

AGENDA
MARINE RESOURCES COMMISSION
FEBRUARY 22, 2022

** APPROVAL OF AGENDA.

1. MINUTES of previous meeting.

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

3. CONSENT AGENDA ITEMS.

4. CLOSED MEETING FOR CONSULTATION WITH, OR BRIEFING BY, COUNSEL.

5. PUBLIC HEARING

Proposal to amend Chapter 4 VAC 20-1180-10 et seq., "Pertaining to Fishing Guides", to 1) define existent freshwater/saltwater delineation lines, 2) clarify language for license qualification requirements, and 3) establish penalties. The Commission also proposes to repeal Chapter 4 VAC 20-1150-10 et seq., "Pertaining to Charter Boat and Head Boat Fisheries".

6. PUBLIC HEARING

Proposal to amend Chapter 4 VAC 20-1270-10 et seq., "Pertaining to Atlantic Menhaden", to establish the 2022 Total Allowable Catch per Amendment 3 to the Interstate Fishery Management Plan for Atlantic Menhaden and to establish all associated fishery sector allocations in response.

7. PUBLIC HEARING

Proposal to amend Chapter 4 VAC 20-450-10 et seq., "Pertaining to the Taking of Bluefish" to update the commercial bluefish annual quota.

8. PUBLIC COMMENTS

9. THE MARINERS' MUSEUM, #21-1919

Requests authorization to rehabilitate the low-level outlet, concrete wingwall and primary spillway of the Lion's Bridge Dam along Museum Drive, adjacent to the James River in the City of Newport News. Articulated concrete block matting will be installed and planted to create 26,059 square feet (0.60 acre) of vegetated tidal wetlands along the toe of the dam. This project requires a subaqueous and dune and beach permit.

10. DEPUE H. DUFFEY, JR. and CHERYL A. DUFFEY, #21-1298

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Request authorization to install a riprap sill, with sand backfill and vegetative plantings, to create a 3,400 square foot (0.08 acre) living shoreline adjacent to property situated along the Coan River at 408 Lake Landing Drive in Northumberland County. The project is protested by an adjacent property owner.

11. THE KNOLLS II, LLC, #21-1558

Requests authorization to dredge 2,525 cubic yards of subaqueous material in upper Dunton Cove of Carter Creek to create an 810-foot long by 30-foot wide channel and nine (9) ancillary channels in Lancaster County. The project is protested by a property owner at the head of the cove.

**12. SCOTT GRIFFITH, Oyster Planting Ground Application
#2015-087**

Request to lease up to 175 acres of oyster planting grounds in Indian Creek in Northumberland County. The application is protested by numerous local residents, two homeowners associations and a yacht and country club. The requested area also includes currently restricted classification shellfish waters, submerged aquatic vegetation (SAV) and is bisected by an existing creek channel.

13. DISCUSSION: Request for approval of the 2022 Oyster Replenishment and Restoration Plan (ORP) and the Associated Procurements Procedures

This year's projects will include Hydraulic dredging and planting of fossil or "reef" shells, transplanting and harvesting seed oysters using ordinary oyster dredges, alternative substrate plantings (stone deployment), the purchase and transport of "House" or Shucking house shells, and the movement and transport of shell using ordinary dredges.

14. REQUEST FOR AN EMERGENCY AMENDMENT

Request from Shellfish Management Advisory Committee to extend the patent tong season which is currently set to end on February 28, 2022. The request is to extend the season until March 15th. Any such extension requires Commission approval as an emergency regulatory action to "Pertaining to restrictions on oyster harvest" CHAPTER 4VAC 20-720-10 ET. SEQ.

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PAGE 2 ITEMS

A. NORFOLK DEPARTMENT OF PUBLIC WORKS, #21-1791

Requests authorization to demolish the existing culvert and replace with 150 linear feet of two (2) 6-foot wide by 4-foot high concrete box culverts, with concrete wingwalls and riprap at each end of the Granby Street crossing of Oastes Creek in the City of Norfolk.

B. ADVANSIX RESINS & CHEMICALS, LLC, #22-0102

Requests authorization to remove existing fender piles and install 44 new concrete piles, including 11 new foam fenders, as part of the upgrade to the fender system adjacent to the existing industrial pier serving 905 E. Randolph Road, situated along the James River in the City of Hopewell. Staff recommends approval with a special condition requiring the implementation of noise/vibration mitigation techniques including cushion blocks, bubble curtains and soft start practices during pile driving activities. No instream work or pile driving shall occur between February 1st and April 1st of any year, to protect anadromous fish species, without written approval from the Virginia Institute of Marine Science.