries Commission Implementation of an oyster revitalization project in the Potomac River.

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.

The matter was before the Commission for discussion and action.

**Associate Member Bransom moved to approve the project as presented. Associate Member Edwards seconded the motion. The motion carried, 5-0. Associate Member Hand and Preston was not present during the final vote. Associate Member Kellum abstained.**

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10. **PUBLIC COMMENT:** No one spoke during public comment.

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11. **PUBLIC HEARING:** The Commission proposes to amend Chapter 4VAC20-490, "Pertaining to Sharks" to prohibit overnight soaks for Virginia spiny dogfish permit holders on gillnets with 5.25-to-10-inch mesh from November 1 through March 31 in specified areas in Virginia coastal waters.

Pat Geer, Chief, Fisheries Management, gave the briefing on information provided in the staff's evaluation for the Associate Members. Mr. Geer'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 regulation as presented. Associate Member White seconded the motion. The motion carried, 5-0. Associate Member Hand, Erskine and Preston were not present during the final vote.**

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12. **PUBLIC HEARING:** The Commission proposes to amend Chapter 4VAC20-1190, "Pertaining to Gill Net Control Date" to establish an extended drift gill gear license (up to 6,000 ft) and to develop associated gear requirements, season and time restrictions.

Pat Geer, Chief, Fisheries Management, gave the briefing on information provided in the staff's evaluation for the Associate Members. Mr. Geer's comments are a part of the verbatim record.

Several people spoke in support of the new gear type and amendment to the regulations. If the season is restricted, they recommended the season begin May 1 through October 31. Their 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 regulation as presented with a modified season from May 1 to October 15. Associate Member Edwards seconded the motion. The motion carried, 6-0. Associate Member Hand and Preston were not present during the final vote.**

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13. **DISCUSSION:** Commission briefing on three locality proposals to the Abandoned and Derelict Vessel Program to remove a total of 7 vessels.

Joseph Grist, Deputy Commissioner, gave the briefing of the information provided in the staff's evaluation, with PowerPoint slides. for the Associate Members. Mr. Grist's comments are a part of the verbatim record.

**Associate Member Headley moved to approve approved seven applications for funding to the Abandoned and Derelict Vessel (ADV) grant program. as presented. Associate Member Edwards seconded the motion. The motion carried, 5-0. Associate Member Hand, Erskine and Preston were not present during the final vote.**

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**Commission Meeting**

**19312**  
**April 22, 2025**

There being no further business, the meeting was adjourned at 12:03 p.m. The next Commission meeting will be held on **Tuesday**, May 27, 2025.

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Jamie L. Green, Commissioner

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Jamie Hogge, Recording Secretary