

AGENDA
MARINE RESOURCES COMMISSION
APRIL 22, 2025

** 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. **PETITIONER**
Petition for Rulemaking Regarding Atlantic Menhaden, the Chesapeake Bay, and the reduction fishery.
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.
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.
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.
9. **DISCUSSION**
Request for approval to support the Potomac River Fisheries Commission implementation of an oyster revitalization project in the Potomac River.
10. **PUBLIC COMMENTS**

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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.

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.

13. PUBLIC HEARING

The Commission proposes to amend Chapter 4VAC20-1090, "Pertaining to Licensing Requirements and License Fees" to establish an extended drift gill net license up to 6,000 feet and associated fee.

14. DISCUSSION

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

AGENDA

PAGE 2 ITEMS

A. 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).

B. 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.

C. 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.

D. 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.

E. 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.

MINUTES

COMMISSION MEETING

March 25, 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
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:

Sherri McDearmon	Moe Zasimowich	Dave Pryer
Ken Knull	Karen Knull	Todd Patterson
Revel Walker	Ricky Woody	Amanda Logsdon
Chris Turner	Kailey Martinez	Jackie Shannon
Jordan Krevonick	Rebecca Francese	Matt McQuillen
David Westcott	Kim Huskey	David O'Brien
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 Erskine moved to approve the agenda as presented. Associate Member Bransom seconded the motion. The motion carried, 7-0.

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

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

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

2A. **ENVIVA PORT OF CHESAPEAKE, LLC, #23-1428**, requests authorization to conduct new dredging of approximately 4,500 cubic yards of state-owned submerged lands to maximum depths of -44 feet mean low water (MLW) and to maintenance dredge approximately 5,400 cubic yards of state-owned submerged lands to maximum depths of -42 feet MLW, on an as-needed basis, within Paradise Creek adjacent to property serving 1000 Enviva Drive in the City of Chesapeake. Dredged material will be barged and offloaded at either Craney Island Dredged Material Management Area, Shirley Plantation in Charles City, or Precon Marine facility in the City of Chesapeake. Staff recommends a royalty

Commission Meeting

assessment of \$2,700.00 for the removal of 4,500 cubic yards of state-owned submerged land at a rate of \$0.60/cubic yard. This project requires a subaqueous permit.

2B. COLONNA SHIPYARD, #24-1918, requests authorization to conduct new dredging of approximately 556,700 cubic yards of state-owned submerged lands to achieve maximum depths of -37 feet mean low water, on an as-needed basis, within the Eastern Branch Elizabeth River Federal Navigation Channel in the City of Norfolk. Dredged material will be barged and offloaded at either Craney Island Dredged Material Management Area, Shirley Plantation in Charles City, or Precon Marine facility in the City of Chesapeake. Staff recommends a royalty assessment of \$334,020.00 for the removal of 556,700 cubic yards of material at a rate of \$0.60/cubic yards. This project requires a subaqueous permit.

2C. FEDERAL HIGHWAY ADMINISTRATION, #24-2813, requests authorization to construct a new causeway bridge across a 214-foot section of Cat Creek and to install two (2) 30-inch HDPE conduits housing a relocated waterline, sewer line, two electrical conduits, and a single communication conduit using the horizontal directional drill method across a 219-foot section of Cat Creek on Wallops Islands in Accomack County. The project requires a VMRC subaqueous permit.

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 Page 2 items 2A through 2C as presented. Associate Member Edwards 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. PUBLIC HEARING: The Commission proposes to amend Chapter 4 VAC20-510, “Pertaining to Amberjack and Cobia” to 1) amend recreational size limit to 43 inches; 2) repeal the one fish over 50-inch allowance in the recreational fishery; and 3) establish the recreational fishing season.

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

No one spoke in support or opposition of the project.

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, 7-0.

6. ARMY CORPS OF ENGINEERS, #24-1891, requests authorization to place, via hydraulic means, approximately 162,500 cubic yards of dredged material from the Quinby Creek Federal Channel maintenance project onto state-owned wetlands and submerged lands situated along Upshur Bay in Accomack County. The project is protested by an adjacent oyster ground leaseholder

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 Turner, representative of the applicant, was sworn in. His comments are a part of the verbatim record.

Revel Walker 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 Erskine moved to approve the project as presented with an amendment to dispose spoils to the furthest most northeastern reach of the point. Associate Member Bransom seconded the motion. The motion carried, 7- 0

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- 7. **LEONARD CLARK, #22-1645, NTC 24-06.** Commission reconsideration of this after-the-fact request to retain a 100-foot vinyl bulkhead constructed in York County without VMRC authorization and the civil charges assessed against the responsible marine permitting agent and contractor.

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.

Matt McQuillen was sworn in. His comments are a part of the verbatim record.

Mr. McQuillen does not accept responsibility for being the marine permitting agent and contractor. He does not accept responsibility for paying the posed civil charges.

The matter was before the Commission for discussion and action.

Associate Member Bransom voted to refer Mr. Clark to the Office of the Attorney General for further enforcement action for not accepting the Civil Charges assessed at the January Commission Meeting. Associate Member Preston seconded the motion. The motion carried, 7-0.

Associate Member Bransom moved to approve the after-the-fact request permit as presented. Associate Member Preston seconded the motion. The motion carried, 6-1. Associate Member White voted no.

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- 8. **YANKEE POINT MARINA LLC, #24-2369,** requests authorization to construct a replacement boat ramp, temporary cofferdam, new tending pier and

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**19301
March 25, 2025**

dry hydrant at their existing marina at 1303 Oak Hill Road along Myer Creek in Lancaster County. The project is protested by a nearby 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.

Todd Patterson, owner of Yankee Point Marina, was sworn in. His comments are a part of the verbatim record.

Ken Knull, former owner of the marina, was sworn in and spoke in opposition of the application. His comments are a part of the verbatim record.

Sherri McDearmon, permitting agent, was sworn in. Her 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 Bransom seconded the motion. The motion carried, 6-0. Associate Member Kellum abstained.

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- 9. WESTMINSTER-CANTERBURY ON CHESAPEAKE BAY, #24-2475,** requests authorization to remove a failed timber pier and construct a new concrete pier for the exclusive use of Westminster-Canterbury residents as part of the proposed Westminster-Canterbury on Chesapeake Bay campus expansion situated at property off Ocean Shore Avenue along the Chesapeake Bay in the City of Virginia Beach. The project is protested by numerous citizens.

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.

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**19302
March 25, 2025**

David Pryer, agent for the applicant, was sworn in. His comments are a part of the verbatim record.

Kailey Martinez was sworn in. Her comments are a part of the verbatim record.

The matter was before the Commission for discussion and action.

Associate Member Hand moved to approve the project as presented. Associate Member Erskine seconded the motion. The motion carried, 6-1. Associate Member Bransom voted no.

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10. PUBLIC COMMENT:

Mr. Richard Zasimowich and Mr. David Westcott, watermen, requested the return of their blue crab licenses after being waitlisted during the 2008 reduction in blue crab effort. Deputy Commissioner Joe Grist explained the history of the crab license waitlist. Their comments are a part of the verbatim record.

Associate Member Bransom moved to approve the send the issue to the Crab Management Advisory Committee for discussion. Associate Member Kellum seconded the motion. The motion carried, 7-0.

Associate Member Edwards requested clarification on the appropriate procedures for implementing emergency measures, particularly those initiated during the Public Comment period. The inquiry aimed to ensure consistency in decision-making while maintaining public transparency. The response from the representative of the Attorney General's Office is part of the official record. Their comments are a part of the verbatim record.

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There being no further business, the meeting was adjourned at 12:03 p.m. The next Commission meeting will be held on **Tuesday**, April 22, 2025.

Commission Meeting

19303
March 25, 2025

Jamie L. Green, Commissioner

Jamie Hogge, Recording Secretary



PETITION FOR RULEMAKING BY THE VIRGINIA MARINE RESOURCES COMMISSION REGARDING ATLANTIC MENHADEN, THE CHESAPEAKE BAY, AND THE REDUCTION FISHERY.

Chesapeake Legal Alliance (CLA), Southern Maryland Recreational Fishing Organization, and the undersigned organizations and individuals, hereby submit this petition for rulemaking pursuant to Va. Code Ann. § 2.2-4007, based on critical new data and findings that build upon the petition of similar intent filed Dec. 21, 2023 and denied by VMRC on April 26, 2024. **We again urge VMRC to take immediate action to adopt the recommendations below to ensure the long-term sustainability of the Atlantic menhaden population, its predators, and the health of the Chesapeake Bay ecosystem and the communities that rely upon it. We further request that each distinct recommendation be considered and voted upon.**

I. Summary Recommendations

The Atlantic menhaden fishery is at a critical juncture, with multiple indicators strongly suggesting the population is depleted and current management is insufficient. We call on VMRC to implement the following measures without delay:

- 1. Impose an immediate moratorium on reduction fishing for menhaden within the Chesapeake Bay, or in the alternative, reduce all purse seine fishing within the Chesapeake Bay to 10% of the current total allowable landings, thereby preserving the bait-fishery, to remain in place until completion and peer review of the ongoing ASMFC single-species and ecological reference point benchmark stock assessments. (Va. Code Ann. Ann. § 28.2-201; 203; & § 28.2-210 (emergency powers to protect resources))**
- 2. Limit purse seine fishing in state waters to no more than 25% of Virginia's current total allowable landings (approximately 39,000 metric tons, of the 156,600 allotted to the reduction fishery), with the remaining harvest to be taken outside of Virginia waters (*i.e.*, federal waters). This limit should remain in force until appropriate estimates of menhaden seasonal stocks within the Bay and a clear understanding of the effects of their removals are available. (Va. Code Ann. § 28.2-201 & 203 (authority to limit harvest methods and areas))**
- 3. Create a permanent 1-nautical mile purse seine exclusion zone along Virginia's *entire* shoreline to minimize localized depletion, user conflicts, habitat damage, and bycatch. (Va. Code Ann. § 28.2-203 (authority to establish restricted areas))**
- 4. Formally request funds from the General Assembly to expand the VIMS Research Planning proposal to study the impacts of reduction fishing on the Bay ecosystem, with at least 50% of costs to be covered by the industry. (Va. Code Ann. § 28.2-204 (authority to require data collection))**
- 5. Require comprehensive monitoring and public reporting of the reduction fishery, including electronic reporting and vessel monitoring. (Va. Code Ann. § 28.2-204 (authority to require reporting))**

Decisive action to protect menhaden is both legally required and would follow state and federal precedent, and the technical merits provide a clear roadmap for the necessary policy changes.

First, the temporary moratorium on reduction fishing in the Bay would relieve pressure on the stock until the new ASMFC assessments can determine an appropriate coastwide catch level. The cut to Virginia's reduction fishing quota is needed to prevent localized depletion in the critical Bay nursery area. The term "localized depletion" is often misused by some to imply the complete absence of menhaden from a given area. However, this petition uses the term as defined by the ASMFC's Atlantic Menhaden Technical Committee: "Localized depletion in the Chesapeake Bay is defined as a reduction in menhaden population size or density below the level of abundance that is sufficient to maintain its basic ecological (e.g., forage base, grazer of plankton), economic and social/cultural functions. It can occur as a result of fishing pressure, environmental conditions, and predation pressures on a limited spatial and temporal scale." The disproportionate harvest of nearly the entire Virginia quota from the mouth of the Bay clearly meets this definition.

Second, in addition to the recommended moratorium on reduction fishing within the Chesapeake Bay, it is crucial to limit the potential negative consequences of high fishing pressure on the menhaden population, their predators, and other marine wildlife in and around the mouth of the Bay - one of the most important areas for menhaden along the Atlantic coast. Virginia's current menhaden quota allocation is about 175,000 metric tons (387 million pounds). To ensure a precautionary approach, this quota should be limited to no more than 25% (approximately 39,000 metric tons) coming from Virginia's state waters. The remaining harvest should be taken from federal waters. This limit should stay in place until there are reliable estimates of menhaden stocks within the Bay and a better understanding of the impacts of their removal on the ecosystem.

This recommendation aligns with the management approaches taken by other states like New Jersey and New York, which have banned purse seining for menhaden in their state waters. These states have subsequently witnessed remarkable recoveries in their local menhaden populations, and corresponding local abundances of predators like ospreys, humpback whales, and gamefish, highlighting the importance --and value --of spatial management and the heterogeneity of the coastwide stock (Barron, 2023).

Third, a shoreline buffer would reduce bycatch and other habitat destruction, while also reducing conflicts along the coast.

And, finally, comprehensive monitoring, including requesting/requiring industry funding for VIMS's research, is a common-sense way to hold the fishery accountable, while improving science. Virginia must prioritize the collection of high-quality data on menhaden abundance and fishing mortality at a finer spatial scale. Current data collection efforts by the reduction industry lack transparency, and fishery-independent surveys are not specifically designed to monitor menhaden populations (SEDAR, 2020). Improving the methodological rigor and spatiotemporal resolution of data collection is essential for informed decision-making.

The proposed limit on reduction fishing in state waters, coupled with the temporary moratorium in the Chesapeake Bay, would provide a precautionary buffer to mitigate the risks of localized depletion and ecosystem disruption while still allowing the fishery to operate at recently realized levels. As new data and stock assessments become available, these measures should be adaptively managed to ensure the long-term sustainability of the menhaden population and the health of the Chesapeake Bay ecosystem.

This comprehensive "package approach" represents the minimum conservation measures needed to realign menhaden management with VMRC's statutory duties. Va. Code Ann. § 28.2-203 is clear that measures "shall be based on the best scientific, economic, biological and sociological information available" and "designed to prevent overfishing and maintain over time, abundant, self-sustaining stocks." Ignoring the red flags in the science and the resulting public outcry would be an abdication of the agency's responsibilities.

II. Scientific Support

The latest science and fishery trends underscore the urgency for decisive action:

- A new analysis by renowned fisheries scientists and ecosystem modelers Drs. Ault & Luo found that the natural mortality rate used in the most recent stock assessment is dangerously inflated due to a combination of modeling and data errors (Ault & Luo, in review), suggesting the stock is overfished. Correcting these errors in the assessment model shows **current quotas are very likely allowing overfishing by more than double the target rate**. At the June 2024 VMRC meeting, Dr. Latour, a VIMS scientist, cited the Ault & Luo research, warning that it "indicates a natural mortality of 0.56, compared to the 1.17 value now used" and that "current quotas could be allowing overfishing by more than double the target rate" (VMRC, 2024b).
- Osprey reproductive success in the Chesapeake Bay has plummeted in lockstep with the 10-fold decline in a key menhaden abundance index since the 1980s (Watts *et al.*, 2024). Nest failures due to food stress now exceed 50% in higher salinity areas of menhaden food-source dependence, indicating a collapse in the forage base since ospreys rely heavily on menhaden as forage.
- In 2023, the reduction fishery caught less than 40,000 of its 51,000-metric ton Bay quota; coastwide reduction landings in 2023 were down 13% from 2022 and 15% below the previous 5-year average (ASMFC, 2024b). The reduction fishery is increasingly traveling out of the Bay as menhaden schools become scarce in Virginia waters, sometimes traveling hundreds of miles northward. There is evidence from flight records publicly available on FlightAware.com that spotter planes are recently traveling farther to find menhaden schools (FlightAware, 2024).
- Additionally, there were zero menhaden landings declared in the incidental fishery in 2023, in stark contrast to prior years (ASMFC, 2024b). This is further evidence of the scarcity of menhaden in the Bay and along the Atlantic coast.

III. Economic Impact

At the global level, predator fish are worth twice as much as forage fish. And this assessment doesn't include the economic value of the recreational fishing industry (Ellen K. Prikitich, et al). At the local level the overharvesting of Atlantic menhaden has been devastating to the Striped Bass recreational fishing industry. According to NOAA, the Virginia and Maryland Striped Bass recreational harvest has declined 77% from 11,943,653 to 2,683,369 pounds since 2016. In 2016, the economic contribution of the Striped Bass recreational industry to Virginia and Maryland was over \$909 million dollars and accounted for over 11,600 jobs. This is in contrast to Omega Protein's \$100 million dollars in business and approximately 400 jobs.

IV. Legal Bases & Public Support

The Commonwealth of Virginia, through the Marine Resources Commission (VMRC) has clear statutory authority to implement the requested measures under:

- Va. Code Ann. § 28.2-201 (authority to promulgate regulations)
- Va. Code Ann. § 28.2-203 (duty to preserve marine resources)
- Va. Code Ann. § 28.2-204 (authority to require reporting)
- Va. Code Ann. § 28.2-210 (emergency regulatory powers)

Several key legal mandates and management precedents underscore the necessity and appropriateness of adopting precautionary measures to protect menhaden and its ecological role:

1. Virginia Fisheries law mandates minimum conservation and management requirements be applied (Va. Code Ann. § 28.2-203), including measures that:
 - a. **shall** be based upon the best scientific, economic, biological and sociological information available;
 - b. **shall** be (i) fair and equitable to all fishermen; (ii) reasonably calculated to promote conservation; and (iii) carried out in such manner that no person acquires an excessive share of such privileges;
 - c. **shall** ... promote efficiency in the utilization of fishery resources, except that no such measure shall have economic allocation as its sole purpose; and
 - d. **shall** take into account variations among, and contingencies in, fisheries, fishery resources, and catches.
2. VMRC has acted quickly in the past, using catch, gear, and harvest restrictions to regulate crab populations, pursuant to the very same Virginia Fisheries law (see *Miles v. VMRC*, 54 Va. Cir. 325 (Accomack Cir. Ct. 2000); Va. Code Ann. § 28.2-203).
3. The Magnuson-Stevens Act (MSA) requires that management measures prevent overfishing while achieving optimum yield (OY) on a continuing basis. OY is prescribed based on maximum sustainable yield (MSY) as reduced by ecological, economic and social factors. Given menhaden's crucial role as forage, MSY should be reduced significantly to account for these factors in setting catch limits. Failure to do so violates National Standard 1.

4. Like Virginia Fisheries law, MSA National Standard 2 mandates that conservation and management measures be based on the best scientific information available (BSIA). Several recent studies, including Ault & Luo, indicate that current management of menhaden is not based on BSIA. VMRC must consider this information in adopting more precautionary measures.
5. MSA National Standard 8 requires management to take into account the importance of fishery resources to fishing communities and provide for their sustained participation, while minimizing adverse economic impacts. A collapse in the menhaden population would devastate communities that depend on the recreational fishing and tourism supported by menhaden. Precautionary management is needed to preserve these sectors.
6. The ASMFC, federal fishery management councils, and other states have adopted precautionary management approaches, including conservative catch limits, time/area closures, and bycatch caps, for other important forage species like Atlantic herring when their population was at low levels (NEFMC, 2019). This sets a clear precedent for applying similar measures to menhaden given the concerning stock indicators.
7. The ASMFC recognizes the importance of "leaving fish in the water" for other species like striped bass (ASMFC, 2022). Maintaining a higher biomass of menhaden as forage is key to meeting the needs of predators in the Bay and along the coast.

These concerning developments are taking place against a backdrop of unprecedented challenges for forage fish and their predators along the Atlantic coast. The majority of forage species under the purview of ASMFC and fishery management councils, including Atlantic herring, Atlantic mackerel, river herrings, shads, and American eel are depleted or at historic lows (ASMFC, 2023). Large fishing interests are increasingly seeking to exploit other previously unfished forage stocks like thread herring and mackerels, putting further strain on the ecosystem. It is essential that other forage populations like Atlantic menhaden are managed with precaution to provide resilience for the coastal food web.

Despite broad agreement that more information is needed on the population dynamics and status of menhaden in the Bay, both VMRC and the ASMFC have resisted calls to take a precautionary approach while that science is developed. ASMFC's recently established Chesapeake Bay workgroup, while well-intentioned, is unlikely to generate significant new findings without on-the-water research. A proposal for such a study by the Virginia Institute of Marine Science was backed by a diverse coalition of stakeholders but ultimately denied funding by the Virginia General Assembly, to the disappointment of many scientists and citizens (Bay Journal, 2024). In the face of these obstacles to filling data gaps, it is imperative that managers act with precaution to protect the resource. At the April 2024 VMRC meeting, Deputy Chief Shanna Madsen admitted frustration with the lack of scientific data to support management decisions, stating "I would love to sit up here and say this is the number, this is the scientifically supported bay cap, and I can't, and it's incredibly frustrating to me." Associate Member Lusk shared disappointment that studies have not been funded to fill data gaps (VMRC, 2024a).

And the data that *is available* shows severe population stress to reliant species such as striped bass and ospreys, a commercial catch that has substantially diminished over the past few years, and a menhaden stock assessment that's been overestimated by 100%, resulting in a very high likelihood of overfishing. It's not just the science that points to the need for reform - Virginia's current approach to menhaden management is also failing to meet the needs and expectations of its citizenry. Public opposition to the status quo is reaching a boiling point:

- In 2022 and 2024, several dozen organizations and citizens submitted comments to VMRC urging greater protection for menhaden in the Chesapeake Bay, with the vast majority supporting lower catch limits and stronger buffers, including fishermen and scientists (VMRC, 2022 & 2024).
- Over ten thousand have signed petitions asking Governor Youngkin to support menhaden conservation and hold the reduction industry accountable for its net spills and fish kills.
- Numerous op-eds, letters to the editor, social media posts (for examples, see: Zalesak, 2021; Higgins, 2022; Horton, 2024) and a regulatory lawsuit have criticized VMRC's failure to protect menhaden from overfishing.

There is clearly widespread and intensifying public demand for Virginia to change course on menhaden before it's too late. As the agency entrusted with conserving the Commonwealth's marine resources, it is incumbent on VMRC to heed this call and take decisive action to avert the collapse of this vital forage species and its predators.

V. Previous Commission Discussion & Conclusions

Reviewing the proceedings of the April 23 and June 25, 2024 VMRC meetings reveals evidence that Commissioners, staff, and scientific advisors recognize the need for precautionary management action to protect Atlantic menhaden in the Chesapeake Bay.

At the April meeting, Deputy Chief Shanna Madsen admitted frustration with the lack of scientific data to support management decisions, stating "I would love to sit up here and say 'this' is 'the number', 'this' is the scientifically supported bay cap, and I can't, and it's incredibly frustrating to me." Deputy Chief Madsen went on to heavily rely on the current ASMFC stock assessment, including her strong opposition to the petition. In that opposition, she stated that the menhaden stock was healthy, that she personally knew the authors of the stock assessment study (Liljestrang et al., 2019), and that Petitioners were being misleading and cherry-picking information to suggest otherwise. However, this reliance has been shown to be patently incorrect. The study, authored by Emily Liljestrang, Mike Wilberg and Amy Schueller, was flawed. As described above, the recent Ault & Luo study demonstrates fundamental flaws in both the data analysis and basic modeling assumptions in the Liljestrang study, with the authors reconsidering or retracting much of those findings. This has led to ASMFC scientists scrambling to address their overestimation of the menhaden stock.

Associate Member Lusk shared disappointment that studies have not been funded to fill data gaps: "I think that it is incredibly frustrating that we do not have the information, regional information that we need and that there, and that the efforts to acquire that

information or develop that information were halted this year. It is very frustrating, and frankly, incredibly disappointing." Most tellingly, Commissioner Lusk also stated she was "very troubled" by the new scientific findings and said "we have an obligation to err on the side of conservation until these issues can be resolved." She also expressed support for a complete moratorium on reduction fishing in the Chesapeake Bay as a precautionary measure.

In addition, several Commissioners expressed concern about the large unknowns regarding localized depletion in the Bay. Associate Member Hand stated "I keep hearing that this science doesn't support certain damages, but I haven't heard anything, or not much about science saying that it can't be damaging. So there is that unknown to me, that's concerning and very, very important to the ecosystem." These issues were raised again with greater urgency at the June meeting. Commissioner Erskine pointed out concerning downward trends in menhaden abundance indices, and Dr. Latour, a VIMS scientist, noted the Ault & Luo paper "indicates a natural mortality of 0.56, compared to the 1.17 value now used" and that "current quotas could be allowing overfishing by more than double the target rate."

Several public commenters echoed this sentiment, with one stating "The Bay is the epicenter for menhaden on the East Coast. Allowing industrial fishing there is like clear-cutting the last remaining old growth forest." Another noted the economic importance, saying "Menhaden support a multi-billion dollar recreational fishing industry that is being devastated as the forage base collapses." The public, via overwhelming numbers of comments, also demanded the Commission take stronger conservation measures including a permanent one-mile buffer zone and an outright ban on reduction fishing in the Bay to protect this critical nursery area. Finally, Commissioner Hand starkly stated "public opinion, the public is one factor, and I don't think anybody in the room will question where the public opinion is on this matter. And I think it is a factor that is worth considering is what the people of Virginia want." It's clear that key decision makers and stakeholders believe the science is no longer aligned with the current management approach and that spatial protections are urgently needed.

In summary, the time is now to enact the common sense management actions called for in this new petition. Commissioners and staff readily acknowledge the warning signs - now supported by conclusive data - that menhaden in the Chesapeake Bay are likely depleted below sustainable levels. VIMS and ASMFC experts are raising alarms that the stock assessment and catch limits are not based on the best available science. Faced with this growing body of evidence and outcry from stakeholders, it has become clear that VMRC should take decisive management actions, and has both the authority and the obligation to take those critical precautionary measures recommended by this petition.

We strongly urge you to enact the recommendations in this petition and begin the rulemaking process to adopt them. The public is watching and demanding action. The question is whether VMRC will answer the call to conserve this vital ecological and public trust resource before it is too late.



The undersigned thank the VMRC for its consideration of this petition for rulemaking.



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Marine Resources Commission

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Stefanie K. Taillon
Acting Secretary of Natural
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Jamie L. Green
Commissioner

April 15, 2025

TO: VMRC Commissioners

FROM: Patrick Geer, Chief of Fisheries Management Division

SUBJ: Petition for Rulemaking #426 Regarding Atlantic Menhaden, the Chesapeake Bay and the Reduction Fishery

Attached are several letters and peer reviewed articles related to the petition for rulemaking to be heard at the April 22, 2025, VMRC Commission meeting.

- 1) Letter from Dr. Mark Luckenbach (VIMS) (dated 4/7/25) regarding petition # 426.
- 2) Letter from Dr. Mark Luckenbach (VIMS) (dated 10/4/23) regarding potential impact of purses on habitat. This letter is the same as that presented regarding petition # 392 on October 24, 2023. The contents of that letter are still relevant.
- 3) Article by Dr. B.D. Watts et al, 2024 regarding osprey reproductive success in Chesapeake Bay (Jan 8, 2024)
- 4) Article by R.J Latour et., 2024 with comments regarding the Watts et al., 2024 paper (Oct 24, 2024)
- 5) A news advisory posted by B.D. Watts regarding the 2024 breeding performance results for osprey in the Chesapeake Bay (Sep 13, 2024)
- 6) Article by B.D. Watts regards comments published in Latour et al., 2024. (Apr 7, 2025).

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April 7, 2025

Pat Geer
Chief, Fisheries Management
Virginia Marine Resources Commission
380 Fenwick Rd. Bldg. 96
Fort Monroe, VA 23651

Dear Mr. Geer,

In response to your request for comments on the Dec. 18, 2024 Petition for Rulemaking by the Chesapeake Legal Alliance, we have provided brief comments on each of the items raised below. Personnel from the Office of Research & Advisory Services and fisheries scientists at VIMS discussed each of these items. As is our practice, we have based our comments on the best available science, which is admittedly very limited.

1. *Impose an immediate moratorium on reduction fishing within the Chesapeake Bay, in the alternative, reduce all purse seine fishing within the Chesapeake to 10% of current allowable landings.* The alternative action is offered as a means of preserving the bait fishery. As we have noted in the past, there are insufficient data available to quantify the impacts of the purse seine reduction fishery on the ecology of Chesapeake Bay, nor its impacts on individual species in the Bay. Over the past two-and-a-half-years VIMS has invested considerable time and effort in designing a suite of studies¹ and pursuing funding to conduct them to reduce the uncertainty around the ecological impacts of this fishery. These efforts have not so far resulted in the funding necessary to complete this work, and we remain uncertain about the likelihood of future funding. As such, VMRC finds itself in the position of needing to make management decisions on this important issue in a data-limited context. In such a situation, it is perhaps the wisest course of action to take a precautionary approach and give serious consideration to reducing purse seine fishing in Chesapeake Bay.

2. *Limit purse seine fishing in state waters to no more than 25% of Virginia's current total allowable landings.* While the science is clear that the coastwide stock of Atlantic menhaden is healthy, we again find ourselves in a limited data situation on the status of the population in Virginia waters on the continental shelf. As in the previous situation concerning menhaden abundances in Chesapeake Bay, we do not anticipate that more data on which VMRC can base an informed decision will be forthcoming soon. Responsible fisheries management action will require that VMRC consider the perspectives and arguments on both sides of this issue recognizing that clear science-based answers are not available at this time.

3. *Codify a 1-mile shoreline buffer: Establish a permanent 1-nautical mile shoreline buffer along Virginia's shoreline prohibiting the use of menhaden purse seines.* We assume that this recommendation is related to concerns that have been expressed about damage to benthic habitats, including submerged aquatic vegetation (SAV) and fish from net spills washing onshore. We addressed the former concern in our letter, dated October 4, 2023, to the Commission noting that SAV beds are found only at depths too shallow for this fishing activity to occur, and that no data were available to assess the impact of a purse seine occasionally contacting the bottom. At its December 5, 2022

meeting, the Commission voted to approve a Memorandum of Understanding that included a call for the reduction fishery to work collaboratively with the Governor's Office to establish time closures and buffer locations. Although net spills impacting the coastline did not occur during the 2023 & 2024 fishing seasons, we are not able to attribute that outcome to buffers, primarily because to our knowledge the exact locations of those buffers have not been disclosed.

4. Formally request funds from the General Assembly to expand the VIMS' research planning proposal. Regrettably, the bill that would have provided funding for the studies proposed by VIMS failed to pass during the 2024 or 2025 General Assembly sessions. VIMS has not changed its opinion that management decisions regarding the menhaden reduction fishery are best when based upon robust data. We strongly believe conducting the studies outlined in our Atlantic menhaden research proposal would significantly advance the ecological, fishery impacts, and socioeconomic knowledge of Atlantic menhaden in the Commonwealth. We note that the planning proposal, which was developed with broad participation from user groups (including industry) and stakeholders, included evaluating the ecological effects of the reduction fishery.

5. Require comprehensive monitoring and public reporting of the reduction fishery, including electronic reporting and vessel monitoring. This would seem to be an issue for the Commonwealth's Attorney General and the General Assembly to address.

We wish to reiterate the assertion above that VIMS has not changed its position on this matter. We would prefer to see well-informed fisheries management based on sound science; however, the reality is that data on menhaden abundances in Chesapeake Bay, their movements between the Bay and the inner continental shelf, localized depletion resulting from fishing, and the ecological impacts of the purse seine fishery all remain woefully inadequate and difficult management decisions must be made in this context. In the absence of sufficient data to support a science-based decision, this becomes a political and socioeconomic decision. At this point, we recommend that the Commission thoughtfully consider the issues raised in this petition and the views of all stakeholders.

Sincerely,



Mark W. Luckenbach
Associate Dean of Research & Advisory Service
Professor of Marine Science

Citation

¹ Latour, R.J. and J. Gartland. 2023. Atlantic Menhaden Research Planning. Report submitted by the Virginia Institute of Marine Science, William & Mary to the Virginia General Assembly and the Secretary of Natural and Historic Resources, Gloucester Point, VA. 19pp.

October 4, 2023

Jennifer Farmer,
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Dear Ms. Farmer:

This letter responds to your request for technical advice and expertise regarding a petition for rulemaking that is currently under review by VMRC: *Gear type use in Virginia waters pertaining to depth of current purse seine nets*. You specifically reference the concerns expressed in the petition regarding potential adverse environmental effects from purse seine use on seagrass and the Bay benthos.

The species of submerged aquatic vegetation (SAV) that form the seagrass beds throughout the mainstem of lower Chesapeake Bay, *Zostera marina* (eelgrass) and *Ruppia maritima* (widgeongrass), are limited in their distribution by light penetration, which generally prohibits SAV to sandy substrate less than 7 feet depth of water (Orth and Moore 1988, U.S. EPA 203b). There are instances of occurrence in nearshore areas slightly deeper than typical depth, likely due to lower local water column sedimentation, but these are limited to approximately 10 feet depth and are rare. Based on this natural depth distribution purse seine nets do not pose a threat to SAV beds.

The benthos of the lower Bay mainstem is not a static system due to bottom currents. Although normal tidal bottom currents are generally low in energy (generally between 12-40 cm/sec), they regularly redistribute benthic sediment (Brush and Fleischer 1985, Wright et al. 1992); especially silts and clays which make up a large portion of the lower Bay benthic environment. Storm-generated bottom currents can significantly disrupt all benthic sediment types (ranging from sandy gravel to clay). These natural occurrences affect benthic infauna and mobile species that exploit the benthos. We are not aware of any studies that assess and quantify the effects of purse seine net deployment and fishing on benthic environments; thus, our advice is necessarily based on inference and our empirical knowledge of effects to the benthos and benthic resources from other manipulations (such as dredging, large vessel anchoring, and smaller-scale fishing methods). Consistent with these other activities that disrupt the benthos, effects from purse seines would result in localized, temporary, and relatively minor adverse effects; with benthic infauna recovery occurring within one to two seasons.

More direct assessment of impacts to the Bay benthos from purse seine fishing would require a time series of before-and-after studies specific to the fishing location.

I trust that this adequately addresses your questions regarding the issues raised in the petition. Please contact me if you have further questions or require additional information

Sincerely,



Mark W. Luckenbach
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RECEIVED 28 August 2023

ACCEPTED 13 December 2023

PUBLISHED 08 January 2024

CITATION

Watts BD, Stinson CH, McLean PK, Glass KA,
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Demographic response of osprey within the
lower Chesapeake Bay to fluctuations in
menhaden stock.
Front. Mar. Sci. 10:1284462.
doi: 10.3389/fmars.2023.1284462

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Demographic response of osprey within the lower Chesapeake Bay to fluctuations in menhaden stock

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Forage fish support the largest fisheries in the world and play a vital role in marine food webs by transferring energy from plankton to consumers within higher trophic levels. Growing commercial demand for these species and concern for the impact of over harvest on predator populations has driven a paradigm shift in management objectives from maximizing economic return to the establishment of ecosystem-based limits on harvest rates. How well current harvest policy supports noncommercial species like piscivorous birds remains poorly understood. We investigated the relationship between osprey breeding performance within the lower Chesapeake Bay and a menhaden stock index during a period (1974–2021) when the menhaden index fluctuated over 35-fold. Reproductive rate (young/pair/year), brood provisioning (fish/10-h) and the proportion of menhaden in the diet all declined during the study period. Indicators of food stress including brood reduction and nest failure increased during the study period. The population transitioned from reproductive surplus (demographic source) to reproductive deficit (demographic sink). A significant relationship between reproductive rate and the menhaden index suggests that osprey population viability requires that the menhaden stock be restored to 1980s levels. Current ecological reference points based on the food requirements of predatory fish are unlikely to protect the osprey population. We suggest the establishment of menhaden or reproductive thresholds designed to allow osprey to meet demographic targets (1.15 young/pair/year).

KEYWORDS

osprey, menhaden, Chesapeake Bay, reproductive rate, diet, fisheries, ecosystem-based management

1 Introduction

Forage fish are small pelagic schooling species (e.g. anchovy, sardine, capelin, herring, menhaden) that support the largest fisheries in the world by weight and play a significant role in marine ecosystems by transferring energy from plankton to upper trophic-level predators (Furness, 1982; Crawford et al., 2008; Pikitch et al., 2012). Forage fish account for 30% of global landings (17 million metric tons^{yr}) and demand for the protein and oils produced from these fish continues to rise, placing increasing pressure to harvest more (Alder et al., 2008; Food and Agriculture Organization [FOA], 2012; Pikitch et al., 2014). These fish account for \$18.7 billion^{yr} in economic benefit, are important to many cultures and serve significant roles within aquatic ecosystems (Konar et al., 2019; Nissar et al., 2023). Public and scientific concern about the impact of over harvesting forage fish on predators including predatory fish, seabirds, and marine mammals has grown in recent decades (Pikitch et al., 2004; McLeod and Leslie, 2009; Link, 2010; Smith et al., 2011; Pikitch et al., 2018). This concern has driven a paradigm shift in stock management from single-species, maximum-sustained-yield models designed to optimize harvest to ecosystem-based approaches focused on the tradeoffs between commercial interests and the health of the broader ecosystem (Dickey-Collas et al., 2014; Rice and Duplisea, 2014; National Marine Fisheries Service [NMFS], 2016). However, evidence suggests that ecosystem-based estimates of sustainable harvest may still be too high to support many predator populations (Cury et al., 2011; Pikitch et al., 2012).

Atlantic menhaden (*Brevoortia tyrannus*) is a forage fish found in western Atlantic waters from Nova Scotia to Florida and supports the largest commercial fishery by weight along the east coast of the United States (Ahrenholz, 1991; National Marine Fisheries Service [NMFS], 2019). Most menhaden are landed using purse seines for the reduction fishery where fish are processed into fish meal and oil to be sold for animal feed, pet food, fertilizer, and dietary supplements (Southeast Data Assessment and Review [SEDAR], 2020). Due to the decline of other species, menhaden are also the focus of a growing bait industry where fish are caught by mixed gear, frozen, and sold as bait for use in other commercial and recreational fisheries. In addition to their commercial value, menhaden are forage fish for a community of consumers including predatory fish (Uphoff, 2003; Walter et al., 2003; Scharf et al., 2004), birds (McLean and Byrd, 1991; Viverette et al., 2007; Glass and Watts, 2009) and marine mammals (Smith et al., 2015).

Atlantic menhaden are regulated by the Atlantic States Marine Fisheries Commission (ASMFC) and harvest policy has evolved in recent decades from no management to maximum-sustained-yield to the development of models designed to evaluate the tradeoffs between commercial take and ecosystem services (Anstead et al., 2021). This change in approach has resulted in the establishment of the first harvest cap for the Chesapeake Bay (Atlantic States Marine Fisheries Commission [ASMFC], 2005), a reduction in the initial cap of more than 50% in less than 15 years and a consideration of local depletion policy. However, the state-of-the-art ecosystem-based model currently evaluates the maximum harvest of menhaden that would allow for maximum harvest of striped bass

(*Morone saxatilis*) effectively trading off the yield of a commercially important forage fish against the yield of a commercially important predatory fish (Chagaris et al., 2020). As part of the transition to an ecosystem approach, scientists were tasked with developing ecological reference points that could be used to track tradeoffs between harvest and ecosystem services (Anstead et al., 2021). Reference points are either stock or predator-dependent conditions that facilitate the consideration of ecosystem services in harvest decisions. Noncommercial species are not among the list of ecological reference points designed to evaluate harvest impacts and the relationship between allowable harvest and the viability of these species remains poorly understood.

The osprey is an obligate piscivore (Poole, 1989; Poole et al., 2002) that is considered to be a sensitive indicator of fish stocks (Grove et al., 2009; Henny et al., 2010). Chesapeake Bay supports one of the largest osprey breeding populations in the world (Henny, 1983). The population experienced dramatic declines in the post-World War II era due to reproductive suppression (Truitt, 1969; Kennedy, 1971; Wiemeyer, 1971; Kennedy, 1977) induced by environmental contaminants (Via, 1975; Wiemeyer et al., 1975). The population reached a low of 1,450 breeding pairs by the early 1970s (Henny et al., 1974). During the 1970s and 1980s reproductive rates recovered (Watts and Paxton, 2007) and the population doubled in size by 1995 (Watts et al., 2004). The rate of recovery varied over an order of magnitude between geographic areas of the Bay related to the depth of the earlier decline and likely variation in prey availability (Watts and Paxton, 2007). Ospreys within portions of the Chesapeake are believed to be menhaden-dependent (McLean and Byrd, 1991). However, the demographic and dietary response of osprey within these areas to fluctuations in menhaden availability has not been evaluated.

Here we examine osprey reproductive performance, brood provisioning and diet over a period (1974–2021) during which menhaden stock fluctuated over 35-fold. We assess the relationship between menhaden stock and the demographic viability of osprey with respect to current harvest policy.

2 Methods

This study uses data from four generations of graduate students (Stinson, 1976; McLean, 1986; Glass, 2007; Academia, 2022) who studied different aspects of osprey foraging and nesting ecology within the study area (1974–2021). Although the objectives of these studies differed somewhat, there is a common methodology and set of data allowing for broad comparisons across time periods. The studies included six field seasons of osprey observations including 1974–1975 (Stinson, 1976), 1985 (McLean, 1986), 2006–2007 (Glass, 2007) and 2021 (Academia, 2022).

2.1 Study area

We conducted fieldwork with osprey within Mobjack Bay and vicinity. Mobjack Bay is a broad (186 km²) sub estuary of the lower Chesapeake Bay (Figure 1) that is formed by the convergence of four

ivers (Severn, Ware, North, and East) all arising within the Coastal Plain of Virginia. Waters are polyhaline (18-30 ppt) and microtidal (amplitude < 1 m) with two tide cycles^d. The osprey population within the study area reached a low of 15 breeding pairs by the early 1970s (Kennedy, 1971), had recovered to 87 pairs by 1995 (Watts et al., 2004) and now includes approximately 100 breeding pairs (Watts, unpublished data). The osprey population nesting within the Chesapeake Bay is migratory. Osprey return to breeding territories from South America in early to mid-March, lay clutches in early April and fledge young from mid-June through late-July (Stinson, 1976). Within the study area osprey primarily nest on navigational aids, offshore duck blinds, boat houses, abandoned docks and nesting platforms erected by citizens.

2.2 Osprey demography

The osprey is a long-lived species with associated high adult survival and relatively high reproductive potential (Poole et al., 2002). Annual adult survival has been shown to vary from 80 to 90% across populations (e.g., Henny and Wight, 1969; Spitzer et al., 1983; Postupalsky, 1989; Ryttsmann, 1994; Wahl and Barbraud, 2014) with survival during the first year consistently lower and ranging from 40 to 60% (e.g., Henny and Wight, 1969; Wahl and Barbraud, 2014). Osprey exhibit delayed onset to reproduction. For growing populations, recruitment into the breeding population typically occurs during the fourth year with a smaller number

entering the population during their third or fifth years (Kinkead, 1985). Age-at-first reproduction increases as populations reach carrying capacity (Spitzer, 1980; Poole, 1989). For the Chesapeake Bay, 1.15 (young/breeding pair/year) is the reproductive rate estimated to be required to replace adult mortality (Poole, 1989). The break-even rate likely fluctuates as the population of floaters (birds of breeding age that do not hold territories) expands and contracts through time. A reproductive rate above this range (demographic source) allows the population to grow to capacity or stabilize at capacity as the floater population expands. A reproductive rate below this range (demographic sink) is not sustainable and if maintained will result in a population decline in the absence of immigration.

We monitored focal osprey nests (N = 75, 68, 132, 68 for periods 1974-75, 1985, 2006-07 and 2021 respectively) weekly during the nestling period by boat to determine breeding performance. Each nest check used a mirror pole to examine nest contents in order to determine the number of eggs and young present. Weekly visits allowed us to determine clutch size and fledging rate. We considered a nest to be active if a breeding attempt was documented (eggs or young observed). We considered young that reached six weeks of age to be of near fledging age. We considered nests to be successful if they produced at least one young that survived to six weeks of age. We considered annual reproductive rate to be the mean number of young produced per active breeding pair. We consider brood reduction to be the difference between the number of young hatched and the number

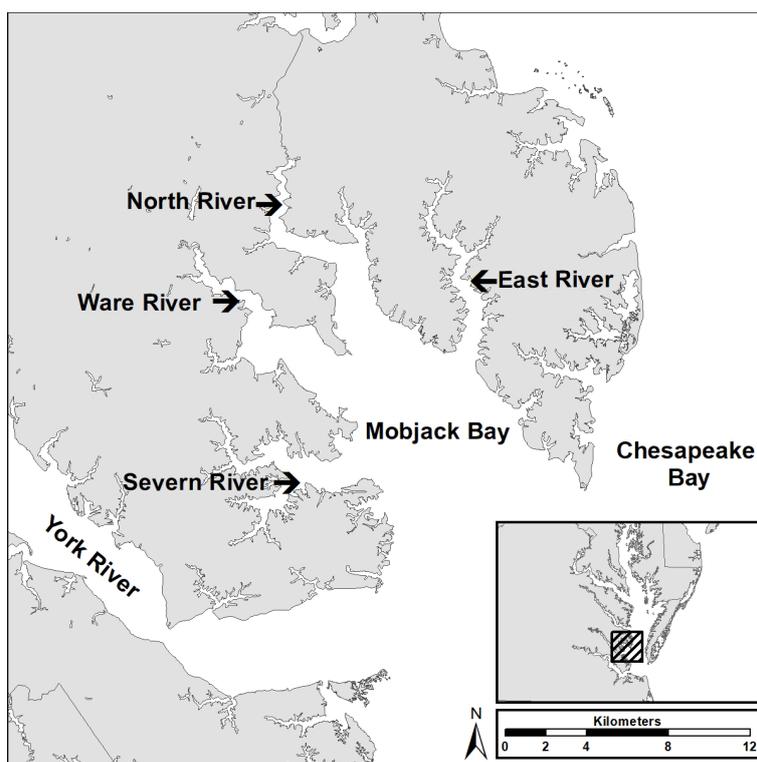


FIGURE 1

Map of the Mobjack Bay study area used to study osprey breeding performance, provisioning and diet within the lower Chesapeake Bay (1974-2021).

of young surviving to fledging age. We used a set of focal nests ($N = 8, 7, 8, 13$ for periods 1974-75, 1985, 2006-07, and 2021 respectively) during each period to quantify brood reduction.

2.3 Provisioning rate and diet

We observed osprey nests during the nestling period (May – July) to estimate fish delivery rates. Provisioning rate and diet were quantified using focal nests as outlined above during each time period. During the 1970s and 1980s we observed offshore nests (mean distance = 50 m) with binoculars and spotting scopes. In later years we used digital video systems mounted 1 m above the nest to estimate fish delivery rates. During all years, observations were made from dawn to dusk. All fish delivered to nests were recorded. During all periods except the 1970s an effort was made to identify delivered fish to species.

2.4 Male time budget

During the nestling period, male ospreys alternate between making hunting forays to provision young and perching on the nest or favored perches near the nest site. During the 1970s and 1980s, we quantified time budgets by recording the amount of time males perched near the nest. We used the time away from the nest as an estimate of hunting activity. This may overestimate actual hunting time.

2.5 Menhaden stock assessment

We used a hierarchical stock index to evaluate the relationship between menhaden abundance and osprey nesting parameters over the study period. No menhaden stock index has been developed that is specific to the Mobjack Bay study area. Twenty-four fishery-independent menhaden surveys are conducted along the Atlantic Coast (Southeast Data Assessment and Review [SEDAR], 2022). These surveys vary in objectives, methodology, and year of initiation. The majority of the surveys do not extend back to the 1970s. A hierarchical analysis has been used (Conn, 2010) to merge these efforts into a single index (1959-2021) and provide a posterior mean and confidence interval (Southeast Data Assessment and Review [SEDAR], 2022). We used the young-of-year abundance index (YOY) because it is the only index that fully covers the study period. Osprey use menhaden to provision young that typically range from 10 to 25 cm (mean = 19.1 ± 0.37 SE, $N = 253$), (Watts et al. unpub.). This size range suggests that osprey are primarily using menhaden in the 2 to 4-year age classes (Schueller et al., 2014). The Mid-Atlantic Adult Menhaden Relative Abundance Index (MAD) does not cover the study period. However, the hierarchical stock index used here is significantly correlated with both the more local Maryland geometric mean catch index ($N = 63$, Spearman Rank Correlation Coefficient = 0.61, $p < 0.05$) and the MAD ($N = 37$, Spearman Coefficient = 0.4, $p < 0.05$).

2.6 Statistical analysis

We evaluated trends in reproductive (all nests), provisioning and diet (focal nests) parameters across the study period using a one-way ANOVA with period (1974-75, 1985, 2006-07, 2021) as the grouping parameter and nests as samples. We evaluated each parameter for deviations from normality (Kolmogorov-Smirnov test) and homogeneity of variance (Levene test) to test for compliance with ANOVA assumptions. We used Tukey's honestly significant difference test to make pairwise, *post-hoc* comparisons between time periods for parameters where ANOVA results were significant. We examined the relationship between period and the proportion of young lost using the Freeman-Halton extension of the Fisher's exact test for a 2 X 4 contingency table (Freeman and Halton, 1951). We examined the relationship between mean reproductive rate and the Atlantic Menhaden Relative Abundance Index using a simple linear regression. The mean reproductive rate was used because we were interested in the relationship between population-wide performance and menhaden availability.

3 Results

Both the Atlantic menhaden relative abundance index (Figure 2) and osprey reproductive performance (Table 1) declined over the study period. The menhaden index declined from a high of 4.1 in 1980 to 1.6 in 1985 and then remained below 1.0 after 1990 and below 0.5 after 2005. Following the decline during the late 1970s through 1980s, menhaden appear to have reached a state change in the early 1990s and have remained low since that time. Osprey reproductive rates were above maintenance levels in 1975 and 1985 but by 2006 and 2021 productivity was well below that required to sustain the population. For successful nests, brood size fell from 2.0 in 1975 to 1.2 by 2021. The decline in reproductive rates over the study period was due to brood reduction. Clutch size did not differ between the time periods (Table 1). However, the percentage of young lost between hatching and fledging increased significantly ($df = 3$, χ^2 statistic = 10.2, $p < 0.01$) from 5.3% (1 of 18) to 12.5% (2 of 16) to 75% (18 of 24) to 76% (19 of 25) for 1974-75, 1985, 2006-07 and 2021 respectively.

Reproductive rate was associated with provisioning rate (Figure 3). Significantly higher fish delivery rates were documented for nests with more young compared with those with fewer young or that failed ($N = 36$, $df = 3$, F -statistic = 4.8, $p < 0.05$). *Post-hoc* tests revealed that this significant result was driven by differences between nests that raised 3 young compared to those that failed (Tukey's honestly significant difference, $p = 0.03$). A significant decline in provisioning rate (fish/10 hr) was observed over the study period (Table 2). An interesting finding is that although provisioning rate declined 34% between 1975 and 1985, the proportion of the time budget that males spent hunting increased from 57.0% to 70.1% suggesting that catch per unit effort declined substantially. Between 1985 and 2021 the mean

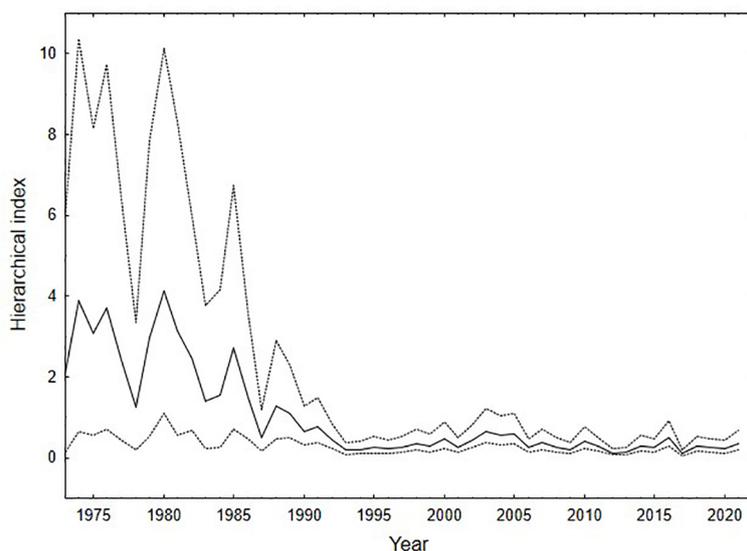


FIGURE 2

Chronosequence of Atlantic menhaden young of the year abundance index used as a proxy for menhaden availability within the study area. The black line indicates posterior mean and the gray lines represent 95% confidence intervals around the mean.

contribution of menhaden to osprey diet declined significantly from 67.3% to 24.7% to 30.2% for 1985, 2006-07 and 2021 respectively (Table 1) with values for individual nests ranging from 48 to 83% and 12.5 to 45.5% for 1985 and the later years respectively. This change in diet composition resulted in a significant (83.3%) decline in the delivery rate of menhaden to nests (Table 2). Changes in mean reproductive rate coincide with declines in the menhaden index (Figure 4). The response of mean annual reproductive rate for osprey in the study area to menhaden availability (Atlantic Menhaden Relative Abundance Index) was strong and significant (F-statistic = 42.1, $df = 1,4$, $p < 0.01$, $R^2 = 0.91$). The form of the relationship (reproductive rate = $0.5289 + (0.3529)$ (menhaden index)).

4 Discussion

The Atlantic menhaden has experienced several boom-and-bust cycles since large-scale harvest was initiated in the 1850s (Anstead et al., 2021). Although data are incomplete, the stock does not appear to recover to prior levels following each bust event resulting in a ratcheting down of the stock through time. The most recent

bust event began in the late 1980s and through the 1990s the stock reached historically low levels. This event resulted in a narrowing of the commercial industry, a change in policy on both state and federal levels, and the introduction of an ecosystem-based approach to menhaden management (Anstead et al., 2021; Drew et al., 2021). Throughout this treatment, we have used the Atlantic Menhaden Relative Abundance Index as a proxy for menhaden availability within the study area because no fisheries-independent data exist on this local scale. One of the problems with using a range-wide abundance index is the inherent “masking” or averaging across spatial variation in abundance. We are unable to evaluate the correspondence between local menhaden abundance and the range-wide index. However, osprey nesting observations including a decline in both menhaden delivery rates and the importance of menhaden in the diet suggest that the trend within the study area has been consistent with the range-wide index.

Within a relatively short period of time the Mobjack Bay osprey population transitioned from reproductive surplus (demographic source) to reproductive deficit (demographic sink). The population likely crossed this tipping point during the early 1990s coincident with the bust event initiated in the late 1980s. The osprey is a long-lived species and populations are expected to absorb short-term

TABLE 1 Mean (\pm standard error) estimates of osprey reproductive rate, clutch size, brood size, nests monitored (N) and one-way ANOVA results from the lower Chesapeake Bay.

Parameter	1974-75	1985	2006-07	2021	F-statistic	p value
Nests (N)	75	68	132	68		
Clutch size	2.7 ± 0.08	3.0 ± 0.09	3.0 ± 0.27	2.7 ± 0.09	2.2	0.084
Reproductive Rate	1.7 ± 0.10	1.4 ± 0.11	0.8 ± 0.08	0.3 ± 0.11	34.9	<0.001
Brood Size	2.0 ± 0.10	1.8 ± 0.10	1.5 ± 0.09	1.2 ± 0.17	10.0	<0.001

Estimated reproductive rate required for a stable population within the Chesapeake Bay is 1.15.

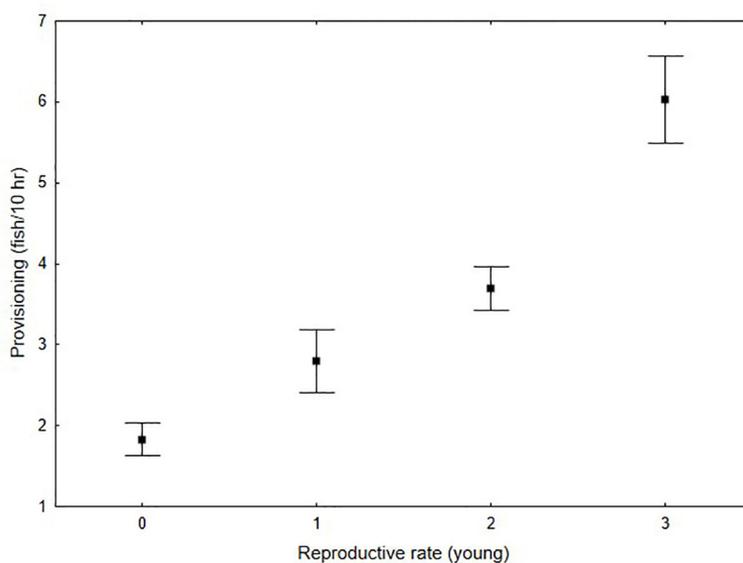


FIGURE 3

Relationship between mean provisioning rate and brood size (outcome of breeding attempt) for osprey pairs within the lower Chesapeake Bay. Focal nests for all time periods (1974-75, 1985, 2006-07, 2021) were combined. Squares indicate means and error bars represent standard errors around the mean.

perturbations in prey availability. However, menhaden within the Chesapeake Bay have not experienced a significant recovery back to 1980s levels since this initial decline. Based on internal demographics (local demographics without immigration) the Mobjack Bay osprey population is predicted to have experienced an ongoing decline over the past two decades. The fact that the population remains stable suggests that it is being “rescued” by ongoing immigration from other subpopulations that are producing a reproductive surplus. Subpopulations within lower salinity reaches of the Chesapeake have sustained the most rapid growth in recent decades (Watts et al., 2004; Watts and Paxton, 2007), have some of the highest rates of productivity (Glass, 2007), and could be the source of these immigrants. The combination of reproductive deficit and population stability highlight the fact that population surveys alone are not always the best indicator of local viability (Pulliam, 1988). Spatial variation in forage fish abundance may drive metapopulation dynamics for birds that are central-place foragers and depend on key species (Staudinger et al., 2020). Management strategies for fish stocks should be designed to minimize risks of local depletion in order to protect higher trophic-level consumers.

Food stress and subsequent brood reduction is widespread in ospreys (e.g., Poole, 1982; Eriksson, 1986; Hagan, 1986; Steidl and Griffin, 1991; Machmer and Ydenberg, 1998) and has been shown to lead to reproductive deficits and population decline (Bowman et al., 1989). Although ospreys are capable of catching a wide variety of fish and often have diverse diets (Poole, 1989) populations typically depend on one or two species during the nesting period (Nesbitt, 1974; Eriksson, 1986; Harmata et al., 2007). Osprey within Mobjack Bay appear to be menhaden-dependent. Eighteen fish species have been identified within the diet of osprey during the brooding period within this study area (McLean, 1986; Glass, 2007). However, menhaden accounted for nearly 75% of fish provided to broods by weight and energy content in 1985 (McLean and Byrd, 1991). None of the other species in the diet appear to be alternatives to menhaden in terms of energy density except for American eel (*Anguilla rostrata*) (McLean, 1986; Glass, 2007). American eels are energy dense but have accounted for <3% of the diet.

It seems plausible that menhaden represent a keystone species for osprey within the lower Chesapeake Bay in representing the only prey species with high energy density that is capable of reaching a population size required to allow osprey to reproduce above

TABLE 2 Mean (\pm standard error) estimates of osprey reproductive, provisioning and diet parameters, sample sizes (nests) and one-way ANOVA results from the lower Chesapeake Bay.

Parameter	1974-75	1985	2006-07	2021	F-statistic	p value
Nests (N)	8	7	8	4		
Provisioning (fish/10 hr)	5.3 \pm 0.50	3.5 \pm 0.30	2.7 \pm 0.30	1.4 \pm 0.50	15.6	<0.001
Menhaden rate (fish/10 hr)	-----	2.4 \pm 0.32	0.7 \pm 0.19	0.4 \pm 0.32	17.9	<0.001
Menhaden (% of diet)	-----	67.3 \pm 4.07	24.7 \pm 4.90	30.2 \pm 6.93	19.4	<0.001

Estimated productivity required for a stable population within the Chesapeake Bay is 1.15.

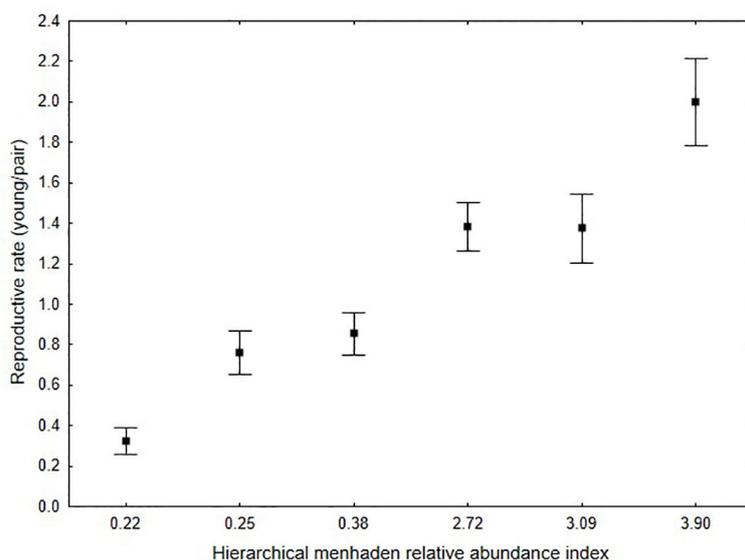


FIGURE 4

Relationship between mean reproductive rate (all nests monitored for each year) and menhaden stock index for osprey within the lower Chesapeake Bay. Estimated reproductive rate required for a stable population within the Chesapeake Bay is 1.15. Squares indicate means and error bars represent standard errors around the mean.

maintenance levels. A recent experimental menhaden-addition study within the Mobjack Bay study area demonstrated that an increase in provisioning rate resulted in a significantly higher reproductive rate for treatment nests when compared to control nests (Academia and Watts, 2023). Supplementation of nests with 63.4 g/d of menhaden pushed productivity to sustainable levels while control nests remained below maintenance. The study demonstrated that the pairs required 202.7 g/d of fish or 338.6 kcal/d in order to reach maintenance reproductive rates. Within the historical context presented here, osprey have not achieved these provisioning rates since the 1980s.

The energy demand of the osprey population is not on the scale that would be expected to regulate menhaden numbers. The osprey is a small-time menhaden consumer within the context of the broader Chesapeake Bay ecosystem where populations of predatory fish have the capacity to consume large quantities of menhaden (Uphoff, 2003; Chagaris et al., 2020). Even during the period when menhaden accounted for 75% of the osprey diet, the osprey population would have consumed only 0.004% of the commercial landings (McLean and Byrd, 1991). However, fluctuations in menhaden stock have the capacity to regulate osprey populations within areas where they are the primary prey. The overfishing and ultimate collapse of the menhaden population in southern New England has been implicated in the lack of osprey recovery back to pre-DDT levels within specific locations that were believed to have been heavily menhaden dependent during periods of high population density (Bierregaard et al., 2014).

Ospreys have limited capacity to compensate for low prey availability. Males hunt during the nestling period while females attend to broods (Poole, 1989; Poole et al., 2002). Males provision both the female and nestlings with the female consuming approximately 30% of fish provided (McLean, 1986). Regardless of

energy demand male osprey hunt only 60-70% (Stinson, 1976; McLean, 1986) of the day which limits their ability to make adjustments to either high energy demand from broods or low prey densities (Stinson, 1978; Jamieson et al., 1983; Eriksson, 1986). When a male's capacity to meet energetic needs is inadequate, sibling aggression and subsequent brood reduction is the behavioral mechanism that adjusts brood size to available food (Poole, 1982; Forbes, 1991; Machmer and Ydenberg, 1998). As provisioning declines below the needs of all brood mates, larger, more aggressive siblings monopolize available food leaving subordinates to starve. Continued reductions in provisioning will ultimately lead to nest failure. These behavioral mechanisms link prey availability to population viability. There appears to be an energetic state space where male ospreys operate (Green and Ydenberg, 1994) and, under low prey availability conditions, their ability to reach demographic viability may be constrained.

The relationship between mean reproductive rate and the Atlantic menhaden relative abundance index suggests that reaching the demographic target (1.15 young/pair) required for population maintenance would require an index value of 2.73. This index value has not been realized since 1985 (Figure 2). This finding is consistent with the independent finding from supplementation that suggests that provisioning rates will need to return to 1980s levels in order to reach stability. These findings are also consistent with those reported for 14 seabird species within seven marine ecosystems (Cury et al., 2011). Breeding seabirds that rely on forage fish showed a response to changes in prey abundance and breeding success began to decline when prey fell below 34.6% of the maximum observed prey abundance.

The development of ecological reference points to inform ecosystem-based fisheries management is in its infancy and understandably the current menhaden model and associated reference points focus on predatory fish of commercial interest

(Chagaris et al., 2020; Anstead et al., 2021). Striped bass were chosen as a reference because of the assemblage of predatory fish within the ecosystem, they have been shown to be the most sensitive to menhaden (Buchheister et al., 2017). A stated assumption of this approach is that because striped bass are the most sensitive, setting harvest thresholds that consider their requirements will effectively protect predators (including birds) that are less sensitive. However, it seems unlikely that the striped bass “umbrella” will protect bird populations. Osprey likely fell below a critical demographic tipping point in the early 1990s. Striped bass did not exhibit definitive signs of food stress until the late 1990s and continue to be used as an indicator of menhaden to the present (Uphoff, 2003; Anstead et al., 2021). There is a clear mismatch in terms of energetic demand and associated menhaden consumption between predatory fish and piscivorous birds within the Bay. The three dominant fish predators including striped bass, bluefish (*Pomatomus saltatrix*), and weakfish (*Cynoscion regalis*) are capable of consuming large portions of menhaden and at times exceed the commercial take (Uphoff, 2003; Chagaris et al., 2020). If birds were added as equally weighted consumers to the ecosystem model their consumption would represent a rounding error in the broader consumption. Because ospreys have little impact on the menhaden population but require threshold menhaden densities in order to sustain a demographic surplus, the development of an ecological reference point based on either a biomass or reproductive rate threshold would be a better strategy for protecting this population. Biomass thresholds are used to ensure that predators have sufficient prey to meet population targets (Pikitch et al., 2012). Such harvest triggers are being used within other fisheries. For example, if breeding performance of the black-legged kittiwake (*Rissa tridactula*) falls below a predetermined threshold a change in management is triggered for the sandeel (*Ammodytes marinus*) (International Council for Exploration of the Seas, 2008). Similarly, if the body condition of Antarctic krill predators declines below a set threshold, a reduction in fisheries quota is triggered (Boyd, 2002).

A priority for future osprey-menhaden work within the lower Chesapeake Bay is the development of a catch-per-unit-effort (CPUE) model (prey capture/time spent hunting) for males provisioning broods. Stinson (1976) recorded the duration of male hunting forays and their success but did not record fish species captured. McLean (1986); Glass (2007), and Academia (2022) recorded the delivery rate of menhaden but did not link delivery rates to the duration and success of male hunting events. Development of a CPUE model for menhaden (and other fish species) would contribute to a better understanding of the state space where osprey may meet demographic requirements within the time available for hunting. A CPUE-demographic framework could lead to a simple monitoring program based on male hunting that would inform whether or not stock levels are adequate to sustain a viable osprey population.

Data availability statement

The raw data supporting the conclusions of this article will be made available by the authors, without undue reservation.

Ethics statement

The animal study was approved by Institutional Animal Care and Use Committee. The study was conducted in accordance with the local legislation and institutional requirements.

Author contributions

BW: Conceptualization, Formal analysis, Funding acquisition, Methodology, Project administration, Supervision, Validation, Writing – original draft. CS: Investigation, Writing – review & editing. PM: Investigation, Writing – review & editing. KG: Investigation, Writing – review & editing. MA: Formal analysis, Methodology, Validation, Writing – review & editing. MB: Investigation, Methodology, Supervision, Writing – review & editing.

Funding

The author(s) declare financial support was received for the research, authorship, and/or publication of this article. Funding for field projects was provided by the Virginia Department of Wildlife Resources, William & Mary, the Center for Conservation Biology, the International Osprey Foundation, the Virginia Society of Ornithology, the Williamsburg Bird Club and the Coastal Virginia Wildlife Observatory.

Acknowledgments

We thank all of the landowners who allowed access to their properties and osprey pairs, the field assistants who helped with field logistics and data collection and the graduate committee members who helped to guide research projects.

Conflict of interest

The authors declare that the research was conducted in the absence of any commercial or financial relationships that could be construed as a potential conflict of interest.

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OPEN ACCESS

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RECEIVED 12 April 2024

ACCEPTED 02 October 2024

PUBLISHED 24 October 2024

CITATION

Latour RJ, Gartland J and Ralph GM (2024)
 Commentary: Demographic response of
 osprey within the lower Chesapeake Bay
 to fluctuations in menhaden stock.
Front. Mar. Sci. 11:1416687.
 doi: 10.3389/fmars.2024.1416687

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Commentary: Demographic response of osprey within the lower Chesapeake Bay to fluctuations in menhaden stock

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KEYWORDS

osprey, Atlantic menhaden, Chesapeake Bay, reproductive rate, predator-prey

A Commentary on

Demographic response of osprey within the lower Chesapeake Bay to fluctuations in menhaden stock

by Watts BD, Stinson CH, McLean PK, Glass KA, Academia MH and Byrd MA (2024) *Front. Mar. Sci.* 10:1284462. doi: 10.3389/fmars.2023.1284462

1 Introduction

Atlantic menhaden (*Brevoortia tyrannus*; herein menhaden) support high volume fisheries and are important forage for many fishes, seabirds, and marine mammals. Manager and stakeholder concerns about the impacts of menhaden harvest on ecosystem processes, biodiversity, and productivity of other valuable fisheries have motivated advancements in menhaden assessment modeling and development of an ecosystem management approach (Anstead et al., 2021). Ecological reference points are derived from an ecosystem model including selected fish predators (Chagaris et al., 2020), however, full ecosystem models have quantitatively linked menhaden to seabirds (Buchheister et al., 2017).

Watts et al. (2024) summarized valuable long-term demographic and foraging ecology information for osprey (*Pandion haliaetus*) inhabiting the Mobjack Bay subestuary of lower Chesapeake Bay. From data collected during specific times (May – Jul; 1974–1975, 1985, 2006–2007, 2021), the authors reported that osprey reproductive rate (no. surviving young per breeding pair), brood size, fish provisioning, and percentage of diet comprising menhaden declined substantially over the study duration. Particularly concerning was that estimated reproductive rates after 1985 were insufficient to offset adult mortality.

These osprey demographic and foraging results warrant consideration of mechanisms that may underlay the documented temporal patterns. One candidate is that menhaden abundance has declined over time thereby reducing availability to osprey, which the authors investigated by regressing mean osprey reproductive rate on coastwide indices of juvenile (young-of-year) abundance (herein coastwide indices). A statistically significant regression was reported ($p < 0.01$, $r^2 = 0.91$) prompting the recommendation “osprey population viability requires that the menhaden stock be restored to 1980s levels”. Prior to

submitting the paper for publication, the authors made key findings public through a press release (Center for Conservation Biology [CCB], 2023) that garnered considerable regional (Williams, 2023) and national attention (Hurdle, 2023) resulting in several stakeholder groups demanding an immediate moratorium on menhaden harvest in Chesapeake Bay.

2 Discussion

The regression analysis assumed the coastwide indices, which are model-based data aggregations from 16 surveys spanning Rhode Island to South Carolina, represent the abundance and availability of menhaden to osprey in Mobjack Bay, Virginia. This was justified by stating the coastwide indices were the only stock-wide empirical abundance metric that fully covered the osprey study period, and through a correlation analysis of those indices with both the Maryland juvenile and the Mid-Atlantic Adult (MAD, age-1 and older) indices. The correlation analysis appears aimed at reconciling discrepancies between the broad spatial scale of the coastwide indices and the localized osprey demographic data, as well as the differing age-classes represented by coastwide and MAD indices, considering that osprey prey on age-1 and older menhaden. The authors apparently reasoned that a significant positive correlation between the coastwide and Maryland juvenile indices would indicate alignment between broad-scale and regional juvenile abundance patterns. Similarly, a significantly positive correlation between the coastwide and MAD indices would indicate consistency between juvenile and older fish abundance patterns. Therefore, strong positive correlations in these cases would support using the coastwide indices to explain osprey reproductive rate data in Mobjack Bay. However, we argue this reasoning ignores key aspects of menhaden population dynamics and that the data analysis was flawed.

- i. The correlation between the coastwide and Maryland juvenile indices was significant (Spearman Rank, $n = 63$, $\rho = 0.61$, $p < 0.05$), however, this result is misleading because the Maryland data are included in estimation of the coastwide indices. In fact, the Maryland survey is the only data source contributing to every year of the coastwide time-series, which gives it disproportionate influence and essentially reduces the correlation analysis to a comparison of a variable with itself. Additionally, asynchronous recruitment patterns between menhaden nursery habitats in Southern New England and Chesapeake Bay have been documented (Buchheister et al., 2016), and since the coastwide indices aggregate these divergent patterns, they cannot accurately represent any specific localized area.
- ii. Correlation of the coastwide and MAD indices was significant (Spearman, $n = 37$, $\rho = 0.4$, $p < 0.05$), however, this analysis is concerning for several reasons. Firstly, the MAD indices began in 1985, yet 33% of the osprey the reproductive rate data are from the 1970s. Assuming the correlation holds prior to 1985 requires

extrapolating beyond the temporal scope of the data, which is not recommended. Secondly, a scatter plot of the coastwide and MAD indices showed the data from 1985 and 1986 likely had a strong influence on the estimated correlation coefficient. When these years were excluded, the correlation was no longer statistically significant (Spearman, $n = 35$, $\rho = 0.31$, $p = 0.07$), indicating an overall weak relationship between the coastwide and MAD indices. Thirdly, because the peak ingress of larval menhaden to Chesapeake Bay occurs in January and February (Lozano and Houde, 2013), these individuals originated from spawning during the previous fall (Latour et al., 2023). Consequently, comparisons between the coastwide and MAD indices should account for this temporal lag. For one- and two-year lags, the correlation coefficients were not statistically significant (Spearman, $n_1 = 36$, $\rho_1 = 0.25$, $p_1 = 0.13$; $n_2 = 35$, $\rho_2 = 0.22$, $p_2 = 0.20$). This lack of coherence between metrics of adult and juvenile abundance is not surprising, since attempts to discern a formal stock-recruitment relationship have been unsuccessful (Southeast Data Assessment and Review [SEDAR], 2020). Collectively, these points show the coastwide indices do not accurately reflect the abundance of age-1 and older fish and therefore are not a reliable proxy for the abundance and availability of menhaden to osprey in Mobjack Bay.

- iii. For the osprey field study, each nest constituted the sampling unit, and several derived statistics were computed from data recorded for each breeding pair. The reproductive rates used in the regression were arithmetic means of counts of young produced per nest. This approach is less than ideal for several reasons. Firstly, analyses should generally be conducted on raw data (e.g., a GLM fitted to counts of surviving young per nest) rather than means because the latter are estimated quantities with error. Regression analyses that treat means as observed data typically ignore this error and thus fail to appropriately characterize uncertainty, which is critical to goodness-of-fit and regression parameter hypothesis tests. Moreover, averaging removes sampling unit replication, which for the osprey study, resulted in a regression model fitted to only $n = 6$ data points. Secondly, simple linear regression assumes the response variable is normally distributed, which is problematic since reproductive rate cannot be negative. Using reproductive rate values (r_y) inferred from Watts et al. (2024; Figure 4), the 95% data interval ($\bar{r} \pm 1.96 SD_r$) was computed to be $(-0.07, 2.36)$ which shows the lower limit is negative. While the normal distribution can be used for some nonnegative data types, the osprey reproductive rate data fail the “95% range check” (Limpert and Stahel, 2011) indicating an asymmetric distribution should be considered. Thirdly, and related to the previous point, we contend the regression model relating r_y to the coastwide menhaden indices (I_y) should be formulated to reflect a multiplicative, lognormal error

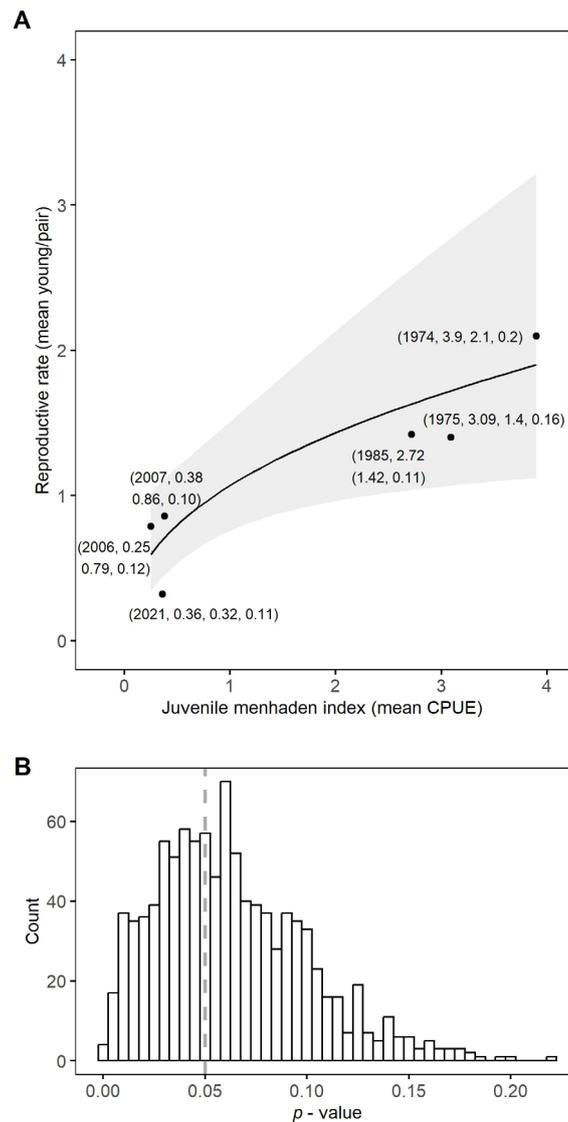


FIGURE 1 (A) Relationship between osprey annual reproductive rates (r_y) and coastwide juvenile menhaden abundance indices (I_y). Point labels are (y, I_y, r_y, SE_r) , where r_y and SE_r were inferred from Watts et al. (2024; Figure 1) and the back-transformed, bias-corrected fitted line with its 95% shaded confidence interval overlaid. Note that Watts et al. (2024) reported $I_{2021} = 0.22$ but the correct value is $I_{2021} = 0.36$ (Atlantic States Marine Fisheries Commission [ASMFC], 2022), and the equal spacing of coastwide index data on the x-axis of Watts et al. (2024; Figure 1) obscured the true pattern of the data. (B) Histogram of p -values associated with significance test of β_1 from the 1000 simulated regressions with a multiplicative, lognormal error structure where the dashed line denotes $\alpha = 0.05$.

structure: $r_y = (\beta_0 + \beta_1 I_y) e^{\varepsilon_y}$ such that $\log(r_y) = \log(\beta_0 + \beta_1 I_y) + \varepsilon_y$ (see Appendix). Application of this form of the model showed a positive relationship (Figure 1A), but the β_1 estimate that was on the threshold of statistical significance ($p = 0.05$). Given this result, we conducted a simulation analysis to assess the robustness of the linear regression model. For the r_y values, standard errors (SE_r) were also inferred from Watts et al. (2024; Figure 4) and used to parameterize unique lognormal distributions, $r_y \sim LN(\mu_y, \sigma_y^2)$, where $\sigma_y^2 = \log\left(\frac{SE_r^2}{r_y^2} + 1\right)$ and $\mu_y = \log(r_y) - \frac{1}{2}\sigma_y^2$. Using these distributions, 1000 sets of r_y were randomly generated and regressed on the coastwide menhaden indices.

Results indicated that only 41.1% of the β_1 estimates from the simulated data sets were statistically significant (Figure 1B). All analyses were performed with the R software program (R Core Team, 2024)

In summary, while we share concerns about the demographic and foraging trends of osprey in Mobjack Bay, the analyses presented in Watts et al. (2024) do not establish a clear relationship with menhaden abundance and availability. Furthermore, in the absence of a discernible stock-recruitment relationship, managing to “1980s levels” (or any specific level) is quite challenging since menhaden recruitment appears to be shaped by mechanisms associated with interactions among the coastal

distribution of spawners, larval transport, climatology, and nursery habitat suitability more than harvest (Buchheister et al., 2016). Moving forward, we strongly encourage concurrent osprey nest and menhaden sampling, followed by the application of appropriate statistical methodologies, to directly assess their ecological linkage, particularly in the broader context of shifting distributions of fish populations in the Northwest Atlantic Ocean.

Author contributions

RL: Conceptualization, Formal analysis, Writing – original draft. JG: Conceptualization, Writing – review & editing. GR: Conceptualization, Writing – review & editing.

Funding

The author(s) declare that no financial support was received for the research, authorship, and/or publication of this article.

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Acknowledgments

We thank three anonymous reviewers and the editor for constructive comments that improved this manuscript.

Conflict of interest

The authors declare that the research was conducted in the absence of any commercial or financial relationships that could be construed as a potential conflict of interest.

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Appendix

Osprey reproductive rate for each breeding season (y) was defined as the count of surviving young that reached near fledging age (six weeks, c_y) per breeding pair (n_y):

$$r_y = \frac{c_y}{n_y} \quad \text{which implies} \quad r_y n_y = c_y \quad (\text{A1})$$

The value of c_y depends on the number of hatchlings (h_y) decremented by a series of short-term survival rates ($s_{i,y}$, $i = 1, \dots, m$) associated with reaching fledging age:

$$c_y = h_y (s_{1,y} \cdot s_{2,y} \cdots s_{m,y}) \quad \text{such that} \quad (\text{A2})$$

$$r_y n_y = h_y (s_{1,y} \cdot s_{2,y} \cdots s_{m,y})$$

Applying the natural logarithm to both sides yields:

$$\log(r_y n_y) = \log(h_y) + \log(s_{1,y}) + \log(s_{2,y}) + \cdots + \log(s_{m,y}) \quad (\text{A3})$$

If the $s_{i,y}$ are independent and identically distributed random variables, the Central Limit Theorem implies that the sum is a normally distributed random variable (ε_y):

$$\log(r_y n_y) = \log(h_y) + \varepsilon_y \quad (\text{A4})$$

Exponentiating followed by algebra leads to:

$$r_y n_y = h_y e^{\varepsilon_y} \quad (\text{A5})$$

$$r_y = \frac{h_y}{n_y} e^{\varepsilon_y} \quad (\text{A6})$$

$$r_y = r_{0,y} e^{\varepsilon_y}, \quad \text{such that} \quad \varepsilon_y \sim N(\mu_\varepsilon, \sigma_\varepsilon^2) \quad \text{and} \quad \varepsilon_y \leq 0 \quad (\text{A7})$$

where $r_{0,y}$ represents the initial (and maximum) yearly reproductive rate, and e^{ε_y} is a lognormally distributed error term. If \bar{r} denotes the long-term average reproductive rate, then equation A7 can be modified (Hilborn and Walters, 1992):

$$r_y = \bar{r} e^{\varepsilon_y} \quad \text{with} \quad \varepsilon_y \sim N(0, \sigma_\varepsilon^2) \quad (\text{A8})$$

The linear regression analysis used to investigate the relationship between osprey reproductive rate and coastwide juvenile menhaden relative abundance amounts to expressing \bar{r} in terms of the coastwide indices:

$$r_y = (\beta_0 + \beta_1 I_y) e^{\varepsilon_y} \quad \text{with} \quad \varepsilon_y \sim N(0, \sigma_\varepsilon^2) \quad (\text{A9})$$

Therefore, a multiplicative, lognormal error structure is most appropriate.



CHESAPEAKE BAY OSPREYS CONTINUE TO EXPERIENCE POOR BREEDING PERFORMANCE DUE TO STARVATION

Home > News Story > Chesapeake Bay ospreys continue to experience poor breeding performance due to starvation

News Advisory

FROM: Center for Conservation Biology, William & Mary

FOR IMMEDIATE RELEASE: 13 September 2024

MEDIA CONTACTS: Dr. Bryan D. Watts, Director
Center for Conservation Biology
William & Mary
bdwatt@wm.edu
(757) 221-2247

BRIEF

(Williamsburg, VA)— The Center for Conservation Biology has compiled 2024 breeding performance results for osprey in the Chesapeake Bay. The monitoring effort included 571 osprey pairs distributed among twelve study areas. Ten study areas were within the main stem of the Bay where salinity exceeded 10 parts per thousand (ppt) and two study areas (used as reference sites for comparison) were positioned on upper tributaries within tidal fresh reaches where salinity was less than 1 ppt. Osprey pairs nesting within waters above 10 ppt salinity are believed to be highly dependent on Atlantic menhaden to raise broods. Osprey pairs nesting within tidal fresh waters feed primarily on catfish and gizzard shad. Breeding pairs were monitored throughout the nesting season (March-August) to determine nesting success and productivity. Cameras were mounted on a subsample of nests within all study areas to quantify diet and brood provisioning and to determine the cause of nest failure. Compilation of camera data has not been completed.

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An adult female osprey on a nest in the York River. The resident pair in this territory arrived in early March and remained on the territory throughout the nesting season. Despite being resident, she never was documented to lay a clutch. The most likely explanation for large numbers of pairs not laying clutches in 2024 is that females did not reach the nutritional condition required to produce eggs. Photo by Bryan Watts.

Mean breeding performance for osprey pairs nesting within the main stem of the Bay did not meet levels believed to be required for population maintenance (1.15 young/pair). Collectively, reproductive rate was 0.51 young/pair. However, breeding performance did vary between study areas with two areas falling in the range of "minor deficit" (0.8-0.9 young/pair), two sites falling in the range of "moderate deficit" (0.6-0.8 young/pair) and six sites falling in the range of "major deficit" (less than 0.6 young/pair). By comparison, reproductive rate within reference sites was 1.36 young/pair that is above the maintenance target.



An asymmetric brood within the lower Chesapeake Bay. Following the loss of the third young these two young remain. The two siblings are noticeably different in size with the smaller young being 50% the mass of the larger. Asymmetry forms in broods when food coming into the nest is inadequate to fully feed all young. A dominance hierarchy forms in the brood with the dominant young to monopolize access to food. As food supply tightens, subordinate young starve in the nest. The tightening of the food supply with cause the last young to starve and the nest to fail. Asymmetric broods were common and widespread throughout the Chesapeake in 2024. Photo by Bryan Watts.

First Name

Last Name

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A symmetrical brood within the upper James River reference site. Symmetric broods are maintained when enough food is delivered to nests to support all young in the brood. Nestlings develop at the same rate and have the same appearance.

Photo by Bryan Watts.

Based upon direct observations during nest visits, the largest contributing factor to poor breeding performance was seemingly the loss of young due to starvation. Low food availability leads to a sequential loss of young and results in smaller brood size or nest failure. One of the best indicators of food stress in Chesapeake Bay ospreys is the frequency of single-chick broods in the population. Of all broods successfully produced within main stem study areas (N = 163) 54.6% were single-chick broods. In contrast, only 18.2% of the 55 broods within reference study areas were single-chick broods. On average, main stem pairs lost 1.1 young between hatching and fledging compared to only 0.3 for pairs in reference sites.





A female osprey attempts to feed a dead young in the nest on the Eastern Shore of Virginia. This last of three young died during the night after more than 38 hours with no food. When the male brought a fish to the nest in the morning the female attempted to feed the young but it was too late. Photo from nest camera.



female osprey carries a menhaden to a nest in the Chesapeake Bay. Osprey with menhaden has been an iconic Bay waters for hundreds of years. The view has been much less common in recent years. Photo by Bryan Watts.

breeding performance in the main stem of the Bay that was documented in 2024 (and for the past several years) is not sustainable. In the absence of immigration from other parts of the Bay or outside of the Bay the population would be



predicted to decline. To date we have not conducted surveys throughout the entire main stem to evaluate trends in the breeding population.

ADDITIONAL DETAILS

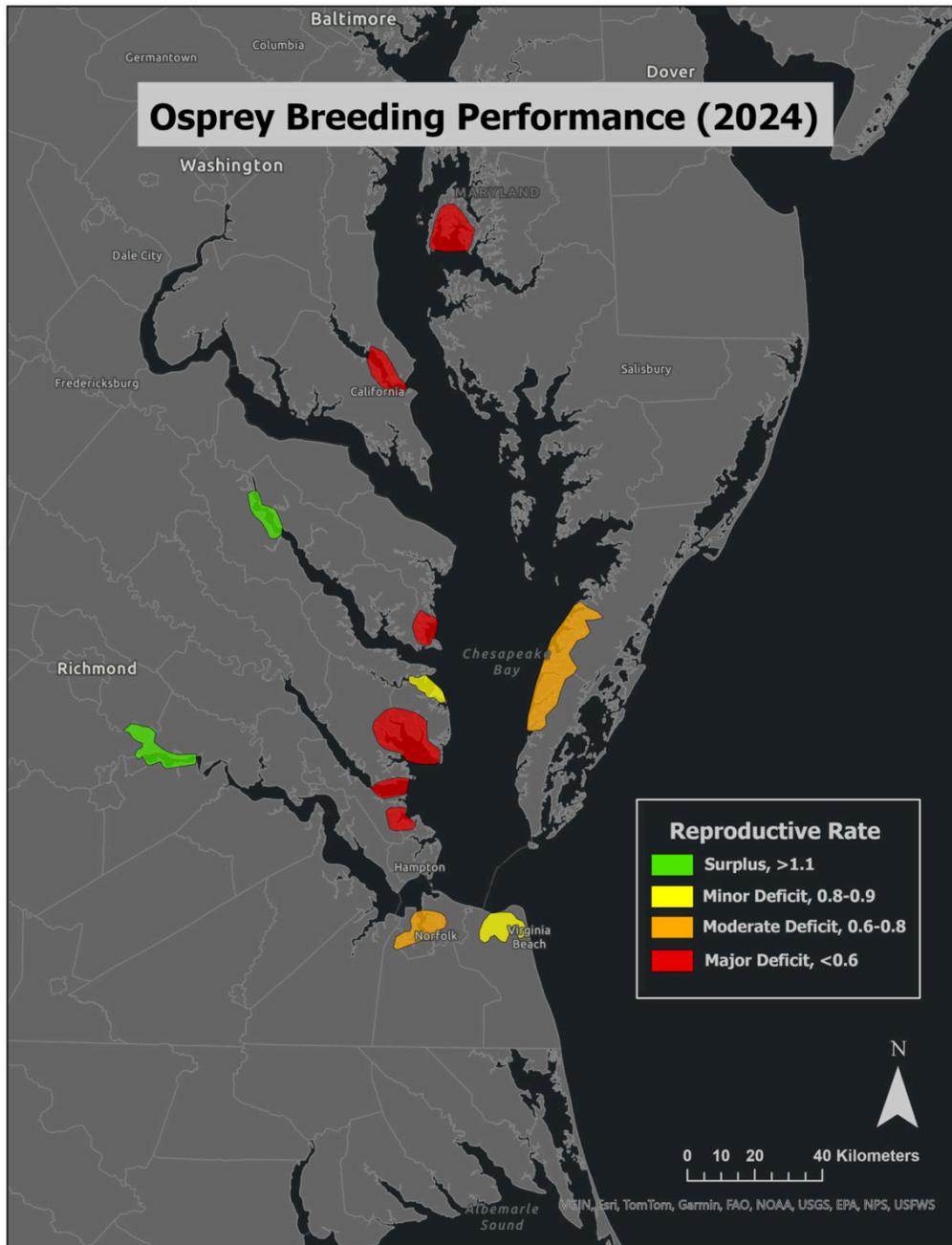
2024 Objectives

In recent years we have published papers on the historic decline of osprey breeding performance in Mobjack Bay (a subestuary of the lower Chesapeake) and the role of menhaden in driving the decline. One of the criticisms of this work is that “Mobjack Bay only reflects conditions within a small area of the larger Bay” and is not representative. The primary objective of fieldwork in 2024 was to expand the geographic scope of osprey monitoring to better understand their reproduction throughout the portion of the Bay where the species is believed to be menhaden-dependent. Additional objectives include 1) achieving a better understanding of the spatial variation in osprey reproductive performance, 2) quantify osprey diet throughout the main stem of the Bay and 3) work to develop a field metric that is a reliable indicator of food stress.

Study Areas

The main study area was delineated based on the 10 ppt contour throughout the Chesapeake Bay. Ten study areas were delineated throughout the main study area in early 2024 based on logistics and the known density of osprey to facilitate efficiency. Specific study areas include VA – Lynnhaven River, Elizabeth River, Poquoson River, York River, Mobjack Bay, Piankatank River, Fleets Bay and Eastern Shore bayside and MD – Patuxent River and Harris Creek at mouth of Choptank River (monitored by USGS). Reference study areas were selected within tidal fresh reaches of upper tributaries based on the same criteria. Reference study areas include the upper James River and upper Rappahannock River in Virginia.





Breeding Performance

Poor breeding performance was widespread throughout the main stem of the Bay and none of the study areas reached demographic targets. Although spatial variation in performance was evident throughout the season, most of the study areas were considered in the range of “major reproductive deficit”. The overall reproductive rate for pairs in the main stem of the Bay was approximately 50% of that believed to be required for population maintenance. By comparison, reproductive rate for pairs breeding within reference sites was well above maintenance levels. Both clutch sizes and hatching rates were generally consistent between the main stem and reference areas and throughout the main stem sites.

A large number of osprey pairs did not lay clutches during the 2024 nesting season. These pairs arrived from wintering grounds in a timely manner (late February – early March). Most of these non-breeding pairs remained resident throughout the nesting season and defended territories but were never documented to lay eggs. This is the first time this behavior has been documented on a large scale within the Chesapeake. A likely explanation for the behavior is that females were not able to



Nesting Failures



Osprey pairs are subjected to a wide range of forces that may lead to nesting failure. These range from contaminants to weather events to nest competitors to predators and many others. Based on other observations and published studies, disease, competition for prey, depredation, and pollution do not currently appear to be significant causes of reproductive failure. Poor breeding performance throughout the main stem of the Bay in 2024 was driven by the loss of young after hatching. A clear indicator of food deficit (stress) within an osprey nest is the development of asymmetric broods where the young differ in size and developmental stage. Asymmetric broods develop when not enough food is delivered to provision all young equally and leads to the formation of a dominance hierarchy within the brood and monopolization of food by dominant young. The appearance of asymmetric broods is a precursor to brood reduction by the sequential loss of subordinate young to starvation.

One example of food stress and brood reduction leading to nest failure was captured on a nest camera within the Eastern Shore study area. The female laid and hatched three eggs. The signs of food stress appeared early in the brood dynamics. Over a period of three days the two smallest young died. The third nestling survived another four days but after 38 hours without food died during the night. The next morning the male delivered a fish and the female attempted to feed the dead young. The female continued to shade the young for the rest of the day. This is a typical starving sequence where an extended period without food pushes the young past the breaking point.

Asymmetric broods were common and widespread throughout the main stem of the Bay. On average, pairs in the main stem lost 1.1 young between hatching and fledging. Both the high failure rate of nests and the high frequency of one-young broods for successful nests were driven by brood reduction caused by food stress. In contrast, asymmetric broods were uncommon within reference sites; on average pairs lost only 0.3 young and success rate was relatively high.

Implications

Overall, poor reproduction in ospreys is not restricted to the historic study area of Mobjack Bay but is widespread throughout the main stem and likely involves thousands of nesting pairs. Whether or not we will see a broad-scale decline in the osprey breeding population ultimately depends on the relationship between areas (such as the main stem) that are in reproductive deficit and areas (such as the reference sites) that are producing a reproductive surplus. A determination of whether or not the Bay population as a whole is sustainable given the current prey situation is a topic of ongoing investigation.

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Resident Canada goose incubates a clutch on an osprey nest within the lower Chesapeake Bay. The goose population has grown rapidly and their interaction with osprey is rising sharply in the Bay. Photo by Bryan Watts.



An eagle with a CCB transmitter carries a fish below the Conowingo Dam. Throngs of eagles come to the lower Susquehanna from throughout eastern North America to feed and loaf in the area. Photo by Ted Ellis.



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Response: Commentary: Demographic response of osprey within the lower Chesapeake Bay to fluctuations in menhaden stock

Provisionally accepted

 Bryan Watts*  Chance Hines

College of William & Mary, Williamsburg, United States

 This article is a commentary on:

Commentary: Demographic response of osprey within the lower Chesapeake Bay to fluctuations in menhaden stock

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One of the central concerns raised by Latour et al. (2024) was the statistical treatment of the relationship between reproductive rates and the menhaden index. The authors suggest that the use of means as measures rather than raw data ignores the inherent error and does not appropriately address uncertainty. The authors also question the use of simple linear regression pointing out violations in the underlying assumptions of normality and suggest that a more appropriate treatment would employ a multiplicative, lognormal error. We agree with these comments and regret that a more complete treatment of this relationship was not presented in the original paper. The authors then take extraordinary measures to extract data from a graph (Fig. 4), project distributions, develop a new model ($\log(\text{ry}) = \log(\beta_0 + \beta_1 \text{lx}) + \epsilon y$) and then run simulations to evaluate the robustness of model results. They conclude that there is a positive relationship between osprey reproduction and the menhaden index but that the β_1 estimate was positioned on the threshold ($p = 0.05$) of significance. They also conclude that only 41% of the 1,000 simulated data sets were statistically significant casting doubt on the original conclusions. Neither of the conclusions about the statistical relationship between osprey reproduction and the menhaden index presented in Latour et al. (2024) are accurate. Why the authors spent extraordinary effort to create new datasets for testing is unclear. As indicated in Watts et al. (2024) the dataset was publicly available upon request (now available as a supplement to this paper). Reanalysis of the actual data using the number of young produced at each nest as the response variable within a Poisson regression, as suggested by Latour et al. to handle the multiplicative nature of the data, resulted in a highly significant relationship (Fig. 1A). In contrast to the results from the created datasets used by Latour et al., the β_1 estimate from the actual dataset was highly significant ($p = 1.1 \times 10^{-15}$). All of the β_1 estimates from regressions using 1,000 random subsets of the data were significant (Fig. 1B) with a mean p-value of 1.25×10^{-15} . In addition, regressions using a two ($p = 2.0 \times 10^{-15}$) and four-year ($p = 1.1 \times 10^{-6}$) lag of the

index were both significant. When compared to the regression presented in Watts et al. (2024) the statistical significance of the reanalysis is greater ($p = 1.8 \times 10^{-6}$ vs $p = 1.1 \times 10^{-15}$). The conclusions presented in Watts et al. (2024) remain unchanged. (2024) make a series of errant assumptions about the rationale for providing correlation analyses between the various menhaden indices in the methods. The interrelationships between the various menhaden indices are well known and a full correlation matrix is presented in SEDAR (2022). The authors assume that the rationale for presenting the correlations was explanatory rather than informative. They posit that the presentation is an attempt to justify the use of the coast-wide juvenile index over the others available, that it was an attempt to reconcile the disparity in scale between the index and the osprey study site and that it was an attempt to overcome the age disparity between the index and fish used by osprey. The authors also suggest that the correlation result provided between the Maryland juvenile and coast-wide index was misleading since the Maryland index is included in the coast-wide index and further that the result provided between the coast-wide and mid-Atlantic adult index was either extrapolated beyond the range of the adult index (index was not initiated until 1985) or was dependent on the first two years of the run. None of these assumptions are correct and for the intended use it does not matter that the Maryland index is included in the coast-wide juvenile index. We did not extrapolate the relationship between the juvenile and adult indices beyond the reported range. The rationale for presenting the correlations within the methods was to inform the reader about the covariance structure within the set of menhaden indices. Within the context of the regression analysis between osprey and menhaden the covariance between indices is such that the use of any of them would produce the same basic result. In fact, regressions between osprey breeding performance and all of the indices including the Maryland juvenile index ($p = 2.7 \times 10^{-13}$), the coast-wide juvenile index ($p = 1.1 \times 10^{-15}$) and the mid-Atlantic adult index ($p = 1.3 \times 10^{-4}$, analyzed using only the last three time periods since the index was only initiated in 1985) are significant. The correlations presented in the methods offer very little explanatory value, could not overcome the various issues raised by the authors and were never intended to do so. The link between osprey breeding performance and menhaden within Mobjack Bay is established within the osprey field data. The significant decline in breeding performance coincided with an increase in brood reduction caused by food stress, a significant reduction in provisioning rate and a shift in diet composition. The rate of menhaden delivery to nests declined by more than 80% over the study period while the delivery rate of other major fish species in the diet increased (McLean and Byrd 1991, Glass and Watts 2009, Academia 2022). Because the energy density for menhaden is among the highest within the diet, the shift in diet composition away from menhaden resulted in a 50% decline in the overall energy content of the diet. The singular decline of menhaden in the diet reduced energetic provisioning below a threshold for demographic stability. Experimental supplementation of nests with menhaden demonstrated this relationship by increasing reproductive output above maintenance for treatment nests while control nests remained below maintenance (Academia and Watts 2023). While we agree that contemporaneous menhaden abundance data collected on the local level would advance our understanding of this relationship, we do not agree with the suggestion by Latour et al. (2024) that a functional link cannot be established in the absence of such data. The use of the coast-wide menhaden index was an attempt to couch the osprey pattern in the currency used by the fisheries community. The regulatory community has held for decades that Atlantic menhaden represents a single stock and should be managed as such (SEDAR 2022). A great deal of investment has been made to develop a coast-wide index and management policy is set based largely on the behavior of this index. When questions arise about local abundance or the health of menhaden within portions of the geographic range, fisheries scientists, managers and the commercial fishing industry deflect to the coast-wide index. Latour et al. (2024) argue that the coast-wide index may not reflect the abundance of menhaden in Mobjack Bay. We agree that the sole reliance on coast-wide data masks local dynamics. Future monitoring efforts should begin to investigate trends in menhaden abundance that are on a spatial scale that is relevant to local consumers. Such efforts would allow for the evaluation of correspondence between local and coast-wide patterns.

Keywords: Osprey, Atlantic menhaden, Chesapeake Bay, Reproductive rate, Fisheries

Received: 23 Jan 2025; **Accepted:** 07 Apr 2025.

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* **Correspondence:** Bryan Watts, College of William & Mary, Williamsburg, United States

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From: [Widgeon, Zachary \(MRC\)](#)
To: [Flowers, Christopher \(MRC\)](#)
Subject: FW: Petition response
Date: Monday, January 13, 2025 1:47:12 PM

From: Art Conway <conwaysriverrat@gmail.com>
Sent: Monday, January 13, 2025 8:53 AM
To: Widgeon, Zachary (MRC) <Zachary.Widgeon@mrc.virginia.gov>
Subject: Petition response

Zach

I am strongly in favor of the petition. My Facebook has no link to leave a comment, so I am sending it to you.

Arthur F. Conway
7475 Pine Ridge Rd, Mechanicsville, VA 23116
804 514 1486

From: [Widgeon, Zachary \(MRC\)](#)
To: [Flowers, Christopher \(MRC\)](#)
Subject: FW: VMRC PETITION
Date: Monday, January 13, 2025 1:48:34 PM

From: Bill Harris <billharris_odt@verizon.net>
Sent: Monday, January 13, 2025 9:10 AM
To: Widgeon, Zachary (MRC) <zachary.widgeon@mrc.virginia.gov>
Subject: VMRC PETITION

I support the petition for rulemaking to VMRC regarding atlantic menhaden, the Chesapeake Bay, and the reduktiion industry. Bill Harris. Glen Allen, VA

From: [Widgeon, Zachary \(MRC\)](#)
To: [Flowers, Christopher \(MRC\)](#)
Subject: FW: Menhaden
Date: Monday, January 13, 2025 1:48:25 PM

-----Original Message-----

From: Donna Shelar <dfshelar@gmail.com>
Sent: Monday, January 13, 2025 10:07 AM
To: Widgeon, Zachary (MRC) <Zachary.Widgeon@mrc.virginia.gov>
Subject: Menhaden

Please stop the fishing of menhaden. It is not only affecting the lives of our fish but also our osprey and other birds.

Thank you,

Donna Shelar
Sent from my iPhone

From: [Widgeon, Zachary \(MRC\)](#)
To: [Flowers, Christopher \(MRC\)](#)
Subject: FW: Petition 426
Date: Monday, January 13, 2025 1:48:45 PM

-----Original Message-----

From: GARY GIORDANO <gfgiordano@verizon.net>
Sent: Monday, January 13, 2025 7:07 AM
To: Widgeon, Zachary (MRC) <Zachary.Widgeon@mrc.virginia.gov>
Subject: Petition 426

Hi Zach, how do i support petition 426 as a Maryland resident?
Thank you
Gary
Sent from my iPad

From: [Widgeon, Zachary \(MRC\)](#)
To: [Flowers, Christopher \(MRC\)](#)
Subject: Fw: Pertaining to Atlantic Menhaden - Questions
Date: Friday, January 17, 2025 7:03:33 AM

From: Sean McAndrew <mcandrewse@vcu.edu>
Sent: Thursday, January 16, 2025 11:14:59 PM
To: Widgeon, Zachary (MRC) <Zachary.Widgeon@mrc.virginia.gov>
Subject: Pertaining to Atlantic Menhaden - Questions

I hope this email finds you well!

My name is Sean McAndrew. I'm a student of environmental studies at VCU and a lifelong fisherman. I'm emailing you in regard to Chapter 4 VAC 20-1270-10, "Pertaining to Atlantic Menhaden". This proposed regulatory change was brought to my attention by my dad, also an avid fisherman. I know fishing, I know about the menhaden reduction fishery in the bay, and I know that the menhaden population isn't what it used to be. I don't know, however, how this whole Regulatory Town Hall business goes. I see the comment section, and I've left a comment. What happens next? Who ultimately decides this fate of the petition, and to what degree are comments considered in the decision-making? This whole process is a bit mysterious to me, and I hope to gain some insight. As for this proposal, I will continue to follow it with great interest.

I look forward to hearing from you!
Best,
Sean McAndrew

From: [Widgeon, Zachary \(MRC\)](#)
To: [Flowers, Christopher \(MRC\)](#)
Subject: Fw: Opposition to Petition for Rulemaking to the Virginia Marine Resources Commission Regarding Atlantic Menhaden, the Chesapeake Bay, and the Reduction Fishery
Date: Friday, January 17, 2025 4:59:43 PM

From: Ellett, Ted <tazewell.ellet@hoganlovells.com>
Sent: Friday, January 17, 2025 4:25:29 PM
To: Widgeon, Zachary (MRC) <Zachary.Widgeon@mrc.virginia.gov>
Subject: Opposition to Petition for Rulemaking to the Virginia Marine Resources Commission Regarding Atlantic Menhaden, the Chesapeake Bay, and the Reduction Fishery

Dear Sir,

I am a member of the Chesapeake Legal Alliance and the Chesapeake Bay Foundation and was asked to provide my comments on the “Petition for rulemaking to the Virginia Marine Resources Commission regarding Atlantic Menhaden, the Chesapeake Bay, and the reduction fishery.”

Comments

I strongly DISAGREE with the petition. I believe that no moratorium and no additional regulations or restrictions on menhaden fishing should be imposed until a serious, scientific-based study is performed and concludes that there is a need for a moratorium or additional regulations or restrictions.

I do not believe that menhaden are being overfished or that there is any depletion of the menhaden stock. I live on the Chesapeake Bay and I have seen no indication of any such overfishing or depletion. I see a lot of political posturing by sportfishing organizations and others that has no scientific basis in fact. Moratoriums and regulations should be based on studies, facts, serious evidence, and science, and not on political posturing.

Until serious, scientific-based studies are performed and conclude that the menhaden fishery is being overfished (which I think it is not) or that the menhaden stock is depleted (which I think it is not), moratoriums and additional regulations or restrictions on the menhaden fishery should not be imposed, and if imposed would in my view constitute an abuse of government power against a longstanding and highly reputable Virginia industry.

Sincerely,

E. Tazewell Ellett

E. Tazewell Ellett
Senior Counsel Emeritus
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From: [Widgeon, Zachary \(MRC\)](#)
To: [Flowers, Christopher \(MRC\)](#)
Subject: Fw: Menhaden Petition
Date: Monday, January 20, 2025 4:51:51 PM

From: Ben English <ben.english3@comcast.net>
Sent: Monday, January 20, 2025 3:41:34 PM
To: Widgeon, Zachary (MRC) <Zachary.Widgeon@mrc.virginia.gov>
Subject: Menhaden Petition

Mr. Widgeon, I am a resident of Virginia and I write to express my strong support for the referenced petition. Menhaden are essential to the health and well-being of the Chesapeake Bay and the many species of fish, birds, mammals and other wildlife that call the Bay home. The menhaden reduction industry has taken advantage of lax regulation and poor management of our menhaden stocks for far too long. The sole participant in this fishery is exploiting a resource that belongs to all of us for its own personal profit. In the course of doing so, they are a key contributor to the decline of many species and the overall health of the Bay. The Bay and the many people who live around it would benefit greatly from proper management of the menhaden fishery. Greater abundance of menhaden would permit the development of other business opportunities the aggregate employment and revenue generation of which would vastly exceed that of the economic benefits Virginians realize from the reduction fishery.

For these reasons, I respectfully encourage VMRC to adopt measures recommended in the petition.

Sincerely,
Ben English

From: [Widgeon, Zachary \(MRC\)](#)
To: [Flowers, Christopher \(MRC\)](#)
Subject: Fw: Manhaden proposal
Date: Saturday, January 25, 2025 2:05:30 PM

From: Edwin Doan <doanarchery@hotmail.com>
Sent: Saturday, January 25, 2025 11:18:43 AM
To: Widgeon, Zachary (MRC) <zachary.widgeon@mrc.virginia.gov>
Subject: Manhaden proposal

Where do i put my comments?

It will be difficult to immediately go to zero or 10%
all at once, for Manhaden.

I often of doing a gradual phase out for manhaden harvest..
EX.

1 YEAR.. 90% in the bay & 10 offshore 1 mile. (90/10).

2nd year 80% in the bay & 20 % offshore. (80/20).

3rd year 70/30

4th year 60/40

5th year 50/50%

then evaluate to determine effect of changes..and if more bay harvest reduction is needed.

I think a gradual transition would help with less political & economic problems...

Verizon, Samsung Galaxy smartphone

Get [Outlook for Android](#)

From: [Widgeon, Zachary \(MRC\)](#)
To: [Flowers, Christopher \(MRC\)](#)
Subject: Fw: public comments on menhaden petition
Date: Monday, January 27, 2025 9:49:33 AM

From: Jeff Odell <jeffodell1@gmail.com>
Sent: Monday, January 27, 2025 9:47:10 AM
To: Widgeon, Zachary (MRC) <Zachary.Widgeon@mrc.virginia.gov>
Subject: public comments on menhaden petition

Hi Mr. Widgeon: are you the recipient of public comments on "Petition for rulemaking to the Virginia Marine Resources Commission regarding Atlantic Menhaden, the Chesapeake Bay, and the reduction fishery"? If not, would you redirect me, please?

If so, here are mine. I **strongly support this petition**. I have seen a precipitous decline in rockfish in the bay over the past decade as a recreational fisherman. Meanwhile, industrial menhaden fishing companies seem to have unfettered access to this scarce and declining food source for rockfish and other species. (I know it's not the topic of this petition, but from my house on the Piankatank River, we've observed a noticeable drop in osprey nesting in the area.)

Respectfully,
Jeff Odell
24 Emery's Lane
Cobbs Creek VA
jeffodell1@gmail.com

From: [Grist, Joseph \(MRC\)](#)
To: [Flowers, Christopher \(MRC\)](#)
Subject: FW: Comment Letter from Menhaden Industry regarding Petition for Rulemaking
Date: Monday, February 3, 2025 4:45:15 PM
Attachments: [CLA 2025 Petition Response.pdf](#)

Chris,
Add this to the public comments for the Menhaden petition.

From: Green, Jamie (MRC) <jamie.green@mrc.virginia.gov>
Sent: Monday, February 3, 2025 4:30 PM
To: Grist, Joseph (MRC) <Joseph.Grist@mrc.virginia.gov>
Subject: Fw: Comment Letter from Menhaden Industry regarding Petition for Rulemaking

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From: Taylor Deihl <Taylor.Deihl@oceanharvesters.com>
Sent: Monday, February 3, 2025 4:19:26 PM
To: Green, Jamie (MRC) <jamie.green@mrc.virginia.gov>
Cc: Montgomery Deihl <Montgomery.Deihl@oceanfleetservices.com>
Subject: Comment Letter from Menhaden Industry regarding Petition for Rulemaking

Commissioner Green,

Please see the attached Omega Protein and Ocean Harvesters' comment letter regarding the petition for rulemaking. Would you kindly circulate this letter to the rest of your board for review?

Should you have any questions or need further information, please feel free to reach out.

Thank you,
Taylor Deihl



Taylor Deihl
Public Affairs Manager
Ocean Harvesters
+18044534762
Taylor.Deihl@oceanharvesters.com



February 1, 2025

Via Electronic Mail

Mr. Jamie Green
Commissioner, Virginia Marine Resources Commission
380 Fenwick Road - Building 96
Ft. Monroe, VA 23651

RE: Chesapeake Legal Alliance's/Southern Maryland Recreational Fishing Organization's Third Petition for Rulemaking to Harm the Virginia Fishing Industry and Communities

Dear Commissioner Green:

Ocean Harvesters and Omega Protein submit this letter in opposition to the third Petition filed in fewer than two years by two out-of-state entities, the Chesapeake Legal Alliance and the Southern Maryland Recreational Fishing Organization ("Petitioners"). These petitioners ask the Virginia Marine Resources Commission ("VMRC" or "Commission") for relief that is substantively indistinguishable from that requested in the petition VMRC rejected just one year ago. As then, Petitioners request relief which is largely unavailable and is certainly unnecessary. The VMRC should follow its prior precedent and use its unreviewable discretion to deny this petition as well.

The major action requested is to either totally or mostly exclude just the menhaden reduction fleet from the Chesapeake Bay and Virginia waters. Petitioners also seek to create a one-mile exclusion zone along the coast, a measure that excludes the bait sector and ignores the Memorandum of Agreement which the reduction sector and Commission signed. Further, having been informed last time that the VMRC lacks the resources to fund studies proposed by the Virginia Institute of Marine Science ("VIMS"), Petitioners demand that the Commission lobby the General Assembly for funds. Finally, stretching a provision of law that allows the VMRC to request data¹ beyond its legal limits, they request the VMRC to force Ocean Harvesters to fund VIMS research and install vessel monitoring systems.

The facts of the matter are that the menhaden fishery remains healthy and conservatively managed. The reduction fishery is operating at its lowest sustained levels since at least the

¹ Va. Code § 29.2-204.

1950s. In fact, in 1956, there were four reduction plants operating in Virginia and seven more in North Carolina whose vessels fished at least part of the year in the Chesapeake Bay and Virginia waters.² Coastwide, in 1956, a total of 24 reduction facilities were in operation and the fleet numbered 149 vessels. Collectively, the fishery landed 712,100 metric tons (“mt”) of menhaden that year. Today, there is one plant and six vessels catching a third of harvest from the Bay compared to the 1980s. There simply is no problem to address.

More importantly, there is no new information relevant to the Commission’s management of this fishery identified in the Petition. There is, however, a new Atlantic menhaden stock assessment underway to provide guidance for management in 2026 and beyond. Similarly, the ASMFC’s Menhaden Board has formed a work group to look at any connections between the fishery and osprey breeding success. Petitioners want to short circuit all these processes and have the VMRC make decisions on legally and scientifically unsupportable bases.

For the reasons set forth below, the Companies respectfully request that the Commission reject the current petition.

I. Petitioners Do Not Utilize the Best Available Information

Petitioners repeatedly claim that the VMRC’s decisions are required to be guided by the “best scientific, economic, biological and sociological information available.” Va. Code § 28.2-203(2). At every turn, however, they ask the Commission to ignore the best scientific information and, instead, implement arbitrary measures that have no basis in science or data.

One prominent example is the discussion of the academic debate over the proper “natural mortality” rate (or “M”) for menhaden for use in the stock assessment. Petitioners cite an “in press” academic paper that takes a different view than the peer-reviewed decision of the governmental scientific experts on the appropriate natural M for the stock. On that paper, and an alleged statement made by Dr. Rob Latour,³ Petitioners ask Commissioners to ignore the current best scientific information available for menhaden management; that is, the 2022 stock assessment.

In fact, a subgroup of the ASMFC’s Menhaden Stock Assessment Subcommittee is now reviewing the science underlying the cited study undertaken by Drs. Ault and Luo. Ultimately, those scientists will determine the appropriate M and incorporate that into the baseline assessment that will be finalized this year.⁴ That assessment will become the best scientific

² See Atlantic States Marine Fisheries Comm’n (“ASMFC”), Fishery Mgmt. Rept. No. 37, Amendment 1 to the Interstate Fishery Management Plan (“ISFMP”) for Atlantic Menhaden, at 103-04 (July 2001).

³ If Dr. Latour ever commented on the Ault/Luo estimate of M, it certainly was not at the VMRC meeting Petitioners cite. Pet. at 3 (April & June 2024 meetings). Nor is it likely that a careful scientist such as Dr. Latour would make such a claim because he understands that stock assessments dynamics are complex and the ultimate fishing mortality rate is dependent on several factors in addition to natural mortality.

⁴ The current M is based on a three-plus year tag-and-recapture study undertaken in the late 1960s when the reduction fishery was operating all along the coast. It the only natural mortality rates estimated based on empirical data. In most cases, M is derived from models based upon untestable assumptions. The Stock Assessment Subcommittee and the peer reviewers thus both saw this study as a significant advancement.

information for setting appropriate catch levels for the next few years. Meanwhile, despite Petitioners' fervent belief that VMRC should base management decisions based on a single paper that is in press, doing so would not be acting based on the best scientific information available.

Similarly, the call to eliminate or vastly constrain the reduction fishery in the Chesapeake Bay is based on nothing more than Petitioners' feeling that current levels of such harvests are too high (while not bothering to explain why harvest levels of three, four, or even, perhaps, five times greater in the past did not cause the harms they now allege from today's fishery). While it is true that the Chesapeake Bay reduction fishery cap is not based on Bay-specific reference points, it has always been empirically based.

Thus, the original 2006 cap was instituted as a precautionary measure to keep the fishery from expanding while the potential for "localized depletion" was studied. The cap of 109,020 mt was based on average catch for the preceding five years. As part of Amendment 2 to the Menhaden ISFMP, the cap was reduced by 20 percent to 87,216 mt. That reduction mirrored the 20 percent cut to average catch levels of the preceding three years (which were used to set the first quota on the fishery) based on the subsequently discovered inaccurate assumption that overfishing of the menhaden resource had been occurring.⁵ Finally, the cap was lowered again in 2017 as part of Amendment 3 in order to reallocate more quota to New England states. This cut, like the first, was based on recent average catches.

In sum, at each step, the Chesapeake Bay reduction fishery catch cap was based on data – either average catches or an assessment of the resource. Petitioners ask the VMRC to arbitrarily set the cap, either to 0 or 25 percent of current levels, based purely on nothing other than, perhaps, a desire to fatally effect the reduction sector. While precautionary management actions can be justified, they must have an empirical basis (*e.g.*, freezing the footprint of the fishery).

II. 2023 Fishery Performance is Unrelated to Resource Conditions

Petitioners make much of the fact that Ocean Harvesters' catches in the Chesapeake Bay and coastwide in 2023 were lower than 2022 harvest levels. Pet. at 3. This, along with the lack of catches in the "incidental catch" fishery is given as "evidence of the scarcity of menhaden in the Bay and along the Atlantic coast." *Id.* They are not.

First of all, reducing the prevalence of harvest in the "incidental catch" fishery – which allows targeted harvesting of 6,000 pounds of menhaden per day – was a goal of Amendment 3. This was accomplished both by taking quota share from Virginia and "reallocating" to other, mostly New England, states⁶ and by raising the quota. The fact that this loophole was not utilized in 2023 was a feature of the Amendment, not a bug.

⁵ Even at the time the 2012 stock assessment determined that overfishing was occurring, it recognized that the model had a "retrospective pattern" that consistently overestimated fishing mortality rates ("F"). The 2015 stock assessment found and corrected a number of errors, including the assumption that older fish were subject to the same F as age-3 fish (it is much lower) and that menhaden mature at younger ages. That assessment showed that overfishing was not occurring in 2012, although this myth persists.

⁶ While Virginia continues to have the largest share of the total allowable catch, that share has been based on historic and current use of the resources. Far from untoward or "excessive," this is a routine and routinely upheld

Secondly, Petitioners once again fail to recognize the management, environmental, and political factors that govern the menhaden reduction fishery. For the Commissioner’s benefit, here are the reasons the fishery underperformed in 2023:

1. Self-Restraint

After the Bay cap was set at ~87,000 mt in Amendment 2, Omega Protein/Ocean Harvesters made a conscious decision to reduce its footprint in the Chesapeake Bay to minimize user conflicts by not harvesting the full allowance. Rather than getting credit for this forbearance, the industry’s opponents succeeded in lobbying the ASMFC to further reduce the cap in Amendment 3.

Despite this experience, in 2023, the Companies signed a Memorandum of Agreement (“MOA”) with the VMRC under which it agreed its vessels would remain one mile offshore of perhaps the most productive fishing grounds in the Bay. Again, the purpose was to minimize user conflicts and address concerns of advocates, like the petitioners. And as with its prior efforts to assuage concerns, the industry’s critics keep demanding more.

The MOA had a significant impact on the fishery’s performance in 2023. In 2022, the reduction fleet caught a very large percentage of our fish in this area. In 2023, those areas were once again very productive, as bait purse seiners, who elected not to sign the MOA, discovered. Fortunately, in 2024, significant biomass of menhaden congregated in the middle and western parts of the lower Bay, as well as Virginia’s northern portion of the Bay nearer Reedville. As the tables below show, that enable the reduction fleet to recover catch lost in 2023.

Table 1:

Year	% of Bay Cap Caught⁷
2021	98%
2022	98.3%
2023	72.4%
2024	98.2%

Menhaden are a highly mobile fish that follow food and favorable environmental conditions. No two years are alike, but the areas of the lower eastern part of the Bay which were voluntarily abandoned by the fleet in 2023, has historically been the best fishing grounds.

method of allocating quota-limited fisheries resources. *See, e.g., State of New York v. Raimondo*, Civ. No. 22-1189 (2nd Cir. Oct. 13, 2023) (basing state fishery allocations based on landings is fair and equitable, promotes conservation, and does not result in excessive shares). The fact is that Virginia’s share has been continually reduced from historic levels in each reallocation since Amendment 2 was adopted.

⁷ The fishery would never take 100 percent of the cap. Because school sizes and catch levels are estimated with less than perfect accuracy, Ocean Harvesters stops its fishing efforts in the Bay when catches are estimated to be 98-99 percent of the cap to avoid an overage.

Sacrificing these areas means there will likely be some years in the future that the fishery will not catch the full Bay quota unless and until Ocean Harvesters chooses to exit this MOA.

2. Environmental and Other Factors

Another important factor at play in 2023 was the number of lost fishing days due to weather events, along with other factors. Below in Table 2 are data on lost fishing days for the past four years and the reasons the company’s vessels have been unable to fish (leave the dock). The column labeled “Bay Cap” represents days that reduction vessels cannot conduct operations in the Atlantic due to high seas, but also days that cannot be fished inside the Bay because the Bay cap has been effectively reached.

Table 2: Lost Fishing Days

	2024	2023	2022	2021
Bay Cap	82	0	0	9
Weather	163	225	154	104
Total Days Lost	245	231	154	113

By far, 2023 was the year in which most fishing days were lost to weather, about 40 percent higher than the four-year average. This increase in poor weather conditions severely impacted Ocean Harvesters’ ability to catch fish both inside and outside the Bay during the fishing season. The figures for 2024 help demonstrate how impractical it is to simply relocate the fishery to outside the Chesapeake Bay. Oceanic conditions are simply too unpredictable to allow for consistent fishing opportunities. This problem would only be exacerbated by the regulations Petitioners seek.

3. The Influence of Management and Voluntary Efforts on Catch and Areas of Operation

Petitioners allege that Ocean Harvesters’ “spotter planes are recently traveling farther to find menhaden schools,” Pet. at 3, again as “evidence” that menhaden are depleted. In fact, while the National Marine Fisheries Service (“NMFS”) can say whether or not catch is increasing in the northern range of the fishery—the Companies suspect it may have increased slightly in recent years—the reasons have nothing to do with menhaden’s stock status. Rather, the basic fact is that if the fishery loses access to some areas, such as with the one-mile voluntary buffer, it must look to other areas that, historically, may not be as productive or economical. Furthermore, in 2023, the coastwide quota increased while the Chesapeake Bay cap remained the same, leading to similar result. Finally, there are market factors that can play a role, as the older menhaden in the northern part of the fleet’s range are larger and provide better yield.

Fishermen fish where the fish are. The trend, which Petitioners want to vastly accelerate, has been increasing restraints on amount of menhaden available in areas that are both productive and economic to operate. Bad weather, lost fishing grounds, and even those “fishable” days when the fish are not visible, all present challenges to fishermen. This is why the Companies are not being hyperbolic when they say that adoption of the proposed regulations are an existential

threat to the continued operation of this 147-year-old industry. It is not the health of the stock, but the constraints on the fishery that account for a poor 2023.

III. VMRC Lacks the Power to Require Industry-Funded Science and Monitoring

Petitioners claim the Commission has authority to require Ocean Harvesters to pay half of any research costs and to adopt electronic reporting and vessel monitoring systems. Pet. at 3. For this proposition they cite to a law which states: “The Commission may collect from any source any fisheries data and information necessary to develop fishery management plans and to evaluate management options.” Va. Code § 28.2-204(A). The language of this section, by its terms, does not provide authority for the Commission to either require payments for scientific studies or purchases and use of electronic reporting or monitoring systems.

The law is very specific as to what types of information the VMRC is authorized to collect:

1. Statistics for catch and fishing efforts by species from commercial and recreational fishermen;
2. Statistics from fish processors and dealers;
3. Types of gear and equipment used;
4. Areas in which fishing has been conducted;
5. Landing places; and
6. The estimated capacity of fish processing facilities and the actual amount of fish processed at these facilities.

Id. Nothing in this law purports to or, in fact, does authorize the Commission to expend financial resources to create new information – particularly of a kind not listed – or purchase equipment for the purposes of providing such information in a particular manner.

Furthermore, Petitioners insist that any such data collected on the reduction fishery be subject to “public reporting.” Pet. at 3. This, however, is something the law does not allow. “The information collected or reported shall not be disclosed in any manner which would permit identification of any person, firm, corporation or vessel, except when required by court order. The Commission may prescribe the form and manner in which this information is reported.” *Id.* § (C).

These requests, numbered 4 and 5 in the Petition, must be denied.

IV. There is a Legally Credible Argument that the VMRC Lacks Authority to Create New Exclusion Zones

In 2020, the General Assembly transferred much regulatory authority over the Atlantic menhaden fishery to the Commission. It appears, however, that the legislature did not grant the VMRC the power to change or expand the areas in which the reduction fishery is prohibiting from operating by statute. *See* Va. Code, § 28.2-409. Thus, the major relief Petitioners (and

others) have asked for, and undoubtedly will continue to ask for – the closure of the Chesapeake Bay to reduction fishing – may well be beyond the Commission’s authority.

In 2020, the General Assembly voted to transfer authority for implementing ASMFC menhaden management recommendations from the legislature to the VMRC. That measure put this fishery on a similar footing with other Commonwealth fisheries under the jurisdiction of the VMRC. Importantly, however, the VMRC was not given plenary power over all aspects of the menhaden fishery.

The original bills, SB 791/HB 1448, would have granted the VMRC regulatory authority to alter provisions in § 28.2-409, relating to areas in which either all or larger purse seine vessels would be prohibited from operating, as well as § 28.2-410, setting forth the menhaden fishing season and minimum mesh sizes. Specifically, these bills as introduced inserted the clause “*or as otherwise provided by regulation*” in the first sentence of each section, thereby vesting in VMRC the power to alter these provisions.

However, during the 2020 regular session, these bills were amended to remove language allowing for regulatory changes to existing closed fishing areas created by statute.

As explained by then Secretary of Natural Resources Matt Strickler during the Committee hearing, “*the original version of the bill included language that said, except as provided in this provision or as otherwise provided by regulation. We’ve stricken that provision and that’s just to ensure that the sections of code that outlines the places where Menhaden fishing is and is not allowed is not something that is modified by this bill.*”

Thus, it would be fruitful and protective of the Commission’s limited staff and time resources to have counsel confirm this understanding of the relevant legal authorities.

V. Misstatements and Misrepresentations by Petitioners

Despite engaging with these processes for a matter of years, Petitioners continue to misrepresent and misunderstand basic facts about the fishery and the law. As one basic example, for the second year in a row, they have filed a petition in December necessitating the VRMC to address menhaden issues outside the legal period in which such matters may be considered. *See* Va. Code § 28.2-201. Here are other material misrepresentations:

- **New Jersey does not ban purse seines.** *See* Pet. at 2. New Jersey has the second largest quota and a majority of the menhaden harvested in that state is harvested by purse seine gear.
- **Virginia’s share of the menhaden quota is not “disproportionate.”** Pet. at 2. Another red herring is the so-called “disproportionate harvest” from Virginia waters. In fact, both in absolute and relative terms, the amount of harvest coming from the Commonwealth has been historically low due to management actions. For example, when the ASMFC adopted its first coast-wide quota and allocated among the states in 2012, Virginia was granted 85.32 percent of the total allowable catch. This allocation was based on average

catches from 2009-2011. After two cuts to Virginia’s share, the Commonwealth’s current allocation is only 75.21%.

- **The concept of “local populations” – used in the Petition both in the context of the New York Bight (supposedly “remarkably recovered”) and in the Bay – are nonsensical.** Pet. at 2. Atlantic menhaden comprise a unitary, migratory population that stratifies by age. Thus, if there are more age-3 and -4 menhaden in the New York region, it is not because of limitations on purse seining, but rather because of growing numbers of age-0 to age-3 fish from the Chesapeake Bay maturing and migrating to that region. This is exactly opposite of what CLA claims.
- **There is no science to support the notion that menhaden numbers in the Chesapeake Bay are lower than at times past.** Pet. at 3. Petitioners state: “Osprey reproductive success in the Chesapeake Bay has plummeted in lockstep with the 10-fold decline in a key menhaden abundance index since the 1980s (Watts *et al.*, 2024).” The Petitioners fail to acknowledge that this paper by Watts – specifically, the supposed index of menhaden abundance in the Chesapeake Bay – was found to be flawed by well-respected VIMS researchers who understand the science and data behind it. There is no such index.
- **Striped bass are in trouble because the stock has been overfished at a time when recruitment of juveniles has been low due to environmental factors.** In fact, it is beginning to look like the 1980s. During that period, striped bass were also (even more) depleted and the environmental conditions that disfavored striped bass recruitment in the Chesapeake Bay strongly favored menhaden recruitment. Thus, we have now seen two years of great menhaden recruitment.

####

Petitioners want to short circuit ongoing scientific and management process, encouraging the Commission to act on the personal preferences of some, rather than science and data. The fact is that the current stock assessment is near completion. The Atlantic Menhaden Stock Assessment Subcommittee has formed a subgroup to assess Dr. Ault’s and Luo’s research and will make a determination as to the best estimate of M. That determination, once adopted by the ASMFC’s Menhaden Board, will constitute the best available science. In accordance with the authorities governing both the ASMFC and VMRC, that determination – and not the musings of recreational fishing advocates and their lawyers – will be used to guide recommendations for appropriate catch levels for the next one, two, or three years.

As such, the Companies respectfully request that the VMRC deny this Petition.

Sincerely,

/s/ Montgomery Deihl
Montgomery Deihl
Chief Executive Officer
Ocean Harvesters

/s/ John Held
John Held
Executive Vice President-General Counsel
Omega Protein, Inc.

Public Petition for Rulemaking: 426

Commenter	Title	Comment	Date/ID
Phil Zalesak, Southern Maryland Recreational Fishing Organization	Petition for Rule Making regarding the Management of the Atlantic Menhaden Reduction Fishery	<p>I fully support the petition for the following reasons:</p> <ul style="list-style-type: none"> • There is no science supporting the allocation to Virginia of over 75% of the total allowable catch of Atlantic menhaden for the entire Atlantic Coast. • There is science documenting the direct relationship of Striped Bass mortality rate and Atlantic menhaden mortality rate (overharvesting) in a localized area. Localized depletion of Atlantic menhaden has been an issue with the ASMFC for over 20 years, explicitly defined in 2009, and quantified in 2019. • There is empirical data documenting the poor performance for six consecutive years of Striped Bass juvenile young-of-year index in the Maryland Chesapeake Bay. The recent index has been running from 1.0 to 2.0 compared to long time average index of 11.0. • The commercial value of Striped Bass is 2 to 3 times the commercial value of Atlantic menhaden. In 2023 the Potomac Rive Striped Bass dock revenue was \$1.25 million dollars and the Atlantic menhaden revenue was \$0.43 million dollars. Further, the per pound revenue value of Striped Bass was \$3.36 versus \$.21 per pound for Atlantic menhaden. Striped Bass was 16 times more valuable than Atlantic menhaden on a per pound basis. • There is NOAA empirical data documenting an 80% decline in the recreational harvest of Striped Bass in Maryland waters since 2016. In 2016, the GDP associated with the recreational harvest was over \$800 million dollars and over 10,000 jobs. An 80% decline in recreational harvest of Striped Bass has cost the State of Maryland millions of dollars annually as well as thousands of jobs since 2016, • Finally, decades of science and empirical data document the decline of osprey which nest in the main stem of the Chesapeake Bay. Their reproductive rate needs to be 1.15. It's currently 0.6. The osprey species is currently not sustainable in the main stem of the Chesapeake Bay. 	1/13/25 6:36 am CommentID:229122
Keith Harmon	Rid the blue fleet from the bay	<p>Stop them from over harvesting our precious bait and bay food</p> <p>Please pretty please we know you get \$\$ from this</p>	1/13/25 8:32 am CommentID:229123

		so stop	
GLENN PERRYMAN	Petition for Rule Making regarding the Management of the Atlantic Menhaden Reduction Fishery	<p>I fully support the petition for the following reasons:</p> <ul style="list-style-type: none"> • There is no science supporting the allocation to Virginia of over 75% of the total allowable catch of Atlantic menhaden for the entire Atlantic Coast. • There is science documenting the direct relationship of Striped Bass mortality rate and Atlantic menhaden mortality rate (overharvesting) in a localized area. Localized depletion of Atlantic menhaden has been an issue with the ASMFC for over 20 years, explicitly defined in 2009, and quantified in 2019. • There is empirical data documenting the poor performance for six consecutive years of Striped Bass juvenile young-of-year index in the Maryland Chesapeake Bay. The recent index has been running from 1.0 to 2.0 compared to long time average index of 11.0. • The commercial value of Striped Bass is 2 to 3 times the commercial value of Atlantic menhaden. In 2023 the Potomac Rive Striped Bass dock revenue was \$1.25 million dollars and the Atlantic menhaden revenue was \$0.43 million dollars. Further, the per pound revenue value of Striped Bass was \$3.36 versus \$.21 per pound for Atlantic menhaden. Striped Bass was 16 times more valuable than Atlantic menhaden on a per pound basis. • There is NOAA empirical data documenting an 80% decline in the recreational harvest of Striped Bass in Maryland waters since 2016. In 2016, the GDP associated with the recreational harvest was over \$800 million dollars and over 10,000 jobs. An 80% decline in recreational harvest of Striped Bass has cost the State of Maryland millions of dollars annually as well as thousands of jobs since 2016, • Finally, decades of science and empirical data document the decline of osprey which nest in the main stem of the Chesapeake Bay. Their reproductive rate needs to be 1.15. It's currently 0.6. The osprey species is currently not sustainable in the main stem of the Chesapeake Bay. 	1/13/25 8:34 am CommentID:229124
Christopher Morgan	Bring the larger Menhaden Back	<p>I have lived on the St. Mary's River for 8 years and have noticed a steady decline in the number of Atlantic Menhaden in our local waters. The fewer and smaller schools that I have come across are juveniles. This leads me to believe that when harvesting the smaller fish are able to escape through the nets being used. We need to ensure that there is an abundance of this species because so many species of fish and birds rely on them as a food source. Stop! the overfishing</p>	1/13/25 8:46 am CommentID:229125

		of Atlantic Menhaden	
Anonymous	STOP the harvesting of Menhaden	Commenting for purpose.... I am in favor of stopping all harvesting of menhaden from the Chesapeake, mouth of the Chesapeake, and surrounding VA waters. The overharvesting done by Omega Protein, which benefits that corporation and not the citizens of VA or MD has to stop. The damage being done to the ecosystem is undeniable.	1/13/25 8:57 am CommentID:229126
Jeffrey Stevenson/Member - Southern MD Recreational Fishing Organization	Support of the Petition limiting menhaden harvesting	I support the petition measures limiting the harvesting menhaden in the VA waters of the Chesapeake Bay. Current harvesting of this key forage fish is doing unreversable damage to other critical marine resources.	1/13/25 8:58 am CommentID:229127
Charles Wilhoite Charter Captain (retired)	Menhaden Petition	I support any petition/legislation that bans Omega Protein from fishing in the Chesapeake Bay or within 1 nautical mile of Virginia coastline.	1/13/25 9:22 am CommentID:229128
John Tyson	Moving the removal of menhaden out of the bay.	When charter boat captains from Deltaville and Gwynn's island are having to go to the Maryland line to catch stripers, you know there's a problem in the bay! The blue boats get their bay cap, then sit outside the bay bridge tunnel and keep any menhaden from coming into the bay until they are shut down in mid December!	1/13/25 9:43 am CommentID:229129
John Hardison	Ban the harvesting of Menhaden in the Chesapeake Bay and Atlantic Costal Waters!	Virginia's irresponsible mismanagement of the Menhaden population by allowing overharvesting, has decimated native species throughout the Chesapeake Bay Watershed. While states work to clean up pollution entering the Bay, Virginia's policies are literally starving the life out of the Bay. Stop it! If someone shoots an Osprey they go to jail. If you starve it to death, you get a campaign contribution. Virginia's policies are at best 'penny wise and pound foolish' economically and at worst a crime against nature when it comes to preserving vital natural resources.	1/13/25 9:56 am CommentID:229130
Vickie Tyson	I support this.	I support this.	1/13/25 10:50 am CommentID:229132
Ann DeVaul	Support for limiting menhaden reduction fishing in the Chesapeake Bay	I support the petition measures limiting the harvesting of menhaden in the VA waters of the Chesapeake Bay. It is imperative to the health of the bay that Virginia to join every other state on the East Coast in protecting the menhaden population and limiting the number of fish that reduction fishing can take from the bay and within several miles outside the mouth of the bay. The frequent net tears and spills, the massive amount of "accidental" by-catch, the tons of seaweed that wash up after the Omega ships have come through, and the clear decline of osprey and sport fish all signal the immediate need for better management of the fishery, including studies not funded by the company that has the most to lose with better regulations.	1/13/25 10:51 am CommentID:229133
Emma	Stop Omega Protein	I support the petition and a ban on Omega Protein	1/13/25 10:56 am

		fishing our Menhaden from the Chesapeake Bay. Please place an immediate stop and ban during 2025. Do not let this go on any longer. Stop before more damage is done. PLEASE!!!	CommentID:229134
Anonymous	Stop overharvesting of mennhaden	The overharvesting caused ospreys not having enough food.	1/13/25 11:15 am CommentID:229136
Richard Wilkerson	Stop the greed	Controlled balance is needed for this important species!	1/13/25 11:28 am CommentID:229137
martin a barley, DDS	Why are we supporting a Canadian company's greed?	Don't kill these "trash fish" because they are a gourmet feast for our stripers!	1/13/25 12:06 pm CommentID:229138
Robert Mullen	Stop Menhaden reduction fishery	Stop the Menhaden reduction fishery ! Fishery regulators please step up and do your job . This is ridiculous that the public has to spend so much time asking public officials that get paid to wake up and regulate a critical species . Maybe a national news channel should start covering this story .	1/13/25 1:15 pm CommentID:229139
Dennis Burton	Menhaden	Please help stop the harvesting of men Haden in the chesapeake bay. I have fished the bay for 60 plus years and the amount of men Haden has been declining for years along with the number of rockfish. To counter the effect of the ban on the people who harvest the menhaden, pay them the amount that they claim on their taxes. thanks for your support, Dennis Burton	1/13/25 1:41 pm CommentID:229140
Anonymous	lack of bunker	here in northern nj and the Long Island sound there has been a lack of bunker for the past 2 years. they used to be so thick in the sound you could not avoid running over them in my boat not the past 2 years almost none. HELP	1/13/25 2:36 pm CommentID:229141
Arthur Conway	Menhaden are in trouble	As a retired college and university biologist, and more recently as a retired fishing guide, I am very concerned about the condition of the menhaden stocks in the Chesapeake Bay. As a result, I support the petition. When a forage fish stock such as menhaden is depleted to a level that it is negatively impactation predators, as appears to be the case with reduced striped bass stocks and severely reduced nesting success in ospreys in the Chesapeake region, the message is clear.	1/13/25 3:15 pm CommentID:229142
William E Buklad	sea feeding birds in decline - sport fishing limits keep getting worse	Omega had only three hits in the Middle Bay this summer before they gave up and moved operations to Delaware Bay, to wipe out the populations heading north, and later in the summer off the Virginia Capes, to catch everything trying to move seasonally back to the Bay. There model is failing, and it is doomed. Meanwhile, the pelicans who showed up in 2018 (Omega study) are long gone from Gwynn. Tarpon fishing in Anne Arundel? Yeah, the large fish are all way out of range, desperate to find food. Porpoise	1/13/25 3:31 pm CommentID:229143

		activity is down off Gwynn, but they are up the rivers near the salt-fresh water split. . The Gannett did not fly through the Bay this year. More fish limits! It's headed one way downhill for every fish species. No other explanation is credible - but Omega's greed and political timidity. I saw with my own eyes a lone Osprey trying and failing to catch mehaddden fry near the shore in July, they were fingerlings, too small to catch for them. The osprey caught nothing all day as I watched.	
Kevin Smith	Menhaden	VA should not allow the industrial reduction of the key stone species (bunker) that provides the foundation of the food for many of the creatures in and around the Chesapeake Bay	1/13/25 3:43 pm CommentID:229144
William Dunkin	I support this petition	I am a recreational boater and fisherman with a home and boat on the Potomac. I fully support this petition and hope Virginia will shut down the harvesting of Menhaden in the Cheasapeake Bay. It's damaging our native fish and birds.	1/13/25 4:27 pm CommentID:229145
John Talley	Menhaden regulations	The Chesapeake Bay is a estuary,stop the harvesting of Menhaden. A foreign company is not covered by the first ammendment.	1/13/25 5:20 pm CommentID:229146
Diana Davis	End OVERHARVESTING OF ATLANTIC MENHADEN IN VIRGINIA WATERS	End overharvesting of Atlantic menhaden in Virginia waters. They are critical forage fish for Striped Bass, osprey, and mammals dependent on Atlantic menhaden for their survival. Stop allowing corporations to destroy the ecosystem for profit; preserve, protect, and promote this natural habitat.	1/13/25 6:43 pm CommentID:229147
Mike Cummings	Support of Petition	I support this petition.	1/13/25 6:47 pm CommentID:229148
Mitchell Turnage	I support this petition	I am a recreational fisherman from Williamsburg Va and I support the proposed menhaden regulations and studies to support a healthy Chesapeake bay ecosystem. The bay and its wildlife depend on healthy baitfish populations and is an important economical and cultural resource for Virginians	1/13/25 7:01 pm CommentID:229149
Anthony Pucci	End overharvesting of menhaden now!	These commercial boats are not only taking a very important part of the Atlantic Ocean's ecosystem, but the by catch of Striped bass is devastating. They are netting while the Striped bass are on their spawning run to the north. The bass are mixed in with the Menhaden.	1/13/25 7:45 pm CommentID:229150
Chris Holtry	Protect Menhaden and the Bay!	It is our responsibility as the ones who let this get to the dangerous point it has reached to make amends with the ecosystem of the Bay. This is the first step. The companies responsible for the overfishing have been donating to campaigns on both sides of the aisle for years and anyone in office who respects the wishes of their constituents will say enough is enough. Stop the overharvesting and trust science, not bribery. Thank you!	1/13/25 8:21 pm CommentID:229151
Brian Vallandingham	I support this petition.	If you wipe out all the bait you will have no fish. Cut all this crap out. While your at it cut all nets out too. Greed is killing the ecosystem. We are running out of Natural Resources!	1/13/25 8:27 pm CommentID:229152

Julie V. Kacmarcik-Richmond Audubon Society Conservation Chair	I support this petition Preserve Virginia's natural resources. Stop the menhaden harvest.	Menhaden harvesting in the Chesapeake Bay must stop. It is time for Virginia to get on board with the rest of the east coast and halt the overharvesting of a prime natural resource in the Bay, menhaden. Osprey are starving as the their main food source is being stripped away from them by the greed and self serving entitlement of industry to send the menhaden to Canada to feed farm raised salmon. The purse seine nets used to capture millions of tons of menhaden are indiscriminate and catch anything that is in their reaches...turtles, dolphins, red drum. Anything. Stop the calamity!	1/13/25 11:39 pm CommentID:229153
Wendall Winn	I support the Petition	I support this petition. There are way to many menhaden being removed from the chesapeake bay and virginia waters.	1/14/25 5:52 am CommentID:229154
Nina Haeringer	I support the petition	Limit menhaden overfishing. Save the osprey.	1/14/25 7:31 am CommentID:229155
Dennis A. (Denny) Lott	Atlantic Menhaden	While proper study has not been done yet, evidence of localized depletion of Atlantic Menhaden in the Chesapeake Bay is clear. Reduced stocks of striped bass and other game fish within the estuary, along with low Osprey hatch rates point to inadequate forage fish for a number of species that rely primarily on Menhaden for their survival.	1/14/25 8:19 am CommentID:229156
Richard Rollick	I support the petition.	I have lived in the area all my life and although I have no scientific proof there is a large amount of antidotal proof that points to over fishing of any species causes a major issue with the bay and surrounding waters health. It's been proven again and again with the moratoriums that have been put on other species and their recovery. When you remove a major cog in the food chain you affect the whole chain and that's what the politicians are allowing with the menhaden harvesting. The bay will be healthier and happier if the menhaden is left alone. Any politician who does not agree with is NOT interested in keeping the bay healthy.	1/14/25 11:43 am CommentID:229157
Frederick C. Menage, Jr.	Stop the Netting!	Commercial fishing nets are killing the fish life in the Chesapeake Bay not just the targeted species of Menhaden but game fish, striped bass, red drum, cobia, blue fish and others. Fishing regulations have limited the size and number of recreational fishers of many species that populate our waters because of over fishing but the number of fish killed by commercial netters far out numbers the fish caught by recreational fishermen. When comparing the cost benefits of commercial Menhaden fishing to the costs of recreational fishing, there is no comparison. SAVE THE BAY! Clean up the waters and the wild life will prosper and survive.	1/14/25 12:52 pm CommentID:229158
Jesse King	Harvest of Atlantic Menhaden in Virginia waters	I am in agreement with the partition. Please lower harvest limits so proper studies can be done showing the impacts of the lack of menhaden has on these waters. The immediate lowering of harvesting would give scientists and water quality specialists the	1/14/25 12:56 pm CommentID:229159

		ability to see how having more menhaden in these waters affects the other fish and wildlife. Also by having more of these forage feeding fish this can help filter the bays waters creating a healthier environment in the Chesapeake Bay. Thank you.	
Andrew Waikart	I Support this Petition	Please stop the harvesting of menhaden and preserve the health of the Chesapeake Bay!	1/14/25 1:15 pm CommentID:229160
Kathy Lambrow	In Support of the Petition for Rulemaking	Please impose the moratorium on reduction fishing for menhaden within the Chesapeake Bay until all studies have been completed and considered. Current independent scientific studies have shown that the Menhaden population has declined due to overfishing and is severely impacting the wildlife (Ospreys) and other fish species (Rockfish) who depend upon them as a food source. This has a major impact on all industries that rely on these species and action is necessary now to preserve the Bay ecosystem.	1/14/25 3:22 pm CommentID:229161
Jeffrey Zuravleff	I support this Petition for a moratorium on menhaden reduction in the bay.	I support and will contact my congressperson	1/14/25 4:56 pm CommentID:229162
Lynn Zuravleff	I support this petition	This is long overdue	1/14/25 4:59 pm CommentID:229163
Neil Cramsey	Stop the nets	I support the petition.	1/14/25 6:12 pm CommentID:229164
Matt Wheeler	I support the moratorium	I support the moratorium	1/14/25 9:06 pm CommentID:229165
Robert pollard	Menhaden	I support the petition.	1/15/25 9:54 am CommentID:229166
Terri Cuthriell	I support this petition	There are many indicators (prey species population decline — osprey, striped bass, etc.) that menhaden is being fished beyond the capacity of the Chesapeake Bay. These indicators are well known and have been published for many years. All requests made in this petition are needed. A study of the Bay ecology re: menhaden should be done including Osprey as an Ecological Reference Point for the menhaden species.	1/15/25 10:03 am CommentID:229167
John Bello	Menhaden	I am in total support of this petition. VMRC and this administration have long ignored their responsibility under the PublicTrust Doctrine and code of Virginia, to manage menhaden for all citizens of the commonwealth and not a singular company. The industry says there is no science to support not harvesting menhaden in the Chesapeake Bay. I say there is no science to support continuing the harvest in the bay. So, let's give them the science. Shut down the industrial harvest, fund the previously proposed study, and live by the results of the study.	1/15/25 10:21 am CommentID:229168
Dr. Steven Zalesak	End Industrial Purse Seine Harvesting of Atlantic Menhaden in the Chesapeake Bay	Imagine walking down to the shore of the Chesapeake Bay one morning and seeing a distressing sight: dead fish floating in the water as far as you can see. You get out your binoculars and, finding you can see one mile in all directions over the water, start counting. It takes quite a while, but when you are done you are astounded: 293,000 fish! And these are not small fish. You pick one up and weigh it - half a pound. Not small at all. How could this happen? Is your part of	1/15/25 11:05 am CommentID:229169

the Bay dying?

You call a neighbor 5 miles away who also lives near the Bay and ask him what he sees. A little later he calls back. He sees the same thing. Furthermore, he has called his neighbors and they are all seeing the same thing. Later you learn that this fish kill is not just localized to your extremely small part of the Bay, but afflicts the entire Chesapeake Bay. The entire Chesapeake Bay, all 4,470 square miles of it, is completely covered with dead Atlantic Menhaden, spaced an average of 4 yards apart in all directions!

The nightmare I just described is not fiction. It happens every year as a result one one single human activity: industrial purse seine fishing targeting Atlantic Menhaden. I suspect that most people cannot conceive of any fishing technique that would allow a modest number of boats (and planes) to capture that many fish in only a year over a body of water as large as the Chesapeake Bay. This enormous number is the consequence of the perfect storm of three factors: 1) the unfortunate habit of Atlantic Menhaden to gather in a small number of compact "pods"; 2) the fishing technique known as purse seine capture whereby a small number of boats can completely surround a pod and capture virtually the entire pod at once. (This works well as long as you don't mind also killing the other fish that are feeding on the Menhaden at the time ("bycatch"), and as long as you don't mind damaging the bottom of the Bay with your nets); and 3) Airplane "spotters" that can easily spot any pods that you may have missed anywhere in the Bay, and send your boats there to capture them too. Given the above perfect storm of factors, it is not difficult to imagine a small fleet of ships and planes capable of significantly reducing the Atlantic Menhaden population in the Chesapeake Bay. Which is precisely what is happening

The Atlantic menhaden has been called "the most important fish in the sea" and the Chesapeake Bay is certainly the most valuable estuary in the United states. We can no longer allow this anachronism of industrial purse seine fishing to destroy this most important fish and this most valuable estuary.

I support this petition with all my heart.

Dr. Steven T. Zalesak

Moseley, VA

Bob Mandigo

Menhaden need our help

Take the pressure from menhaden fishing in Virginia until there is valid data from the study on the Chesapeake Bay.

1/15/25 11:31 am
CommentID:229170

Capt. Mike Ostrander

100% Support this Petition

I 100% support this petition.

Due to the lack of managing commercial menhaden

1/15/25 11:32 am
CommentID:229171

fishing in the Chesapeake Bay by the VMRC and the Governor of Virginia, change is needed. Due to the lack of managing menhaden in the Chesapeake Bay, by the ASMFC, dire change is needed in the commercial. purse seine menhaden fishery.

Reductions in annual commercial menhaden catches would have been nice to see, years ago. By now, changes to the Bay's ecosystem could have started to show positively. But now, as the environmental indicators, striped bass and osprey show, we are losing the battle with single minded, everything is OK attitude.

It's not OK, hence the importance of this petition. The science shows osprey are suffering breeding problems worse than the height of the DDT disaster. The science shows striped bass are again falling to historic lows.

Take the keystone species (menhaden) out of the ecosystem, without giving it a chance to rebound, what do you expect?

I fully support this petition and honestly do not expect VMRC to do a thing about it. Excuses will be found until they are compelled to make change. By God or by Governor.

John morecock	Support of 426	I support this petition, Time to stop fishing the nursery.	1/16/25 10:24 am CommentID:229173
Jamie McConnell	I support this petition	I support this petition	1/16/25 11:36 am CommentID:229176
John Briscoe	I support petition and to limit depletion of menhaden population	Stop the overfishing of menhaden!	1/16/25 11:45 am CommentID:229177
Patrick McAloon	I support this petition to reduce menhaden fishing in Virginia	<p>A petition for rulemaking has been requested by the petitioners for the following:</p> <ol style="list-style-type: none"> 1.Impose an immediate moratorium on reduction fishing for menhaden within the Chesapeake Bay, or in the alternative, reduce all purse seine fishing within the Chesapeake Bay to 10% of the current total allowable landings, thereby preserving the bait-fishery, to remain in place until completion and peer review of the ongoing ASMFC single-species and ecological reference point benchmark stock assessments. 2. Limit purse seine fishing in state waters to no more than 25% of Virginia's current total allowable landings (approximately 39,000 metric tons, of the 156,600 allotted to the reduction fishery), with the remaining harvest to be taken outside of Virginia waters (i.e., federal waters). This limit should remain in force until appropriate estimates of menhaden seasonal stocks within the Bay and a clear understanding of the effects of their removals are available. 3.Create a permanent 1-nautical mile purse seine exclusion zone along Virginia's entire shoreline to minimize localized depletion, user conflicts, habitat 	1/16/25 12:11 pm CommentID:229178

		<p>damage, and bycatch.</p> <p>4. Formally request funds from the General Assembly to expand the VIMS Research Planning proposal to study the impacts of reduction fishing on the Bay ecosystem, with at least 50% of costs to be covered by the industry.</p> <p>5. Require comprehensive monitoring and public reporting of the reduction fishery, including electronic reporting and vessel monitoring.</p>	
Michael Collins	Menhaden Fishery	I support this petition.	1/16/25 12:28 pm CommentID:229179
Wendy Sundquist	I Support this bill 100%.	I support this bill 100%. Thank you	1/16/25 12:32 pm CommentID:229180
Bill Harris	Petition for rule making to VMRC regarding Atlantic menhaden, Chesapeake Bay, reduction industry	I fully support this petition	1/16/25 12:41 pm CommentID:229181
Polly McConnell	I support this	I support this	1/16/25 1:04 pm CommentID:229182
Bettye Maki	Menhaden Numbets Down	<ol style="list-style-type: none"> 1. The Osprey are having trouble raising chick's. It appears to be related to the low menhaden population. It must be obvious to those individuals who monitor the Atlantic coast fisheries that the numbers of this keystone species of fish is scarce because of over-fishing. 	1/16/25 1:05 pm CommentID:229183
Lyell Gallagher	I support this petition	I support this petition.	1/16/25 2:00 pm CommentID:229184
Gary Seale	I support this petition	I am in support of this petition	1/16/25 3:00 pm CommentID:229185
Andrew Thompson	Petition	I support this petition	1/16/25 3:02 pm CommentID:229186
Senator Jack Bailey	Protect the Menhaden Population in the Chesapeake Bay!	It is vital that we protect the menhaden population of the Chesapeake Bay. The Bay is the nursery for the Atlantic Coast striped bass and should be recognized as such. The reduction fishery in the Chesapeake Bay threatens the population of fish species like striped bass, trout, drum, shad, and bluefish, all of which have seen alarming trends in their populations. This, in turn, threatens the billions of dollars in economic impact and the tens of thousands of jobs that are associated with both commercial and recreational fishing of striped bass. I am proud to support this effort to preserve menhaden in our waterways, as I have during my tenure in the Maryland Senate.	1/16/25 3:06 pm CommentID:229187
Eric Moholt	I support this petition	I support this petition	1/16/25 3:07 pm CommentID:229188
Anonymous	I support this petition	I support this petition	1/16/25 4:11 pm CommentID:229189
Eddie McAndrew	Menhaden are a	There are far too many benefits that Menhaden	1/16/25 4:29 pm

	<p>cornerstone species of the bay and need to be protected. I support this petition.</p>	<p>provide to go into them all, but to cite a few...</p> <p>Menhaden are a cornerstone species of the bay and they are central to a healthy Chesapeake Bay. They are often referred to as the "most important fish in the sea" due to the critical role they play in the ecological health of marine ecosystems, including the Chesapeake Bay. As a cornerstone species, menhaden play a vital part in maintaining the balance of the Bay's food web, supporting biodiversity, and ensuring the overall health of the estuary.</p> <p>Menhaden are filter feeders, consuming plankton and other microscopic organisms. By feeding on these primary producers, menhaden help regulate algal blooms, which can otherwise lead to oxygen-depleted zones (dead zones) in the Bay. Their feeding behavior contributes to water clarity and improved light penetration, supporting the growth of submerged aquatic vegetation critical for other species.</p> <p>2 of the many Environmental Benefits that menhaden provide are 1. Water Quality Improvement. Menhaden filter vast quantities of water each day. An individual fish can filter up to four gallons of water per minute, removing excess nutrients like nitrogen and phosphorus. This natural filtration system helps mitigate the impact of nutrient pollution from agricultural runoff, urban development, and other sources. 2. Habitat Support - Improved water quality resulting from menhaden activity enhances habitats for other species. Seagrass beds, for example, benefit from the clarity provided by menhaden, offering essential breeding and nursery grounds for various aquatic life forms.</p> <p>Please support the life of the bay by supporting this petition!</p>	<p>CommentID:229190</p>
<p>Sean McAndrew, Virginia Commonwealth University</p>	<p>Protecting menhaden means protecting the Chesapeake Bay and those who depend upon it.</p>	<p>Protecting menhaden means protecting the Chesapeake Bay and the lives and livelihoods of those who depend on it for food and income. Menhaden are a keystone species. This means that, by feeding on the tiniest of sea creatures, these oily, protein-rich fish help to form the base of the entire food web of the Chesapeake Bay and the Atlantic Ocean – creatures big and small, from blue crabs to striped bass to humpback whales, rely on these fish as a primary source of food at every stage of life. Menhaden are also integral to the water quality of the Chesapeake, being prolific filter feeders.</p> <p>In 2016, NOAA indicated that “the commercial seafood industry in Maryland and Virginia contributed \$1.4 billion in sales, almost \$539 million in income, and more than 30,000 jobs to the local economy.” This entire industry relies on a stable, healthy Chesapeake Bay, and the Chesapeake Bay cannot be healthy without a stable, healthy menhaden population.</p>	<p>1/16/25 8:41 pm CommentID:229191</p>

Anonymous	menhaden	full support for this petition	1/17/25 7:48 am CommentID:229192
William Dunn	I support this petition 100%	It's time for change in the way we regulate this fishery so that the Chesapeake Bay, the largest estuary on the east coast, can survive.	1/17/25 11:51 am CommentID:229196
Taylor H Deihl	I do NOT support this petition	<p>I am writing to express my strong opposition to the petition for rulemaking currently under consideration. This petition represents yet another attempt to unnecessarily harm the historic menhaden reduction fishing industry, which has supported countless rural Virginia families for nearly 150 years.</p> <p>Ocean Harvesters and Omega Protein, two of the largest private employers in the Northern Neck area, provide vital jobs to many. Management decisions that are not grounded in science could deeply harm these multigenerational employees and their livelihoods. Beyond supporting employees and families, this industry also serves as a major economic engine for our community and many other Virginia localities. It sustains a broad network of vendors essential to its operation and contributes to charitable efforts across the region.</p> <p>I strongly urge the Virginia Marine Resources Commission to reject this petition and carefully consider the long-term effects it would have on our community, economy, and the well-being of the families who rely on this industry.</p>	1/17/25 2:36 pm CommentID:229197
Matthew Lee	I support this petition	I support this petition	1/17/25 2:42 pm CommentID:229198
Kenneth Loving	Do Not Support Petition	As a 60-year employee of Omega Protein, and now Ocean Harvesters, I can say that the harvest of menhaden in the Chesapeake Bay is lower now than in history due to 'precautionary regulations' which are admittedly not even based on science. The science is strong that striped bass fishery is experiencing overfishing regularly year after year and trying to blame menhaden fishing for lack of striped bass lacks any scientific support. Look at the example when striped bass were being overfished in the 1980s; a complete moratorium was placed on striped bass fishing and within a few years that stock was declared 'completely recovered', yet during that period menhaden fishing in the Bay was harvesting 150,000 metric tons yearly while today the regulated harvest cap in the Bay is only 51,000 metric tons. Look at the ASMFC Menhaden Stock Assessment and then look at the Striped Bass Stock Assessment and there's the science	1/17/25 2:49 pm CommentID:229199
Frances Loving	Do Not Support Petition	I do not support this action	1/17/25 2:52 pm CommentID:229200
Jessica Freeze	I do NOT support this petition!	<p>I am writing to express my strong opposition to the petition for rulemaking currently under consideration. This petition represents yet another attempt to unnecessarily harm the historic menhaden reduction fishing industry, which has supported countless rural Virginia families for nearly 150 years.</p>	1/17/25 2:55 pm CommentID:229201

		<p>Ocean Harvesters and Omega Protein, two of the largest private employers in the Northern Neck area, provide vital jobs to many. Management decisions that are not grounded in science could deeply harm these multigenerational employees and their livelihoods. Beyond supporting employees and families, this industry also serves as a major economic engine for our community and many other Virginia localities. It sustains a broad network of vendors essential to its operation and contributes to charitable efforts across the region.</p> <p>I strongly urge the Virginia Marine Resources Commission to reject this petition and carefully consider the long-term effects it would have on our community, economy, and the well-being of the families who rely on this industry.</p>	
Hannah Rosas	Do Not Support Petition	Do Not Support Petition	1/17/25 2:57 pm CommentID:229202
Omega Protein	I do NOT support this petition	I do NOT support this petition	1/17/25 2:57 pm CommentID:229203
Emily Sprague	I do Not support this petition	I do NOT support this petition	1/17/25 2:58 pm CommentID:229204
Jane B. Crowther	I DO NOT SUPPORT THIS PETITION!	I do not support this petition!	1/17/25 3:01 pm CommentID:229205
Diane Davis	I DO NOT support this petition	<p>I do not support this petition.</p> <p>While I don't have any immediate family who work in the menhaden fishing industry I was born and raised in Reedville and have seen the impact the menhaden fishery has made in our community and the broader community. It seems like there are more and more petitions such as this that merely want to see Ocean Harvesters and Omega Protein close their doors based off of emotions instead of science. The individuals who continue to go after this fishery have no idea the impact it would have on countless families who have been involved in the business for generations.</p> <p>Please reject this petition.</p>	1/17/25 3:02 pm CommentID:229206
Dalton Jewell	I Do Not Support This Petition	I Do Not Support This Petition	1/17/25 3:03 pm CommentID:229207
Joan Pittman	I do not support this petition	I do not support this petition	1/17/25 3:04 pm CommentID:229208
Michael Dameron	Absolutely absurd proposal can't fix what isn't broken, I do not support	There is no scientific need for a proposal of this magnitude or any at all. Menhaden are not suffering from overfishing or predation. Menhaden are at an all-time high thanks to current management and there is no need to change what is already working just to please certain interests who seem to wish to throw shade at the commercial fisheries to distract from the real issues of overfishing by the recreational sectors.	1/17/25 3:04 pm CommentID:229209
Dixie Deihl	Do Not Support	I do not support this petition. Menhaden fishing in the Bay has been going on for over a century and the harvests are already regulated now to the lowest	1/17/25 3:07 pm CommentID:229210

		levels ever. The menhaden stock is healthy and you can no more locally deplete menhaden from any given area than you can locally deplete crabs, cobia, striped bass or any other migrating/moving species.	
Rick Rahn	I do not support this petition	I DO NOT SUPPORT THIS PETITION	1/17/25 3:07 pm CommentID:229211
Bonnie Sanders	I do NOT support this petition	All recent studies of menhaden/striped bass in the Chesapeake Bay have indicated that menhaden are not overfished and are not experiencing overfishing. This is another targeted attempt at Omega Protein and Ocean Harvesters.	1/17/25 3:07 pm CommentID:229212
Allen Davis	I do not support this petition.	I do not support this petition.	1/17/25 3:07 pm CommentID:229213
gail Bondurant	I do NOT support this petition	i do not support this petition	1/17/25 3:11 pm CommentID:229214
Jesse Sanders	I do NOT support this petition	I do NOT support this petition. This is not supported by science and clearly an attempt to target the menhaden reduction industry.	1/17/25 3:12 pm CommentID:229215
Anonymous	No petition	Please do not pass this petition.	1/17/25 3:12 pm CommentID:229216
Sonny Abbott	Do not support	I do not support this petition	1/17/25 3:16 pm CommentID:229217
Belinda Abbott	I do not support this petition	I dont support this	1/17/25 3:17 pm CommentID:229218
Clarence Abbott	I do not support this petition	I dont support	1/17/25 3:18 pm CommentID:229219
Betty Abbott	I do not support this petition	I dont support	1/17/25 3:18 pm CommentID:229220
William Abbott	I do not support this petition	I dont support	1/17/25 3:19 pm CommentID:229221
Ariel Abbott	I do not support this petition	I dont support	1/17/25 3:20 pm CommentID:229222
Timothy Abbott	I do not support this petition	I dont support	1/17/25 3:20 pm CommentID:229223
William Saunders	I do not support this petition	I dont support	1/17/25 3:21 pm CommentID:229224
Nicole Saunders	I do not support this petition	I dont support	1/17/25 3:22 pm CommentID:229225
Rob Hudnall	I do not support this petition	I do not support this petition	1/17/25 3:26 pm CommentID:229226
Kassidy Buerkert	I do NOT support this petition	I absolutely do NOT support this petition.	1/17/25 3:28 pm CommentID:229227
William Blackwell	I DO NOT SUPPORT this petition	To retrain a fishery that has thrived sustainably for 100+ years is unfounded.	1/17/25 3:31 pm CommentID:229228
Anonymous	Do NOT Support this Petition	The petition for rulemaking under consideration is unsupported by science. It is being promulgated by individuals and groups that simply refuse to look at the facts and data concerning this fishery. Just last year, the Maryland Department of Natural Resources announced that juvenile menhaden abundance in 2023 and 2024 was at the highest measured since 1990. The Atlantic States Marine Fisheries Commission has continued to find that overfishing is not occurring,	1/17/25 3:31 pm CommentID:229229

and the menhaden stock is not overfished.

This petition is just one more example of special interests and foundations funded by wealthy elites continuing their campaign to harm the menhaden reduction fishery. In doing so, they overlook that this is a sustainable commercial fishery. The science and data does not support their claims. They also ignore that this fishery has been in existence for well over a hundred years, and it serves as one of the largest employers in the Northern Neck. It is part of the lifeblood of rural Virginia.

Decisions about the fishery must be based on scientific data, not misguided and uninformed opinions that seek only to wreak havoc on this community of commercial watermen and the local economy. I respectfully ask the Virginia Marine Resources Commission to reject this petition outright.

Bailey Lewis	i do NOT support this petition	i do NOT support this petition!	1/17/25 3:31 pm CommentID:229230
David Haynie	Menhaden	I DO NOT support	1/17/25 3:33 pm CommentID:229231
Bert lewis	I do not support this petition	Unnecessary.	1/17/25 3:33 pm CommentID:229232
Britt Griswold	SUPPORT THIS RULE	<p>I support the proposed rule. How many fisheries do we have to see decimated by overfishing before the point is clear to regulators?</p> <p>If the answer is: "we don't know enough to set catch limits that protect the stock under the current and expected future conditions" then you are failing by allowing to continue the current overfishing of the stock.</p> <p>Be conservative in the protection of the Menhaden fishery. Reduce catches to the point where the legislature is forced to invest the money for a scientific answer. The proposed reduction seems to be a proper conservative limit to ensure the survival of the fishery until science can provide a better answer.</p>	1/17/25 3:34 pm CommentID:229233
Brittany	Do not support	I do not support this petition at all	1/17/25 3:34 pm CommentID:229234
Anonymous	I do not support this petition.	I stand with Jobs, and I stand for real science. Over 100 years of history is why I do not support this petition. Hundreds of job is why I don't support this petition. Virginia economy is why I don't support this petition.	1/17/25 3:35 pm CommentID:229235
Fawn Deihk	I do not support this petition.	I do not support this petition.	1/17/25 3:35 pm CommentID:229236
Janis Newman	I do NOT support this petition	I do not support this petition	1/17/25 3:36 pm CommentID:229237

Tabitha Emerson	I do NOT support this petition	I do not support this petition!!!!	1/17/25 3:36 pm CommentID:229238
Cameron stratchko	I SUPPORT THIS PETITION	I SUPPORT THIS PETITION	1/17/25 3:36 pm CommentID:229239
Roger Smith	petition	I do not support this petition..	1/17/25 3:37 pm CommentID:229240
Lisa Rose	I do NOT support this petition!!	After reading this petition, the continued abuse is time consuming and costly. Multiple times, each year, the menhaden industry is proven to be in order. When is enough gonna be enough!!	1/17/25 3:38 pm CommentID:229241
Kristen Blackwell	I DO NOT support this petition	I do not support this petition	1/17/25 3:39 pm CommentID:229242
Emily Jewell	I do not support this bill!	I do not support this bill!	1/17/25 3:41 pm CommentID:229243
Charlotte Blackwell	I DO NOT support this petition	I do not support this petition	1/17/25 3:41 pm CommentID:229244
Dalton Keyser	I do not support this petition	If it ain't broke don't fix it	1/17/25 3:41 pm CommentID:229245
John Deihl	I do not support this petition	"Encouraging results were documented regarding two species lower on the food chain" Maryland Department of Natural Resources wrote. "Menhaden abundance was nearly equal to last year, which was the highest measured since 1990"!	1/17/25 3:42 pm CommentID:229246
Dawson Blackwell	I do NOT support this petition	I do not support this petition	1/17/25 3:42 pm CommentID:229247
Anonymous	Menhaden	I strongly support the petition!	1/17/25 3:43 pm CommentID:229248
Madeline McAndrew	I support this petition!	I support this petition.	1/17/25 3:43 pm CommentID:229249
Bret Scholtes	I do NOT support this petition	I do not support this petition!	1/17/25 3:44 pm CommentID:229250
Robert pollard	Menhaden	I strongly support the petition.	1/17/25 3:44 pm CommentID:229251
Susan D. Haynie	I do not support this petition.	I do not support this petition.	1/17/25 3:45 pm CommentID:229252
Eric George	I do not support this ignorant petition	I do not support <i>this</i> petition	1/17/25 3:46 pm CommentID:229253
David Jewell	Menhaden Petition	I strongly oppose the petition. I do not support the petition!	1/17/25 3:47 pm CommentID:229254
Brian William McAndrew	Support petition.	I support this petition.	1/17/25 3:49 pm CommentID:229255
John R. Haynie	I DO NOT support this petition.	Follow the science.....menhaden are plentiful in the Chesapeake Bay! Leave the fishery alone!	1/17/25 3:51 pm CommentID:229256
E. Russell Haynie	I do not support this petition	I completely disagree with this petition	1/17/25 3:56 pm CommentID:229257
Ashley Haynie LaChance	I do NOT support this petition!	This is a ridiculous petition. There are plenty of fish in the Bay.	1/17/25 3:57 pm CommentID:229258

John E. Haynie	I do NOT support this petition.	There are plenty of fish in the Bay. Leave the working men alone!!!!	1/17/25 4:04 pm CommentID:229259
Kathy Harley	I do NOT support this petition	I do NOT support this petition	1/17/25 4:04 pm CommentID:229260
Anonymous	Disagree	I do NOT support.	1/17/25 4:08 pm CommentID:229261
Lindsay Rose	I DO NOT SUPPORT THIS PETITION!!	Year after year after year the menhaden fishery is attacked by certain special interest groups with no real fact based science to back up their assertions. They count on people not looking further past catchy headlines with buzz words and just agreeing without truly researching the assertions. The actual science says that the fishery is healthy and moving in the right direction. It is unfortunate that a few people will choose to press their personal agendas at the expense of a whole industry. I hope this group is able to see past this blatant disrespect for actual science and the men and women who actually have the best interest of the Bay in mind and put this disgusting petition out of its misery.	1/17/25 4:10 pm CommentID:229262
Andrew LaChance	I do not support this petition!!!	I don't support this petition. It is based on false information.	1/17/25 4:12 pm CommentID:229263
Elizabeth Parker	Menhaden	I do NOT support this petition.	1/17/25 4:12 pm CommentID:229264
Kay Harrison	I do not support this petition	I do not support this petition	1/17/25 4:15 pm CommentID:229265
Sally G Hornor	I support this petition	I supportat this petition to reduce menhaden catch in the Chesapeake Bay.	1/17/25 4:18 pm CommentID:229266
Katy Hudnall	I do not support this!	I absolutely do not support this!!	1/17/25 4:20 pm CommentID:229267
Katelyn Haynie	I do not support this.	I do not support this petition.	1/17/25 4:21 pm CommentID:229268
Kelli Hamblin	I DO NOT SUPPORT THIS PETITION	I DO NOT SUPPORT THIS PETITION!!!!	1/17/25 4:21 pm CommentID:229269
The Ashton family	I do NOT support this petition	I do NOT support this petition	1/17/25 4:22 pm CommentID:229270
Mike Hamblin	I do not support this petition	I do not support this petition	1/17/25 4:22 pm CommentID:229271
Forrest Brann	I DO NOT support this bill	This is a baseless ridiculous proposal and would be a complete waste of money. Again, another attempt to claim there is a problem when a problem doesn't exist. Protect the menhaden fishery and the families that dedicate their livelihoods to it. Existing regulations have already taken too much when compared to the abundance and sustainability of menhaden.	1/17/25 4:23 pm CommentID:229272
Dave Hersh	Restore th ecology I support the petition	Restore the Chesapeake Bay's ecological balance and stop the large scale commercial harvesting of menhaden in the Chesapeake Bay.	1/17/25 4:24 pm CommentID:229273
Anonymous	I don't support this petition	The bay is overflowing with menhaden!!!!	1/17/25 4:26 pm CommentID:229274

Anonymous	Menhaden	I do not support this petition	1/17/25 4:27 pm CommentID:229275
Lesly Hall	I do not support this petition.	I do not support this position.	1/17/25 4:28 pm CommentID:229276
Mary Jones	I DO NOT support this petition	I do not support this petition.	1/17/25 4:28 pm CommentID:229277
Kyle Jones	Do not support	I do not support this petition.	1/17/25 4:29 pm CommentID:229278
Anonymous	Menhaden fishing	I do not support this petition	1/17/25 4:29 pm CommentID:229279
Anonymous	Menhaden fishing	Do not support!!!	1/17/25 4:30 pm CommentID:229280
Anonymous	Do not support	Do not support !!!	1/17/25 4:30 pm CommentID:229281
Trystin	I don't support this bs	Don't support	1/17/25 4:34 pm CommentID:229282
Anonymous	Do not support	I do not support!!!	1/17/25 4:35 pm CommentID:229283
Anonymous	Nope never supported this dumb ass idea	DEFINITELY DO NOT SUPPORT THIS!!!	1/17/25 4:36 pm CommentID:229284
Anonymous	Do NOT SUPPORT	I DO NOT SUPPORT THIS PETITION!!!!	1/17/25 4:37 pm CommentID:229285
Anonymous	Ridiculous petition	I DO NOT SUPPORT THIS PETITION AND NEVER WILL.	1/17/25 4:39 pm CommentID:229286
Anonymous	Do not support	I DO NOT SUPPORT THIS PETITION AND IF YOU DO YOU NEED TO CARRY YOUR ASS BACK WHERE YOU CAME FROM!!!	1/17/25 4:41 pm CommentID:229287
Anonymous	I DO NOT SUPPORT THIS PETITION! IF YOU DO YOU NEED TO CARRY YOUR ASS BACK FROM WHERE YOU CAME FROM	I Do Not Support this petition	1/17/25 4:43 pm CommentID:229288
Joel Deihl	I do not support this petition	I do not support this petition.	1/17/25 4:48 pm CommentID:229289
Donald Jewell	I do not support the petition	I do not support the petition on the reduction of fishing.	1/17/25 4:53 pm CommentID:229290
Samuel Haynie	NNNNOOOOO	I do not support this petition. The menhaden fishery has been around for over 200 years and has not collapsed. Maybe look at all the recreational fisherman if you want to know where the sport fish went.	1/17/25 5:05 pm CommentID:229291
Denver causby	I do not support	The menhaden fishing needs to continue	1/17/25 5:13 pm CommentID:229292
Randy Whittaker	Remove Omega from the Bay & give OUR Fish a chance	I support this partisan!	1/17/25 5:15 pm CommentID:229293
Stuart Swift	I do NOT support this petition	I do NOT support this petition.	1/17/25 5:19 pm CommentID:229294
Bob Zillig	Fisheries need to be managed by data - Support petition	Fisheries can only be managed effectively with accurate data collection and analysis. Lets be fair to all involved parties by collecting the data and making an informed decision on fishing regulations.	1/17/25 5:22 pm CommentID:229295

Anonymous	I do not support	I do not support this petition	1/17/25 5:54 pm CommentID:229296
Hillary Blackwell	I DO NOT SUPPORT	I DO NOT support this petition.	1/17/25 5:55 pm CommentID:229297
Colt wietzki	NA	I do not support this!!	1/17/25 5:56 pm CommentID:229298
Kierston Bell	I do not support	I do not support	1/17/25 5:58 pm CommentID:229299
Grayson Bell	I do not support	I do not support	1/17/25 5:58 pm CommentID:229300
Brooke Kessler	Do not support!	Do not support!	1/17/25 6:02 pm CommentID:229301
Blair Jones	I support this petition	I support this petition. Menhaden are the building blocks of the Chesapeake Bay and it cannot survive without them.	1/17/25 6:13 pm CommentID:229302
Jeff	Menhaden ,	Stop the overharvesting of menhaden	1/17/25 6:19 pm CommentID:229303
Robby Oder	Menhaden	I DO NOT support this petition!	1/17/25 6:22 pm CommentID:229304
Cammie Smith	I Do Not Support This Petition	I do not support this petition. There is no evidence that the menhaden fishery in the Chesapeake Bay is in decline. Regulating a business to the point that it goes out of business to satisfy the wants of a special interest group is absurd. If Omega Protein is forced to pay for a study of the health of the menhaden in the Chesapeake and the study proves that everything is fine, this will not satisfy any of these conservationists and recreational fishermen. They would claim that the study was flawed because Omega paid for it, and we would be right back where we started.	1/17/25 6:24 pm CommentID:229305
Robby Oder	Menhaden petition	I do not support this petition	1/17/25 6:28 pm CommentID:229306
Robert Noel	I do not support this petition	Unbelievable to think they are trying to stop a company that's been around over 100+ Years! The Reality is they wouldn't be stopping just a company but destroying provision for many families!	1/17/25 7:21 pm CommentID:229307
Anonymous	I do not support this petition	I do not support this petition.. the bay has been vibrant with menhaden for over a 100 years	1/17/25 7:37 pm CommentID:229308
Jason Lewis	I don't support	I do not support anything taking jobs away from hard working Americas	1/17/25 7:39 pm CommentID:229309
Blake Walker	Do not support	I do not support	1/17/25 7:41 pm CommentID:229310
Frederick Jett	Petition for rulemaking	I do not support!	1/17/25 7:45 pm CommentID:229311
Karen Jett	I do not support!	I do not support!	1/17/25 7:48 pm CommentID:229312
Roberta Kellam	Support Petition; No science supports menhaden reduction fishery in	I live on the Eastern Shore. The Eastern Shore relies on recreational fishing and ecotourism for economic support. The menhaden reduction fishery is negatively	1/17/25 7:53 pm CommentID:229313

	Chesapeake Bay	impacting recreational fishing and ecotourism because it is severely degrading the food web in the Chesapeake Bay. There is no science to support the sustainability of the menhaden fishery in the Chesapeake Bay and there is no other state in the Atlantic seaboard that allows this fishery in their state waters. The only reason that Omega is afraid of a scientific study is that it will show that their fishery is not sustainable in the long run and is significantly harming the ecosystem of the Chesapeake Bay. Osprey reproduction in the saline part of the Bay is in a catastrophic decline due to lack of food, primarily menhaden, and there are no substitute fisheries to support osprey and other fish-eating predators. VMRC's management of this public trust resource has been irresponsible and lacking in scientific justification.....please get on the right track, the right side of history, and grant the petition.	
Anonymous	I support this	I support this	1/17/25 8:12 pm CommentID:229314
Darawn Kenner	Menhaden fishing in bay	I do not support this petition	1/17/25 8:25 pm CommentID:229315
Darawn kenner	I do not support this petition	I do not support this petition	1/17/25 8:26 pm CommentID:229316
Jack Percak	I DO NOT support this petition	There is no need to change, no scientific proof.	1/17/25 8:40 pm CommentID:229317
Gregory Perez	I DO NOT SUPPORT THIS PETITION	Do not support this petition	1/17/25 9:17 pm CommentID:229318
Jason Boucher	I do not support this petition	I do not support this petition	1/17/25 9:28 pm CommentID:229319
Greg Herring	I DO NOT Support this proposal	Regular and comprehensive scientific research has been and will continue to be conducted which is adequate and should be continued. The obvious and ridiculous attempts of those who dislike the facts as presented by those who are qualified to conduct such research should be ignored.	1/17/25 9:30 pm CommentID:229320
Dare Jones	I do not support	I do not support	1/17/25 9:36 pm CommentID:229321
keith boyd	Common sense needed!!	Please allow common sense and basic information to be allowed into the decision making process. For far too long we have allowed the one industry to over harvest menhaden in the Bay. We have never really seen what can happen if we allow menhaden to thrive and really clean the waters of the Bay. The Fed govt and the state of virginia have spent untold millions trying to clean the Bay addressing non point source pollution. If we truly allowed the filter feeders to thrive we would see positive results immediately. Currently our Bay has been sold to one industry and its a shame.	1/17/25 10:31 pm CommentID:229323
Dianne S.	I do not support this. The region relies on menhaden and the practice is already sustainable.	I do not support this	1/17/25 11:05 pm CommentID:229324
J. Borzik	I support this petition for	End the overharvesting of menhaden by Omega	1/17/25 11:33 pm

	Rulemaking	Protein to support a healthy Chesapeake Bay ecosystem. We need scientific data to manage fisheries, and we can't ignore this issue any longer. The negative effects of overharvesting are many, with one being an obvious lack of Osprey reproduction.	CommentID:229325
Rich Parker	I support this petition for Rulemaking	End overharvesting of the menhaden fishery, which is disrupting the Chesapeake Bay ecosystem.	1/17/25 11:36 pm CommentID:229326
Lena Dixon	I do Not support this	This would be detrimental to the livelihoods of the menhaden industry, one of this regions largest employers .	1/18/25 7:01 am CommentID:229327
Henry Dixon Jr	NO support for this	Ridiculous attempt to destroy menhaden fishing and the workers and families who this industry employs and supports	1/18/25 7:05 am CommentID:229328
Michael Academia (Virginia Osprey Foundation)	I support this petition	I support this petition Preserve Virginia's natural resources. Stop the menhaden harvest.	1/18/25 7:47 am CommentID:229329
Traci Hayes	I do not support this petition	I do not support this petition.	1/18/25 7:54 am CommentID:229330
Daniel Robinson	I do not support this Petition	I do not support the petition	1/18/25 7:55 am CommentID:229331
Kayla hayes	I do not support	I do not support this petition	1/18/25 8:01 am CommentID:229332
Hannah Hayes	I do not support this petition	I do not support this petition	1/18/25 8:02 am CommentID:229333
Shawn Moore	Do not support	I DO NOT SUPPORT THIS	1/18/25 8:04 am CommentID:229334
Logan Hinson	I do not support this petition	I do not support this petition	1/18/25 8:04 am CommentID:229335
Jake hayes	I do not support this petition	I do not support this petition	1/18/25 8:06 am CommentID:229336
Ron Loving	Do NOT Support this	I do not support this petition	1/18/25 8:10 am CommentID:229337
Sandy Brann	Marine Resources Commission	I do not support this petition	1/18/25 8:14 am CommentID:229338
Mary Deihl	Do Not Support	Menhaden are a single coastwide stock as are many other species along the Atlantic. The science is clear that the biomass is healthy and continuing to grow. The overall allowable catch now is one-third of what was caught for decades due to overly precautionary regulations, and this is after the scientific assessments on menhaden take into account ecosystem needs. There is no subregional biomass of menhaden in the Ches Bay, just like there is no regional biomass of striped bass, cobia, or other migratory fish, but we don't see efforts to subregionalize catch allowances for those other species in the Bay, and the health of some of those stocks is universally recognized as suffering. Menhaden harvests in the Bay are regulated to a historic low now out of 'precaution'; only one-third of what the harvests were for many decades. And to target one specific use of menhaden, while allowing all other menhaden harvesters who sell the fish for other uses, to fish inside the Bay, is unjustifiable. Would regulators allow the harvest of blue crabs which are sold by the bushel for that	1/18/25 8:23 am CommentID:229339

		market while prohibiting harvest of the same crabs that are intended for picking houses?	
Teresa Walsh	Manhaven	I support this.	1/18/25 9:00 am CommentID:229340
Chad Dameron	Menhaden petition	I do not support	1/18/25 9:05 am CommentID:229341
Dustin Shirah	I DO NOT support this Petition	I do not support this petition	1/18/25 9:06 am CommentID:229342
Larry Tyson	I support this petition	I support this petition	1/18/25 9:10 am CommentID:229343
Lee Robbins	I do not support this petition	I do not support this petition	1/18/25 9:12 am CommentID:229344
Emmy Keyz	DO NOT SUPPORT	I do not support this petition!!	1/18/25 9:18 am CommentID:229345
Dana O◆Bier	I do NOT support the menhaden petition	<i>I do NOT support the menhaden petition</i>	1/18/25 9:18 am CommentID:229346
Reamy	Petition	I do not support.	1/18/25 9:18 am CommentID:229347
Zach Hall	I do not support this petition	I do not support this petition	1/18/25 9:22 am CommentID:229348
Kathy Lewis	I DO NOT SUPPORT THIS!!	I do not support this effort.	1/18/25 9:32 am CommentID:229349
Thomas Lewis	I DO NOT SUPPORT THIS ACTION	I do not support this	1/18/25 9:34 am CommentID:229350
Katlyn	I do not support	I do not support	1/18/25 9:39 am CommentID:229351
Alexander McConnell	Manhaden	Stop Manhaden removal from the Chesapeake.	1/18/25 9:43 am CommentID:229352
Anonymous	I support this petition!!	leave the Menhaden alone!	1/18/25 9:44 am CommentID:229353
John Trammer	It's not about bringing down Omega. It's about creating a sustainable fishery.	Omega is taking more than their fair share, and it is harming the rest of those who depend on the bay for food and income. It is time to reevaluate this system so that those who depend on the bay will continue to be able to do so.	1/18/25 9:53 am CommentID:229354
Anonymous	I do not support	I do not support	1/18/25 10:18 am CommentID:229355
Seth Hayes	I do not support	I do not support	1/18/25 10:22 am CommentID:229356
Lexi Headley	I do not support	I do not support	1/18/25 10:23 am CommentID:229357
Alan Hinson	Reject this petition	As a 43 year employee in the reduction fishing industry, I have experienced first hand the many different attempts to close our business by these groups. The recreational fishing community has been able to grow their industry while menhaden purse seine fishing efforts were 3 times higher than they are right now for decades. So to place blame on our 6 fishing	1/18/25 10:29 am CommentID:229359

		<p>vessels is nothing more than an attempt to get rid of our 147 year old business and put hundreds of multigenerational employees out of work.</p> <p>Members of these groups have approached my boat, interfered with our fishing, yelled obscenities and threatened harm on multiple occasions, which is absurd considering scientists have found that the Menhaden stock is overwhelmingly abundant for decades. When is enough going to be enough? These groups will continue to attack us in different venues until they find something that sticks. Please reject this petition and keep our 147 year old industry and livelihoods alive!</p>	
Joanne Hinson	I do not support this petition	I do not support this petition. If it were passed it would have lasting detrimental impacts on not only the Reedville community, but our region as a whole.	1/18/25 10:37 am CommentID:229360
Irvin Deihl	Petition for Rulemaking	I DO NOT support the proposed rulemaking	1/18/25 10:37 am CommentID:229361
Anonymous	SUPPORT	save them	1/18/25 10:38 am CommentID:229362
Aleman Omar	Petition	I do not support this petition	1/18/25 11:14 am CommentID:229363
marley thompson	SUPPORT	protect our ecosystem!!	1/18/25 11:21 am CommentID:229364
Robyn Brann	I do NOT support this petition.	This would create an unnecessary hardship on MANY Virginia families.	1/18/25 11:37 am CommentID:229365
Emma Dameron	Menhaden petition	I do not support	1/18/25 12:11 pm CommentID:229366
Gracey Dameron	I do not support this petition	I do not support this petition	1/18/25 12:13 pm CommentID:229367
Anonymous	I do not support this petition	I do not support this petition	1/18/25 12:24 pm CommentID:229368
Richard C. (Dick) Smith	Atlantic Menhaden Petition	I do Not support this petition!	1/18/25 12:24 pm CommentID:229369
Steven Smith	I support this petition for the health of the fisheries of the great state of Virginia	<p>1: Menhaden are a migratory fish, but to have zero science based data to make decisions from the actual Virginia portion of the Chesapeake Bay is alarming.</p> <p>2: industrial menhaden fishing vessels fish at the mouth of the Chesapeake Bay during peak migratory times which affects migratory patterns of Gamefish since there are less baitfish for them to chase into the Chesapeake Bay.</p> <p>3: Virginia is the last state on the East Coast to allow industrial Menhaden fishing in its inland Waters. Every other state has shown improvement in their fisheries since banning the practice</p>	1/18/25 12:24 pm CommentID:229370

		<p>4: Allotment of menhaden catch is now 1/3 of his historical catch. A lot of similarities between this and the collapse of the Oyster population In the Chesapeake Bay from over fishing.</p> <p>5: Scientific studies of the Osprey population in the Virginia section of the Chesapeake Bay show that there is higher rates of starvation, and higher rates of death in juveniles. Menhaden historically being the largest part of their diet.</p>	
James Kellum; Kellum Maritime,LLC	Petition for Rulemaking	I am not in favor of this petition.	1/18/25 12:43 pm CommentID:229371
Jessica Clatterbuck	I support this petition	Menhaden are a cornerstone species of the Chesapeake Bay and they're being overfished by a Canadian company. This petition is to reduce the take first period of time. So it is possible to understand the impact of the incredibly large amount of take that comes out every year.	1/18/25 12:47 pm CommentID:229372
Ross Butler	I do not support this.	Management needs to follow the science and it clearly DOES NOT support this initiative.	1/18/25 12:53 pm CommentID:229373
Anonymous	I support this Petition	Without good data you cannot manage this fishery. This has been kicked down the road too long. Do the study!	1/18/25 1:44 pm CommentID:229374
Molly Dowless	I do NOT support this petition.	I do not support this petition.	1/18/25 2:04 pm CommentID:229375
Jon steeves	I do NOT support this petition	<p>This is not at all based on any science or common sense. The manhaden fishery is sustainable with combined fishing efforts only capturing a half of one percent of the available biomass.</p> <p>Meanwhile other countries allow for 30% capture and their scientist deem the fishery completely sustainable.</p> <p>This is fear mongering nothing more.</p>	1/18/25 2:31 pm CommentID:229376
W. CHILDS	I STRONGLY SUPPORT THE PETITION	The menhaden population in the Bay has suffered and has been greatly reduced in numbers by excessive harvesting by Omega Protein. A direct result is seen in the reduction of osprey, sea gull and rockfish populations in the Bay, due to lack of adequate menhaden schools for these birds and fish to feed upon. In times past, it was possible to easily find schools of menhaden at the water surface with breaking fish and diving birds. Now, such sights are rare. Supporting the menhaden populations is much more important to the Chesapeake Bay than what little benefit may derive from taking away our precious menhaden populations.	1/18/25 2:59 pm CommentID:229377
Jane Shackelford Smith	I support this petition	My family has been dependent on the Chesapeake Bay for their livelihoods for generations. The diminishment of menhaden has disrupted the harvest of any species. Please find a scientific survey of the Bay menhaden.	1/18/25 4:51 pm CommentID:229378
Autumn Moore	I STRONGLY disagree	I STRONGLY disagree with this petition	1/18/25 5:33 pm CommentID:229379

Mary Rittenhouse Rowe	I do Not support	I DO NOT SUPPORT	1/18/25 6:03 pm CommentID:229380
Kelly Rowe	Do Not Support	Do not support	1/18/25 6:04 pm CommentID:229381
William S Diller III	Menhaden Rule making	I don't support this petition.	1/18/25 7:25 pm CommentID:229382
Kelsey English	I do NOT support this petition	I do NOT support this petition.	1/18/25 10:19 pm CommentID:229383
Brian Bremner	I support this petition	Please take action before it is too late!	1/18/25 11:36 pm CommentID:229384
Zach Kues	In opposition of this petition	Just another tactic to attack the menhaden fishing industry. What most people don't realize that this 110+ year old industry, holds so much community impact to not only this county but neighboring counties as well. When will it stop? I don't support the petition at hand.	1/19/25 9:24 am CommentID:229385
Connor Rust	I strongly support the petition.	Protect the bay and end purse seine fishing.	1/19/25 9:38 am CommentID:229386
Anonymous	I DO NOT support this petition.	I DO NOT support this petition.	1/19/25 9:41 am CommentID:229387
Zach Swift	I do NOT support	I do NOT support.	1/19/25 9:43 am CommentID:229388
Lynda Richardson	Save the Bay by Protecting Menhaden	Quit being a SLAVE to Omega Protein and other conglomerates and ethically take care of the Bay! It is YOUR JOB and YOUR RESPONSIBILITY to fellow Virginians, surrounding states, and the world, to protect of this amazing resource -The Chesapeake Bay. If you care at all about the Bay and its residents, this should be a no brainer! For better insight into how humans have been treating the wealth of the seas and rivers read, <i>The Unnatural History of the Sea</i> by Callum Roberts. It is very depressing how humans have depleted and drove so many creatures to extinction or near extinction through unregulated overfishing. You will be shocked when you read it! Roberts book reveals the history (since around the 1400's) of how we have raped and pillaged waters around the world. It even mentions our Chesapeake Bay!!! We need to take care of our food sources as well as the creatures that also depend on it. DO YOUR JOB and start NOW doing what is morally right! Make this protective measure happen!	1/19/25 10:29 am CommentID:229389
Johnny Wetlaufer	I Support This Common Sense Approach	Environmental impact studies are required for industries like construction, energy, and agriculture to ensure sustainable use of resources. Why is Omega Protein, a commercial entity engaged in reduction fishing, being granted special treatment? Why are they allowed to extract a critical resource like menhaden before the completion of ongoing ecological studies? Menhaden is a keystone species in the Chesapeake Bay, serving as a vital food source for striped bass, osprey, and other species that are central to the Bay's ecosystem and economy. Allowing Omega Protein to continue harvesting menhaden—particularly for	1/19/25 12:13 pm CommentID:229390

		<p>export to Canada—without a full understanding of the ecological consequences risks long-term harm to the Bay’s health and the industries it supports, such as tourism and recreational fishing.</p> <p>Given these concerns, I strongly urge the adoption of the petitioners' proposed measures, including an immediate moratorium on reduction fishing, the implementation of exclusion zones, and comprehensive monitoring and reporting requirements. These steps are necessary to protect the Bay’s ecosystem until adequate studies can provide clarity on the sustainability of current fishing practices.</p>	
Jonathan Freeman	I support the Petition. Protect the Bay!	<p>Reduction fishing is not just removing Menhaden, but destroying the aquatic life of the bay. Menhaden are a main forage for so many fish and birds. Menhaden helps keep the bay clean as well.</p> <p>There are so many data points, research and studies that shows reduction fishing is destroying the bay. Ask the oyster men, crabbers, guides, captains, ornithologist and tackle shops what reduction fishing for Menhaden has done to the bay.</p> <p>It is known that the Chesapeake bay is the prime breeding grounds for Striped Bass. If Menhaden is their main forage, why are companies allowed to remove it in such large quantities? The Striped Bass population is in turmoil. There is a direct link to the Striped Bass decline.</p> <p>From a financial point, how much of the money from reduction fishing actually stays in the state of Virginia? When the bay is healthy and thriving with life, the local economies thrive. The mom&pop shops, hotels, restaurants, beaches, parks, captains, guides, oyster men, crabbers, nature lovers all thrive.</p> <p>The Chesapeake Bay is the largest estuary in the United States and third largest in the world. We need to ban or drastically cut the amount of Menhaden being taken from the bay.</p>	1/19/25 1:14 pm CommentID:229391
James Rogers	Winston Churchill circa 1935.	<p>”When the situation was manageable, it was neglected and now that it is thoroughly out of hand, we apply too late remedies which then might have affected a cure. Lack of foresight, unwillingness to act and lack of clear thinking- such is the repetition of history.”</p> <p>In 1935 Winston Churchill described what is happening right now in the Bay. I support this petition.</p>	1/19/25 3:20 pm CommentID:229392
Parker Jett Deihl	I do not support this petition	I do not support this petition.	1/19/25 5:04 pm CommentID:229393
Haley Deihl	I don’t not support this petition	I do not support this petition	1/19/25 5:05 pm CommentID:229394
Karla Grace	I do NOT support this petition	I do NOT support this petition!!!!	1/19/25 5:06 pm CommentID:229395

Henry Deihl	I do NOT support this petition	I do NOT support this petition	1/19/25 5:07 pm CommentID:229396
Dylan hall	I do not support this petition.	I do not support this petition.	1/19/25 5:08 pm CommentID:229397
Harrison Deihl	I do NOT support this petition	I do NOT support this petition	1/19/25 5:08 pm CommentID:229398
Martha Crandall Smith	I do not support	I do not support	1/19/25 5:11 pm CommentID:229399
Anonymous	I Do Not Support This Petition	I do not support this petition	1/19/25 5:11 pm CommentID:229400
Stephen Cole Bodes	I do not support this petition	I do not support.	1/19/25 5:15 pm CommentID:229401
Brandon Walker	I do not support this petition	I do not support this petition	1/19/25 5:17 pm CommentID:229402
Edgar harper	Menhaden fisheries	I do not support this petition	1/19/25 5:40 pm CommentID:229404
Edgar harper	I do not support	I do not support this petition	1/19/25 5:41 pm CommentID:229405
Micheal	I do not support	There is no need for this	1/19/25 5:43 pm CommentID:229406
Anonymous	I WOULD NEVER SUPPORT THIS PETITION!!!!	I could not be more against this petition. VETO THIS!!!!	1/19/25 5:47 pm CommentID:229407
Jake Wetlaufer	I support this	I support this	1/19/25 6:47 pm CommentID:229408
Dinkus Deane	100% Support this Petition!!!!!!!!!!!!!!!!!!!!!!	Disgusting that anyone would support destroying the bay for a few \$.	1/19/25 8:18 pm CommentID:229410
Wanchese Fish Company	The Bay	i do not support	1/20/25 6:59 am CommentID:229412
Sarah Wilkins	I do not support this petition.	I do not support this petition.	1/20/25 7:34 am CommentID:229413
Michelle McKelvey	I do NOT support this petition	I do NOT support this petition	1/20/25 7:35 am CommentID:229414
Kevin Wilkins	I do not support	I do not support this petition.	1/20/25 7:35 am CommentID:229415
Ford Kelly	I do NOT support	I do not support this petition.	1/20/25 7:36 am CommentID:229416
Angela Kelly	I do not support this petition	I do not support this petition.	1/20/25 7:37 am CommentID:229417
Sara Gaskins	I do not support this petition	I do not support this petition!	1/20/25 7:50 am CommentID:229418
Anonymous	Do not support	I do not support.	1/20/25 8:10 am CommentID:229419
Katie Crowther	I do not support this petition	I do not support this petition	1/20/25 8:16 am CommentID:229420
John Cockrell	petition	I do not support this petition.	1/20/25 8:35 am CommentID:229421
Steve French	I do NOT support this petition	I do NOT support this petition	1/20/25 8:39 am CommentID:229422
Roberta H Jones	Petition	I do not agree.	1/20/25 8:46 am CommentID:229423

Steve A Jones	Petition	I do not agree with.	1/20/25 8:47 am CommentID:229424
Fred Cousins	I support this petition	I support this petition	1/20/25 9:12 am CommentID:229425
Tina Caudle	I do not support this petition	I do not support this petition	1/20/25 9:41 am CommentID:229426
Crissy Mothershead	I DO NOT support this petition	I DO NOT support this petition.	1/20/25 9:41 am CommentID:229427
Anonymous	Do not support this petition	I do not support this petiton	1/20/25 10:00 am CommentID:229428
Anonymous	DO NOT SUPPORT	I do NOT support this petition	1/20/25 10:00 am CommentID:229429
Cedric Sargent	Fishing Petition	I DO NOT SUPPORT THIS PETITION.	1/20/25 10:02 am CommentID:229430
Clay Courtney	Do Not Support	I do not support this petition.	1/20/25 10:04 am CommentID:229431
Anonymous	Menhaden Petition	I DO NOT support this petition.	1/20/25 10:08 am CommentID:229432
Philip Bethel - Omega Protein	Do Not Support	Do Not Support this Petition.	1/20/25 10:11 am CommentID:229433
Alan Stewart	Not supporting petition	I DO NOT support this petition.	1/20/25 10:11 am CommentID:229434
Heather Lunsford	I do not support the petition	The fishery is very sustainable and the population healthy. There is no science to support this.	1/20/25 10:12 am CommentID:229435
Doris Champagne - Omega	Do Not Support this Petition	Do Not Support this Petition	1/20/25 10:15 am CommentID:229436
Carlee West	VMRC	I do not support this petition.	1/20/25 10:21 am CommentID:229437
Denver Damron	I DO NOT SUPPORT this action to move Omega Protein from Reedville.	Menhaden fishing in the Reedville area is an integral part of the Chesapeake Bay and Virginia history. Virginia can be proud of the contributions made by the company and its employees these many years. Menhaden is a sustainable source of protein needed around the world for industry. Plus it would create a hardship for the families living in and around the area. Not to mention the negative financial impact for the city and other businesses in the area.	1/20/25 10:29 am CommentID:229438
Alba Salinas (Omega Protein Inc.)	I DO NOT SUPPORT THIS RULING - Having this passed will be detrimental for so many people in the area	To whom it may concern, I speak fo behalf of my coworkers, and their family's support. The fishing of Menhaden has been in the area for over 100 years, and it has been regulated. The pogie is a key element for the feed of cattle, domestic animals and carnivorous fish species intended for human consumption. The company is Canadian owned, yes. But the animals that feed are very much American, several companies rely on the protein that Menhaden provides. Please think about the overall before making a decision. Kind Regards, Alba Salinas	1/20/25 10:32 am CommentID:229439

Hannah Long	I Do Not Support This Petition	I do not support this petition.	1/20/25 10:37 am CommentID:229440
Lacie Gaskins	I do NOT support this petition	This petition is based solely on opinion and not science based. The science has proven this is an extremely sustainable fishery.	1/20/25 10:48 am CommentID:229441
Landon Gaskins	I do NOT support this petition	I do NOT support this petition.	1/20/25 10:52 am CommentID:229442
John Sterrett	I DO NOT support the petition.	I DO NOT support the petition.	1/20/25 10:53 am CommentID:229443
Carter Gaskins	I do NOT support this petition	I do not support this petition.	1/20/25 10:53 am CommentID:229444
Tucker Gaskins	Do not support	I do not support this	1/20/25 10:55 am CommentID:229445
Trevor Deihl	I DO NOT SUPPORT THIS PETITION!!!	I do not support this petition. These groups attack our industry from all angles. We would not have been able to operate for 150 years if even half of things that they accuse us of were true. Please reject this petition.	1/20/25 10:56 am CommentID:229446
Gayle Sterrett	I do NOT support this petition!	I will not support this petition. It is a purely political position that ignores the proven environmental studies available.	1/20/25 10:57 am CommentID:229447
Ricky Cross	I DO NOT support this petition	I simply do not agree.	1/20/25 11:29 am CommentID:229449
Ocean Harvesters	I DO NOT SUPPORT THIS PETITION!	I do not support this petition!	1/20/25 11:32 am CommentID:229450
Nichole Mckerchie	I DO NOT support this petition	I DO NOT support this petition.	1/20/25 11:39 am CommentID:229451
Dalton Howe	I do not support this petition	I do not support this petition	1/20/25 11:46 am CommentID:229452
Centran Aviation	We don't support petition	This is what happens when you let government groups get involved, they don't care about the working people or the companies that help their communities they just want to pad their pockets and create problems for themselves.	1/20/25 11:48 am CommentID:229453
Meghan Peeples	I DO NOT SUPPORT THIS PETITION	I do NOT support this petition.	1/20/25 11:51 am CommentID:229454
Robert Ladnier	Petition	I do not support this petition. A lot of families depend on these jobs and have been for 100 years.	1/20/25 11:52 am CommentID:229455
Anonymous	Chesapeake Bay	I DO NOT support this petition	1/20/25 12:00 pm CommentID:229456
Kenny Hebert	I DO NOT SUPPORT THIS PETITION	I DO NOT SUPPORT THIS PETITION.	1/20/25 12:01 pm CommentID:229457
REBECCA HAYNIE	IDO NOT support this	I do not support this	1/20/25 1:05 pm CommentID:229458
Heather Klein	I do not support.	I do not support.	1/20/25 1:33 pm CommentID:229459
Robert Ryan	I Do Not Support This Petition	I Do Not Support this Petition	1/20/25 1:33 pm CommentID:229460
Jesse Klein	I do not support.	I do not support.	1/20/25 1:33 pm CommentID:229461
James S	Menhaden reduction damages chesapeake	Menhaden are the most important feed fish in the bay. Stripping them out hurts every other species.	1/20/25 1:34 pm CommentID:229462

	sportfishing		
Caswell Klein	I do not support.	I do not support.	1/20/25 1:34 pm CommentID:229463
Raymond Ryan	I DO NOT SUPPORT THIS PETITION	I DO NOT SUPPORT THIS PETITION	1/20/25 1:36 pm CommentID:229464
stephen Zirlott	I Do Not Support This Petition	I Do not support this Petition	1/20/25 1:39 pm CommentID:229465
Regina Gamblin	I do not support this petition.	I do not support this petition.	1/20/25 1:48 pm CommentID:229466
Nick Sterrett	I do NOT support this petition	<p>I do NOT support this petition. The Menhaden fishery is among the most rigorously regulated fisheries in the world, supported by comprehensive scientific research that underpins its established ERP benchmarks. These benchmarks demonstrate a highly robust menhaden population, one that effectively supports the dietary needs of all its prey species and exceeds the established targets by a significant margin.</p> <p>As a migratory species along the Atlantic East Coast, much like striped bass and bluefish, there is no such thing as a "local population" in the Chesapeake Bay. The notion of "localized depletion" contradicts established scientific understanding and is not supported by leading fisheries biologists.</p> <p>Additionally, imposing arbitrary regulations that differentiate between reduction and bait sectors creates a concerning precedent. Such measures not only threaten the viability of the menhaden fishery but could also set a troubling example for all commercial fisheries.</p>	1/20/25 1:48 pm CommentID:229467
LUCAS MILLER	I Do Not Support This Petition	I DO NOT SUPPORT THIS PETITION.	1/20/25 1:51 pm CommentID:229468
FLOYD SIGALAS	I Do Not Support This Petition	I DO NOT SUPPORT THIS PETITION	1/20/25 1:52 pm CommentID:229469
Andy Hall	I do NOT support this petition	I do not support this unnecessary petition	1/20/25 1:53 pm CommentID:229470
Nathan Ryan	I Do Not Support This Petition	i do not support this petition	1/20/25 1:54 pm CommentID:229471
Tyshane Harcum	I Do Not Support This Petition	I do not support this petition	1/20/25 1:56 pm CommentID:229472
Le Dinh	I Do Not Support This Petition	I do Not support this petition	1/20/25 1:59 pm CommentID:229473
Mae Gamblin	I do not support this petition.	I do not support this petition.	1/20/25 1:59 pm CommentID:229474
Alec Sterrett	I do not support this petition	I do NOT support this petition.	1/20/25 2:02 pm CommentID:229475
LaJuan Chambers	I Do Not Support This Petition	I do not support this petition	1/20/25 2:05 pm CommentID:229476
Anonymous	Petition	I do not support this petition	1/20/25 2:19 pm CommentID:229477
Robert Thomas, Fly Fishers of	Menhaden		1/20/25 3:09 pm CommentID:229478

Virginia and Virginia Anglers Club		I support this petition	
jonathan french	i do not support the petition.	I DO NOT SUPPORT THE PETITION	1/20/25 3:25 pm CommentID:229479
Robert Dean	I do NOT support this petition!!	This petition is not supported!!	1/20/25 5:35 pm CommentID:229480
Robert Ladnier	I do not support this petition.	I do not support this petition.	1/20/25 6:49 pm CommentID:229481
Shauna McCranie	petition	I do not support this petition	1/20/25 7:23 pm CommentID:229482
Tomoko Hamada	I support this petition.	<p>The Chesapeake Bay is the largest breeding ground of ospreys in the world. Osprey is sentinel of aquatic systems because:</p> <ul style="list-style-type: none"> •99% fish-eating diet —At the top of Aquatic Food Chain •Long-lived (typically 7-10 years) •Strong nest fidelity—ospreys come back to the same area where they were born. •Highly visible nests at regular intervals •Nearly a worldwide distribution (for comparative analysis) <p>The crucial time for osprey chicks to survive is between March and July: the newly born need to eat fish-menhaden to survive. If the parents cannot catch fish-menhaden, the chicks simply starve to death. In June 2022 researchers of the Center for Conservation Biology at the College of William and Mary found that only three chicks were alive among 68 nests surveyed in the Mobjack Bay. In June 2023 only 21 chicks were alive in the lower Chesapeake Bay. In 2024 their observation of 511 osprey nests showed that the bird's reproductive rate in the middle stem of the Bay was only 0.55 young per pair, while the osprey population maintenance level must be higher than 1.15. This drastically low reproductively rate is worse than the worst year of the DDT usage I the 1950s and 60s.</p> <p>I support this petition and want the seasonal banning of menhaden industrial fishing in the Bay areas .</p>	1/20/25 9:47 pm CommentID:229483
Matt Smith	I SUPPORT THIS PETITION! STOP OMEGA FROM RAPING THE BAY!!	I SUPPORT THIS PETITION! STOP OMEGA FROM RAPING THE BAY!!	1/21/25 7:15 am CommentID:229484
Shannon Fischer	Do Not support this petition	I do not support this petition. The fishery is regulated and science supports that it is fishing sustainably.	1/21/25 7:44 am CommentID:229485
J. C. Hudgins	Petition for rulemaking		1/21/25 8:20 am

		I do not support this petition	CommentID:229486
Sheri George	Do not support	I do not support this petition	1/21/25 8:38 am CommentID:229487
Kody George	I do not support	Do not support	1/21/25 8:40 am CommentID:229488
Carl Hubeny	I do not support this petition	I do not support this petition	1/21/25 9:21 am CommentID:229489
Ashley Dawson	I do not support this petition	<p>I do not support this petition as it is not grounded in science and demonstrates a lack of understanding regarding the sustainability of our fishery. The Menhaden fishery is already one of the most heavily regulated fisheries with purse seine fishing being one of the cleanest methods.</p> <p>The truly significant user conflict is the aggressions directed toward our fishery by the opposition. Proposals like this, which seek to impose unwarranted restrictions, fail to recognize the extensive measures already in place to ensure a healthy stock and the consequences this proposal would have on our rural community, our employees and their families.</p>	1/21/25 10:01 am CommentID:229490
Lewis Dawson	I do not support.	<p>"I oppose this petition because it lacks a scientific foundation and reflects a misunderstanding of the sustainability of our fishery. The Menhaden fishery is already among the most tightly regulated, with purse seine fishing being one of the most environmentally responsible methods.</p> <p>The real issue lies in the hostility directed at our fishery by its opponents. Proposals like this, which aim to impose unnecessary restrictions, overlook the robust measures already in place to maintain healthy fish stocks and disregard the detrimental impact such restrictions would have on our rural community, our employees, and their families."</p>	1/21/25 10:07 am CommentID:229491
Brenda L Allen	Do not support	I do not support this petition	1/21/25 10:08 am CommentID:229492
Melissa Thrift	I do not support this petition	This is clearly a targeted submission to do harm to one group, the menhaden fishery, that is already highly regulated. They are asking for science that is already been produced and submitted and asking the industry to fund more research while significantly reducing their catch and putting limits on them before any research is completed. Essentially, they are asking to kick the industry out of Virginia waters and then have them fund half of the research.	1/21/25 10:10 am CommentID:229493
Daniel Knott	Do Not Support	This is a sustainable fishery	1/21/25 10:11 am CommentID:229494
Becca Sterrett	I do NOT support this petition	I do NOT support this petition.	1/21/25 11:02 am CommentID:229496

David Reed	Save the Bay!!!	I fully support this position. The Menhaden is the main food source for the Bay Species and especially the Striped Bass and Osprey. Reductions in the size of the populations of both species have been dramatically and negatively and negatively impacted by this commercial harvesting Enterprizes!! It must stop to save all the rest of the species in the Bay!!	1/21/25 11:16 am CommentID:229498
Thomas Franco	I support the Petition	I lived on the same river Omega Protein had its fleet, which was The Great Wicomico River, until this year. The sports recreational fishing has declined on the river and in the bay. There is hardly any forage fish, and once the forage makes it into the bay in the fall, it gets all scooped up by Omega fishing boats. Between overfishing the Bay and the mouths of the larger rivers, I have seen a huge decrease in recreational fishing, and a lot of the Osprey nests are depleted along the Great Wicomico as there is a lack of forage for them, too. I support the petition and or a reasonable middle ground. Thanks Tom Franco 804-399-4555	1/21/25 12:15 pm CommentID:229499
Burton Thrift	I do not support this petition	I Do not support this petition	1/21/25 12:58 pm CommentID:229500
Teresa Coyne	I do not support this petition	I do not support this petition	1/21/25 1:14 pm CommentID:229501
Cara Wallo	Petition	I don't support this	1/21/25 1:24 pm CommentID:229502
Alvin R	DONT SUPPORT	I DO NOT SUPPORT	1/21/25 1:26 pm CommentID:229503
MISS MARY SEAFOOD LLC	We DO NOT SUPPORT THIS PETITION	We do not support this petition	1/21/25 1:26 pm CommentID:229504
The Salty Daughter	DO NOT support this petition	I do NOT support this petition	1/21/25 1:27 pm CommentID:229505
Zach Newman	I do not support the petition	I do not support this petition	1/21/25 1:31 pm CommentID:229506
Dillon Loving	Do Not Support this petition	This is a waste of time, effort and money trying to regulate and harm a fishery that has been sustainably operating for nearly 150 years only because the growth of sports fishing has overharvested many sports stocks.	1/21/25 1:32 pm CommentID:229507
C Noel	Do not support petition	Do not support petition	1/21/25 1:33 pm CommentID:229508
Audrey Dawson	I do not support this petition	I do not support this petition.	1/21/25 1:34 pm CommentID:229509
Harper Dawson	I do not support this petition.💎	I do not support this petition.	1/21/25 1:35 pm CommentID:229510
Everly Dawson	I do not support this petition.💎	I do not support this petition.	1/21/25 1:35 pm CommentID:229511

Jeb Thrift	I do not support this petition	This petition is baseless	1/21/25 1:36 pm CommentID:229512
Pat Groffel	I do not support this petition	I DO NOT SUPPORT THIS PETITION!!	1/21/25 1:36 pm CommentID:229513
joanne groffel	I do not support this petition	I DO NOT SUPPORT THIS PETITION	1/21/25 1:37 pm CommentID:229514
ROBERT GROFFEL	I do not support this petition	I DO NOT SUPPORT THIS PETITION	1/21/25 1:37 pm CommentID:229515
Anonymous	Do not support	I do not support this petition	1/21/25 1:37 pm CommentID:229516
Mady Davis	I do not support this petition	I DO NOT SUPPORT THIS PETITON	1/21/25 1:38 pm CommentID:229517
KY DAVIS	I do not support this petition	I DO NOT SUPPORT THIS PETITION	1/21/25 1:38 pm CommentID:229518
JEAN WILLIAMS	I do not support this petition	I DO NOT SUPPORT THIS PETITION	1/21/25 1:39 pm CommentID:229519
BELL WILLIAMS	I do not support this petition	I DO NOT SUPPORT THIS PETITION	1/21/25 1:39 pm CommentID:229520
Lorin Richardson	I do not support this petition	I do not support this petition	1/21/25 1:40 pm CommentID:229521
Clay Dameron	Do not support	I do not support this petition	1/21/25 1:40 pm CommentID:229522
Carolyn Richardson	I do not support this petition	I do not support this petition	1/21/25 1:41 pm CommentID:229523
Jessica Haynie	I DO NOT support	Don't support	1/21/25 1:41 pm CommentID:229524
ANTOINE GREEN	I do not support this petition	I DO NOT SUPPORT THIS PETITION	1/21/25 1:42 pm CommentID:229525
Demetrius Owens	I do not support this petition	I do not support this petition	1/21/25 1:42 pm CommentID:229526
Anthony Owens	I do not support this petition	I do not support this petition	1/21/25 1:42 pm CommentID:229527
Tyler Mitchell	Do not support	Do not support!	1/21/25 1:42 pm CommentID:229528
JACK DAVIS	I do not support this petition	I DO NOT SUPPORT THIS PETITION	1/21/25 1:42 pm CommentID:229529
RACHEL DAVIS	I do not support this petition	I DO NOT SUPPORT THIS PETITION	1/21/25 1:43 pm CommentID:229530
Shycara Cockrell	I do not support this petition	I do not support this petition	1/21/25 1:43 pm CommentID:229531
MIKE DAVIS	I do not support this petition	I DO NOT SUPPORT THIS PETITION	1/21/25 1:43 pm CommentID:229532
DEBBIE DAVIS	I do not support this petition	I DO NOT SUPPORT THIS PETITION	1/21/25 1:44 pm CommentID:229533
Deloritus Norris	I do not support this petition	I do not support this petition	1/21/25 1:44 pm CommentID:229534
NATHAN DAVIS	I do not support this petition	I DO NOT SUPPORT THIS PETITION	1/21/25 1:45 pm CommentID:229535
Robin Taylor	I do not support this petition	I do not support this petition	1/21/25 1:45 pm CommentID:229536
PEGGY DAVIS	I do not support this		1/21/25 1:45 pm

	petition	I DO NOT SUPPORT THIS PETITION	CommentID:229538
Dale Henderson	I do not support this petition	I do not support this petition	1/21/25 1:45 pm CommentID:229539
VICTORIA DAVIS	I do not support this petition	I DO NOT SUPPORT THIS PETITION	1/21/25 1:45 pm CommentID:229540
Shareena Owens	I do not support this petition	I do not support this petition	1/21/25 1:46 pm CommentID:229541
Dwanna Owens	I do not support this petition	I do not support this petition	1/21/25 1:46 pm CommentID:229542
REAGAN DAVIS	I do not support this petition	I DO NOT SUPPORT THIS PETITION	1/21/25 1:46 pm CommentID:229543
Andrea Robinson	I do not support this petition	I do not support this petition	1/21/25 1:46 pm CommentID:229544
MICHELLE DAVIS	I do not support this petition	I DO NOT SUPPORT THIS PETITION	1/21/25 1:46 pm CommentID:229545
DANIEL DAVIS	I do not support this petition	I DO NOT SUPPORT THIS PETITION	1/21/25 1:47 pm CommentID:229546
Aleman Omar	I Do Not Support This Potetion	I Do Not Support	1/21/25 1:47 pm CommentID:229547
LIZ DAVIS	I do not support this petition	I DO NOT SUPPORT THIS PETITION	1/21/25 1:47 pm CommentID:229548
THOMAS DAVIS	I do not support this petition	I DO NOT SUPPORT THIS PETITION	1/21/25 1:47 pm CommentID:229549
BRANDON DAVIS	I do not support this petition	I DO NOT SUPPORT THIS PETITION	1/21/25 1:48 pm CommentID:229550
SHANE DAVIS	I do not support this petition	I DO NOT SUPPORT THIS PETITION	1/21/25 1:48 pm CommentID:229551
SHANE JENKINS	I do not support this petition	I DO NOT SUPPORT THIS PETITION!!	1/21/25 1:49 pm CommentID:229552
Jerry morris	I do not support	I don't support	1/21/25 1:50 pm CommentID:229553
Richie Burgess	Do not support	Do not support	1/21/25 1:52 pm CommentID:229554
Kadeem Jones	i do not support	I DO NOT SUPPORT	1/21/25 1:52 pm CommentID:229555
Tim pinkard	I do not support	I do not support	1/21/25 1:53 pm CommentID:229556
Jerry Morris sr	I do not support	I do not support	1/21/25 1:54 pm CommentID:229557
Jarett Timberlake	I do not support	I do not support	1/21/25 1:55 pm CommentID:229558
Roger Berry	I do NOT support this bill.	I do Not support this bill.	1/21/25 1:55 pm CommentID:229559
Charlie Thrift	I do not support this petition	Science has already been provided	1/21/25 1:55 pm CommentID:229560
Jervall kelly	I do not support	I do not support	1/21/25 1:56 pm CommentID:229561
Trenton Edwards	Omega	I DO NOT SUPPORT THIS	1/21/25 1:59 pm CommentID:229562
Magnolia Hall	I do not support this	I do not support this	1/21/25 1:59 pm CommentID:229563

Michelle Robbins	I do not support this petition	I do not support this petition	1/21/25 1:59 pm CommentID:229564
Primrose Hall	I do not support this	I do not support this	1/21/25 1:59 pm CommentID:229565
Cindy Miller	Petition	I DO NOT SUPPORT!	1/21/25 2:00 pm CommentID:229566
Steven Minor	I do not support this petition.	I do not support this petition.	1/21/25 2:04 pm CommentID:229567
Jermaine Drake	I Do Not Support	I Do Not Support	1/21/25 2:05 pm CommentID:229568
Taneika Brooks	I Do Not Support	I Do Not Support	1/21/25 2:06 pm CommentID:229569
Taleyah Drake	I Do not support	I Do not Support	1/21/25 2:07 pm CommentID:229570
Anonymous	I do not support	I do not support	1/21/25 2:08 pm CommentID:229571
Ian Vanlandingham	I do NOT approve	I do not support	1/21/25 2:18 pm CommentID:229572
Cynthia Bromley	Fishing Industry	I do not support this petition!	1/21/25 2:20 pm CommentID:229573
Darin Crew	Support this petition	I support this petition, I fish in the Maryland portion of the Chesapeake Bay for rockfish and this petition would help improve the menhaden fishery. This would improve the rockfish population for all users of the bay (commercial and noncommercial). Menhaden provide food for lots of other predators in the bay ecosystem	1/21/25 2:23 pm CommentID:229574
Bryce Packett	I do not support at all.	I do not support this nonsense	1/21/25 2:23 pm CommentID:229575
Thomas Moore	I do not support	Menhaden are flourishing in the bay. Rockfish are not.	1/21/25 2:24 pm CommentID:229576
Kyle Hall	Kyle	Do not support	1/21/25 2:32 pm CommentID:229577
Ben Packett	I do NOT support this petition	I am NOT in support of this petition.	1/21/25 2:33 pm CommentID:229578
Michael Stevens	Do not support this petition	I do not support this petition.	1/21/25 2:34 pm CommentID:229579
Kimberly Stevens	Do not support this petition	I do not support this petition.	1/21/25 2:36 pm CommentID:229580
Anonymous	Do Not Support	Jay	1/21/25 2:40 pm CommentID:229581
Jade Byrd	I do not support this petition.	I do not support this petition.	1/21/25 2:44 pm CommentID:229582
Anonymous	I don't support	I don't support	1/21/25 2:46 pm CommentID:229583
Logan Kellum	Omega	I do not support	1/21/25 2:46 pm CommentID:229584
Harrison Williams	Omega Suppor	Omega needs to stay.	1/21/25 2:47 pm CommentID:229585
Ralph F Miller	I do not support this petition.	I do not support this petition. Ralph F. Miller	1/21/25 2:52 pm CommentID:229586

Anonymous	Do NOT support	Don't think it's right another state can come in and petition about Virginias resource which is for all licensed Virginians recreational and commercial alike.	1/21/25 2:54 pm CommentID:229587
Anonymous	I do not support this petition	I do not support this petition	1/21/25 2:56 pm CommentID:229588
Walter Keith	I do not support this action.	This action is not needed or called for.	1/21/25 2:56 pm CommentID:229589
Carl Lee	I do NOT support this petition	I do NOT support this petition.	1/21/25 2:59 pm CommentID:229590
Nicholas mothershead	Fishing	I do not support this petition	1/21/25 2:59 pm CommentID:229591
Paige Biddlecomb	I do not support this petition	I do not support this petition	1/21/25 2:59 pm CommentID:229592
Cory Rice	I do not support this petition	I do not support this petition	1/21/25 3:00 pm CommentID:229593
Carolyn Schrote	Do not support	I do NOT support	1/21/25 3:01 pm CommentID:229594
Anonymous	do not support	do not support	1/21/25 3:01 pm CommentID:229595
July Traylor	Do Not Support	I do not support this.	1/21/25 3:04 pm CommentID:229596
Anonymous	do NOT support	I do NOT support	1/21/25 3:05 pm CommentID:229597
Brigham Lee	I do NOT support this petition	This petition does not support science backed information, I do not support.	1/21/25 3:05 pm CommentID:229598
James Schrote	Petition	I do NOT support this petition	1/21/25 3:10 pm CommentID:229599
Maria Lee	DO NOT SUPPORT	I do NOT support this petition as it directly affects menhaden operations locally that has supported our family and community for generations.	1/21/25 3:14 pm CommentID:229600
Nathan Keyser	Do Not Support	Do Not Support	1/21/25 3:14 pm CommentID:229601
Brian Harris	Petition	I DO NOT support this petition.	1/21/25 3:15 pm CommentID:229602
Michael newton	I do not support	I do not support	1/21/25 3:22 pm CommentID:229603
Blake Bryant	Petition for rulemaking to the Virginia Marine Resources Commission regarding Atlantic Menhaden,	I do not support	1/21/25 3:28 pm CommentID:229604
Blake Bryant	Petition for rulemaking to the Virginia Marine Resources Commiss AMenhaden,	I do not support	1/21/25 3:28 pm CommentID:229605
Blake Bryant	I DO NOT SUPPORT	I do not support	1/21/25 3:29 pm CommentID:229606
Larry Landers	I DO NOT SUPPORT	I DO NOT SUPPORT	1/21/25 3:29 pm CommentID:229607
Charles Williams	Menhaden	I am not in support of this petition	1/21/25 3:30 pm CommentID:229608

Chip Williams	I am NOT in support of this petition	I do not support the petition	1/21/25 3:32 pm CommentID:229609
Anonymous	I do not support this petition.	I do not support this petition.	1/21/25 3:32 pm CommentID:229610
Mike Zavalanski	I do not support this petition.	I do not support this petition.	1/21/25 3:33 pm CommentID:229611
Karen Landers	Menhaden Fishing	I DO NOT SUPPORT	1/21/25 3:34 pm CommentID:229612
Karla Beale	DO NOT SUPPORT	It's so interesting that for many years there have been efforts to put limits on the earning ability of one of the largest employers in the Northern Neck so that there's more opportunities for recreational fishing. Omega and it's employees have a large impact on the economy in this rural region. This petition is designed to negatively impact the livelihood of families under the guise of conservation and environmental concerns when it's really to increase sport fishing recreationally, something that is optional. I DO NOT SUPPORT THIS PETITION!	1/21/25 3:35 pm CommentID:229613
Dwayne Waters	I do not support	I do not support	1/21/25 3:41 pm CommentID:229614
Anonymous	Do NOT support!	I do not support this petition.	1/21/25 3:53 pm CommentID:229615
Addie Lynn seafood	We do NOT support this petition	We do not support this petition	1/21/25 3:54 pm CommentID:229616
Monta lee	I Do not support	I Do not support	1/21/25 3:58 pm CommentID:229617
Anonymous	I don't support	I don't support this petition!	1/21/25 4:01 pm CommentID:229618
Anonymous	I do not support	I do not support the petition.	1/21/25 4:07 pm CommentID:229619
Tim Crandall	I DO NOT SUPPORT	I DO NOT SUPPORT	1/21/25 4:09 pm CommentID:229620
ANONYMOUS	I DO NOT SUPPORT	I DO NOT SUPPORT	1/21/25 4:11 pm CommentID:229621
Anonymous	I do not support	I do not support this petition.	1/21/25 4:11 pm CommentID:229622
Trinity Thomas	I do not support	I do not support	1/21/25 4:13 pm CommentID:229623
Anonymous	I do not support	I do not support this	1/21/25 4:14 pm CommentID:229624
Justin Bowis	Menhaden	I don't support this petition!	1/21/25 4:15 pm CommentID:229625
Kathryn Wittman	I do Not support this petition!	Science does not support the need to lower limits.	1/21/25 4:15 pm CommentID:229626
Gabe Clements	Menhaden	I do not support the petition	1/21/25 4:17 pm CommentID:229627
Rosie Packett	I do NOT support this petition	I do NOT support this petition	1/21/25 4:26 pm CommentID:229628
Elizabeth Nash	I do not support this!	We do not support this!	1/21/25 4:36 pm CommentID:229629
Collin Saunders	I do not support	I do not support this petition	1/21/25 4:39 pm

			CommentID:229630
Anonymous	I do not support	I do not support.	1/21/25 4:42 pm CommentID:229631
Monica Schenemann	I do not support	I do not support. In fact it is disappointing that no matter the concessions that have been made is never enough. They just keep pecking away.	1/21/25 4:54 pm CommentID:229632
Chris Jones	I do not support	I do not support	1/21/25 4:59 pm CommentID:229633
Diane Sutton	I do not support	I do not support	1/21/25 5:01 pm CommentID:229634
Josh Wittman	Do NOT support	Absurd a group from Maryland can even petition the VIRGINIA marine resources commission.	1/21/25 5:07 pm CommentID:229635
Anonymous	Menhaden	I do not support this.	1/21/25 5:07 pm CommentID:229636
Frederick Rice	I do not support this petition	I do not support this petition	1/21/25 5:11 pm CommentID:229637
Chris Timberlake	I Do NOT support this petition.	I DO NOT support this petition.	1/21/25 5:16 pm CommentID:229638
Heather Cockrell	I do not support this petition	I do not support this petition!	1/21/25 5:26 pm CommentID:229639
Glen Harding	I Do NOTsupport this petition.	I Do NOT support this petition.	1/21/25 5:31 pm CommentID:229640
Anonymous	I do not support this	I Do Not Support This. Stop trying to kill local fishermen	1/21/25 5:42 pm CommentID:229641
Alisia Morris	I do not support	I do not support.	1/21/25 5:44 pm CommentID:229642
Jerius Morris	I do not support	I DO NOT SUPPORT.	1/21/25 5:44 pm CommentID:229643
Kimberly lee	I do not support	I do NOT SUPPORT	1/21/25 5:45 pm CommentID:229644
Brandon Davis	NO SUPPORT	I DO NOT SUPPORT!!!	1/21/25 5:45 pm CommentID:229645
Marvin lee	I do not support	I do not support	1/21/25 5:45 pm CommentID:229646
Matthew Self	E	Do Not Support!	1/21/25 5:46 pm CommentID:229647
Anonymous	Do NOT support	The problems in the bay are not caused by menhaden fishing. Let's look at the blue catfish, pollution, and recreational overfishing/dead releases.	1/21/25 5:56 pm CommentID:229648
James McCarthy	I do not support	I do not support	1/21/25 6:02 pm CommentID:229649
Alice Harding	I do not support	I do not support this petition. I have watched the rights of water men be more and more regulated to no positive outcomes.	1/21/25 6:28 pm CommentID:229650
Steven nowell	I do not support	I do not support	1/21/25 6:37 pm CommentID:229651
Cole Basye	I do not support	I do not support this petition	1/21/25 6:41 pm CommentID:229652
Marian Leigh Walker	I do not support this petition.	I do not support.	1/21/25 7:25 pm CommentID:229653
Joey Walker	I do NOT support this	I do NOT support this petition!	1/21/25 7:29 pm

	petition!		CommentID:229654
Brenda Kellum, Kellum Maritime	Petition to stop menhaden fishing in the Chesapeake Bay	I am adamantly opposed to this petition. My family counts on the ability to fish in the Bay as a commercial fishing company. I am almost 62 years old and I remember my grandfather fishing these waters, along with several Great Uncles and other generations of family. My grandfather was in the fishing industry his whole life. My husband, my son, my son-in-law, and many of their friends and my friends are menhaden fisherman. Many of our extended family have also been fishing for over 50 years and still are. Don't take this opportunity away from us. Fishing in the Bay goes back as far as 1875. Commercial menhaden fishing has been in the Rappahannock River and the Chesapeake Bay for some 150 years. Menhaden fishing is a such a needed and necessary industry here in the Northern Neck. Just like farming; we make a living doing this to put a roof over our heads and food on the table for our children. This petition could potentially adversely affect the lives of scores of people I couldn't begin to count. We gladly invite people to come; but please enjoy our slower paced and family style businesses and way of living. Don't move here from Big City or other Coastal living areas that are hustle and bustle and try to change our ways. Think about what brought you here, and why you love it. Please don't try to change our way of living and try to make our community more like what you left. Why can't sport fishing and commercial fishing share the Bay? After all, most of these businesses were here long before most of the people who are in favor of this petition, in my opinion. I love the Chesapeake Bay and and the Rappahannock River. I grew up here enjoying sport fishing, swimming, crabbing and other coastal living activities. But it also gives back to us as so many people make a living here. Thank you for the opportunity to share my story. Please help us preserve our way of life and the Bay. Brenda Kellum	1/21/25 7:55 pm CommentID:229655
Erin Gutknecht	Oppose petition to ban menhaden fishing in Chesapeake Bay	I'm opposed to the petition.	1/21/25 8:10 pm CommentID:229656
J. Lynette Pewett	I do not support this petition	I do not support this petition.	1/21/25 8:17 pm CommentID:229657
Ryan douglas	I do not support	I do not support.	1/21/25 8:45 pm CommentID:229658
Keith Mason	C.bay fishing.	I do not support!!!!	1/21/25 9:01 pm CommentID:229659
Carol (C.J.) Minor	I do not support this petition	I do not support this petition!	1/21/25 9:11 pm CommentID:229660
Debbie Campbell	I support the petition	I support the petition based on what I have personally witnessed over my 25 years of having a little place on the Chesapeake in VA. The death and disappearance of ospreys caused by starvation, the decline of sport fish and crabs, the relentless spotter planes and the manmade apex predators (aka industrial reduction fishing ships), the fish kills, and so much more. I am	1/21/25 9:26 pm CommentID:229661

		for the petition, standing up for the health and well-being of the Chesapeake, family fishing trips, and our local businesses that are being crushed because of the decimation of the bay's foundational and irreplaceable food source - menhaden in the bay's ecosystem. The Chesapeake should not be managed as it were part of the open ocean and neither should our inshore waters.	
Elizabeth Brann	I do NOT support this petition.	I do NOT support this petition!!	1/21/25 9:30 pm CommentID:229662
Donna Talley	I support this, save the bay and Osprey from greed, and a foreign company	Save the bay	1/21/25 9:32 pm CommentID:229663
Alexis Cole	I do not support this petition.	I do not support this petition.	1/21/25 9:35 pm CommentID:229664
John Cole	I DO NOT support this.	I DO NOT support this.	1/21/25 9:36 pm CommentID:229665
Anonymous	I do not support this petition	I do not support this petition	1/21/25 10:00 pm CommentID:229666
Emily Williams	I do NOT support this petition	I do not support this petition.	1/21/25 10:04 pm CommentID:229667
Kris Johnson	??% support this petition.	I DO NOT SUPPORT CANADA!!!	1/21/25 10:49 pm CommentID:229668
bill white	I do not support this petition	I do not support this petition	1/22/25 1:10 am CommentID:229670
Anonymous	I DO NOT SUPPORT	I DO NOT SUPPORT THIS AT ALL!!	1/22/25 1:55 am CommentID:229671
Anonymous	I support this Petition. This has to be more regulated.	I support this.	1/22/25 5:28 am CommentID:229672
Patrick McCranie	I do not support the petition	I do not support the petition. The menhaden industry is already heavily regulated and under the leadership of Monty Deihl it is in very good hands. Please stop and let these folks make a living. Thank you. Patrick McCranie, Sheriff Lancaster County Sheriff's Office	1/22/25 5:52 am CommentID:229673
Anonymous	4 VAC -1270 menhaden fishing	I DO NOT support this petition	1/22/25 5:59 am CommentID:229674
Meredith Robbins	Petition	I do not support this petition	1/22/25 6:03 am CommentID:229675
Anonymous	I do not support	I do not support. Claims that the bay is being overfished are not backed by science. They are only speculative. This will accomplish nothing	1/22/25 6:17 am CommentID:229676
Ross Kellum, Kellum Maritime, LLC	I do not support the petition for rulemaking	I do not support the petition for rulemaking and urge the Commission not to vote in favor. The Menhaden stock is abundantly healthy in both the Atlantic Ocean and the Chesapeake Bay. The scientific information we do have does not indicate that more Menhaden left uncaught will in any way affect the ability of the Stripes Bass stock to increase. It is my belief that the Commission has already identified the primary cause of the decline in Striped Bass population and has already implemented appropriate remedial actions. It would be foolish and irresponsible to further limit the	1/22/25 6:17 am CommentID:229677

Menhaden purse seine fishery when by doing so would be entirely scientifically unnecessary.

Furthermore, I cannot grasp how any man or woman's right to kill fish for sport could somehow supersede another's right to safely and legally harvest an abundant natural resource.

The industry has been picked apart one little piece at a time for decades now, and yet we continually endure accusations of greediness and unskillful conduct towards the resources of our Commonwealth. But the reality of the matter is quite the opposite, and has been for a very long time. We wish for every individual to have the right to fish when, where, and how he/she pleases. But we continue to graciously endure the consequences of egregious greed and unwarranted animosity.

When will it end? How many lies must we as an industry defend ourselves against. In nearly all other fisheries management, the scientific data is considered the best factor in decision making. Yet, for management of menhaden we are asked to consider factors, time and again, that have nothing whatsoever to do with natural resources. Why?

Heather G. Conley	I do NOT support this petition.	Our family is not in favor of this petition.	1/22/25 7:05 am CommentID:229678
Russell W. Conley, Jr.	Do Not Support	We are not in favor of this petition.	1/22/25 7:06 am CommentID:229679
Thomas Cody Rock	Petition	I do not support	1/22/25 7:26 am CommentID:229680
Evan Barlage, Process Design and Service	I do not support this petition	This petition has no basis and a lot of people in that area of Virginia rely on the fishing in the Chesapeake bay for a job.	1/22/25 8:21 am CommentID:229681
Greg Barlage Process Design and Service	I do not support this petition or ban	Menhaden fishing brings many financial and other benefits to Virginia and well beyond Virginia's borders. There are many businesses such as our business that support the industry and the financial benefits stay in Virginia. In addition, the products that are produced by the fisheries provide valuable feed and supplements to humans, pets and other animals. Reducing or eliminating the harvest of menhaden will not only affect the local economy but will impact food and feed sources across the globe. Menhaden fishing has been occurring for many decades and the menhaden has survived. In my observation, no one watches the menhaden population more than the fisheries that harvest them. It is after all their lively hood. If studies are conducted, it is vital that all aspects of the harvest be evaluated including local negative impact, the hundreds of local families and businesses that depend on the financial benefit of menhaden fishing and the historical nature of the business. An immediate ban would benefit no one and may actually hurt the menhaden population	1/22/25 8:34 am CommentID:229682

		and the people that depend on the Chesapeake Bay. Please say no to this petition.	
Chris P, PDS	I DON'T SUPPORT THIS PETITION	They never break their legal limit in fishing yearly usually under 85% of the max. This is controlled by the state/NOAA.	1/22/25 8:35 am CommentID:229683
John Horstman	Do not Support	I do not support the petition	1/22/25 8:46 am CommentID:229684
Bryan Myers	I do not support	I do not support	1/22/25 9:26 am CommentID:229685
Leah Lucy	No	I do not support this.	1/22/25 9:42 am CommentID:229686
Leah Lucy	I do not support this	I do not support this.	1/22/25 9:43 am CommentID:229687
Sara Jones	I support this petition!	Menhaden is critical to the food chain. They are a primary source of food for larger fish, birds and marine mammals. We need to look at the long-term effects and stop overfishing.	1/22/25 10:09 am CommentID:229688
Kirk Lee	I DO NOT SUPPORT	I DO NOT SUPPORT THIS PETITION	1/22/25 10:14 am CommentID:229689
Shannon Westman	I DO NOT SUPPORT THIS PETITION	I DO NOT SUPPORT THIS PETITION	1/22/25 10:15 am CommentID:229690
Doug Freeze	I do not support this petition!	I do not support this petition!	1/22/25 10:34 am CommentID:229691
Susan Kopa	Petition	I do not support this petition	1/22/25 10:58 am CommentID:229692
Matt	I support this	Anyone who doesn't support non biased scientific research for this has self serving interests in mind.	1/22/25 11:20 am CommentID:229693
Susan Kopa	I do not support this petition	I do not support this petition	1/22/25 11:25 am CommentID:229694
Joe B	Fully support	We should be protecting our natural resources and ensuring we aren't destroying ecosystems so that future generations might enjoy our precious bay.	1/22/25 11:28 am CommentID:229695
Brandon Hamilton	I support petition coast wide de	There is an obvious decline in menhaden coast wide. The reduction fishery in the bay may not be the only cause but it for sure it is not helping.	1/22/25 11:28 am CommentID:229696
Ashley Marks	Do NOT support	I do not support this petition which would negatively impact the menhaden fisheries in Virginia.	1/22/25 11:30 am CommentID:229697
Nathan Marks	I do NOT support this petition	I do not support this petition.	1/22/25 11:30 am CommentID:229698
Michael Brownley	I support this petition	I do not support Omega's factory fishing in the Chesapeake Bay	1/22/25 11:34 am CommentID:229699
Tom Burkett	I support this petition	VMRC cannot provide assurance that the menhaden population in the Chesapeake Bay are healthy. A pause on menhaden reduction fishing in the Chesapeake Bay should be put in place until the VMRC can assess a scientific bay specific menhaden study to determine a bay quota that ensures our resources and menhaden fishery are being sustainably managed and protected for future generations.	1/22/25 11:45 am CommentID:229700
Cora Baird	Support for finding impacts	As an ecologist and a recreational fisher, I support this measure. It is important to clearly understand the	1/22/25 12:04 pm CommentID:229701

		impacts on the population, especially for a fish that is such an important food web components. Its decline could impact too many other species to wait and see. I don't see any reason that the delay for a study would harm Virginia. We need the study for the good of our many other keystone regional species.	
Anonymous	I support this petition	I support this petition	1/22/25 12:14 pm CommentID:229702
Sophia Hoffman	I support this petition	A pause on menhaden reduction fishing in the Chesapeake Bay is beneficial to the bays and the local people who rely on the bay's health for their livelihoods. A pause would allow the science to catch up to the human impact in the bay. Analyses require time and data; we do not yet understand the true impact on the entire ecosystem.	1/22/25 12:18 pm CommentID:229703
Johnny Thrift	I do not support this petition	I do not support	1/22/25 12:25 pm CommentID:229704
Alex	I support this petition	I support this petition	1/22/25 12:29 pm CommentID:229705
Linda Newman	I don't support this petition	I don't support this petition	1/22/25 1:04 pm CommentID:229706
Diane Jacobus	I support this petition	Please save our Chesapeake Bay. It is dying.	1/22/25 1:11 pm CommentID:229707
Cathy Manke	Petition for rule making	I do not support this petition	1/22/25 1:19 pm CommentID:229708
Paul Newman	I do not support This petition	I don't support this petition	1/22/25 1:21 pm CommentID:229709
Forget-Me-Knot Shoppe	I do not support this petition	I do not support this petition	1/22/25 1:22 pm CommentID:229710
Bryce Newman	Do not support this petition	I do not support this petition	1/22/25 1:23 pm CommentID:229711
Arleigh Newman	I do not support	I do not support this petition	1/22/25 1:23 pm CommentID:229712
Whit Davis	I do not support this petition	I do not support this petition. Omega Protein is a good steward of our Bay and its just as important to them, if not more important, that the menhaden fishery remain at a healthy level.	1/22/25 1:32 pm CommentID:229713
Lloyd Lewis	I strongly support this petition	I strongly support this petition	1/22/25 1:43 pm CommentID:229714
John Holdzkom	As a PHD scientist I strongly support the petition	Reduction fishing should be moved outside the bay and it's tributaries. As the largest estuary on the USA, the Chesapeake Bay is a critical sanctuary for many species and needs to be protected. Please don't allow special interest groups to influence your decision.	1/22/25 1:55 pm CommentID:229715
James D.	I Support this petition, strongly.	Menhaden filter water and strip mining them from our bay has huge consequences for many. Food for fish farms in Asia is insane. Way to go VA, see Blue Catfish decision in the 1970's in the James River.	1/22/25 2:19 pm CommentID:229716
Steve Fagan	Support this petition	It's just common sense to protect this estuary. Company can still catch its allotment, just do it in	1/22/25 2:37 pm CommentID:229717

		federal waters just like every other east coast state.	
Alex Hall	Do not support	Do not support	1/22/25 2:40 pm CommentID:229718
Anonymous	I do not agree with this petition.	Betsy W. Gough	1/22/25 2:40 pm CommentID:229719
Jack Deihl	I strongly do not support this Petition	I do not support this petition!	1/22/25 2:45 pm CommentID:229720
Neal Gough	I do not support this petition	I do not support this petition	1/22/25 3:00 pm CommentID:229721
Betsy W. Gough	I do not support this petition	I do not support this petition Betsy W. Gough	1/22/25 3:31 pm CommentID:229722
Farrah G. Coates	I do not support this petition	Farrah G. Coates	1/22/25 3:32 pm CommentID:229723
Ed Arnest	I do not support this petition	Ed Arnst	1/22/25 3:35 pm CommentID:229724
Sandra Garcia	I do not support this petition	Sandra Garcia	1/22/25 3:36 pm CommentID:229725
J C Newsome	I do not support this petition	JC Newsome	1/22/25 3:37 pm CommentID:229726
Layla	I DO NOT SUPPORT THIS PETITION	I do not support this petition.	1/22/25 4:47 pm CommentID:229729
Ethan Harding	I do not support this petition.	I do not support this petition.	1/22/25 5:20 pm CommentID:229730
Kirk Brown	I do not support	I do not support	1/22/25 5:27 pm CommentID:229731
Anonymous	I do not support	I do not support	1/22/25 6:13 pm CommentID:229732
Cynthia	Support of petition	I DO SUPPORT the petition	1/22/25 6:15 pm CommentID:229733
Charles Fisher	Support	While a complete moratorium might be too much - consider reducing the take from this Canadian company that doesn't care about the Bay. The Chesapeake Bay is our crown jewel, and Menhaden are a key to it's health. We must reduce the take to support a healthy Bay! Please support the life of the bay by supporting this petition!	1/22/25 6:31 pm CommentID:229734
Cole McAndrew	I support this petition	I strongly support this petition.	1/22/25 6:52 pm CommentID:229736
Julia Bruski	I support this petition	I support this petition	1/22/25 7:11 pm CommentID:229737
George Ball	I do not support this petition	I do not support this petition	1/22/25 7:13 pm CommentID:229738
Elaine Wood	Support	Support this petition. Get this Canadian company OUT OF THE BAY!	1/22/25 7:15 pm CommentID:229739
Sean Freeman	Support the Petition - Don't let Canada ruin our Bay!	Please help us create a healthy bay! Let's let Canadian rape their own waters!	1/22/25 7:17 pm CommentID:229740
John Del Grosso	Support this Petition	It's funny how every "I do not support this petition" say nothing or "this is stupid" or everything is "fine why would we do this..." at what point do we realize that it's frog in the water that heating until it boils?	1/22/25 7:28 pm CommentID:229741

		<p>Are we going to wait, while millions of dollars are spent on restoring the bay, before we recognize and leverage the very elements of the bay that provide the regenerative properties of the bay? That is what the filter feeders - Menhaden - do for the bay -- clean the water, bring back vitality support other species. Let's take steps TODAY, a moratorium might be a step too far, but a reduction, say 75% or even less, can help drive the overall health of the bay.</p> <p>And clearly if Omega care about the Bay, other than what it means to the bottom line TODAY and only TODAY, they would recognize the value of this petition. Let's work together to drive a healthy and a forward looking perspective of how to - 1. Leverage the capabilities of the Bay to create that. 2. Lower the overall long term costs of creating that. 3. Raise the long term potential economic value (as well as recreational etc) of the Bay for the least cost....</p>	
Ron Ellenberger	Support the Petition - Don't let a Canadian Company ruin our Bay!	How can we let a foreign company rape OUR BAY. Get them OUT! Save the Bay!!	1/22/25 7:30 pm CommentID:229742
Robert Wonson	I do not support this petition	I do not support this petition	1/22/25 7:31 pm CommentID:229743
Lean Pulling	I support this petition - too many foreign companies taking our natural resources	Please stop this greedy foreign company from taking 30,000 metric TONS of Menhaden every year!!	1/22/25 7:31 pm CommentID:229744
Juanita Moore	I do not support this petition	I do not support this petition	1/22/25 7:34 pm CommentID:229745
Charles Windsor	I do not support this petition	I do not support this petition	1/22/25 7:36 pm CommentID:229746
Diane SHACKLEFORD	I do not support this petition	I do not support this petition	1/22/25 7:38 pm CommentID:229747
Hilton Laws	I do not support this petition	I do not support this petition	1/22/25 7:48 pm CommentID:229748
Bill Tompson	I do not support this petition	I do not support this petition	1/22/25 7:50 pm CommentID:229749
Betty j Ball	I do not support this petition	I do not support this petition	1/22/25 7:53 pm CommentID:229750
Hampton Gordon	I do not support this petition	I do not support this petition	1/22/25 7:54 pm CommentID:229751
Ken Goldsmith	I SUPPORT this petition	<p>The best available science shows that menhaden populations in the Bay are in decline, and for years the public has called for more responsible limits on the amount of menhaden that can be fished to protect the Bay's delicate ecosystem. As overfishing of menhaden in the Bay continues, there is a strong and direct correlation with declines in the population of sportfish, osprey, and marine mammals, along with forced shifts in diet away from their primary food source of menhaden.</p> <p>The VMRC has failed to develop and implement regulations that consider and incorporate statutorily-required conservation and management measures, including prevention of overfishing; consideration of</p>	1/22/25 8:13 pm CommentID:229752

		<p>the best available scientific, economic, and biological data; equitable allocation to users; and rulemaking that is not for the sole purpose of economic allocation.</p> <p>It is past time for the VMRC to enact new regulations using the best science to protect menhaden populations and ensure the continued viability of the critical ecological processes that rely on healthy menhaden stocks in the Bay. I strongly urge you to accept and act on the recommendations in this petition.</p>	
Anonymous	I support this petition	I support this petition !	1/22/25 8:46 pm CommentID:229753
Austin Mothershead	I do not support this petition	I do not support this petition	1/22/25 8:59 pm CommentID:229754
Travis Rice	I do not support this petition	I do not support this petition	1/22/25 9:00 pm CommentID:229755
Julie carrier	I do not support this petition	I do not support this petition	1/22/25 9:02 pm CommentID:229756
Theresa Packett	I do NOT support this petition	I do NOT support this petition !	1/22/25 9:21 pm CommentID:229758
Hillel Brandes	I support this petition	I support this petition as a first step in restoring the menhaden population in the Chesapeake and surrounding waters.	1/22/25 11:48 pm CommentID:229759
Dan Pickett	I do not support this.	I do not support	1/23/25 12:27 am CommentID:229760
Jeff Schenemann	I do not support	I do not support	1/23/25 8:53 am CommentID:229761
Anonymous	Menhaden	I do no support	1/23/25 9:37 am CommentID:229762
Brian Collins	Support Petition to Regulate Industrial Menhaden Fishing	<p>The VMRC is not upholding the Constitution of Virginia to ensure that industry is not degrading the natural environment and Chesapeake Bay ecosystem. VMRC has zero science to support the "historical quota" of 112 million lbs for Menhaden Bunker reduction by industry.</p> <p>The Atlantic States Marine Fishery (ASMFC) has no data on the availability of Menhaden for predators in the Chesapeake Bay Ecosystem.</p> <p>Industry removes every school of Menhaden they can find until they fill their quota of 112 million lbs and starve Striped Bass, Osprey chicks in nests in higher salinity areas dependent on Menhaden - many other species are in decline such as Trout and Blue Crabs and Bluefish. The Chesapeake is responsible for the majority of Striped Bass/Rockfish on the East Coast and the population is in collapse due to their starvation in the Bay.</p> <p>The reckless policy of VMRC is costing Virginians and Marylanders 1000's of jobs due to lost charters, lost tourism and the economic ripple effects of abuse of the forage fish that is the most important in the Bay as the most nutritious food available to predators.</p>	1/23/25 9:45 am CommentID:229763

James K Seldon	I DO NOT SUPPORT THIS PETITION	I DO NOT SUPPORT THIS PETITION	1/23/25 10:20 am CommentID:229764
Cerri Seldon	I DO NOT SUPPORT THIS PETITION	I DO NOT SUPPORT THIS PETITION	1/23/25 10:21 am CommentID:229765
Dustin Westman	Do not support	I do not support this petition	1/23/25 10:24 am CommentID:229766
Kenneth Pinkard	I do not support this petition. There's no science to support.	I do not support this petition. There's no science to support. Menhaden fishing is at a all time low in the Chesapeake Bay already. Save jobs in the Northern Neck !	1/23/25 10:27 am CommentID:229767
Ken Kimball	Petition to ban menhaden fishing-Do not support	I do not support this petition.	1/23/25 10:32 am CommentID:229768
Tom Childs	I Support the Petition	I Support the Petition	1/23/25 10:58 am CommentID:229769
Kim Reid	4 VAC 20-1270	I do not support this	1/23/25 11:16 am CommentID:229770
Kim Reid	I do not support this	I do not support 4 VAC 20-1270	1/23/25 11:18 am CommentID:229771
Tyler Jones	I do NOT support this petition.	I do NOT support this petition.	1/23/25 11:38 am CommentID:229772
Chad Bishop	I do not support this petition	I do not support this petition	1/23/25 11:44 am CommentID:229773
Charles Porter	I support the petition and request regulation of menhaden to protect the Bay.	I support the petition and request regulation of menhaden to protect the Bay.	1/23/25 12:03 pm CommentID:229774
Bert. Olmstead Kent Island Fishermen	Save the bay with stopping the over fishing of menhaden.	We support the petition and request regulation of menhaden to protect the bay. 286 members support the petition.	1/23/25 12:13 pm CommentID:229775
Anonymous	Do not support	Do not support	1/23/25 12:32 pm CommentID:229776
Annoymous	Do not support	Do not support	1/23/25 12:33 pm CommentID:229777
Anonymous	I support the petition and request regulation of menhaden to protect the Bay.	I support the petition and request regulation of menhaden to protect the Bay.	1/23/25 12:36 pm CommentID:229778
Anonymous	petition support	I support the petition and the protection of Atlantic Menhaden in the Chesapeake Bay.	1/23/25 12:41 pm CommentID:229779
Anonymous	I support the petition and request regulation of menhaden to protect the Bay.	I support the petition and request regulation of menhaden to protect the Bay.	1/23/25 12:43 pm CommentID:229780
Gary Bulger	Menhaden overfishing.	The omega fleet has whipped out the majority of the menhaden in the Chesapeake Bay , causing a collapse of the Striped Bass all along the East Coast. Since the Chesapeake is the major breeding ground for the Striped Bass restriction have to be put on the reduction fleet. Another important step that should be done is the changing of how their bycatch is recorded. Bycatch should be accounted for on a per-species count against each species caught not on a total bycatch harvest weight.BQ	1/23/25 12:45 pm CommentID:229781

Bill Harris	Menhaden Protection	I support the petition and request regulation of menhaden to protect the bay.	1/23/25 1:01 pm CommentID:229782
Steve G	I support the petition for regulation	I absolutely support this petition. Virginia has been negligent in turning a blind eye to this very obvious issue. The negative impact on our fishery at the expense of a few jobs - jobs at a company who have not adhered to catch limits in the past - is simply sad. The fact that so many other states have taken action and have seen corresponding positive impacts to their fishery should function as a guide post for how Virginia proceeds.	1/23/25 1:29 pm CommentID:229783
Henry Jones	I support the petition and request regulation of menhaden to protect the Bay.	I support the petition and request regulation of menhaden to protect the bay.0	1/23/25 1:49 pm CommentID:229784
Maggie Vaughan	Save the Menhaden, Save the Bay	I support the petition and request regulation of menhaden to protect the Bay!	1/23/25 2:14 pm CommentID:229785
Sam S	I strongly support the petition and want regulations on Menhaden to protect the bay	I strongly support the petition and want regulations on Menhaden to protect the bay. Industrial purse seining had its place in history but is no longer viable with the current environmental pressures put on these fish. Let's get some unbiased data and make rules that support the citizens of this country and not the industrial corporate lobby.	1/23/25 2:15 pm CommentID:229786
Center for Ecological Economic and Ethical Education (CEEEE)	I support protecting the menhaden for all the species that depend on them.	I am an ecological economist who has been concerned about fisheries conservation for well over 40 years, and the overharvest of menhaden (especially by Omega Protein) has placed in serious jeopardy a large number of marine species that depend on these forage fish, most especially striped bass, a species of particular interest to me. Please institute an aggressive program to protect these menhaden that will allow a rapid recovery of this important species. Thank you. Frederic B. Jennings Jr., Ph.D., P.O. Box 946, Ipswich, MA 01938-0946	1/23/25 2:20 pm CommentID:229787
Jon Gregory	I do strongly support this	I strongly support this	1/23/25 2:23 pm CommentID:229788
Atlantic Coast Sportsfishing Association	I support the petition and request regulation of menhaden to protect the Bay."	I support the petition and request regulation of menhaden to protect the Bay.	1/23/25 2:34 pm CommentID:229789
Nora Snyder	Save the menhaden!	Menhaden are a crucial part of the Chesapeake Bay ecosystem. I strongly support this petition to protect this species from overfishing.	1/23/25 2:58 pm CommentID:229791
Robert Russell	Menhaden petition	I support this petition.	1/23/25 3:03 pm CommentID:229792
Josh Norton	I Support Regulation	I support the petition and request regulation of menhaden to protect the Bay.	1/23/25 3:13 pm CommentID:229794
Thomas Cockrell	I do not support this petition	I do not support this petition	1/23/25 3:13 pm CommentID:229795
Steve Terry	Menhadden in the Chesapeake Bay	I strongly support the petition to regulate menhaden fishing and protect the bay	1/23/25 3:15 pm CommentID:229796

Donna	Sustainable Management of Atlantic Menhaden	Commercial fishing creates jobs. Not to ensure security of those jobs, a healthy fish population is necessary. Also, a balance among population of species is important. Atlantic Menhaden is a keystone species that other fish and bird populations depend on. If its population is not carefully managed, the entire fish population can collapse thereby jeopardizing jobs that depend on fisheries. So please limit the commercial fishing of Atlantic Menhaden in state waters before we experience an ecological and economic collapse.	1/23/25 3:29 pm CommentID:229797
Randy hall	I do not support	I do not support	1/23/25 4:06 pm CommentID:229798
David	I support the petition and request regulation of menhaden to protect the Bay	I support the petition to save the bay.	1/23/25 4:06 pm CommentID:229799
Steve	I support the petition and request regulation of menhaden to protect the Bay	Support the petition	1/23/25 4:06 pm CommentID:229800
dave a	Menhaden Limits	I support the petition and request regulation of menhaden to protect the Bay	1/23/25 5:14 pm CommentID:229801
Danielle Knight	I support the petition! Save the Osprey!	I support the petition and request regulation of menhaden to protect the Bay. I've noticed a decrease in osprey near our home on the Potomac River near the Bay.	1/23/25 5:20 pm CommentID:229802
Stephanie Crabbe	I do not support the petition.	I do not support the petition.	1/23/25 5:50 pm CommentID:229803
John Mackey	I support the petition and request regulation of menhaden to protect the Bay.	I support the petition and request regulation of the menhaden to protect the Chesapeake Bay from Omega over fishing.	1/23/25 5:54 pm CommentID:229804
Brian Hardman	Please help save the Chesapeake Bay	I support the petition and request regulation of menhaden to protect the Bay Save the MD Chesapeake Bay	1/23/25 6:00 pm CommentID:229805
Anonymous	Reduce menhaden fishing	I support the reduction of menhaden fishing to protect osprey and rockfish populations $\frac{3}{4}$	1/23/25 6:06 pm CommentID:229806
Anonymous	Reduce menhaden fishing	I support the reduction of menhaden fishing to protect osprey and rockfish populations	1/23/25 6:07 pm CommentID:229807
Len Dameron	I do not support.	Have you counted the number of schools of menhaden in the Chesapeake bay lately? Liberal regulation left with Biden.	1/23/25 6:10 pm CommentID:229808
Virginian Native	Do not Support Petition	Hard working Americans, that support the local economy in norfolk and literally support my annual salary. Fisherman are the Everyman and I'll always support the Omega Men!	1/23/25 6:24 pm CommentID:229809
Libbie Mitchell	I do not support this petition	I do not support this petition.	1/23/25 6:45 pm CommentID:229810
Denise D. Apple	Save the Chesapeake Menhaden	I support this petition!	1/23/25 7:11 pm CommentID:229811
Dave Apple	Menhaden	I support this petition.	1/23/25 7:13 pm CommentID:229812
Richard B. Crabbe,	I DO NOT support this	I DO NOT support the limitations outlined in this	1/23/25 8:07 pm

Sr	petition	petition.	CommentID:229813
RICHMOND AUDUBON CONSERVATION CHAIR-Julie Kacmarcik	I SUPPORT THE PETITION. STOP THE HARVESTING OF CHESAPEAKE BAY MENHADEN	Virginia is the only state on the east coast allowing the harvesting of menhaden. The harvested menhaden by a CANADIAN owned company is going to FARM raised salmon (highly unhealthy) in CANADA, Osprey do not have the menhaden they need to feed their young-young osprey are dying from starvation. Striped bass feed on menhaden. Their population is facing severe reduction. The greed of industry is destroying the largest estuary of breeding osprey in the WORLD.	1/23/25 8:23 pm CommentID:229815
Joseph W Sergewich	I will support this and follow with a means to support	I propose a ban on all Omega boats from leaving dock for the next 20 years. Let them rust. They are the reason the fishing in VA is not what it should be.	1/23/25 8:34 pm CommentID:229816
Carter Clevinger	I support this Petition	I support the petition for the reduction of menhaden harvesting in the Chesapeake Bay.	1/23/25 8:42 pm CommentID:229817
Ben Hutzell	I support the petition and request regulation of menhaden to protect the Bay.	Establishing a common sense regulation to maintain a sustainable menhaden population is critical to support Chesapeake Bay health and the species that rely on this forage fish.	1/23/25 9:18 pm CommentID:229818
John Mlodynia	I support the petition and request regulation of menhaden to protect the Bay	I support this petition and complete and total ending of purse seines in Chesapeake Bay. Save the bunker and the Striped Bass.	1/23/25 10:07 pm CommentID:229819
Andrew	I support this petition	I support this petition. Save the bay and all the animals that survive in it and from it	1/23/25 10:12 pm CommentID:229820
Lonell Rodgers	Support	I support the petition and request regulation of menhaden to protect the Bay!	1/24/25 5:38 am CommentID:229821
Michelle Bogdon	Save the Chesapeake menhaden	Save the overfished menhaden in the Chesapeake Bay. Michelle Bogdon from the Eastern Shore of Virginia	1/24/25 5:40 am CommentID:229822
Jeremy Morrison	I Support	I support the petition and request regulation of menhaden to protect the Bay.	1/24/25 6:44 am CommentID:229823
GEORGE ELFREY	SUPPORT MANHADEN REGULATION	I SUPPORT THE PETITION AND REQUEST REGULATION OF MENHADEN TO PROTECT THE BAY.	1/24/25 6:46 am CommentID:229824
Janice Hudson	I support this petition!	I live on Virginia's Eastern Shore. I have watched the menhaden population lessen considerably in my own creek the past 4 years. We have an Osprey nest close by and the young have not survived the past 2 years because of the lack of menhaden.	1/24/25 7:02 am CommentID:229825
Chris M.	Protect the menhaden	I support the petition and request regulation of menhaden to protect the Bay. We need more filter fish for cleaner water.	1/24/25 7:52 am CommentID:229826
Stuart Perdue	I support this petition	I grew up fishing the bay. One of the first things my father told me, was everything depends on Mehnaden. It is awful that Virginia lets not just one industry, but one Canadian owned company take priority over the health of the bay.	1/24/25 8:03 am CommentID:229827

Donnie Davis	No	I do not support	1/24/25 8:15 am CommentID:229828
Anonymous	I do not support	Do not agree	1/24/25 8:24 am CommentID:229831
Brandon Tate	I do NOT support.	I do NOT support.	1/24/25 8:29 am CommentID:229832
Wynesha Tate	I do not support	I do NOT support this petition.	1/24/25 8:31 am CommentID:229833
Flint Hutchens	I support the petition	I support the petition and request regulation of menhaden to protect the Bay.	1/24/25 8:31 am CommentID:229834
Anonymous	I do not support	I do not support	1/24/25 8:38 am CommentID:229835
Julia Brenson	I support the petition.	Limit or stop Menhaden fishing in the Chesapeake Bay.	1/24/25 8:39 am CommentID:229836
Anonymous	Support the petition - Shut down Omega - America First!	Omega continues to destroy the Bay and its fisheries. Please regulate them and out of the Bay.	1/24/25 8:43 am CommentID:229837
Anonymous	I do not support	I do not support	1/24/25 9:07 am CommentID:229838
Jon Titherington	I support the petition and request regulation of menhaden to protect the Bay.	I request the regulation of menhaden to protect the bay!	1/24/25 9:18 am CommentID:229839
Austin Robbins	I do not support petition	I do not support this petition that is not based off of any current science. Menhaden are one of the oldest tracked species that was commercially fished in the United States and has supported jobs and communities for over a century in this country and specifically in Virginia. This petition would look to put an industry out of business that has supported families for generations. The petition itself does not take into account that fishermen tend to fish where their target fish reside. If there were no menhaden in the Bay as the petition suggests there would be no boats catching menhaden in the Bay. This Petition like so many before it is based off people's perspective and not actual science that is tied to any facts about menhaden and therefore, I cannot support it.	1/24/25 9:23 am CommentID:229840
Rick Elyar	I support the Petition and request VMRC begin to protect our Bay's Ecosystem	As a recreational fisherman here in Cape Charles. I've witnessed the steady decline in our fisheries, menhaden abundance include and the Bay's over ecosystem. I beg this committee to begin putting our beautiful Chesapeake Bay's interest first and fund the study necessary to have the science needed to make changes. We've seen to much decline and the time is now to act and be proactive. This commercial fishery needs to be moved out of the bay and into the ocean. Our bay is a nursery for so many species the health and abundance of our forage fish needs to be better protected. we beg of this committee to act and support this petition.	1/24/25 9:46 am CommentID:229841
Jaun martinez	Menhaden petition	I strongly disagree with this petition	1/24/25 9:53 am CommentID:229842

Anonymous	Menhaden petition. I do not support	I strongly disagree with this petition	1/24/25 10:02 am CommentID:229843
WJC	I support the petition and request regulation of menhaden to protect the Bay.	I support the petition and request regulation of menhaden to protect the Bay.	1/24/25 10:30 am CommentID:229845
Charlotte Lilly	I support this petition. Don't allow factory fishing to take forage from the bay	Please keep factory fishing from taking the needed forage from the bay. The menhaden is needed by the ospreys and striped bass and other bay wildlife to survive.	1/24/25 10:38 am CommentID:229846
Cindy Brennan	I support this petition and request regulation of menhaden to protect the Bay	I support the petition and request regulation of menhaden to protect the Bay including the Osprey.	1/24/25 11:00 am CommentID:229847
Brian Clary	I support the petition	I support the petition and request regulation of menhaden to protect the Bay. Please appropriately apply regulation on menhaden in the Bay to allow other species to thrive that utilize menhaden as forage.	1/24/25 11:02 am CommentID:229848
Anonymous	I support the petition.	I support the petition.	1/24/25 11:15 am CommentID:229849
David L. Stearns	I support this petition	I support this petition	1/24/25 11:40 am CommentID:229850
Timothy Barksdale	I support this petition	Menhaden are vital to the Chesapeake Bay and need to be protected	1/24/25 11:44 am CommentID:229851
Shane Sager	I support this petition!	I support this petition.	1/24/25 12:56 pm CommentID:229853
Robert Clark	Menhaden	I support this petition	1/24/25 1:06 pm CommentID:229854
Robert Ryan	I support regulation in menhaden fishery	Menhaden regulation needs to be thoroughly researched and implemented. We cannot keep allowing Omega to continue pillaging this resource from the bay.	1/24/25 1:27 pm CommentID:229855
Anonymous	Commercial Menhaden Fishing	I support the petition and request regulation of menhaden to protect the Bay."	1/24/25 1:37 pm CommentID:229856
gail Bondurant	I do NOT support this petition	I DO NOT SUPPORT THIS PETITION	1/24/25 1:44 pm CommentID:229857
Brenda Parrott	I do not support this petition	i DO NOT SUPPORT THIS PETITION	1/24/25 1:45 pm CommentID:229858
JACKIE BONDURANT	I do not support this petition	I DO NOT SUPPORT THIS PETITION	1/24/25 1:46 pm CommentID:229859
FAYE SAMPSON	I do not support this petition	I DO NOT SUPPORT THIS PETITION	1/24/25 1:47 pm CommentID:229860
Terry Seldon	I do not support	I do not support this petition.	1/24/25 1:59 pm CommentID:229861
Eric Menab	I do not support	I do not support this petition.	1/24/25 2:00 pm CommentID:229862
Anonymous	I do not support this petition	I do not support this petition	1/24/25 2:16 pm CommentID:229863

Junk Mann	Bunker	I support the petition and request regulation of menhaden to protect the Bay	1/24/25 2:26 pm CommentID:229864
Anonymous	I do not support!	I do not support!	1/24/25 2:28 pm CommentID:229865
Dawn B	I do not support this petition	I support this petition	1/24/25 2:36 pm CommentID:229866
Anonymous	I do not support this petition.	I do not support this petition.	1/24/25 2:38 pm CommentID:229867
Phil Shannon	I support this petition	This petition supports the interests of a majority of residents in Virginia. Doing nothing supports a foreign owned business. More tax dollars are paid and jobs are created by commercial and recreational fishing in VA than are paid and created by Omega. Currently the state is losing tax dollars and jobs because Omega is allowed to deplete our bay of one its most valuable resources. I used to striper fish all winter, but don't anymore because they aren't around in abundance like they used to be because their main source of food has been depleted by Omega.	1/24/25 2:41 pm CommentID:229868
Wesley Butler	I Do not support this petition.	I Do not support this Petition!	1/24/25 2:45 pm CommentID:229869
Barbara Slatcher	I strongly support this	I strongly support this. All 5,000 osprey nests in the main stem of the Bay are failing because of the lack of menhaden.	1/24/25 3:00 pm CommentID:229870
Paula Hersh	I strongly support this	Needed to save the Osprey population!	1/24/25 3:21 pm CommentID:229871
Deondra Jones	I do not support	I do not support	1/24/25 3:39 pm CommentID:229872
Giada Jones	i do not support	i do not support	1/24/25 3:39 pm CommentID:229873
Manyera Walter	I do not support	I do not support	1/24/25 3:40 pm CommentID:229874
Anonymous	i don't not support	i do not support	1/24/25 3:40 pm CommentID:229875
Paige Jones	I do not support	I do not support	1/24/25 3:40 pm CommentID:229876
Patricia Jones	I do not support	I do not support	1/24/25 3:41 pm CommentID:229877
Tyshia harris	i do not support	i do not support	1/24/25 3:41 pm CommentID:229878
Manyera Walters	i do not support	i do not support	1/24/25 3:42 pm CommentID:229879
Chase Cockrell	I do not support	I do not support	1/24/25 3:44 pm CommentID:229880
Keymah clark	i do not support	i do not support	1/24/25 3:44 pm CommentID:229881
Ketiya Walters	i do not support	i do not support	1/24/25 3:45 pm CommentID:229882
Paul Glass	I support this petition.	I support this petition.	1/24/25 3:45 pm CommentID:229883
Kamryn Venny	i do not support	I do not support	1/24/25 3:45 pm CommentID:229884

Saprina Williams	i do not support	i do not support	1/24/25 3:46 pm CommentID:229885
Anonymous	Menhadden fishery reduction	Highly recommend a huge reduction in the menhadden catch in the chesapeake bay and Atlantic Ocean.	1/24/25 3:46 pm CommentID:229886
Jason Kraft	I support regulating the harvest of menhaden	I support the petition and request regulation of menhaden to protect the Bay.	1/24/25 3:51 pm CommentID:229887
Mary Anne Reid	I strongly support this petition!!	I strongly support this petition!!	1/24/25 3:51 pm CommentID:229888
k cloud	I support this!!!	Save the menhaden and all the fish that rely upon them for life	1/24/25 4:01 pm CommentID:229889
Lisa Selner	Osprey rely on you	<menhaden = ?? osprey — and you can't say you didn't know. I am a centrist voter and I care about this. Many more who don't know to sign the petition still care about wildlife more than you know! And we all vote. :)	1/24/25 4:10 pm CommentID:229890
R. L. Farmer	I do not support this!	I do not support this!	1/24/25 4:11 pm CommentID:229891
norm barb	I support this study.	I support this study. Why wouldn't you support this ?	1/24/25 4:30 pm CommentID:229892
Sheri Jones	I strongly support this petition	The fishing of menhaden needs to stop to protect our bay and the other wildlife in the food chain.	1/24/25 4:32 pm CommentID:229893
Molly Moore, president, Southern Maryland Audubon	Ospreys need this rule to survive!	Scientists and bay residents are already observing increasing mortality rates among our iconic Osprey fledglings due to severe shortages of menhaden--their primary food source-- in the Chesapeake Bay. Menhaden also are critical to dolphins and other bay wildlife. Commercial fishers are free to fish in the Atlantic; there is no compelling reason to continue permitting them to take menhaden from the bay, one of our nation's greatest natural treasures. We urge your to approve this rule ending commercial takes of menhaden inside the bay in Virginia waters.	1/24/25 4:36 pm CommentID:229894
Cindy Andrews	I support this petition	I support this petition	1/24/25 4:37 pm CommentID:229895
Anjelica Crockett	I do not support this petition	I do not support this petition	1/24/25 4:55 pm CommentID:229896
Doug Benson	I strongly support this petition	I have spent 50+ yrs on the Chesapeake Bay and have seen the massive decline. Schools of menhaden a hundred yards across or more used to be common sight. Now you're lucky to see schools 50' across. Also, most are not adult menhaden. If Omega doesn't believe there is a local depletion in the Chesapeake Bay then why do they travel north offshore and fish off the coast of New Jersey? Because they cannot catch their quota locally! What small schools we do see gather at the mouth of the bay on a given day are quickly scooped up the next!	1/24/25 5:43 pm CommentID:229897
Anonymous	I support menhaden regulation.	I support menhaden regulation.	1/24/25 5:52 pm CommentID:229898
Anonymous	I support this petition.	I support	1/24/25 5:53 pm CommentID:229899
Stacey G	I support restrictions to commercial fishing of	Menhaden are crucial for supporting our local and	1/24/25 6:02 pm CommentID:229900

	menhaden.	complex food webs.	
Bill Knapp	The only people that don't support this are people being paid by Omega!!!	End menhaden fishing in Virginia State Waters!!!!	1/24/25 6:03 pm CommentID:229901
Debbie Smith	Support	I support regulation	1/24/25 6:04 pm CommentID:229902
Karmen Lucas	i don't support	i don't support	1/24/25 6:06 pm CommentID:229903
Peter G	I support restrictions to commercial menhaden fishing	Essential fish in food chain for both fish and bird.	1/24/25 6:11 pm CommentID:229904
Mary Ann Friesen PhD	support the petition and request regulation of menhaden to protect the Bay	I support efforts to protect the Bay- and request regulation of the Menhaden to protect the Bay for future generations. Thank you for considering my request.	1/24/25 6:38 pm CommentID:229905
John Hauf	I support this	I support this. The bay is dying.	1/24/25 7:12 pm CommentID:229906
Michael Fallin	I support the Petition	I support the Petition	1/24/25 7:18 pm CommentID:229907
Roberta Clark	I Support This	I support this as they are crucial.	1/24/25 7:39 pm CommentID:229909
Sandra Smith	Menhaden	I support this. The fish have suffered in numbers from the reduction in menhaden in the bay. I have seen this reduction in fishing over several years.	1/24/25 7:50 pm CommentID:229910
Stan Svrlinga	I support this Petition	I support this Petition	1/24/25 8:14 pm CommentID:229912
Michael Sprintz	Osprey need our help!!	I support this petition. For the past two to three breeding seasons the Osprey of the Chesapeake Bay have reproduced well below replacement levels to maintain and even grow the bays Osprey population. If this continues unabated Osprey will not be the only losers on this issue, so too will the fish and everyone who loves the Chesapeake Bay region.	1/24/25 8:23 pm CommentID:229913
Joseph Davis	I strongly support this petition	Menhaden and baitfish landings (and therefore bycatch) must be reduced for a sustainable Chesapeake Bay fishery. We cannot allow the status-quo to continue.	1/24/25 8:25 pm CommentID:229914
Jane Nunn	Moratorium on menhaden fishing in the Chesapeake Bay	I strongly support this legislation. It will give time for scientific research to determine proper fishing limits and will protect the rights of all stakeholders.	1/24/25 8:42 pm CommentID:229915
Kenny Pinkard II	NO	I DO NOT SUPPORT	1/24/25 8:58 pm CommentID:229916
Karla P.	I do not support this		1/24/25 9:05 pm

		I do not support this	CommentID:229917
Shawn H	STRONGLY SUPPORT. GET OUT OF VA WATERS	.STONGLY SUPPORT. GET OUT OF VA WATERS	1/24/25 9:10 pm CommentID:229918
George Newman	petition to restrict menhaden fishery	I strongly support the petition.	1/24/25 9:21 pm CommentID:229920
Scott Gregg	I fully support this pet. What is Omega afraid of?	Everyone who fishes the bay in VA has watched the decline. There is only one reason Ocean Harvesters is fighting a study and that's because they know what they are doing. They will take every last mehaden from the and then blame climate change if you let them! This needs to stop until the study can be done. Burn a little more fuel and fish in the ocean where the sto is are healthy.	1/24/25 9:21 pm CommentID:229921
Winston Jones	I support the petition	Menhaden oerfishing inquiry by Omega. MD has already restricted or banned them but Virginia appear to be in their pocket.	1/24/25 9:28 pm CommentID:229922
Capt. Meriwether Payne, Seaside Ecotours LLC	We need this study to help determine menhaden numbers in the Bay!	Without this study, we won't know if menhaden are being overfished until it is too late. It could already be too late! Both the VIMS Fisheries expert & Dr. Brian Watts Agree that we need more information to make an informed decision. I am very concerned about all of the Fish, Mammals, and birds that feed on Menhaden in the Bay. Please fund this study!	1/24/25 10:06 pm CommentID:229923
Brandon Britton	Study	I support this study	1/24/25 10:15 pm CommentID:229924
Angie Britton	I support this study	I support this study	1/24/25 10:16 pm CommentID:229925
Theresa Agresto	Yes	I support this.	1/24/25 11:29 pm CommentID:229926
Ryan VandeMark	I support this	I support this	1/24/25 11:31 pm CommentID:229927
Anonymous	I support the petition and request regulation of menhaden to protect the Bay.	I support the petition and request regulation of menhaden to protect the Bay.	1/25/25 1:37 am CommentID:229928
Ryan Price	Support the petition	I support this	1/25/25 5:08 am CommentID:229929
Anonymous	Do the study!!!	We need scientific data and research to back up what anglers already know. The menhaden boats have been raping our bay. The town of Reedville says it's necessary for their town to exist but if the only way they can keep existing is by destroying what belongs to not only all of Virginia today but also the future of the bay for generations to come it's time for them to make a shift. The economic benefits to a small group of people do not outweigh the needs of this critical ecosystem.	1/25/25 5:43 am CommentID:229930
Russell Minich	Supporting petition for limiting menhaden fishing in the Chesapeake Bay	I fully support this petition and ask that the moratorium contain therein take effect immediately. Based on personal experience, I can attest to the fact that the overfishing of the Manhattan has dramatically impacted the health of the Chesapeake Bay.	1/25/25 7:20 am CommentID:229931

Warren Bailey	I support the petition and request regulation of menhaden to protect the Bay.	The time has come to limit the removal of Menhaden in the Bay. Virginia is the last hold out and this has caused tremendous pressure From Omega. Nearly all of the Atlantic quota comes from the Chesapeake. To say this does not affect the ecosystem negatively is a lie.	1/25/25 7:29 am CommentID:229932
James Matthews	Petition	I do not support the petition.	1/25/25 7:42 am CommentID:229933
Residential	I strongly support this petition	Va must put an end to this omega take all and begin to bring back our entire fisheries in this once great ecosystem	1/25/25 7:44 am CommentID:229934
Mark Cotterman	I strongly support this petition	Va must put an end to this omega take all and begin to bring back our entire fisheries in this once great ecosystem thankyou Mark Cotterman	1/25/25 7:46 am CommentID:229935
Anonymous	I support this petition	I support this petition	1/25/25 7:53 am CommentID:229936
D. Haynie	Study	I Do Not support wasting tax payers money on trying to shut down an vital industry in VA.	1/25/25 7:58 am CommentID:229937
Derick Hudnall	I SUPPORT MENHADEN FISHING	This petition against the menhaden purse seine fishery is proposed from the opinions of those who don't seek facts beyond what they are told. A petition that carries this much weight should be based on facts rather than opinions. The facts do not warrant further regulation on the fishery, which I hope provides sufficient evidence for this petition and the proposed regulatory acts to be dismissed.	1/25/25 8:05 am CommentID:229938
Anonymous	I support the petition. It's obvious that the mouth of the bay is overfished	I support the petition. It's obvious that the mouth of the bay is overfished	1/25/25 8:26 am CommentID:229939
Anonymous	I support this petition	I support this petition	1/25/25 9:03 am CommentID:229940
Anonymous	I absolutely support this study!	I absolutely support this study!	1/25/25 9:03 am CommentID:229941
Jim Hazzard	Strongly support this petition	I strongly support this petition for responsible menhaden management. The area is clearly overfished—to the extreme detriment of Osprey, Striped Bass, and other critical wildlife species.	1/25/25 9:12 am CommentID:229942
Kathy Eykamp	I support this!	I support this	1/25/25 9:31 am CommentID:229943
Anonymous	Moratorium now!	life in the bay depends on menhaden. We need to end the overfishing now.	1/25/25 9:35 am CommentID:229944
Anonymous	I support this	Omega is destroying the Chesapeake	1/25/25 9:38 am CommentID:229945
Michael	Menhaden	I support this petition	1/25/25 9:45 am CommentID:229946
Sal Laforgia	Support petition	I strongly support this petition. The importance of the menhaden population for the overall health of the Chesapeake Bay can not be overstated. The positive economic impact of a robust medhaden population will far exceed any negative economic impact that a reduction in commercial menhaden harvest will have. We need this now Sincerely	1/25/25 9:59 am CommentID:229948

		Sal Laforgia 850 Husseys Creek Rd Warsaw Virginia	
Kip Eure	I Support This Petition.	Reduction menhaden fishing in the Chesapeake Bay MUST be halted immediately until a proper and impartial impact assessment and analysis is completed. This must be completed first and foremost.	1/25/25 10:10 am CommentID:229949
Jason jones	Menhaden	I do not support	1/25/25 10:19 am CommentID:229950
Jason jones	I do not support	I do not support	1/25/25 10:20 am CommentID:229951
Anonymous	Petition	I do not support this petition	1/25/25 10:21 am CommentID:229952
Vickie jones	I do not support	I do not support	1/25/25 10:23 am CommentID:229953
Gerhard Straub	Petition is unsupported	This petition should be dismissed outright. The petitioner's request is completely arbitrary. No evidence or supportive data or material is presented to support the request, let alone the underlying assumptions.	1/25/25 10:33 am CommentID:229954
Reese acklen	Agree	I agree with this petition.	1/25/25 10:38 am CommentID:229955
Jermiah Carr	Alantic menhaden	I support save the bay	1/25/25 10:39 am CommentID:229956
Tyson Dominy	I support	I support the elimination of Menhaden fishing in the Chesapeake Bay.	1/25/25 10:50 am CommentID:229957
Steve Anderson	I am in support	I am in support	1/25/25 10:52 am CommentID:229958
John Miller	I support the petition and the study for protection for Menhaden	Our Menhaden fishery should be managed by data gathered by scientific research and not by politics	1/25/25 10:58 am CommentID:229959
Anonymous	B	I don't support this	1/25/25 11:00 am CommentID:229960
Rob Haentze	Long time recreational fisherman and friend of the bay	Please support this bill and the funding of research on the industrial commercial fishing on menhaden fishery. The Omega menhaden fishery has devastated the population of this fish in the bay and it's had a direct impact on many other fish and wildlife. If something isn't done immediately the Chesapeake as we know it will be gone.	1/25/25 11:03 am CommentID:229961
Jay Donlin	I Support The Study	Please support this bill and the funding of research regarding the impact of commercial fishing on the menhaden fishery. Commercial fishing by Omega has devastated the population of this fish in the Bay, which has a direct impact on many of fish species and wildlife. Something must be done to save the fishery.	1/25/25 11:15 am CommentID:229962
Anonymous	I strongly support this petition.	I support this petition.	1/25/25 11:19 am CommentID:229963
Shireen Gonzaga	I support the petition and	I support the petition and request regulation of	1/25/25 11:34 am

	request regulation of menhaden to protect the Bay."	menhaden to protect the Bay. The menhaden fisheries are over-harvesting menhaden in the Chesapeake, threatening the survival of marine animals that depend on this fish as a food source.	CommentID:229964
Anonymous	Methadone Petition	I support the petition and would like to see the results of more thorough analysis/study	1/25/25 11:37 am CommentID:229965
Bill Hafker	I support this petition whose purpose is to protect BOTH the fish and Virginia fishermen	<p>The lessons of inaction related to other commercial fisheries in the US and around the world surely should not be lost on those who serve on a Marine Resources Commission. Where actions were late, or favored continued take in the face of continuing decline of target fish, bycatch, or fish that rely on the target fish, in order to keep fishing employment or income steady, the end result turns out to be an eventual lose lose for the fishermen, the fish, and the ecosystem. Many commenters opposed to the petition state that there is no science to support it. I think many would beg to differ. Sadly there is not more science available about this critical ecosystem keystone species and the fishery, in part due to seemingly unconscionable conscious decisions not to fund such research, presumably since the answers may not be those desired, and the “there’s no research/sciene” argument of ignorance is forfeited. Others in opposition state that quotas are already at their lowest levels ever, without perhaps noting the irony of the likely reason for that being the lower number of menhaden there for the taking. At least one person in opposition states that menhaden “are at an all time high thanks to current management”. Seriously?? If any Comissioners have not read (or listened to) Bruce Franklin’s fascinating and well researched book “The Most Important Fish in the Sea”, to get an intimate understanding of the absolutely critical importance of menhaden to the ecology of our seas and estuaries, and to those who have made a living from this fish for over a century, it would be a shirking of your responsibility to not read it before voting on this petition! Think, why are the undepletable cod of the Grand and Georges Banks gone? Why do few people, even avid fisherfolk, know that the Atlantic salmon once crowded the rivers of the US East Coast? Because no one took steps to keep them from being overfished (and otherwise driven from their ecosystem). Don’t be party to repeating this error. We now know better.</p> <p>Your actions to help ensure that what small fraction of the historic menhaden population that remains, is sustained and even assisted in expanding once again, is perhaps even more vital than the absent or failed efforts to save game fish, because these other species were predators up the food chain, while the lowly menhaden, though seen by most as just an oily boney waste fish, is actually the engine at the interface of the entire ocean food chain with its ability to turn plant matter into the flesh that so very many higher level predatory fish, that constitute our human seafood, need to survive.</p>	1/25/25 11:43 am CommentID:229967

		Support this petition now to preserve the fish that will, if protected, continue to support the other fish in the sea, as well as the fishermen who make a living from them, into the future. You can correct/modify today's actions in the future if warranted, but only if there is still a sufficiently resilient population of menhaden to recover from.	
WILLIAM T WILKINS	I strongly support this petition. What information is the "don't support" people afraid of?	Since 2004, when I began to fish the bay, I have seen a steady and then dramatic drop in the numbers of menhaden I see when I fish the bay. I have also noted a significant drop in the number of osprey nests as I motor out the creek. Is this drop due to too few menhaden to feed the chicks? In the last two years, I have not found one school of menhaden in the bay.	1/25/25 11:45 am CommentID:229968
Anonymous	I support this petition.	I support this petition. Virginia is only state that allows menhaden fishing in the Chesapeake Bay. The health of the Chesapeake Bay and surrounding water ways should not be sacrificed for financial gain.	1/25/25 11:45 am CommentID:229969
Sarah Hansel	Give the little fish a break!	I strongly support this petition. As a resident living on the Bay, it is clear that the recreational catch of striped bass has been strongly impacted by the overfishing of the smaller fish down the food chain. Not only do the menhedan suffer, but our fabulous osprey are going hungry as a result of the reckless overfishing of our precious bay.	1/25/25 11:46 am CommentID:229970
Lee Henry	Methadone Petition	I DO NOT SUPPORT THIS PETITION	1/25/25 11:46 am CommentID:229971
Kathy Lough	Menhaden in Chesapeake Bay	I support the petition. Request regulation of Menhaden to protect the Chesapeake Bay.	1/25/25 11:54 am CommentID:229972
Greg Nevi	Chesapeake Bay	I will not support any politician that does not support a moratorium on menhaden netting in the Chesapeake Bay.	1/25/25 11:56 am CommentID:229973
William D. Phillips	Petition to eliminate Menhaden harvesting in the Bay	I support the petition to eliminate or at least drastically reduce Menhaden harvesting in the Chesapeake Bay. I wish Virginia would follow other states and eliminate it all together.	1/25/25 11:58 am CommentID:229974
K. Roberts	Petition	I support the petition to protect the bay's ecosystem and limit fishing.	1/25/25 11:59 am CommentID:229975
Rodney E Fultz	Please listen, I support this petition	I have seen lots of dead menhaden floating after the netters have been through	1/25/25 12:04 pm CommentID:229976
Tara Patterson	Yes to menhaden regulations	I stand with area conservation groups in support of the petition requesting regulation of menhaden to protect the Bay.	1/25/25 12:13 pm CommentID:229977
Captain K. Ricks	Support regulation	I Support Regulation!	1/25/25 12:17 pm CommentID:229978
rob whitehead	support	I support this petition	1/25/25 12:19 pm CommentID:229979
Kennedy DANIELS	Menhaden reduction industry	I have followed this issue for many years. I have a hard time not being cynical about menhaden reduction and the lack of desire by politicians in Virginia to take any steps to eliminate it. I'm throwing my hat in the ring even though I believe that my opinion falls on deaf ears since I am a mere taxpayer and recreational fisherman.	1/25/25 12:24 pm CommentID:229980

Lee Kelly	I completely support this petition to Save the Chesapeake Bay Menhaden	<p>There is only one way to determine who is right concerning Menhaden. Do the study in the Bay! Anecdotal false claims by the reduction industry can easily be proven false by collecting empirical data to substantiate, scientifically, the harm that is being done by Omega Protein purse seining to the overall health of the Bay.</p> <p>There are plenty of menhaden available for harvest in the ocean.</p> <p>This issue has come before you every year for decades. Yet, this legislature continues to deny common sense studies to confirm, one way or the other, the truth about the negative effects this fishery does to the health of the bay!</p> <p>There is no way a tiny destructive industry should be given favor over hundreds of thousands of Virginians that depend on the health of the Bay.</p>	1/25/25 12:32 pm CommentID:229981
Allen Morrissette	Support of regulations	I support	1/25/25 12:35 pm CommentID:229982
William Herring	I support this petition to stop menhaden fishing in the Chesapeake bay and Coastal Waters!	I support this petition to stop menhaden fishing in the Chesapeake bay and Coastal Waters!	1/25/25 12:36 pm CommentID:229983
Craig Freeman	Ban purse seining	<p>Please do something about the lack of Menhaden in the Chesapeake Bay. The reduction fishery is playing a vocabulary game with overFishing versus overfished. They always say the Atlantic stock is healthy, which from Maine to Florida. It is, but our local supply in Virginia territorial waters has been lacking for years. This could be easily observed by the size of the Manhattan harvested. The average size is much smaller than it has been in the past, which indicates a population problem.</p> <p>It would be very easy to ban purse seining in the Chesapeake Bay for the reduction fishery. There are plenty of menhaden in the Atlantic ocean from New Jersey to North Carolina that can be targeted. They need to leave the nursery of the Chesapeake Bay alone.</p> <p>Sincerely, Craig Freeman</p>	1/25/25 12:40 pm CommentID:229984
Anonymous	Stop the decimation of the menhaden.	I support this position for the removal of purse seining to at least 1 mile from shore.	1/25/25 12:45 pm CommentID:229985
Mike P	I support	Common sense says support this. Recreational fishing brings more money to the State than commercial fishing.	1/25/25 1:02 pm CommentID:229986
Laura R	I support the petition	I support the petition and request regulation of menhaden to protect the Bay	1/25/25 1:10 pm CommentID:229987
Anonymous	Opposed to study	Opposed	1/25/25 1:23 pm CommentID:229988
Anonymous	I strongly agree with this!	I strongly agree with this.	1/25/25 1:33 pm

			CommentID:229991
Capt. Meriwether Payne, Seaside Ecotours LLC	Support VMRC petition	Strongly support this petition.	1/25/25 2:33 pm CommentID:229994
VLT	In Support of Petition	Gave VMRC 10 negatives for allowing the removal of menhaden from within the waters of Chesapeake Bay, asked them to give me 1 reason it benefited the estuary (aside from generating money) and they couldn't. That explains a lot about this issue.	1/25/25 3:12 pm CommentID:229997
Andrew	I strongly support this petition	Protect the chesapeake bay	1/25/25 3:30 pm CommentID:229998
Andy Cortez	Support this Petition	I support this petition which is urgently needed to restore and conserve the Chesapeake Bay ecosystem. The VMRC should fairly consider this petition and not allow the industrial fishing oligarchy to dictate rulemaking. I urge VMRC to do what's best for the majority of Virginians, which includes the conservative, wise stewardship of our precious marine resources.	1/25/25 3:46 pm CommentID:229999
John Dearstine	Strongly Support Petition	I strongly support every aspect of this petition.	1/25/25 3:46 pm CommentID:230000
Andrea Steegmayer	Support the conservation of Menhaden	I support severe reduction of menhaden fishing by the Canadian company Omega in our waters. The menhaden is over fished and the Fisheries Board has refused to even study the impact that this overfishing has on the Bay. In other words we are fishing in the dark and the dark ages without any scientific data. Makes zero sense to me as a taxpayer. Save our Bay from exploitation for Canadian profits. Of course there are jobs associated with Omega but easily fishing could be done further out in the waters. Why have other States stopped or restricted the overfishing ??? For good reason obviously -but Virginia insists on this destructive fishing that benefits no one except Omega Andrea Steegmayer	1/25/25 3:47 pm CommentID:230001
Aiden Barnes	I strongly support this petition.	I strongly support this petition, as it addresses critical concerns about the health of the Chesapeake Bay ecosystem, the sustainability of menhaden populations, and the broader implications for fisheries, wildlife, and local communities. Over-fishing of menhaden risks cascading negative impacts on the Bay's biodiversity and economic stability. By proposing a moratorium or significant reduction of purse seine fishing within the Chesapeake Bay, establishing exclusion zones, and increasing monitoring, the petition outlines pragmatic science-based steps to ensure the protection of this vital resource. The recommendations for funding expanded research by VIMS and requiring the fishing industry to share the costs reflect a balanced approach to advancing knowledge about the ecological and economic impacts of reduction fishing. These measures are	1/25/25 4:27 pm CommentID:230002

		<p>essential for informed management decisions that will benefit all stakeholders, including the fishing industry, recreational fishers, and the communities that depend on the Chesapeake Bay's health.</p> <p>I urge the Virginia Marine Resources Commission to adopt the proposed measures to safeguard the Chesapeake Bay ecosystem and ensure a sustainable future for its resources.</p>	
Charles J. Bruckner	Strongly support this petition,	Strongly support this petition on industrial fishing in the bay!	1/25/25 4:33 pm CommentID:230003
Brian B	I support this	Menhaden overfishing needs to end.	1/25/25 4:37 pm CommentID:230004
Anonymous	I fully support this petition	It's time for regulators to do the right thing and halt the purse seine fishing in the Chesapeake Bay. It's unconscionable that Virginia is allowing a Canadian company to destroy the menhaden population in the bay.	1/25/25 4:50 pm CommentID:230005
Anonymous	Support this petition	We need to better manage this important asset.	1/25/25 4:58 pm CommentID:230006
Anonymous	Support	Great idea. We can find another way to feed cats. If we don't...oh well	1/25/25 4:59 pm CommentID:230007
Leon Ellul	I support this Petition	We have been pushing this study back for years. Spend the funds on this study. Stop pushing it down the road	1/25/25 5:02 pm CommentID:230008
Mark Conrad	Strongly support the petition.	How much damage to the bay has to be done before the regulators wake up.	1/25/25 5:04 pm CommentID:230009
Annette Cook	Save the Bay	I strongly support this petition and request the regulation of Menhaden to protect the Bay.	1/25/25 5:13 pm CommentID:230010
Wills MD	Get the facts and shut it down	Common sense, we all have been witnessing it for the past 30 years. Time to shut down this fishery in the bay and probably the ocean as well. They will find new jobs.	1/25/25 5:25 pm CommentID:230011
Michael Ruggles	I support this petition	I support the petition to study the Chesapeake Bay and the related Menhaden fish condition in it. The striped bass in Massachusetts are now monitored and managed due to the decline in their numbers. As such, I support any study to determine if there is any correlation with the reduction industry in a bay that creates a lack of other predator fish in that bay and ocean,	1/25/25 5:38 pm CommentID:230012
Gary Lowe	Menhaden depletion	I most vehemently support this petition and ask the commission to take a stand to protect this vital fish and the ecosystem that supports it. Despite the contentions of foreign interests the fishery is in danger . Many thousands of sportsmen enjoy the fishery and support it financially .	1/25/25 5:48 pm CommentID:230013
Ryan Stephens	I strongly oppose this petition as a life long resident of coastal Virginia.	I strongly oppose this petition as a life long resident of coastal Virginia and sportfishing enthusiast.	1/25/25 6:08 pm CommentID:230014

Anonymous	Shut down industrial menhaden in the bay and study the impact.	Close industrial menhaden in the bay until it's studied by air for 4 years. The impact to our fisheries will be unbelievable. Using the whole east coast supply as an indicator of the bays depletion of this vital state resource.	1/25/25 6:25 pm CommentID:230015
Jennifer C	DO support	I do support	1/25/25 6:25 pm CommentID:230016
Lee-Ann Smith-Dean	I support this petition.	Save our Bay and Seabirds!	1/25/25 6:54 pm CommentID:230017
Joe evans	I strongly support the petition to limit fishing in Chesapeake's waters	I strongly support the wise use of our shrinking natural resources. The oceans are already suffering due to the effects of industrialization on land and in the sea. We need to take pause and thoroughly understand the effects of over fishing, and implement monitoring to fully understand the possibly devastating effects. The stakes are too high to just keep doing what we are currently doing.	1/25/25 7:13 pm CommentID:230018
Bill Sammler	I Support Petition	This fishery is too important to the entire Chesapeake Bay/Mid Atlantic coast ecosystem to delay action. Implementing this steps outlined for a 3 year period should provide sufficient information to determine whether the empirical data from the recreational and commercial communities is accurate.	1/25/25 7:45 pm CommentID:230019
Russell Vreeland	Menhaden	Menhaden are a keystone species for the Bay and its fishing industry. The Reedville plant does support 250 workers that is a given. But the recreational fishing industry around the Chesapeake supports nearly 10 times that many voters, and brings in more revenue. It is time Virginia joins with the rest of the coastal states. Reduce the reduction fishery and send them off the coast.	1/25/25 7:48 pm CommentID:230020
JoLynn Holcomb	Support this bill	Support this bill	1/25/25 8:14 pm CommentID:230021
Germain	Restrict The Bay	The Chesapeake Bay is the life blood of the east coast fisheries and needs to have protection, there is no reason it should t be treated as a sanctuary for fish species. There Bay should be off limits to netting of fish.	1/25/25 8:23 pm CommentID:230022
Tom Melhuish	Over fishing Menhaden	I live at the mouth of Cockrell Creek in Reedville Va. I see the Omega boats go out from my location. In the past the season ended at the end of August maybe the first of September because they hit there quota for the year. Now they have more boats and are running full time all they way into November so they are definitely over fished. Also in the spring and summer some of the boats were only gone about a day or so, so you know they are not going out past the CBBT to get menhaden but getting them in the bay area. Also we had Osprey nests with baby Osprey on most channel markers and several covered docks. Some of the nest are still present but we don't see any Osprey anymore living in these nests. Osprey food supply is Menhaden and these are now gone in our area. Use to see swarms of menhaden if front of my house but rarely see them any more.	1/25/25 8:32 pm CommentID:230023

		We need to go back to put limits on the amount of menhaden Omega Protein can take from the bay. They are destroying the ecosystem of the bay.	
Rick Dudley	I do not support this petition	I do not support this petition	1/25/25 8:34 pm CommentID:230024
Nicole Seago	STOP THE MENHADDEN OVERFISHING	Stop the Reedsville fleet from over fishing MENHADDEN in the Chesapeake. Horrible practices with unnecessary by catch.	1/25/25 8:44 pm CommentID:230025
Michael Ferraro	I support the petition	I am in support of the petition	1/25/25 8:45 pm CommentID:230026
Stephen Schad	Support the petition-Menhaden Matter	It's about time we study this issue. Menhaden are the single most important forage fish along the entire east coast. they matter	1/25/25 9:11 pm CommentID:230027
Anonymous	I Support the ban	I Support the ban	1/25/25 9:21 pm CommentID:230028
Patrick	I don't support this	I don't support this bill against fishing	1/25/25 10:50 pm CommentID:230029
Mike Griffith	Menhaden in the Chesapeake Bay	I strongly support more regulation or a total ban	1/26/25 6:18 am CommentID:230030
James G Dixon	Menhaden Fishing Needs to be Regulated	I support the actions in the petition. Menhaden fishing needs to be managed and regulated to the benefit of all Chesapeake Bay species.	1/26/25 6:45 am CommentID:230031
Joshua Tompkins	I Support this Petition	Overfishing of menhaden in Chesapeake Bay negatively affects the ecosystem. I support regulation limiting the overfishing so we can reduce the negative environmental impact on residents	1/26/25 7:51 am CommentID:230032
william carter	Menhaden netting should be banned	To our esteemed members of the Va. General Assembly: Please take a stand against Omega Protein and help restore our Chesapeake Bay to it's former glory. Tell Omega to get out! Why would you allow one company to put in peril the entire sportfishing industry in Virginia. Go somewhere else! Stop the commercial harvest of menhaden .	1/26/25 8:17 am CommentID:230033
James T Lowe	I do not support	Science, not internet trends should guide fisheries management.	1/26/25 8:18 am CommentID:230034
Anonymous	i support a REGULATION!!!!	This over fishing needs to stop	1/26/25 8:28 am CommentID:230035
Sean K. Bunyon	I support this effort	I support this effort to regulate this type of fishing	1/26/25 8:29 am CommentID:230036
Anonymous	Halt the rape of the bay	The menhaden fishery has been over fished for decades. The absence of menhaden is noticeable. Bait balls were once numerous, now the water is vacant of them. I seldom see bait balls when boating. I used to see numerous bait balls and larger fish around them. In the past 15-20 years they are noticeably absent. Where the water was once thriving with life, it now appears dead, devoid of life. The depth finder used to display numerous fish, now it doesn't. The absence of menhaden has a wider impact on the whole sea life eco system. When I boat I see the menhaden fishery just outside the CBBT. Some times I've seen them inside the CBBT. During those times, they were not	1/26/25 8:29 am CommentID:230037

		transiting to offshore fishing grounds, but actively engaged in net fishing. I thought that was illegal for them. If it is, and they knowingly, purposefully break that rule and law, how many other laws are they breaking, such as reported catch? They need to be stopped. It will take decades for our waters to return to thriving with sea life. When will politicians be representative instead of concerned with popularity? Halt the rape of the bay, please!	
Russell Bowie	I support this petition for the sake of saving our wonderful Chesapeake wildlife.	Please control the greedy, short-sighted harvesting of the menhaden. The bay has struggled enough over the years. We need to protect it and help it survive.	1/26/25 8:46 am CommentID:230038
Mary Gruver-Byers	I support regulating menhaden fishing in the Chesapeake Bay	Stop companies from overfishing a critical species.	1/26/25 8:50 am CommentID:230039
Miyuki Dodson	Protect the Bay	I support the petition and request regulation of menhaden to protect the Bay.	1/26/25 8:53 am CommentID:230040
Mark S Williams	Save the Bay	I support the petition and request regulation of menhaden to protect the Bay.	1/26/25 8:54 am CommentID:230041
Kazuki Ko	Support the petition	I support the petition and request regulation of menhaden to protect the Bay.	1/26/25 8:59 am CommentID:230042
Anonymous	Support the petition	I support the petition	1/26/25 9:08 am CommentID:230043
Alton Dudley	I disapprove of this petition!	If this petition is approved it will destroy entire communities and businesses in Virginia. The only thing driving it is the greed and lack of compassion toward your fellow Virginia families.	1/26/25 9:13 am CommentID:230044
Joey Tomasello	I support the petition!	I support the petition	1/26/25 9:16 am CommentID:230045
Soenke Brandt	Mr.	I support the petition and stop strip mining the bay	1/26/25 9:47 am CommentID:230046
Ralph Cipolla	Petition	I support this petition.	1/26/25 9:47 am CommentID:230047
Ed Perraut	I support the petition and request regulation of menhaden to protect the Bay	I support the petition and request regulation of menhaden to protect the Bay	1/26/25 9:50 am CommentID:230048
Anita Schepker	I support this petition	I support this petition. Save the Bay.	1/26/25 10:04 am CommentID:230049
Anton Sorkin	I support the petition	Bunker fishing should be banned in VA waters	1/26/25 10:10 am CommentID:230050
Michael	Regulation of menhaden in the Chesapeake bay	I support the petition and request regulation of menhaden to protect the Bay."	1/26/25 10:43 am CommentID:230052
Dehaventon Wilson	Support for petition	I support this petition.	1/26/25 11:00 am CommentID:230053
Will Gillen	Save our world class fishery!	I support this petition to save our fishery in the bay. Over the past several years I have seen a depreciation in the menhaden population in our bay resulting in little to no Striper moving south during the open season. All of our large gamefish need bait to survive and stay around so it's time for regulations to be put into place before we have no fishery left for myself, my family, and future generations to enjoy.	1/26/25 11:08 am CommentID:230054

David	Do not support!	Do not support	1/26/25 11:17 am CommentID:230055
Kelly	I do not support this petition	Not in support	1/26/25 11:18 am CommentID:230056
Donald Williams	I support this petition	I support the petition to limit menhaden fishery to amounts as indicated in the petition	1/26/25 11:31 am CommentID:230058
Karen Kiehne, AAWSA	Limit menhaden fishing	The current fishing strategies for menhaden and other baitfish has the potential for ecological disaster in the Chesapeake Bay region. Osprey depend on the small fish as do other local birds. The Bay is already in trouble ecologically and really needs human help to limit the effects of human use! Please support the effort to limit fishing, especially to foreign companies who have no ties to our precious resource!	1/26/25 11:47 am CommentID:230059
Terry Elam	I do not support	I do not support	1/26/25 12:14 pm CommentID:230060
Andrew Shemeta	I support this petition	As a homeowner on the Potomac, and recreational fisherman of the Chesapeake Bay and its tributaries, I have seen first hand, the reduction in rockfish and osprey numbers over the years. I support the petition and request regulation of menhaden to protect the Bay.	1/26/25 12:19 pm CommentID:230061
Leah Hendee	I support this petition	I support this petition.	1/26/25 1:36 pm CommentID:230062
Tim Griffin	Concerned Virginian	I support this petition	1/26/25 1:44 pm CommentID:230063
Karen Pinkard	Menhaden	I do not support	1/26/25 1:56 pm CommentID:230064
Karen Pinkard	I do not support	I do not support	1/26/25 1:57 pm CommentID:230065
Leah Shepherd	I support the petition - save the Menhaden!	Eastern Shore resident: Sportfishing in the lower Bay has changed greatly in the last 20 years with the number and sizes of different species constantly declining. Menhaden are vital to the health of the Bay fish and animals that consume them. Stop the over-fishing while studies are continued, before it's too late.	1/26/25 2:38 pm CommentID:230067
Tom Crosby	OVER FISHING	I support the petition.	1/26/25 2:50 pm CommentID:230068
Charles Breckenridge	Limit menhaden reduction	I've only lived here for 7 years. And the amount of cobia, red drum, and striped bass I've seen Omega kill and throw overboard is absolutely insane! We're the only state that allows these people to come in and fish out our bay. Every other state along the east shore and the Gulf of Mexico keeps the menhaden fishermen out in federal waters. Menhaden are a critical baitfish for the Chesapeake bay. And we can't allow them these overfishing programs to continue without some regulations. Further more, it's not fair that we recreational fishermen are paying the price for these people who are over fishing our bay. Even if every recreational fishermen took every fish, we've caught on hook and line or cast net, we would do probably 1/10th of what omega and gill nets take in one net full. This is why we need to regulate Omega	1/26/25 2:53 pm CommentID:230069

		and the gill nets. Thank you.	
Joe Caporaletti	I support the petition	Health of the fishery is vital	1/26/25 3:02 pm CommentID:230070
Dale Ude, SMRFO	End Menhaden netting	End Menhaden netting in the Chesapeake Bay and Virginia's ocean waters.	1/26/25 3:31 pm CommentID:230072
Anonymous	I support this petition	I support the reduction of the menhaden fishery in the Bay and the exclusion buffer on the coastline.	1/26/25 3:32 pm CommentID:230073
Diane Nielsen	Menhaden petition	I support this petition.	1/26/25 4:03 pm CommentID:230074
Tom Fenn	I support reducing Menhaden catch in the Chesapeake Bay	Reduction of the menhaden in the Bay Is extremely obvious to any observer who's been watching the bay for the last 20 or 30 years. There is no question.	1/26/25 4:14 pm CommentID:230075
Robert Lewis	I support the petition	I support the petition	1/26/25 4:49 pm CommentID:230077
Brian Berger	Protect the Chesapeake Bay and Its' Resources	<p><i>I support this petition</i>, as well as adopting/enacting policies and regulations that are intended and designed to protect the resources of the Chesapeake Bay. Resources of all types, including the harvesting of menhaden and other fisheries that serve as major food sources for game fish in the Bay and its tributaries.</p> <p>Let's take the politics out of managing the Bay for a moment and enact this petition. We need some time to collect the data and develop policies that help protect the Bay's resources based on new data and the best possible science.</p> <p>Thank You for your time and the opportunity to comment on the "Petition for rulemaking to the Virginia Marine Resources Commission regarding Atlantic Menhaden, the Chesapeake Bay, and the reduction fishery."</p>	1/26/25 5:07 pm CommentID:230078
Marino Heinz	i do not support	i do not support	1/26/25 5:27 pm CommentID:230079
Adam	Reduce the commercial harvest of menhaden in Virginia waters.	<p>I believe the menhaden fishery should be reduced by at least 60% in the Chesapeake Bay and its tributaries. In addition, I believe the vessels in the menhaden fishery need to be more strictly monitored and that the regulations be more strictly enforced in order to ensure the live return of by-catch to the waters.</p> <p>Furthermore, I believe that the vessels in the menhaden fishery should be required to document 100% of by-catch that is killed and publicly post the mortality totals, annually.</p>	1/26/25 5:27 pm CommentID:230080
Mike Jenkins	Stop Menhaden Fishing in VA Waters	Stop Menhaden reduction fishing in VA Waters. The by catch is also dangerous to multiple species of fish in the Chesapeake Bay. All other states will not allow this. Omega is destroying the Chesapeake Bay	1/26/25 7:14 pm CommentID:230081
Don day	Ban foreign co from comm fishing state waters	Why are we letting a foreign country rape the menhaden from VA state waters ??? Just to save jobs in Reedville ?	1/26/25 7:58 pm CommentID:230082

		<p>turn omegas reedville property into a resort and provide more and better paying jobs !</p> <p>why delete all the fish that need menhaden to survive from our state waters . There hasn't been a striper fishery in lower bay this year as theirs no food for them . The stripers rush up the bay to spawn then winter 15 to 30 miles offshore because that's where the food is for them to forage on !</p> <p>every state has banned them it's time for va to save her resources and do the same !</p>	
Eric Webster	I fully support the petition	I fully support the petition.	1/26/25 8:10 pm CommentID:230083
Jon Hardman	I support the petition and request regulation of menhaden to protect the bay.	I support the petition and request regulation of menhaden to protect the Bay	1/26/25 8:49 pm CommentID:230084
Tony Waddell SclC	Menhaden	I donot support this	1/26/25 10:56 pm CommentID:230086
Anonymous	Keeping people in Northern Neck employed	I do not support	1/26/25 11:19 pm CommentID:230087
SCLC	We do not support this petition.	We do not support this petition. It will adversely impact the jobs of many Virginia from the Eastern Shore who have worked in this industry for years. WE DO NOT SUPPORT TAKING JOBS FROM VIRGINIA'S NORTHERN NECK FISHERMEN.	1/26/25 11:39 pm CommentID:230088
Anonymous	NAACP	I Don not support	1/26/25 11:59 pm CommentID:230089
Bird watcher in Maryland	Protect the Menhaden	I support the petition and request regulation of menhaden to protect the Bay	1/27/25 1:46 am CommentID:230090
jean nelson	i support this bill	asfmc and vmrc are working blind - assigning catch numbers without knowing how many menhaden are actually in the bay. no more menhaden reduction fishing in the bay until asfmc and vmrc conduct bay biomass numbers. if virginia doesn't know how to do that ask rhode island. they have been sucessfully counting menhaden biomass in narragansett bay for over 25 years.	1/27/25 3:55 am CommentID:230091
Don cash	No. I do not support.	No, I do not support.	1/27/25 7:01 am CommentID:230093
James W. Enochs III	I support this bill	Menhaden are the basis of the food chain and must be protected to assure game fish species have adequate food. Menhaden filter feed and assist in improving water quality which is beneficial to all species, reduces turbidity, and has a positive affect on aquatic grasses and the stabilization and resistance of the shore lines to storm and tidal affects. Those with a financial incentive will always insist that adequate stocks are present, regardless of the science. It is about time that the State of Virginia wakes up to the importance of this species and regulates it based on reality and research.	1/27/25 7:36 am CommentID:230094
Gunnar Kissman	Reduce industrial fishing in the bay	I believe it is the right of all Americans to enjoy the natural beauty of our country. Founders never	1/27/25 8:03 am CommentID:230096

		could've imagined the negative impacts of industry at the scales we see today, otherwise they surely would've provisioned against it. It is our responsibility as citizens and keepers of the land to oppose these actions in the absence of such provisions. Stop the over-exploitation of our natural resources - including specifically the industrial fishing of the Chesapeake. Let us all enjoy a more beautiful land, sacrificing a modicum of immediate economic yield for the benefit of our future.	
Melissa Thompson-Daye	Taking jobs	I DO NOT SUPPORT!!!	1/27/25 8:10 am CommentID:230097
Joe Kangas	I support the petition and request regulation of menhaden to protect the Bay.	I support the petition and request regulation of menhaden to protect the Bay.	1/27/25 8:31 am CommentID:230098
Anonymous	Support bill	I support this bill.	1/27/25 8:32 am CommentID:230099
Robert Dunning	Save the menhaden	I support this petition. As filter feeders and forage for multiple species, menhaden are an important to the ecology of the Atlantic coast!	1/27/25 8:34 am CommentID:230100
Ken Schultz	I strongly support this petition.	Industrial purse seine harvesting of 74% of the Atlantic Coast total allowable catch of Atlantic menhaden within the Chesapeake Bay and its entrance constitutes localized depletion. It's well past time for action to protect menhaden; a moratorium should remain in place until completion and peer review of the ongoing ASMFC single-species and ecological reference point benchmark stock assessments.	1/27/25 8:34 am CommentID:230101
Mollie Rudow	Save the Bay, Save the Menhaden	I strongly support this petition.	1/27/25 9:33 am CommentID:230103
Doug Ochsenknecht	I support this petition	I support this petition and respectfully request additional studies be conducted to determine the health of the menhaden population in the Chesapeake bay where it appears to me as a fisherman that the population has been severely reduced over the past decade.	1/27/25 9:51 am CommentID:230104
Jeffery L Swails	Protect the menhaden	It's time to regulate the menhaden harvest. Is the way its being done benefiting Virginians, everything points to the damage now and in the future causing more problems than the money made on this harvest.	1/27/25 9:56 am CommentID:230105
Jonathan	I strongly support this petition	I strongly support this petition	1/27/25 10:04 am CommentID:230106
William Daniels	I Do Not Support This Petition	I do not in any way support this petition. Thank you.	1/27/25 10:18 am CommentID:230107
Corinne Green	Stop local depletion of menhaden in Chesapeake Bay	Stop Menhaden reduction fishing in VA Waters. The by catch is also dangerous to multiple species of fish and wildlife in the Chesapeake Bay. All other states on the east coast will not allow this. Why is the east coast quota for menhaden 80% Virginia? Due to the reduction industry located in the Chesapeake Bay of Virginia. I have been regularly fishing and boating in the bay since 2006. The	1/27/25 10:42 am CommentID:230109

		<p>change in the pods of menhaden and number of birds and fish has changed drastically. I have witnessed the ships 6 at a time with spotter planes everyday. I have witnessed spills, ships surrounding fish in 19 feet of water with their purse seine nets meant for the ocean. The damage they are doing to the bay is disturbing. I can't believe Virginia is letting this happen to one of their greatest resources. The citizens of Virginia deserve better.</p>	
Mike May	I support this petition	<p>I have been a long time fisherman on the bay. I have seen the bluefish come and go. I have seen the striped bass come and go and come and go again. I have seen Cobia come and now going. The creel limits on these fish continue to drop in an effort to increase the population yet the harvests and populations have been falling. Omega's fishing in the bay is in my opinion a significant contributor to the decline owing to the significant impact on the forage fish population and the large by-catch kill.</p> <p>One of the main arguments against this petition is the loss of jobs. There are estimated 260 jobs in the Northern Neck area connected to the industry. The reduction of the Bay harvest would reduce Omega's catch by about 30% if they do not expand their Atlantic harvest. I assume they would expand their Atlantic harvest given their capital investment. There will be loss of job but only a fraction of the current employment. The tradeoff between these jobs and the health of the fishery is clear.</p> <p>I fully support this petition which will preserve the industry to sustainable level thereby improving the health of the bay and ensuring long term job opportunities.</p>	1/27/25 11:01 am CommentID:230110
J.D. Ball	Atlantic menhaden, Chesapeake Bay, and the reduction fishery	I support this petition.	1/27/25 11:03 am CommentID:230111
Anonymous	I Support This Petition	I support this petition. Save the bay!	1/27/25 11:09 am CommentID:230112
Scott Burger	Support the petition.	<p>I am very concerned about the menhaden fish stock. I want it protected and grown.</p> <p>As a Virginian and American citizen, I strongly resent the undue political pressure from an international corporation.</p> <p>Sincerely,</p> <p>Scott Burger</p>	1/27/25 11:12 am CommentID:230114
William Mott	I strongly support this petition.	<p>Commercial harvesting of menhaden in the Chesapeake Bay has substantially upset the food chain, and there is little doubt that this is related to the drop in striped bass numbers. It needs to stop.</p> <p>Legislators need to start listening to their constituents rather than the lobbyists who represent this caustic</p>	1/27/25 11:20 am CommentID:230115

		industry.	
Brian malsch	I support this petition	Over the past 20 years that I have fished the bay, the fishing has gone down hill significantly.	1/27/25 11:21 am CommentID:230116
Scott Goolsby	I support the petition	There is too much overfishing in the Chesapeake bay. It needs to be reduced so that the natural environment can thrive.	1/27/25 11:28 am CommentID:230117
Sherry Barb	I support this bill	I support this bill !	1/27/25 11:29 am CommentID:230118
Leslie D Taylor	Starving Osprey young...	I support the petition and request regulation of menhaden to protect the Bay.	1/27/25 11:41 am CommentID:230119
Gary R Bodie III	I support the petition	Stop overfishing menhaden!	1/27/25 12:35 pm CommentID:230121
Archie Keys	Petition regarding Atlantic Menhaden, the Chesapeake Bay and the reduction of fishery	I do not support this petition	1/27/25 1:06 pm CommentID:230122
DE-MD Synod, ELCA	Petition for rulemaking to the Virginia Marine Resources Commission regarding Atlantic Menhaden, the	Our faith community supports removing reduction fishing operations from the Bay.	1/27/25 1:07 pm CommentID:230123
John B carrico	Petition for rulemaking to the Virginia Marine Resources Commission regarding Atlantic Menhaden	I support this petition for rulemaking	1/27/25 1:58 pm CommentID:230124
Johnny J	I support the petition	This is long overdue. Time for some common sense regulations before any more permanent damage is done to the Bay ecosystem. Anyone crying about "lost jobs" and such is just sensationalizing. No one is saying Omega needs to be shut down! We are simply saying that Omega needs to stop raping the bay and catch their menhaden from the ocean like everyone else.	1/27/25 2:02 pm CommentID:230125
Samuel Sellard	I support this petition	reduction fishing in the VA portion of the Chesapeake Bay should cease immediately until credible science is presented and proves reduction fishing is not causing issues for fish, birds and other wildlife.	1/27/25 2:06 pm CommentID:230126
Chris B	I support	I support the petition and request regulation of menhaden in the Chesapeake Bay and surrounding coastal waters.	1/27/25 2:19 pm CommentID:230127
Brian Morris	I SUPPORT THIS PETITION	I support this petition in hopes that we can get an adequate number of menhaden back into the bay. I am very sympathetic to the possible job loss associated with reducing menhaden, but not at the cost of such a great natural resource as the Chesapeake Bay!	1/27/25 2:27 pm CommentID:230129
Ed Altonji	I support this petition	Key for us all is to do the needed science to understand how we can maintain the ecosystem long term while supporting the fisher industry. Then we can set the most appropriate limits as needed.	1/27/25 2:31 pm CommentID:230130
Stephen Terry	Menhaden Fishing in Chesapeake Bay	I support the regulation /banning of commercial menhaden fishing in the Chesapeake Bay. No more	1/27/25 3:05 pm CommentID:230132

		commercial net boats (owned by Canadians too) in the bay.	
Nancy Archer	I absolutely agree with this petition!	We Need To BAN Purse Seine Fishing in the BAY! Please at least limit the take to 10% of what's currently allowed!	1/27/25 3:26 pm CommentID:230134
Kim St. Laurent	Menhaden Petition	I support the petition and request regulation of menhaden to protect the Bay.	1/27/25 3:31 pm CommentID:230135
Chris Beatley	I do not support this bill	I do not support this bill	1/27/25 3:43 pm CommentID:230136
Anonymous	I support this petition	Menhanden overharvesting needs to end	1/27/25 3:50 pm CommentID:230138
Tim Hummel	I support this Petition	I am concerned about the health of the bay and the menhaden is the base of the food chain which is getting wiped out by the reduction fishery. I want my kids to be able to enjoy the chesapeake bay the same way I have been able to and fear that they will not be able to as the bait gets removed. Omega, a Canadian company, should not be allowed to fish in VA state waters just as they cannot fish in any other state waters along the east coast. We should not allow our natural resources be ruined by foreign companies.	1/27/25 4:14 pm CommentID:230139
Terry B	Save our Fishery	I support this petition !	1/27/25 4:26 pm CommentID:230140
Randy Jones	I support this petition	The sustained vitality of the Bay is #1. Temporarily reducing menhaden hauls is a reasonable ask while stock assessments are completed.	1/27/25 5:22 pm CommentID:230143
Jean Sellard	Chesapeake Bay Menhaden Petition	I support the petition and request regulation of menhaden to protect the Bay.	1/27/25 5:33 pm CommentID:230145
Nick Zacharias	Menhaden petition	I support this petition.	1/27/25 6:20 pm CommentID:230146
Anonymous	Atlantic Menhaden in Chesapeake Bay	Please study the impact of the removal of 112 million lbs of forage fish from the Bay and mandate that industry fish 3 miles out in the ocean like every other state on the East Coast.	1/27/25 6:35 pm CommentID:230147
Pat Pavlish	I do not support this petition	I do not support this petition. Menhaden fishing can be viewed as supporting local jobs\economy and maintaining historic fisheries.	1/27/25 7:08 pm CommentID:230148
michael j trombino	menhaden	I support the petition and request regulation of Menhaden to protect the bay.	1/27/25 7:13 pm CommentID:230149
Anonymous	I support this petition and request regulation	Nuff said	1/27/25 8:50 pm CommentID:230150
Robert	Do not support	I do not support this petition in any way	1/27/25 9:09 pm CommentID:230152
Jackson	Do NOT support	I do NOT support this petition	1/27/25 9:11 pm CommentID:230153
Gary Tingler	I support this petition	Omega is raping the bay, ruining the fishing in the bay.	1/27/25 9:40 pm CommentID:230154
Dave Maisel	Menhaden Petition	I support the petition to impose an immediate moratorium on reduction fishing for menhaden within the Chesapeake Bay.	1/27/25 10:19 pm CommentID:230156
Frank Maccarelli	Protect Virginia fisheries /		1/27/25 10:54 pm

	Menhaden	Protect the menhaden	CommentID:230158
Sarah Clark	Let's make the right choice for the future and for wildlife	I support the petition and request regulation of menhaden to protect the Bay.	1/28/25 12:12 am CommentID:230159
Anonymous	I support this petition	I support this petition.	1/28/25 8:56 am CommentID:230160
Charleen McManus	In Support	I support this rule and the protection of menhaden.	1/28/25 9:02 am CommentID:230161
Stuart Lamont	I support the petition and request regulation of menhaden to protect the Bay	I support the petition and request menhaden regulation	1/28/25 10:10 am CommentID:230163
Steven Foceri	I support the petition and request regulation of menhaden to protect the Bay.	I support the petition and request regulation of menhaden to protect the Bay.	1/28/25 10:47 am CommentID:230167
S. Allison	Not in Support	The most recent assessment, which was accepted by the Atlantic States Marine Fisheries Commission in February 2020, says that Atlantic menhaden are NOT overfished and that overfishing is NOT occurring. I do not support this bill.	1/28/25 11:26 am CommentID:230169
Mark Pettit	I support this petition	I support this petition.	1/28/25 12:40 pm CommentID:230171
Eileen Alexander	I do support the petition to save the osprey	We put up an osprey pole 6 years ago and have a bird eye view into their nest every year. We have witnessed and have photographs to show the size and type of fish they are able to catch. The past two years the babies died or were pushed out of the nest.	1/28/25 4:06 pm CommentID:230174
Stephen S	I support the petition.	I support the petition and request regulation of menhaden to protect the Chesapeake bay. Menhaden are a crucial part of our ecosystems and protecting them protects virtually every animal in the ocean due to where menhaden lay on the food chain.	1/28/25 4:38 pm CommentID:230175
Stephen Brown	Menhaden study in VA	I support this petition	1/28/25 5:45 pm CommentID:230177
ACSA	I support the petition	I support the petition to stop over fishing	1/28/25 6:49 pm CommentID:230179
ACSA	I support the petition	"I support the petition and request regulation of menhaden to protect the Bay."	1/28/25 7:03 pm CommentID:230180
ACSA	I do not support the bill	I do not support this bill	1/28/25 7:45 pm CommentID:230183
Liz S	I support this petition to limit menhaden fishing	I fully support the petition to limit menhaden fishing. The impacts are obvious and proven.	1/28/25 8:11 pm CommentID:230186
Sal Miciotta	I support the petition and request regulation of menhaden to protect the Bay	I support this petition 100% and request regulation of menhaden to protect the bay.	1/28/25 9:00 pm CommentID:230189
Valerie Ackerman	Menhaden	I support this petition. Bring back menhaden to the	1/28/25 9:27 pm

		Bay !	CommentID:230191
Terry P	I do not support!!!	I do not support	1/28/25 9:33 pm CommentID:230192
Edmund Conner ACSA	Menhaden overharvesting	I support the petition and stop the overharvesting	1/28/25 9:42 pm CommentID:230193
Capt. Buddy Noland	Menhaden regulation.	I support regulating the menhaden fishery to protect the fisheries and osprey.	1/28/25 11:28 pm CommentID:230194
Anonymous	Chesapeake Bay	I support the petition and request regulation of menhaden to protect the Bay	1/29/25 6:22 am CommentID:230195
Charles Sterner	OMEGA GO HOME	?I support the petition and request regulation of menhaden to protect the Bay. It's time to support America and it's resources and stop OMEGA from raping our Bay.	1/29/25 7:41 am CommentID:230196
Kyle Hart	Support Menhaden Fishery Reform	As a recreational angler in the Chesapeake Bay and surrounding waters, healthy fish populations, from forage fish like menhaden all the way to sportfish like striped bass, red drum, and cobia, are critical to how I spend my weekends, and thus my money, in communities around the Bay. It is well past time for VMRC to take meaningful action protecting menhaden from overharvest in the Bay.	1/29/25 7:57 am CommentID:230197
Eric g noonkester	Menhaden overfishing by the few corporate interests is destroying the chesapeake bay fishery	I support the petition	1/29/25 7:57 am CommentID:230198
Coasting	I support	I support the petition and request regulation of menhaden to protect the Bay.	1/29/25 8:00 am CommentID:230199
Mark	STOP THE SLAUGHTER	HOW HARD IS IT TO DO THE RIGHT THING	1/29/25 8:20 am CommentID:230200
Joe Thorpe CBSFA, ACSA, EMRFC, PSG, O.C. Marlin Club	I support the Petition to regulate the Menhaden Fishery	Please regulate and reduce the harvest of Menhaden in the Chesapeake Bay because I feel this has a direct impact on our natural resources regarding our Striped bass and Osprey population.	1/29/25 8:38 am CommentID:230201
Bailey Loving	Please DO NOT regulate menhaden any further erroneously.	Do NOT do this.	1/29/25 8:50 am CommentID:230202
Amanda Kues	I do not support	I do not support this petition!	1/29/25 8:52 am CommentID:230203
Sarah Loving	NOT supporting	I do NOT support this petition!	1/29/25 8:54 am CommentID:230204
Anonymous	Do not support	I do not support this petition.	1/29/25 8:55 am CommentID:230205
Anonymous	I do not support this petition!	I do not support this petition!	1/29/25 8:57 am CommentID:230206
Brandon J	I do not support the petition	Menhaden fishing is critical to the economy of Virginia and is vital for families to put food on the table.	1/29/25 8:58 am CommentID:230207
Isabelle Loving	I do not support this petition	I do not support this petition	1/29/25 8:59 am CommentID:230208
B.Smith	Omega has no business being in the bay	It's time for Omega to find another spot. They are destroying the bay and fisheries alike. By continuing to do this devastation, there will be no fishing for future generations.	1/29/25 9:00 am CommentID:230209

Anonymous	Don't support this petition	Don't support this petition	1/29/25 9:04 am CommentID:230210
Anonymous	Do not support	Do not support	1/29/25 9:14 am CommentID:230211
Marc Hall	I support the petition and request regulation of menhaden to protect the Bay.	I support the petition and request regulation of menhaden to help protect and restore fisheries in the Bay	1/29/25 9:30 am CommentID:230212
Timothy James	Do not support	I do not support this petition	1/29/25 9:32 am CommentID:230213
Hannah Hunt	I do not support this petition	I do not support this petition, Menhaden fishing is vital to the Virginia economy.	1/29/25 9:34 am CommentID:230214
Jay Hartman	Do not support this petition	I do not support	1/29/25 10:03 am CommentID:230217
Richard L	DO NOT SUPPORT THIS PETITION	Do not support this petition- there are many things that can be done to increase the Rockfish population like getting rid of blue cats in the spawning areas	1/29/25 10:22 am CommentID:230218
Michele. James	I do NOT support this petition	I do NOT support this petition	1/29/25 10:51 am CommentID:230219
Addison Hinson	I do NOT support	I do NOT support	1/29/25 11:19 am CommentID:230220
Shanda Hinson	I do NOT support	I do NOT support	1/29/25 11:23 am CommentID:230221
Anonymous	I do not support	I do not support	1/29/25 11:32 am CommentID:230222
Kimberly Hunt	I do NOT support this petition	I do NOT support this petition	1/29/25 11:50 am CommentID:230223
Dan Higgins	Support this petition	I support the petition and request regulation of menhaden to protect the Bay. Commercial over harvesting has depleted bait fish to the detriment of ALL game fish in the bay. Please slow it all down to allow the small bait fisheries to bounce back and grow. Thank you.	1/29/25 11:51 am CommentID:230224
James Reilly	I support the petition and request regulation of menhaden to protect the Bay.	I support the petition and request regulation of menhaden to protect the Bay.	1/29/25 12:32 pm CommentID:230226
Nancy Lewis	I do NOT support this petition	I do NOT support this petition.	1/29/25 1:11 pm CommentID:230227
Herb Lewis	I do NOT support this petition	I do NOT support this petition	1/29/25 1:11 pm CommentID:230228
Carter Bell	I do NOT support	I do NOT support this petition.	1/29/25 1:20 pm CommentID:230229
Karen Swann	I do not support	The menhaden industry is already heavily regulated.	1/29/25 2:18 pm CommentID:230231
Shamond Franklin	I do not support the petition	I do not support the petition	1/29/25 2:29 pm CommentID:230232
Kenneth Waller	I don't support the petition	I don't support the petition	1/29/25 2:32 pm CommentID:230233
Patrice Waller	I don't support the petition	I don't support the petition	1/29/25 2:34 pm CommentID:230234
Alexis Franklin	I do not support the		1/29/25 2:35 pm

	petition	I do not support the petition	CommentID:230235
Travis Kenner	I don't support the petition	I don't support the petition	1/29/25 2:51 pm CommentID:230236
Anonymous	I don't support the petition	I don't support the petition	1/29/25 2:55 pm CommentID:230237
Laura Bradley	I don't support the petition	I don't support the petition	1/29/25 2:57 pm CommentID:230238
Nick VeneyO	I don't support the petition	I don't support the petition	1/29/25 2:59 pm CommentID:230239
J.D. Ball	Atlantic menhaden, Chesapeake Bay, and the reduction fishery	I support this petition.	1/29/25 3:14 pm CommentID:230240
Marshall Loving	I do not support	Due to the strict nature of the regulations I can't support this petition. We need to consider environmental impact and fish pollution but we have to also consider the many lives that these industry support. If you wish to push regulations you will need to provide a more equitable plan for all parties.	1/29/25 3:21 pm CommentID:230241
Larry Allen	i support this document	I support the petition and request regulation of menhaden to protect the Chesapeake Bay.	1/29/25 3:33 pm CommentID:230242
Tamara Hall	I do NOT, 100% DO NOT, support this	I 100% do NOT support this	1/29/25 4:51 pm CommentID:230243
Michael Perraut	Support	I support this petition and regulation of the menhaden population	1/29/25 6:54 pm CommentID:230245
Anonymous	I support the petition	I support the petition and request regulation of menhaden to protect the Bay.	1/29/25 7:28 pm CommentID:230246
Robert B.	Omega! Ocean Harvester! Reedville	All, working hand and hand with these men and women I know these folks personally, I support the fisherman of Reedville & oppose this petition.	1/29/25 8:38 pm CommentID:230247
fred murray	Menhaden- stop the overfishing of these valuable parts of the food chain in the Bay	I support the petition to curb overfishing of menhaden	1/29/25 9:02 pm CommentID:230248
Anonymous	Menhaden Petition	I do not support this petition	1/29/25 9:38 pm CommentID:230249
Timothy Honeycutt	I do not support this petition	I do not support this petition	1/29/25 9:50 pm CommentID:230250
Lars McCarter	VA Resident strongly supports action to protect Atlantic Menhaden	I'm a Virginia State resident and strongly support these actions. We must assess the current stock and ensure reasonable reductions/mitigations are taken to protect this vital forage species within the Chesapeake Bay. Please do not allow the special interests of a few to outweigh the health of our natural resources to ensure their sustainment for future generations.	1/29/25 9:59 pm CommentID:230252
Lynn Jenkins	I STRONGLY support this petition	I strongly support the petition and request regulation of menhaden to protect the Chesapeake Bay. Action must be taken NOW to ban industrial harvesting of menhaden in the Virginia waters of the Bay and	1/29/25 10:52 pm CommentID:230253

		outside of the entrance to the Bay. VMRC considers menhaden simply as a commodity to be sold. The reality is that it is a keystone species for an ecosystem which is an incredible NATIONAL and NATURAL treasure. The menhaden population is faltering - affecting many species which depend upon them. Not that VMRC cares about that at all, refusing to look at data and indicators that have been provided to them time and again. Shame on you. Here is yet another opportunity to do the right (ethically and morally) thing. Please step up.	
Tyla Matteson, Chair York River Group Sierra Club	I support the petition to protect menhaden	We need to protect the Atlantic Menhaden, a primary food source in the food chain for marine life, to include whales, dolphins, large fish such as striped bass and osprey in the Chesapeake Bay. Please accept the five proposed recommendations to ensure the health of the menhaden and the health of the Bay.	1/30/25 12:49 am CommentID:230254
Darryl Smith	I don't support the petition	I don't support the petition	1/30/25 4:32 am CommentID:230255
Troy Allen	I don't support the petition	I don't support the petition	1/30/25 4:34 am CommentID:230256
Katheryn Robinson	I don't support the petition	I don't support the petition	1/30/25 4:41 am CommentID:230257
Frank Hubbard	I don't support the petition	I don't support the petition	1/30/25 4:45 am CommentID:230258
John Carpenter	I support this petition	I support	1/30/25 5:59 am CommentID:230259
Ruth Amundsen	I support the petition	The health of menhaden is intimately tied to the overall health of the Bay. I read the book 'The Most Important Fish in the Sea' many years ago, and it describes in great detail how the over-fishing of medhaden has led to so many losses. Highly recommend reading it. Please, please, protect this fish. I live on the water on the Lafayette River, and see so much of the wildlife that depends on this. And, of course, our fishing and tourist economy are at stake also.	1/30/25 6:03 am CommentID:230260
Gina Laforgia	Strongly support	I strongly support this position. Medhaden stocks are critical to the overall health of the Bay	1/30/25 6:03 am CommentID:230261
Leslie Fellows	Support	I strongly support	1/30/25 6:09 am CommentID:230262
Lindeve Hostvedt	Strongly support!	Strongly support	1/30/25 6:18 am CommentID:230263
Gail Clark	I Strongly support the recommendations of this petition.	I strongly support the recommendations of this petition. Not only to save the Osprey but to also return the needed nourishment for marine life. The Bay needs a chance to recover and reproduce.	1/30/25 8:29 am CommentID:230264
Edward Ashley	I strongly support this petition	We must ensure the health of the Chesapeake Bay including the fisheries and the wildlife that depend on them, especially all the birds. Menhaden are a foundation species that many depend on and they must be managed carefully, not overfished as has happened for years. Turning them into fertilizer and pet food is an abhorrent waste of a valuable resource.	1/30/25 8:33 am CommentID:230265
Fran Freimarck	I support this petition	I support this petition	1/30/25 8:34 am

			CommentID:230266
Katherine Ewing Slaughter	Menhaden Fishery Limits	<p>I strongly support this petition and limitations on the menhaden commercial fishery so to support the many species of birds, including osprey, that depend on menhaden. This has been an issue for decades and has now reached a critical point.</p> <p>The Center for Conservation Biology at William and Mary has produced extensive research on this issue. Its report states, in part:</p> <p>"In 2023, The Center for Conservation Biology has documented the highest rate of osprey nest failure ever recorded within the lower Chesapeake Bay. Only 17 of 167 nests monitored during the season produced any young. The nesting population produced only 21 young resulting in a reproductive rate of 0.13 young per pair. This rate is below that recorded during the height of the DDT era. In order for the population to sustain itself, pairs should produce 1.15 young per pair.</p> <p>"The poor reproductive performance documented during 2023 is a trend that has been observed for the past fifteen years. In Mobjack Bay, productivity peaked during the 1980s and has declined to the present day. Researchers within The Center believe that the ongoing decline in young production is driven by overharvest of Atlantic menhaden. Forage fish such as menhaden, anchovy, sardine, capelin and herring play significant roles in marine ecosystems throughout the world. These small schooling fish are responsible for transferring energy from plankton to higher-level predators such as osprey. When forage fish are overharvested the marine food web is broken and higher-level predators suffer."</p> <p>The Osprey is but one species affected: Please impose limitations on the commercial fishing for menhaden.</p> <p>Sincerely,</p> <p>Kay Slaughter</p> <p>1503 Short 18th St, Charlottesville, VA 22902</p> <p>Retired attorney, Southern Environmental Law Center</p>	1/30/25 8:39 am CommentID:230267
Gwyn Williams	I strongly support the petition.	I have waterfront property and I witness the impact of high menhaden harvesting on the wildlife first hand.	1/30/25 8:53 am CommentID:230268
Tom E	Strongly Support this Rule	<u>I support the recommendations in the petition</u>	1/30/25 8:59 am CommentID:230269
Frank Rife	I do not support this petition	I do not support this petition	1/30/25 9:01 am CommentID:230270
Capt Jorj Head	Support	I have been a charter captain fishing the bay for almost 20 years and have witnessed a sharp decline in menhaden schools over the years. The health of the bay and the species that live in it rely on menhaden.	1/30/25 9:11 am CommentID:230271

Ann Moore, Sierra Club member	I support the petition.	Overfishing of menhaden upsets the critical balance in the Chesapeake Bay ecosystem. The loss of the osprey population signals a ripple effect on many species on which humans, and other creatures, rely.	1/30/25 9:13 am CommentID:230272
Cecelia Ropelewski	Menhaden	I strongly support the recommendations of this Petition	1/30/25 9:18 am CommentID:230273
Cecelia Ropelewski	I strongly support the recommendations of this Petition	I strongly support the recommendations of this Petition	1/30/25 9:19 am CommentID:230274
Anonymous	I support this petition	I support this petition	1/30/25 9:27 am CommentID:230275
Susan Lozinyak	Strongly Support Petition	I live in a town where I could witness the great decline in the number of osprey chicks that survived this past year... only a handful from the 50 plus nests! I was not surprised to learn that it had to do with their food source... the menhaden. I am aware of the overfishing that is done further up river by corporations such as Omega Protein. For the sake of maintaining a balance of plant and animal life in the Chesapeake Bay watershed, abuses of any of its natural resources must be controlled. We don't want go back to the all-too-recent past when the Bay was dying. All creatures play a part in the balance of nature and none should be sacrificed for the sake of corporate greed!	1/30/25 9:34 am CommentID:230276
Christine Llewellyn	Menhaden overfishing	I strongly support the petition to the VMRC to address menhaden overfishing.	1/30/25 9:40 am CommentID:230277
Anonymous	I support the petition and request regulation of menhaden to protect the Bay.	I support the petition and request regulation of menhaden to protect the Bay.	1/30/25 9:49 am CommentID:230278
Janco Bronkhorst	Protecting the Bay for Future Generations	<p>I am not a commercial fisherman, but I do fish in the Chesapeake Bay occasionally and have many avid fisherman friends who are deeply concerned about the health of the Bay. A major concern is the large-scale reduction fishing of menhaden, which plays a crucial role in the food chain. Removing such a vital forage species at high levels, along with the bycatch of other fish, likely has serious long-term impacts on the Bay's ecosystem.</p> <p>I understand that job losses in the reduction fishing industry are a concern, but with an estimated 260 jobs tied to it, the potential economic impact must be weighed against the much larger recreational and commercial fishing industries that rely on a healthy Bay. If we don't take steps to manage this resource sustainably, we risk harming the ecosystem and limiting fishing opportunities for everyone in the future.</p> <p>For these reasons, I support this petition. It seeks to balance economic interests with sustainability,</p>	1/30/25 9:57 am CommentID:230279

		ensuring that the Bay remains a thriving fishery for generations to come.	
Matt Stirrup	I support the petition and request regulation of menhaden to protect the Bay	I support the petition and request regulation of menhaden to protect the Bay	1/30/25 10:27 am CommentID:230280
Lynne Oglesby	Mehaden Harvesting Limit	I support this petition to limit menhaden harvesting.	1/30/25 11:26 am CommentID:230282
Suzanne Keller	I support the recommendations in the petition.	Protecting our natural resources is a sacred duty. It is my prayer that you adopt the recommendations in the petition to protect the Menhaden.	1/30/25 11:53 am CommentID:230283
Anonymous	I support the petition and request regulation of menhaden to protect the Bay.	I support the petition and request regulation of menhaden to protect the Bay.	1/30/25 12:03 pm CommentID:230284
Jennifer A Tichacek	limit the menhaden harvesting	Please put in place reasonable measures to allow the menhaden to recover.	1/30/25 12:07 pm CommentID:230285
Joseph Russo, Watermen	Stop large ships catching fish in the bay	It is obvious the reduction of menhaden has had an impact on our fishery in the bay. The little guys fishing in the rivers have little impact on the large number of menhaden depleted from our bay and rivers. I have a small boat and catch little bait to serve my crabbing needs, but these huge ships come in and swoop up all the bait and has to be negative for our ecosystem. Maryland does not allow them to fish in their waters, so why is it ok to allow them in Virginia waters? It really does not make any sense.	1/30/25 12:26 pm CommentID:230286
Elizabeth Wilkins	OMEGA, VMRC what are you afraid of? I support this petition	If an industry that exploits a natural resource is opposed to stock assessments, research and monitoring around the ecological impacts of that industry, then I suspect they know something they'd rather not have the public find out. Ditto for the opposition by VMRC. This is how poor resource management enables resource depletion, and runs contrary to its mission.	1/30/25 1:11 pm CommentID:230288
Jacques van Montfrans	I strongly support this petition because it's a no brainer common sense issue	Stock assessment of menhaden is based on regional data as I understand the current state of the population. I also don't think that a Chesapeake Bay-wide study has been conducted for examining local extraction impacts by the Omega Protein purse seine industry. But what is undisputed is the documented value of menhaden in the Bay as a key ecological driver within the ecosystem. What is also undisputed is the intense commercial exploitation of menhaden within the Bay. I have personally witnessed this activity at the mouth of the Rappahannock River in May, 2022 where six menhaden purse seiners, with the aid of a spotter plane, were decimating menhaden schools in an area of only a few square miles. (I have photos of 4 of out of six purse seine boats and other anecdotal information of this event while I was sailing in the area and had to take an alternate approach to our destination because of the intense trawling in the area.)There is no doubt that this fishery is highly efficient because menhaden populations are confined geographically and spotter planes allow the directed encircling of menhaden	1/30/25 1:19 pm CommentID:230289

		<p>aggregations the extent that it has severe impacts on the menhaden population within the Chesapeake Bay. Such activities would be far more difficult in the open ocean, and therefore those activities would have a disproportionately greater impact on local populations.</p> <p>Peer reviewed scientific evidence indicates the importance of menhaden to osprey population nesting success and suggests that depleted populations can have a highly consequential effect on reproductive success. Furthermore, testimony from recreational and commercial fishers, though anecdotal, also point to the decimation of menhaden in the Bay as evidenced by declining and diseased predatory fish populations. Collectively, there seems to be consensus that the menhaden population is experiencing a major local decline in the population within the Bay.</p> <p>The economic considerations in this issue focus primarily on the industrial extraction benefits for jobs but don't include ecosystem services provided by a healthy and ecologically diverse Chesapeake Bay ecosystem. Such benefits include healthy fisheries populations which depend in part on a robust menhaden population. Indirect effects of a healthy menhaden population likely also include the reduction of low oxygen zones in the Bay.</p> <p>Omega Protein has deep pockets as evidenced by the six lobbyists working on their behalf in the Commonwealth legislature. And they are also well connected politically through their political donations. It's time for VMRC to consider the common sense strategy proposed in this petition which reflects the extensive will of those not directly connected to Omega Protein. What is Omega Protein afraid of and what is the problem with looking into this matter for once and for all. It's a no brainer and a common sense approach to understanding the real dynamics of the extraction fishery on menhaden population dynamics in Chesapeake Bay!</p>	
Dan Maisel	I support this petition	I fully support this petition which will preserve the industry to sustainable level thereby improving the health of the bay and ensuring long term job opportunities.	1/30/25 1:20 pm CommentID:230290
Thomas Lee Lilly menhaden coalition	science proves 1,000 osprey chicks starved due to menhaden overharvesting	The ASMFC ERP science says striped bass and ospreys are the most "sensitive" species to menhaden harvests. This means they suffer first and worst when there is not enough menhaden left in the bay's waters. For years now these two iconic species have suffered the worst thing a species can suffer - reproductive failure- that ERP science alone should be enough for the MRC to act favorably on the reasonable controls sought in the Petition. The MRC should be protecting the welfare of the general public in both of our states that use and treasure our bay. The bay is the greatest natural resource our people and their children, millions of them, have. Thousands of schools of	1/30/25 1:28 pm CommentID:230291

menhaden are being caught in Virginia just before they migrate to Maryland to feed our wildlife. In October 2021, over three years ago, I brought a letter to you from the Maryland Legislative Sportsmen's Caucus, thirty Senators and Delegates, that represent millions of Marylanders, imploring you to stop the factory fishing in the bay. They asked you to act as an equal partner in Chesapeake Bay. They asked you to be fair to Maryland and treat Maryland with the respect due to a partner. If you recall we did not get very far with the MRC that day and have not since despite the efforts of many concerned individuals and groups. Maryland outlawed factory fishing in the bay and its coastal areas to protect its environment and fishermen seventy years ago. We can't control what happens in Virginia but you can.

I would like to say a few things about the ospreys that are the most visible evidence we have of what's really going on. Dr Watts and his colleagues at William and Mary did an experiment where they supplemented feeding, about one pound of menhaden every three days, to ospreys raising chicks. There was a control group of nests that was not supplemented. One pound of menhaden is the equivalent of two three-year-old menhaden. Ospreys are said to have a hunting range of about nine miles from the nest. There is about 14 hours of daylight in May. So, in a nine mile radius of the 510 nests studied the parents flew for over 30 hours over three days searching but were unable to find even the three menhaden needed to keep their babies from starving. Since ospreys are very skilled hunters and menhaden are a surface schooling fish that means to me there were 510 tidewater areas in Virginia and Maryland where there was no menhaden. Since these areas are a very large sample, they represent the best scientific evidence of menhaden depletion bay wide that is available. As you know the rule at the ASMFC and in Virginia law Section 28.2-203 (2.) is that you are to manage the fishery using "the best scientificinformation available" and not wait for more data or more research. The peer reviewed journal article on Supplemental feeding is in the *Frontiers in Marine Science* journal April 2023 . I hope you will refer to it.

In conclusion, so many years have gone by now and I think we all know that the fishery machinery and spotter planes and the purse seine netters have the capacity to overwhelm our menhaden resource and they have. This is the same thing that has happened to the herring forage and the cod fishing on the Grand Banks. When we mention that the factory fishing should just be three miles off the coast to protect the bay and the menhaden we hear excuses why that can't be done, one after another. Its interesting that cod fishermen travel up to 1,000 miles (at about eight knots) from Boston and Gloucester Mass to the fishing grounds off of Labrador.in boats a fraction the size of the Omega ships. They can be at sea for

		weeks. They have done that for over two hundred years into some of the worst weather and sea conditions anywhere. Compare this to Atlantic menhaden fishing where almost all of it is caught within 10 miles of the coast of the relatively calm mid Atlantic. Please give this some thought. thank you Tom Lilly	
Patricia VonOhlen	I support this petition for reduce menhaden catch	Please exercise your ability to protect the bay by reducing the menhaden catch limits so that all marine species that depend on the menhaden can begin recovery.	1/30/25 2:21 pm CommentID:230292
John Gregory	Support Menhaden Study	I support the Menhaden study in Virginia. John	1/30/25 3:15 pm CommentID:230293
Vince Garrenton	Menhaden Study	I am in full support of this menhaden study which also limits immediately the reduction of menhaden and seeks to stop the raping of the Bay by Omega Protein. The impact of by-product waste (I've witnessed numerous times while fishing on the Bay), reduction of fish species by the elimination of a primary food source and the decline in our osprey population must be stopped.	1/30/25 3:35 pm CommentID:230294
David A Forbes	I support this petition.	I support this petition.	1/30/25 4:05 pm CommentID:230295
Kim Pollock Hudyma Anne Arundel Bird Club in Maryland	I support this petition	I support this petition to help keep the Chesapeake Bay ecosystem healthy.	1/30/25 4:35 pm CommentID:230296
Greg Sanchez	I support this	I support this position	1/30/25 4:54 pm CommentID:230297
Kenneth Rudd	I SUPPORT THIS	I SUPPORT THIS	1/30/25 5:25 pm CommentID:230298
Yvonne Parrish	support this	I strongly support thisI	1/30/25 5:29 pm CommentID:230299
Mary Kathleen Crow	I support this petition.	I support this petition.	1/30/25 6:01 pm CommentID:230300
Thomas Mulvaney	I support the petition and request regulation of menhaden to protect the Bay	I support the petition and request regulation of menhaden to protect the Bay	1/30/25 6:04 pm CommentID:230301
Kitty Cox	Petition about menhaden	I support the recommendations in the petition.	1/30/25 6:19 pm CommentID:230302
Cameron Cougill	End the reduction fishing of menhaden in the Chesapeake bay	I fish in the middle bay and can see the effects that lesser quantities of menhaden have on the predator fish populations and support a decision to end in the Virginia bay waters	1/30/25 7:57 pm CommentID:230303
Joseph Courtney	Menhaden Petiton	I support the petition and desire/think there should be regulation of the menhaden to protect the Ches. Bay.	1/30/25 9:36 pm CommentID:230304
Janet Silver, ACSA	Menhaden	I support the petition and feel strongly that regulation of the menhaden resources is need to protect/save the Bay.	1/30/25 9:40 pm CommentID:230305

Taylor	I support the petition and request regulation of menhaden to protect the Bay.	I support the petition and request regulation of menhaden to protect the Bay.	1/31/25 6:53 am CommentID:230306
Tyreese Seldon	I do not support	I do not support.	1/31/25 7:14 am CommentID:230307
Tynesha Seldon	I do not support	I strongly disagree with this petition	1/31/25 7:15 am CommentID:230308
Anonymous	I do not agree	I do not agree with this petition	1/31/25 7:16 am CommentID:230309
Anonymous	Va resident / local and I strongly disagree with this petition	Va resident/ local and I strongly disagree with this petition.	1/31/25 7:18 am CommentID:230310
Nathan Schepker	I support this petition. Save the bay	We must save the Bay for our Children.	1/31/25 9:14 am CommentID:230311
Anonymous	I DO NOT SUPPORT	I don't support	1/31/25 9:21 am CommentID:230312
Ginny Wills	Fully support the petition to protect the bay ecology	<p>I have two teenagers who love to fish and crab on the bay and Magothy river. But for almost all of us fishing, just isn't any fun anymore. We have seen the steady deterioration in our fish and wildlife with the disappearance of the menhaden.</p> <p>I have not heard any valid reason given by this Canadian fishing company in Virginia why they are allowed to take five thousand schools of menhaden Directly from the food supply of our wildlife in the bay. Many thousands of these schools are caught in Virginia just as they are trying to migrate into Maryland. This is not right and this is not fair.</p> <p>It's been more than 20 years now that this situation has been examined by scientist and there are tens of thousands of pages of reports, letters, minutes of meetings, scientific articles, letters to the editor, press releases, etc. This all started in 2004 when the commission recognized that Chesapeake Bay fish and wildlife were in poor condition and the commission's ERP Science proved beyond any doubt that when our ospreys and striped bass are in poor condition, it means there is over harvesting of menhaden In the bay.</p> <p>The regrettable thing here is that in that 20 years ,which means there have been over 80 meetings Of the ASMFC menhaden board this private fishing company in Virginia has been given hundreds of millions of dollars worth of the resources of the Chesapeake Bay .There seems to be no indication whatsoever that that company is willing to simply fish out in the US Atlantic as a long overdue " THANK YOU "to the people of Maryland and Virginia and Chesapeake Bay. Maryland and Virginia are being treated like some Third World country where international companies come in, Spread a lot of money around and take the peoples natural resources. They use our fish to feed their aquaculture salmon in Canada. These huge supplies of salmon are than imported into this country, flooding the market</p>	1/31/25 9:40 am CommentID:230313

		<p>reducing the prices that our Waterman get for what they catch on Chesapeake Bay. Meanwhile, they continue to pocket their profits from the \$30 million worth of menhaden they are given a year. As they say, there is no such thing as a free lunch And it's 1000s of baby ospreys that are starving in the nest that are paying the price and it's 100s of charter captains that have gone out of business that have already paid the price and probably 10,000 of their clients that are paying the price. It's millions of children that should be enjoying Chesapeake Bay bounty that are paying the price. Our striped bass spawning stock is paying the price and the true cost of this is the loss of a significant part of the culture of the people of the Maryland part of Chesapeake Bay, and all of this could be reversed by The members of the MRC having that company fish out into the US Atlantic zone which would not cost that company any loss of quota, and probably would result in the hiring of some more crew members and spending some more for fuel, supplies, and expenses in the state of Virginia</p> <p>Will you please ask favorably on the petition.</p>	
Meo Curtis	Support for the rulemaking on Atlantic Menhaden and reduction fishery	I support the rulemaking for immediate actions and in particular, designing, funding, and implementing studies to better identify current and long-term effects on menhaden populations and associated impacts on the Chesapeake Bay ecosystem.	1/31/25 9:45 am CommentID:230314
Anonymous	I do NOT support	Do not support.	1/31/25 9:50 am CommentID:230315
Christine Woods	Restore Menhaden in Lower Chesapeake Bay	I support this petition. Sufficient menhaden are integral to the sustaining the broader natural habitat of the Chesapeake Bay. Put Nature above Profit for awhile!	1/31/25 9:53 am CommentID:230316
Phillip Mumford	I do not support this.	I do not support this effort	1/31/25 9:54 am CommentID:230317
Michael Burgess	I DO NOT SUPPORT THIS	Keep Omega I do not support this petition	1/31/25 10:10 am CommentID:230318
Susan Ludeman	Omega Protein	I do not support.	1/31/25 10:20 am CommentID:230319
Susan Ludeman	I do not support.	I do not support.	1/31/25 10:21 am CommentID:230320
Anonymous	I do not support this petition.	I do not support this petition.	1/31/25 10:32 am CommentID:230321
Deborah Smith-Waller	Keep Omega	I do not support this petition.	1/31/25 10:41 am CommentID:230322
Stephen Shechtel, Maryland	We support the petition	Please note that on behalf of the MSSA and myself, we support the petition.	1/31/25 10:47 am CommentID:230323

Sportfisherman's Association		Stephen Shechtel, Esq. Chairperson and CAttorney for the MSSA	
Robin Todd, Maryland Ornithological Society	Strongly support the petition	The overharvesting of Atlantic menhaden in the Chesapeake Bay needs to stop. It threatens ospreys as well as other fisheries. Robin Todd Conservation Chair Maryland Ornithological Society	1/31/25 10:48 am CommentID:230324
Alva Jackson	Support keeping Omega	Omega provides jobs for many people in the area.	1/31/25 10:53 am CommentID:230325
Steve Waller	I do not support this petition	Save Omega	1/31/25 11:16 am CommentID:230326
Ulylinda Frazier	RE: I Do Not Support This Petition!	I know many hardworking families and friends who would be affected by this. I don't support this petition.	1/31/25 12:06 pm CommentID:230327
Miguel	I do not support	I do not support	1/31/25 12:19 pm CommentID:230328
Steve Rosas	Do Not Support Petition	Do Not Support Petition	1/31/25 12:27 pm CommentID:230329
Alex Rosas	Do Not Support Petition	Do Not Support Petition	1/31/25 12:27 pm CommentID:230330
Lynette Wallace	Do Not Support Petition	Do Not Support Petition	1/31/25 12:27 pm CommentID:230331
Denver Causby	Do Not Support Petition	Do Not Support Petition	1/31/25 12:28 pm CommentID:230332
Alex Causby	Do Not Support Petition	Do Not Support Petition	1/31/25 12:28 pm CommentID:230333
Octavia Causby	Do Not Support Petition	Do Not Support Petition	1/31/25 12:28 pm CommentID:230334
Patrick Lewis	I do no support this	I do no support this	1/31/25 12:29 pm CommentID:230335
Ashlyn Haines	I do no support this	I do no support this	1/31/25 12:29 pm CommentID:230336
Grace Cappo	I do no support this petition	I do no support this petition	1/31/25 12:30 pm CommentID:230337
Namita Bodiwala	I do no support this petition	I do not support this petition	1/31/25 12:30 pm CommentID:230338
B. Butler	DO NOT SUPPORT	I do not support this petition	1/31/25 12:32 pm CommentID:230339
Ronnie Butler	I do NOT support	I do not support this petition	1/31/25 12:33 pm CommentID:230340
Artis Seldon	I do NOT support	I do NOT support this petition	1/31/25 12:33 pm CommentID:230341

Devonta Butler	DO NOT SUPPORT	I don't support this petition	1/31/25 12:34 pm CommentID:230342
Rodney Ball	DO NOT support this	I don't support this petition	1/31/25 12:35 pm CommentID:230343
Ben Vivier	I DO NOT SUPPORT	I do no support this	1/31/25 12:35 pm CommentID:230344
Kendall Anderson	I don't support this	I do NOT support this	1/31/25 12:36 pm CommentID:230345
Don Trayvon	I do no support this	I do no support this	1/31/25 12:37 pm CommentID:230346
Devonte Thomas	DO NOT SUPPORT	I do not support this petition	1/31/25 12:37 pm CommentID:230347
Richard Rosas	I do no support this petition	I do no support this petition	1/31/25 12:37 pm CommentID:230348
Curtis Porter	I don't support this	I do not support this petition!!!	1/31/25 12:38 pm CommentID:230349
Kaylen Robinson	I do no support this petition	I do no support this	1/31/25 12:39 pm CommentID:230350
Jacki Tores	I do no support this	I do not support this petition	1/31/25 12:39 pm CommentID:230351
Jaquan Bromley	I do NOT support	I do not support this	1/31/25 12:52 pm CommentID:230352
Josie Webb	I do NOT support	I do not support this petition	1/31/25 12:53 pm CommentID:230353
Derrick Cockrell	I don't support this	I don't support this petition!	1/31/25 12:54 pm CommentID:230354
Curtis Haynes	I do not support this	I do not support this petition	1/31/25 12:54 pm CommentID:230355
Michael Thomas	DO NOT SUPPORT	I do not support this	1/31/25 12:55 pm CommentID:230356
Darrin Johnson	DO NOT SUPPORT	I do not support this!	1/31/25 12:56 pm CommentID:230357
Lawrence Kelly	I do NOT support	I don't support this petition	1/31/25 12:57 pm CommentID:230358
Jervon Henderson	I do not support this	I do not support this petition	1/31/25 12:57 pm CommentID:230359
Ari Marks	I do NOT support	I do not support this!	1/31/25 1:01 pm CommentID:230360
Owen Marks	NO to this petition	I don't support this	1/31/25 1:02 pm CommentID:230361
Cathy Queen	I do not support this	I do NOT support this petition. Scientific research has repeatedly shown that menhaden are sustainable, not overfished or being overfished.	1/31/25 1:05 pm CommentID:230362
David Queen	DO NOT SUPPORT	The research has shown that menhaden are in healthy numbers and are sustainable.	1/31/25 1:06 pm CommentID:230363
Cooper A.	I do NOT support	I do not support this.	1/31/25 1:16 pm CommentID:230364
Elizabeth Christeller	Strongly support	I strongly support this petition	1/31/25 1:54 pm CommentID:230365
Gus Lewis	Strongly support	I support this petition	1/31/25 1:56 pm CommentID:230366

Mike Cummings, Jr	Stop Omega Protein and Help Replenish the menhaden for the osprey	I support this petition.	1/31/25 2:14 pm CommentID:230367
McKenna	Stop omega protein	Please stop Omega Protein is support this petition	1/31/25 2:21 pm CommentID:230368
Welby Saunders	I do not support this petition.	I do not support this petition	1/31/25 2:31 pm CommentID:230369
Stephan Smith	I do not support this	I do not support this.	1/31/25 2:42 pm CommentID:230370
Valerie VanWitzenburg	I do not support this petition	There is no science to justify the change	1/31/25 3:43 pm CommentID:230372
Ron VanWitzenburg	I do not support this petition	A targeted attack with no science to back it	1/31/25 3:44 pm CommentID:230373
Samantha VanWitzenburg	I do not support this petition	I do not support	1/31/25 3:44 pm CommentID:230374
Maddie VanWitzenburg	I do not support this petition	I do not support	1/31/25 3:45 pm CommentID:230375
Tillie VanWitzenburg	I do not support this petition	No support for this	1/31/25 3:45 pm CommentID:230376
Jean Light	Petition	I do not support this petition	1/31/25 3:53 pm CommentID:230377
Jean Light	I do not support this petition	I do not support this petition	1/31/25 3:54 pm CommentID:230378
Viki Armentrout	Support Menhaden regulation in the Bay	I support the petition and request regulation of menhaden to protect the Bay.	1/31/25 4:57 pm CommentID:230379
Roxy Gwynn	Menhaden Overfishing	I support this petition and want strong limits on menhaden fishing in the Chesapeake Bay!	1/31/25 5:00 pm CommentID:230380
St. Mary's River Watershed Association	I support the petition and request regulation of menhaden to protect the Bay.	<u>I support the petition and request regulation of menhaden to protect the Bay.</u>	1/31/25 5:12 pm CommentID:230381
Tamela Summerfield	I do NOT support this petition	I do NOT support this	1/31/25 6:01 pm CommentID:230382
Bobby Blackwell	Petition	I do not support this petition	1/31/25 10:05 pm CommentID:230383
Bobby Blackwell	I do not support this	I do not support this action	1/31/25 10:07 pm CommentID:230384
Kaylyn King	I do NOT support	I do not support this petition	2/1/25 7:37 am CommentID:230385
Pc	I support this	We need to understand what is going on, with scientific research	2/1/25 8:16 am CommentID:230386
Jim Keough	I support the petition and request regulation of menhaden to protect the Bay.	After reading Bruce Franklin's book on Menhaden nearly twenty years ago and visiting Reedville, I am convinced that this is a destructive fishery that needs to be curtailed if not eliminated.	2/1/25 11:46 am CommentID:230387
Charles Stegman	I support this petition	Thank you for considering this petition.	2/1/25 11:56 am CommentID:230388
Hayden Head	I support this	Protect the bay	2/1/25 12:49 pm CommentID:230389

Marianner	Regulation of menhaden in the Chesapeake Bay.	I support the regulation of menhaden fishing in the Chesapeake Bay.	2/1/25 1:13 pm CommentID:230390
John Davis	I do not support	I do not support this	2/1/25 1:21 pm CommentID:230391
Leslie Davis	I do not support	I do not support this	2/1/25 1:21 pm CommentID:230392
Wayne Davis	I do not support this	I do not support this	2/1/25 1:22 pm CommentID:230393
Floyd Warren	I support the petition to stop the depletion of the menhaden	The menhaden must be saved or the Bay will die.	2/1/25 1:54 pm CommentID:230394
Donna Anderson	I do NOT support the petition as written	Omega remains an important business for our northern neck community and this petition does not help to resolve the challenges under discussion	2/1/25 2:14 pm CommentID:230395
Steve Bergman	I DO NOT SUPPORT THIS PROPOSAL	I DO NOT SUPPORT THIS PROPOSAL. Your constituents and tax payers are strongly opposed to this.	2/1/25 2:55 pm CommentID:230396
Molly Pinkas	I SUPPORT the petition.	I support the petition and request regulation of menhaden to protect the Bay. There is a reason that Maryland has prohibited purse seining of menhaden in our waterways since the 1950s, because it is environmentally detrimental and hurts our residents, wildlife, and waterways. We don't have massive fish kills washing up on our state beaches. It is time for Virginia to catch up. The detrimental impacts of this practice have been well known for decades. Please stop prioritizing corporate greed and profits at the expense of the health of the Bay. This corporation takes 90% of menhaden harvested in US waters and makes hundreds of millions of dollars in the process. Meanwhile future generations will not see dolphins in the Bay or ospreys soar over the rivers, because greedy and short sighted corporations destroyed the food chain. Please take action to protect menhaden and the ecosystem of the Bay before it is too late.	2/1/25 7:05 pm CommentID:230397
Barbara Wien	I support the recommendations in the petition	Please stop the destruction of the osprey chicks and protect the lower Chesapeake Bay. Within Mobjack Bay, young osprey are starving in their nests because of decades long overharvesting of menhaden has caused local depletion.	2/1/25 7:25 pm CommentID:230398
Kenneth Yekstat	I SUPPORT this petition. Science-based regulation is needed	I support this petition for common sense research and regulation of Menhaden harvest in the Chesapeake Bay. Harvest should be based off of science to determine sustainability, and the tenacity of Omega's lobbying to prevent this data from surfacing is akin to an admission of guilt to causing lasting harm to the fragile and unique ecosystems found in the Bay. For the health of these ecosystems, and for the long-term sustainability of commercial and recreational fisheries in the Chesapeake Bay, please support this request.	2/1/25 8:50 pm CommentID:230399
Robert Hundley	Do not support.	I do not support this, study can be conducted without harming a high tax revenue for the state.	2/1/25 10:17 pm CommentID:230403
Jim Wilson	Menhaden petition	I support the petition and request regulation for the menhaden to protect chesapeake bay.	2/2/25 9:16 am CommentID:230405
Brandon Bow	I support this petition	I understand that the passing of this bill could	2/2/25 1:07 pm

		negatively affect a lot of hard-working people's jobs, but we need to approve this regulation so that we prioritize the health of Virginia's environmental future instead of continuing to fill the wallets of these greedy corporations that do not care about the health of our state.	CommentID:230408
Thomas Ottenwaelder	I support the petition	I support the petition and recognize that we need to protect our environment and the bay from over fishing.	2/2/25 2:38 pm CommentID:230415
Merthia Haynie	I do NOT support this petition	I do NOT support this petition.	2/2/25 3:52 pm CommentID:230420
Nicole Moore	I do not support this petition!!!!	This petition would hurt my family. There's no science to support this petition.	2/2/25 6:11 pm CommentID:230424
Zachary Moore	I do not support	This petition hurts my family	2/2/25 6:27 pm CommentID:230425
Bo	I do not support	I do not support	2/2/25 8:22 pm CommentID:230431
Anonymous	Do not support	I do not support	2/2/25 8:24 pm CommentID:230432
John	Do not support	I do not support	2/2/25 8:25 pm CommentID:230433
Jj	Do not support	Do not support	2/2/25 8:25 pm CommentID:230434
Trevor Carter	Omega Protein	I Do Not Support!!	2/2/25 8:39 pm CommentID:230436
Trevor Carter	I Do Not Support	I do not support!!	2/2/25 8:43 pm CommentID:230437
Eric May	Menhaden	Do not support	2/2/25 9:15 pm CommentID:230438
Eric May	Do not support	Do not support	2/2/25 9:17 pm CommentID:230439
Larry Trammell	Do not support	Do not support	2/2/25 9:29 pm CommentID:230441
Jacqueline Snow, Concerned Citizen	I support the Northern Neck's Watermen! They produce for all & beyond the Northern Neck!	I do NOT support this petition! Northern Neck region's watermen have the right to work in the rivers sustaining their lives, their families, and communities inclusive and beyond the Northern Neck, VA.	2/3/25 12:52 am CommentID:230445
Aj	I don't support	I don't support	2/3/25 6:13 am CommentID:230446
Bj	I do not support	I do not support	2/3/25 6:15 am CommentID:230447
Gg	I don't support	I don't support	2/3/25 6:16 am CommentID:230448
Tj morris	I don't support	I don't support	2/3/25 6:19 am CommentID:230449
Giada morris	I don't support	I don't support	2/3/25 6:23 am CommentID:230450
Matthew Rahn	I do not support this petition	I do not support this petition	2/3/25 8:03 am CommentID:230454
Lauren Rahn	I do not support this petition	I do not support this petition	2/3/25 8:04 am CommentID:230455
Francine Jones	I do not support	I do not support	2/3/25 8:49 am

			CommentID:230456
Erin Haynie	I do not support	I do not support	2/3/25 8:59 am CommentID:230459
Billy Haynie	I do not support	I do not support	2/3/25 9:01 am CommentID:230460
Shawn Rose	I DO NOT SUPPORT THIS PETITION	I do not support this petition at all.	2/3/25 9:01 am CommentID:230461
Bob Lukinic, Southern Maryland Audubon Society	Menhaden vital to Virginia and Maryland ecosystem	The menhaden feeder fish is a vital link in the long term health and survival of the Chesapeake Bay areas avian and fish species Please support and honor petition Bob Lukinic, Conservation Chair Southern maryland Audubon Society	2/3/25 9:51 am CommentID:230467
Kara Dameron	I do not support	There isn't any science ro support this	2/3/25 9:59 am CommentID:230468
Bruce Henry	I strongly support this petition	I am a native Virginian and I recognize the economic impact of Omega on the lower Northern Neck. But the science is clear that this fishery cannot be continued. Anecdotally, I know some watermen who pound net in the lower Potomac area. They advise that 2024 was the worst year they had experienced for menhaden. They have fished for decades. The collapse of the rockfish certainly seems directly related to the lack of forage. It cannot continue on the path it is on. And certainly allocating virtually all of the public resource to one company to the detriment of the ecosystem is no longer sensible. Omega will claim that the science does not support the reduction of their fishery. Remember well what the cigarette companies in Virginia claimed about the safety of their product for decades. It may be that the state and/or federal government will have to provide assistance to the workers and community from the impact of closing or significantly reducing the fishery. From a purely economic point of view this would be justified by a recovery of the recreational fisheries alone it appears. I recognize that Omega is a large political player and contributor, but it is time for the science and common sense to prevail over political power and the parochial interests involved here. Thank you for your consideration.	2/3/25 10:07 am CommentID:230469
Debbie Oder	I do not support this petition	I do not support this petition	2/3/25 10:35 am CommentID:230470
Anonymous	Petition to VMRC to address menhaden overharvesting & allow the osprey to feed their chicks	I strongly support the recommendations in the petition. Karen Westermann	2/3/25 10:37 am CommentID:230471
Karen Westermann	Petition to VMRC to address menhaden overharvesting & allow the osprey to feed their chicks	I strongly support the recommendations in this petition.	2/3/25 10:39 am CommentID:230472
Rachel Lowery	I do not support	I do not support	2/3/25 10:52 am CommentID:230473

Amy Middleton	I do not support	I do not support	2/3/25 10:52 am CommentID:230474
Kaleb Middleton	I do not support	I do not support	2/3/25 10:53 am CommentID:230475
Carrie Jett	I do not support	I do not support	2/3/25 10:53 am CommentID:230476
Julio Silva	I DO NOT SUPPORT THIS PETITION	I DO NOT SUPPORT THIS PETITION	2/3/25 10:53 am CommentID:230477
Jaison Thomas	I DO NOT SUPPORT THIS PETITION	I do NOT SUPPORT this petition.	2/3/25 10:54 am CommentID:230478
Jeffrey Vanlandingham	I DO NOT SUPPORT THIS PETITION	I DO NOT SUPPORT THIS PETITION	2/3/25 10:54 am CommentID:230479
Brandon Cockrell	I DO NOT SUPPORT THIS PETITION	I DO NOT SUPPORT THIS PETITION	2/3/25 10:55 am CommentID:230480
Bryce Cockrell	I DO NOT SUPPORT THIS PETITION	I DO NOT SUPPORT THIS PETITION	2/3/25 10:55 am CommentID:230481
Mark Hurst	I DO NOT SUPPORT THIS PETITION	I DO NOT SUPPORT THIS PETITION	2/3/25 10:56 am CommentID:230482
Ian Vanlandingham	I DO NOT SUPPORT THIS PETITION	I DO NOT SUPPORT THIS PETITION	2/3/25 10:56 am CommentID:230483
Josie Queen	I do NOT support This Petition	I do NOT support this ridiculous petition	2/3/25 10:57 am CommentID:230484
Ethan Hurst	I DO NOT SUPPORT THIS PETITION	I DO NOT SUPPORT THIS PETITION	2/3/25 10:57 am CommentID:230485
Hannah Queen	DO NOT SUPPORT	I don't support this	2/3/25 10:57 am CommentID:230486
Michael Hurst	I DO NOT SUPPORT THIS PETITION	I DO NOT SUPPORT THIS PETITION	2/3/25 10:58 am CommentID:230487
Brinley V.	DO NOT SUPPORT	I do not support this.	2/3/25 10:58 am CommentID:230488
James Seagle	I DO NOT SUPPORT THIS PETITION	I DO NOT SUPPORT THIS PETITION	2/3/25 10:58 am CommentID:230489
William Frost	I DO NOT SUPPORT THIS PETITION	I DO NOT SUPPORT THIS PETITION	2/3/25 10:58 am CommentID:230490
Austin Sutton, Jr.	I do not support	I do not support this petition	2/3/25 10:58 am CommentID:230491
Christina L. Frost	I DO NOT SUPPORT THIS PETITION	I DO NOT SUPPORT THIS PETITION	2/3/25 10:59 am CommentID:230492
Jack Kitchen	I DO NOT SUPPORT THIS PETITION	I DO NOT SUPPORT THIS PETITION	2/3/25 10:59 am CommentID:230493
Teresa Bush	I DO NOT SUPPORT THIS PETITION	I DO NOT SUPPORT THIS PETITION	2/3/25 10:59 am CommentID:230494
Dexter Bush	I DO NOT SUPPORT THIS PETITION	I DO NOT SUPPORT THIS PETITION	2/3/25 11:00 am CommentID:230495
Todd Bush	I DO NOT SUPPORT THIS PETITION	I DO NOT SUPPORT THIS PETITION	2/3/25 11:00 am CommentID:230496
Shelby Bush	I DO NOT SUPPORT THIS PETITION	I DO NOT SUPPORT THIS PETITION	2/3/25 11:01 am CommentID:230497
Carl Kazen	I DO NOT SUPPORT	I do not support this petition	2/3/25 11:01 am CommentID:230498
Evelyn Kazen	I DO NOT SUPPORT		2/3/25 11:01 am

		I do not support this petition	CommentID:230499
William Kazen	I DO NOT SUPPORT	I do not support this petition	2/3/25 11:01 am CommentID:230500
Elizabeth Delano Lemos	I DO NOT SUPPORT	I do not support this petition	2/3/25 11:02 am CommentID:230501
Robert Frost	I DO NOT SUPPORT	I do not support this petition!	2/3/25 11:02 am CommentID:230502
Garrett Withers	I DO NOT SUPPORT this petition	As a local who has worked as a waterman, I do not support this petition.	2/3/25 11:06 am CommentID:230504
Timothy Pittman	I DO NOT SUPPORT	I do not support this petition.	2/3/25 11:06 am CommentID:230505
Kathy Pittman	I DO NOT SUPPORT	I do not support this petition	2/3/25 11:06 am CommentID:230506
Ashley Withers	I do not support	I do not support this petition	2/3/25 11:06 am CommentID:230507
Haley Yeatman	I do NOT support	I do not support this	2/3/25 11:07 am CommentID:230508
Tucker Yeatman	I do NOT support	I do not support this petition	2/3/25 11:08 am CommentID:230509
Kim Lewis	I do not support	I do not support this petition.	2/3/25 11:08 am CommentID:230510
Caitlin Boswell	DO NOT SUPPORT	I do not support this	2/3/25 11:08 am CommentID:230511
Grady Boswell	I don't support this	I do not support this	2/3/25 11:09 am CommentID:230512
Rylee Dungan	I do NOT support this petition	I do NOT support this	2/3/25 11:09 am CommentID:230513
Lindsay Dungan	DO NOT SUPPORT	I do not support this!	2/3/25 11:10 am CommentID:230514
Seth Elbourn	I do not support this	I do not support this petition	2/3/25 11:11 am CommentID:230515
Jonathan Scott	I do not support this	I do not support this petition	2/3/25 11:11 am CommentID:230516
Tammy Boudreaux	VMRC	I do not support the petition.	2/3/25 11:11 am CommentID:230517
Jordan Clark	I do NOT support	I do not support this	2/3/25 11:12 am CommentID:230518
Kaitlyn Fones	I do not support	I do not support this	2/3/25 11:14 am CommentID:230519
Josh Fones	I do not support	I do not support this	2/3/25 11:15 am CommentID:230520
Aaron Vanlandigham	I do NOT support this petition	I do not support this	2/3/25 11:16 am CommentID:230521
Ashley Vanlandingham	I do NOT support	I do not support this petition	2/3/25 11:16 am CommentID:230522
Baylor Dungan	I don't support this	I do not support this	2/3/25 11:17 am CommentID:230523
Laiken Boswell	I do NOT support	I don't support this petition	2/3/25 11:18 am CommentID:230524
Monroe Fones	I do NOT support	I do NOT support this	2/3/25 11:18 am CommentID:230525

Hillary Berhalter	I do NOT support this petition	I do not support this petition	2/3/25 11:22 am CommentID:230526
Derek Berhalter	I do not support	I do not support this!	2/3/25 11:22 am CommentID:230527
Calloway B.	DO NOT SUPPORT	I don't support this	2/3/25 11:23 am CommentID:230528
Porter B.	I do NOT support	I don't support this	2/3/25 11:23 am CommentID:230529
Cade Vanlandingham	I do NOT support	I DO NOT SUPPORT THIS	2/3/25 11:24 am CommentID:230530
Ava V.	I do NOT support	I do not support this	2/3/25 11:24 am CommentID:230531
Anonymous	Regulation for Chesapeake Bay	I do not support	2/3/25 11:33 am CommentID:230532
Travis L Abbott	Menhaden petition	I do not support this petition.	2/3/25 11:33 am CommentID:230533
Anonymous	I do not support	I do not support	2/3/25 11:36 am CommentID:230534
Sylvia Wood	I do not support	I do not Support	2/3/25 11:38 am CommentID:230535
Anonymous	100% Support the Petition	The netting of Menhaden in the bay needs to stop. It's destroying the bay.	2/3/25 12:00 pm CommentID:230536
Anonymous	I do not support this petition.	Pre-emptive actions without the support of science based research are counterproductive. If science based research shows that the current levels of fishing are creating negative outcomes then the conversation should be revived. Until then, stop overstepping.	2/3/25 12:07 pm CommentID:230537
Robert Nelson	Menhaden fishing restrictions	I oppose any additional regulations on the menhaden fishing industry.	2/3/25 12:21 pm CommentID:230538
Brook Schurman	I do not support the petition	I do not agree with the immediate moratorium or massive reduction on fishing in the Chesapeake Bay.	2/3/25 12:35 pm CommentID:230539
Doug Williams	I support the petition	I 100% support the petition to regulate the commercial harvest of Atlantic Menhaden in the Chesapeake bay.	2/3/25 12:47 pm CommentID:230540
Lowndes Peple	Support	I support the petition and request regulation of menhaden to protect the Bay.	2/3/25 1:28 pm CommentID:230541
Kayla Mock, United Food and Commercial Workers Union Local 400	The Impact on the Menhaden Fishermen	<p>Good afternoon:</p> <p>My name is Kayla Mock and I am the Political & Legislative Director for the United Food and Commercial Workers Union Local 400. We have over 30,000 members in grocery, retail, packing, cannabis, and healthcare. We also proudly represent the Omega Protein fishermen on the Eastern Shore.</p> <p>The Omega Protein fishermen fish for menhaden, the fish this petition discusses.</p> <p>Through the process of collective bargaining, the fishermen are able to negotiate over wages, benefits, work procedures, and paid time off. Unionized work places tend to see more affordable benefits, higher wages, and safer working conditions than non union workplaces. The contract that covers the fishermen is</p>	2/3/25 1:32 pm CommentID:230542

		<p>no different, resulting in sustainable jobs.</p> <p>The entire community benefits from these unionized jobs. Our intent is to not "hurt the bay" or decrease the population of menhaden into an alarming number. Our intent, and the intent of our fishermen, is to have a symbiotic relationship, one where the bay is healthy and the fishermen have sustainable jobs.</p> <p>The multiple studies and the science that have studied the menhaden stock show that this is the current case: there is a healthy stock, menhaden are not overfished, and the jobs are sustainable.</p> <p>We appreciate the continued conversation about the health of the bay: with no fish, there are no fishermen. However, we feel as though this petition is not rooted in the best knowledge or science.</p> <p>We ask that the board also consider the workers as these conversations are continued to be had, and the families and communities they sustain with them.</p> <p>We appreciate your time and attention to this issue.</p>	
Rosalee J Pfister	I support this petition-regulation needed to support Osprey reproduction.	Regulation of the Menhaden fish is imperative to the health of the bay and the success of Osprey survival. I support this petition.	2/3/25 1:43 pm CommentID:230543
JUDY BONDURANT	I do not support this petition	I DO NOT SUPPORT THIS PETITION	2/3/25 1:57 pm CommentID:230546
TOM BONDURANT	I do not support this petition	I DO NOT SUPPORT THIS PETITION	2/3/25 1:58 pm CommentID:230547
AMY PALMER	I do not support this petition	I DO NOT SUPPORT THIS PETITION	2/3/25 1:59 pm CommentID:230548
BECKY HARRIS	I do not support this petition	I DO NIOT SUPPORT THIS PETITION	2/3/25 2:00 pm CommentID:230549
sandra perkins	I do not support this petition	i do not support this petition	2/3/25 2:00 pm CommentID:230550
donna via	I do not support this petition	I DO NOT SUPPORT THIS PETITION	2/3/25 2:01 pm CommentID:230551
PAIGE	I do not support this petition	i DO NOT SUPPORT THIS	2/3/25 2:04 pm CommentID:230552
William Jett	I support the hard working watermen and menhaden fishermen of Virginia and the Chesapeake Bay.	I support the hard working Watermen and menhaden fishermen of the Chesapeake.	2/3/25 2:11 pm CommentID:230554
CHRIS M	DO NOT SUPPORT	DO NOT SUPPORT	2/3/25 2:31 pm CommentID:230555
John Azzone, Independent dairy feed industry consultant	I support the petition.	The best approach is to harvest invasive fish, blue cats and snakeheads which endanger the ecology of the bay and not the natives that are part of the life cycle of the bay.	2/3/25 3:21 pm CommentID:230557

Ocean Harvesters and Omega Protein oppose the third Petition filed in fewer than two years by two out-of-state entities, the Chesapeake Legal Alliance and the Southern Maryland Recreational Fishing Organization (“Petitioners”). These petitioners ask the VMRC for relief that is substantively indistinguishable from that requested in the petition VMRC rejected just one year ago. As then, Petitioners request relief which is largely unavailable and is certainly unnecessary. The VMRC should deny this petition as well.

The major action requested is to either totally or mostly exclude just the menhaden reduction fleet from the Chesapeake Bay and Virginia waters. Petitioners also seek to create a one-mile exclusion zone along the coast, a measure that excludes the bait sector and ignores the Memorandum of Agreement which the reduction sector and Commission signed. Further, having been informed last time that the VMRC lacks the resources to fund studies proposed by the Virginia Institute of Marine Science (“VIMS”), Petitioners demand that the Commission lobby the General Assembly for funds. Finally, stretching a provision of law that allows the VMRC to request data beyond its legal limits, they request the VMRC to force Ocean Harvesters to fund VIMS research and install vessel monitoring systems.

The facts are the menhaden fishery remains healthy and conservatively managed. The reduction fishery is operating at its lowest sustained levels since at least the 1950s. In fact, in 1956, there were four reduction plants operating in Virginia and seven more in North Carolina whose vessels fished at least part of the year in the Chesapeake Bay and Virginia waters.^[1] Coastwide, in 1956, a total of 24 reduction facilities were in operation and the fleet numbered 149 vessels. Collectively, the fishery landed 712,100 metric tons (“mt”) of menhaden that year. Today, there is one plant and six vessels catching a third of harvest from the Bay compared to the 1980s.

More importantly, there is no new information relevant to the Commission’s management identified in the Petition. There is, however, a new Atlantic menhaden stock assessment underway to provide guidance for management in 2026 and beyond. Similarly, the ASMFC’s Menhaden Board has formed a work group to look at any connections between the fishery and osprey breeding success. Petitioners want to short circuit all these processes and have the VMRC make decisions on legally and scientifically unsupportable bases.

I. Petitioners Do Not Utilize the Best Available Information

Petitioners repeatedly claim that the VMRC’s

decisions are required to be guided by the “best scientific, economic, biological and sociological information available.” Va. Code § 28.2-203(2). At every turn, however, they ask the Commission to ignore the best scientific information and, instead, implement arbitrary measures that have no basis in science or data.

One prominent example is the discussion of the academic debate over the proper “natural mortality” rate (or “M”) for menhaden for use in the stock assessment. Petitioners cite an “in press” academic paper that takes a different view than the peer-reviewed decision of the governmental scientific experts on the appropriate natural M for the stock. On that paper, and an alleged statement made by Dr. Rob Latour,^[2] Petitioners ask Commissioners to ignore the current best scientific information available for menhaden management; that is, the 2022 stock assessment.

In fact, a subgroup of the ASMFC’s Menhaden Stock Assessment Subcommittee is now reviewing the science underlying the cited study undertaken by Drs. Ault and Luo. Ultimately, those scientists will determine the appropriate M and incorporate that into the baseline assessment that will be finalized this year.^[3] That assessment will become the best scientific information for setting appropriate catch levels for the next few years. Meanwhile, despite Petitioners’ fervent belief that VMRC should base management decisions based on a single paper that is in press, doing so would not be acting based on the best scientific information available.

Similarly, the call to eliminate or vastly constrain the reduction fishery in the Chesapeake Bay is based on nothing more than Petitioners’ feeling that current levels of such harvests are too high (while not bothering to explain why harvest levels of three, four, or even, perhaps, five times greater in the past did not cause the harms they now allege from today’s fishery). While it is true that the Chesapeake Bay reduction fishery cap is not based on Bay-specific reference points, it has always been empirically based.

Thus, the original 2006 cap was instituted as a precautionary measure to keep the fishery from expanding while the potential for “localized depletion” was studied. The cap of 109,020 mt was based on average catch for the preceding five years. As part of Amendment 2 to the Menhaden ISFMP, the cap was reduced by 20 percent to 87,216 mt. That reduction mirrored the 20 percent cut to average catch levels of the preceding three years (which were used to set the first quota on the fishery) based on the

subsequently discovered inaccurate assumption that overfishing of the menhaden resource had been occurring. Finally, the cap was lowered again in 2017 as part of Amendment 3 in order to reallocate more quota to New England states. This cut, like the first, was based on recent average catches.

In sum, at each step, the Chesapeake Bay reduction fishery catch cap was based on data – either average catches or an assessment of the resource. Petitioners ask the VMRC to arbitrarily set the cap, either to 0 or 25 percent of current levels, based purely on nothing other than, perhaps, a desire to fatally effect the reduction sector. While precautionary management actions can be justified, they must have an empirical basis (*e.g.*, freezing the footprint of the fishery).

II. 2023 Fishery Performance is Unrelated to Resource Conditions

Petitioners make much of the fact that Ocean Harvesters’ catches in the Chesapeake Bay and coastwide in 2023 were lower than 2022 harvest levels. Pet. at 3. This, along with the lack of catches in the “incidental catch” fishery is given as “evidence of the scarcity of menhaden in the Bay and along the Atlantic coast.” *Id.* They are not.

First of all, reducing the prevalence of harvest in the “incidental catch” fishery – which allows targeted harvesting of 6,000 pounds of menhaden per day – was a goal of Amendment 3. This was accomplished both by taking quota share from Virginia and “reallocating” to other, mostly New England, states^[4] and by raising the quota. The fact that this loophole was not utilized in 2023 was a feature of the Amendment, not a bug.

Secondly, Petitioners once again fail to recognize the management, environmental, and political factors that govern the menhaden reduction fishery. For the Commissioner’s benefit, here are the reasons the fishery underperformed in 2023:

1. Self-Restraint

After the Bay cap was set at ~87,000 mt in Amendment 2, Omega Protein/Ocean Harvesters made a conscious decision to reduce its footprint in the Chesapeake Bay to minimize user conflicts by not harvesting the full allowance. Rather than getting credit for this forbearance, the industry’s opponents succeeded in lobbying the ASMFC to further reduce the cap in Amendment 3.

Despite this experience, in 2023, the Companies signed a Memorandum of Agreement (“MOA”) with the VMRC under which it agreed its

vessels would remain one mile offshore of perhaps the most productive fishing grounds in the Bay. Again, the purpose was to minimize user conflicts and address concerns of advocates, like the petitioners. And as with its prior efforts to assuage concerns, the industry’s critics keep demanding more.

The MOA had a significant impact on the fishery’s performance in 2023. In 2022, the reduction fleet caught a very large percentage of our fish in this area. In 2023, those areas were once again very productive, as bait purse seiners, who elected not to sign the MOA, discovered. Fortunately, in 2024, significant biomass of menhaden congregated in the middle and western parts of the lower Bay, as well as Virginia’s northern portion of the Bay nearer Reedville. As the tables below show, that enable the reduction fleet to recover catch lost in 2023.

Table 1:

Year	% of Bay Cap Caught ^[5]
2021	98%
2022	98.3%
2023	72.4%
2024	98.2%

Menhaden are a highly mobile fish that follow food and favorable environmental conditions. No two years are alike, but the areas of the lower eastern part of the Bay which were voluntarily abandoned by the fleet in 2023, has historically been the best fishing grounds. Sacrificing these areas means there will likely be some years in the future that the fishery will not catch the full Bay quota unless and until Ocean Harvesters chooses to exit this MOA.

2. Environmental and Other Factors

Another important factor at play in 2023 was the number of lost fishing days due to weather events, along with other factors. Below in Table 2 are data on lost fishing days for the past four years and the reasons the company’s vessels have been unable to fish (leave the dock). The column labeled “Bay Cap” represents days that reduction vessels cannot conduct operations in the Atlantic due to high seas, but also days that cannot be fished inside the Bay because the Bay cap has been effectively reached.

Table 2: Lost Fishing

Days	2024	2023	2022	2021
Bay Cap	82	0	0	9
Weather	163	225	154	104
Total Days Lost	245	231	154	113

By far, 2023 was the year in which most fishing days were lost to weather, about 40 percent higher than the four-year average. This increase in poor weather conditions severely impacted Ocean Harvesters' ability to catch fish both inside and outside the Bay during the fishing season. The figures for 2024 help demonstrate how impractical it is to simply relocate the fishery to outside the Chesapeake Bay. Oceanic conditions are simply too unpredictable to allow for consistent fishing opportunities. This problem would only be exacerbated by the regulations Petitioners seek.

3. The Influence of Management and Voluntary Efforts on Catch and Areas of Operation

Petitioners allege that Ocean Harvesters' "spotter planes are recently traveling farther to 2nd menhaden schools," Pet. at 3, again as "evidence" that menhaden are depleted. In fact, while the National Marine Fisheries Service ("NMFS) can say whether or not catch is increasing in the northern range of the fishery—the Companies suspect it may have increased slightly in recent years—the reasons have nothing to do with menhaden's stock status. Rather, the basic fact is that if the fishery loses access to some areas, such as with the one-mile voluntary buffer, it must look to other areas that, historically, may not be as productive or economical. Furthermore, in 2023, the coastwide quota increased while the Chesapeake Bay cap remained the same, leading to similar result. Finally, there are market factors that can play a role, as the older menhaden in the northern part of the fleet's range are larger and provide better yield.

Fishermen fish where the fish are. The trend, which Petitioners want to vastly accelerate, has been increasing restraints on amount of menhaden available in areas that are both productive and economic to operate. Bad weather, lost fishing grounds, and even those "fishable" days when the fish are not visible, all present challenges to fishermen. This is why the Companies are not being hyperbolic when they say that adoption of the proposed regulations are an existential threat to the continued operation of this 147-year-old industry. It is not the health of the stock, but the constraints on the fishery that account for a poor 2023.

III. VMRC Lacks the Power to Require Industry-Funded Science and Monitoring

Petitioners claim the Commission has authority to require Ocean Harvesters to pay half of any research costs and to adopt electronic reporting and vessel monitoring systems. Pet. at 3. For this proposition they cite to a law which states: "The Commission may collect from any source any

fisheries data and information necessary to develop fishery management plans and to evaluate management options.” Va. Code § 28.2-204(A). The language of this section, by its terms, does not provide authority for the Commission to either require payments for scientific studies or purchases and use of electronic reporting or monitoring systems.

The law is very specific as to what types of information the VMRC is authorized to collect:

1. Statistics for catch and fishing efforts by species from commercial and recreational fishermen;
2. Statistics from fish processors and dealers;
3. Types of gear and equipment used;
4. Areas in which fishing has been conducted;
5. Landing places; and
6. The estimated capacity of fish processing facilities and the actual amount of fish processed at these facilities.

Id. Nothing in this law purports to or, in fact, does authorize the Commission to expend financial resources to create new information – particularly of a kind not listed – or purchase equipment for the purposes of providing such information in a particular manner.

Furthermore, Petitioners insist that any such

data collected on the reduction fishery be subject to “public reporting.” Pet. at 3. This, however, is something the law does not allow. “The information collected or reported shall not be disclosed in any manner which would permit identification of any person, firm, corporation or vessel, except when required by court order. The Commission may prescribe the form and manner in which this information is reported.” *Id.* § (C).

These requests, numbered 4 and 5 in the Petition, must be denied.

IV. There is a Legally Credible Argument that the VMRC Lacks Authority to Create New Exclusion Zones

In 2020, the General Assembly transferred much regulatory authority over the Atlantic menhaden fishery to the Commission. It appears, however, that the legislature did not grant the VMRC the power to change or expand the areas in which the reduction fishery is prohibiting from operating by statute. *See* Va. Code, § 28.2-409. Thus, the major relief Petitioners (and others) have asked for, and undoubtedly will continue to ask for – the closure of the Chesapeake Bay to reduction fishing – may well be beyond the Commission’s authority.

In 2020, the General Assembly voted to transfer authority for implementing ASMFC menhaden management recommendations from the legislature to the VMRC. That measure put this fishery on a similar footing with other Commonwealth fisheries under the jurisdiction of the VMRC. Importantly, however, the VMRC was not given plenary power over all aspects of the menhaden fishery.

The original bills, SB 791/HB 1448, would have granted the VMRC regulatory authority to alter provisions in § 28.2-409, relating to areas in which either all or larger purse seine vessels would be prohibited from operating, as well as § 28.2-410, setting forth the menhaden fishing season and minimum mesh sizes. Specifically, these bills as introduced inserted the clause “*or as otherwise provided by regulation*” in the first sentence of each section, thereby vesting in VMRC the power to alter these provisions.

However, during the 2020 regular session, these bills were amended to remove language allowing for regulatory changes to existing closed fishing areas created by statute.

As explained by then Secretary of Natural Resources Matt Strickler during the Committee hearing, “*the original version of the bill included*

language that said, except as provided in this provision or as otherwise provided by regulation. We've stricken that provision and that's just to ensure that the sections of code that outlines the places where Menhaden fishing is and is not allowed is not something that is modified by this bill."

Thus, it would be fruitful and protective of the Commission's limited staff and time resources to have counsel confirm this understanding of the relevant legal authorities.

###

Petitioners want to short circuit ongoing scientific and management process, encouraging the Commission to act on the personal preferences of some, rather than science and data. The fact is that the current stock assessment is near completion. The Atlantic Menhaden Stock Assessment Subcommittee has formed a subgroup to assess Dr. Ault's and Luo's research and will make a determination as to the best estimate of M. That determination, once adopted by the ASMFC's Menhaden Board, will constitute the best available science. In accordance with the authorities governing both the ASMFC and VMRC, that determination – and not the musings of recreational fishing advocates and their lawyers – will be used to guide recommendations for appropriate catch levels for the next one, two, or three years.

As such, the Companies respectfully request that the VMRC deny this Petition.

Sincerely,

/s/ Montgomery Deihl
Held

Chief Executive Officer
Executive Vice President-General Counsel
Ocean Harvesters
Protein, Inc.

/s/ John

Omega

[\[1\]](#) See ASMFC, Amendment 1 to the Interstate Fishery Management Plan for Atlantic Menhaden, at 103-04 (July 2001).

[\[2\]](#) If Dr. Latour ever commented on the Ault/Luo estimate of M, it certainly was not at the VMRC meeting Petitioners cite. Pet. at 3 (April & June 2024 meetings). Nor is it likely that a careful scientist such as Dr. Latour would make such a claim because he understands that stock assessments dynamics are complex and the ultimate fishing mortality rate is dependent on several factors in addition to natural mortality.

[\[3\]](#) The current M is the only natural mortality rate estimated based on empirical data.

[\[4\]](#) While Virginia continues to have the largest share of the total allowable catch, that share has been based on historic and current use of the resources. Far from untoward or "excessive," this is a routine and routinely upheld method of allocating quota-limited

		<p>fisheries resources. <i>See, e.g., State of New York v. Raimondo</i>, Civ. No. 22-1189 (2nd Cir. Oct. 13, 2023) (basing state fishery allocations based on landings is fair and equitable, promotes conservation, and does not result in excessive shares). The fact is that Virginia's share has been continually reduced from historic levels in each reallocation since Amendment 2 was adopted.</p> <p>[5] The fishery would never take 100 percent of the cap. Because school sizes and catch levels are estimated with less than perfect accuracy, Ocean Harvesters stops its fishing efforts in the Bay when catches are estimated to be 98-99 percent of the cap to avoid an overage.</p>	
Anonymous	do not support	I do not support the petition.	2/3/25 3:53 pm CommentID:230562
Virginia Osprey Foundation, Inc, Joan Millward, President	support of petition	The Virginia Osprey Foundation is committed to the protection of Osprey and their habitat. We fully support this petition and ask that the VMRC impose an immediate moratorium on reduction fishing in the Chesapeake Bay or at the very least, reduce all purse seine fishing within the Chesapeake Bay.	2/3/25 4:39 pm CommentID:230566
Tammy Jenkins	I do not Support	I DONOT SUPPORT	2/3/25 5:09 pm CommentID:230570
Montre Comeaux	DO NOT SUPPORT	I DO NOT SUPPORT	2/3/25 5:22 pm CommentID:230571
John Bianca ACSA Member	Petition for rulemaking	I support this petition and request regulations to protect the BAY.	2/3/25 5:28 pm CommentID:230572
Sandra Antoine	I do not support!	I do not support!	2/3/25 5:28 pm CommentID:230573
N. George	Pertaining to Atlantic Menhaden [4 VAC 20 ? 1270]	I do not support	2/3/25 6:00 pm CommentID:230574
Patricia Hubeny	I do not support this petition	I do not support this petition	2/3/25 6:20 pm CommentID:230575
Xavier Cooper	Do not support	Do not support	2/3/25 6:20 pm CommentID:230576
David Williams	I Do Not Support	I Do Not Support	2/3/25 6:32 pm CommentID:230577
Kyle Spruill	Strongly Support.	The betterment of few at the cost of millions is never a good trade off.	2/3/25 6:43 pm CommentID:230578
Lynne Secondino	I DO NOT SUPPORT THIS PETITION.	OMEGA SHOULD BE ABLE TO CONTINUE FISHING IN THE BAY.	2/3/25 6:43 pm CommentID:230579
Catherine Spruill	Strongly Support	The complete elimination of local bait operations in the bay due to foreign competition is despicable.	2/3/25 6:44 pm CommentID:230580
Reid Williams	I DO NOT SUPPORT	I DO NOT SUPPORT	2/3/25 6:48 pm CommentID:230581
Kari Heath	I DO NOT SUPPORT	I DO NOT SUPPORT	2/3/25 6:51 pm CommentID:230582
Smoot	I DO Support this petition	I strongly support this petition.	2/3/25 7:25 pm CommentID:230583
Bernice Stanley	Strongly Support	I strongly support this petition.	2/3/25 7:55 pm CommentID:230584
Lori A Cash Conservation Photography LLC	I support the recommendations in the petition	I support the recommendations in the petition to limit the menhaden harvesting to give the osprey and other marine life who depend on the menhaden a chance to survive.	2/3/25 9:08 pm CommentID:230586

		Lori A Cash Conservation Photography, LLC.	
Josh Rellick	I Support This Petition	It is important to have limits on menhaden fishing, as proposed in this petition, in order to stop the population from falling to an unreasonably low level. Not only is the survival of the osprey dependent on this, but the fishing industry in Virginia cannot survive if the menhaden populations sink too low.	2/3/25 9:27 pm CommentID:230587
Marisa Olszewski	Support: Reducing menhaden harvest the most responsible action	As an essential fish forage fish upon which so many other species in the Chesapeake Bay ecosystem are dependent, it is essential that we stop or significantly reduce their harvest while determining the health and abundance of the current menhaden stock in the Bay. I support this petition and urge the Virginia Marine Resource Commission to demonstrate responsible stewardship of our shared natural resource with this action.	2/3/25 9:29 pm CommentID:230588

Virginia Marine Resources Commission

Public Comments

Agenda Item: Petition for Rulemaking Regarding Atlantic Menhaden, the Chesapeake Bay, and the reduction fishery.

Print Date: Friday April 18 2025 08:14

Number	Name	Received	Position
1	SUSAN LAUME	04/15/2025	FAVOR

AVAILABLE DATA OVER SEVERAL YEARS SHOWS INCREASING FAILURE OF KEYSTONE SPECIES OSPREY NEST FAILURES FOR CHICK MORTALITY THIS SUGGESTS ISSUES WITH THE DOMINANT FOOD RESOURCE MENHADEN ATLANTIC MARINE STATES FISHERIES WORKGROUP HAS SUGGESTED RECOGNIZED THIS ISSUE AND IS RECOMMENDING SEVERAL POSSIBLE SOLUTIONS MANAGEMENT ACTION TO IMPROVE MENHADEN SUPPLY IS NEEDED NOW WE SHOULD NOT ALLOW FURTHER DEGRADATION OF THIS IMPORTANT FOOD RESOURCE

Attachments:

Submitted documents for this comment will begin on next page.

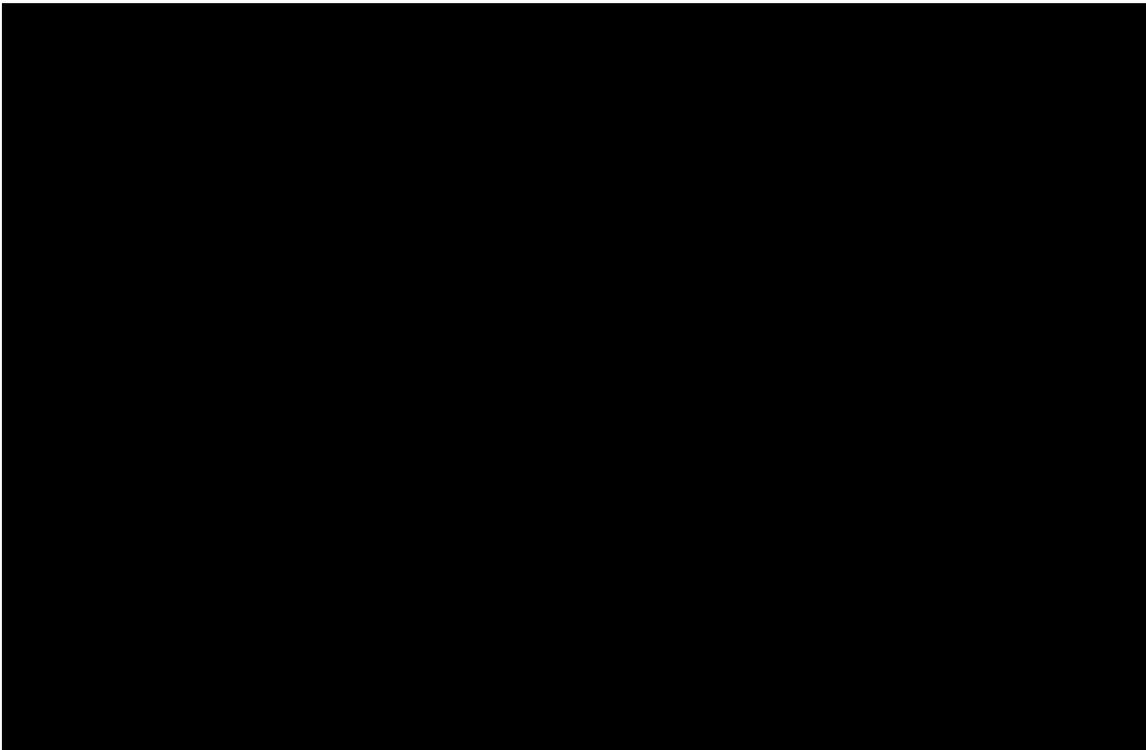
Virginia Marine Resources Commission Public Comments

Agenda Item: Petition for Rulemaking Regarding Atlantic Menhaden, the Chesapeake Bay, and the reduction fishery.

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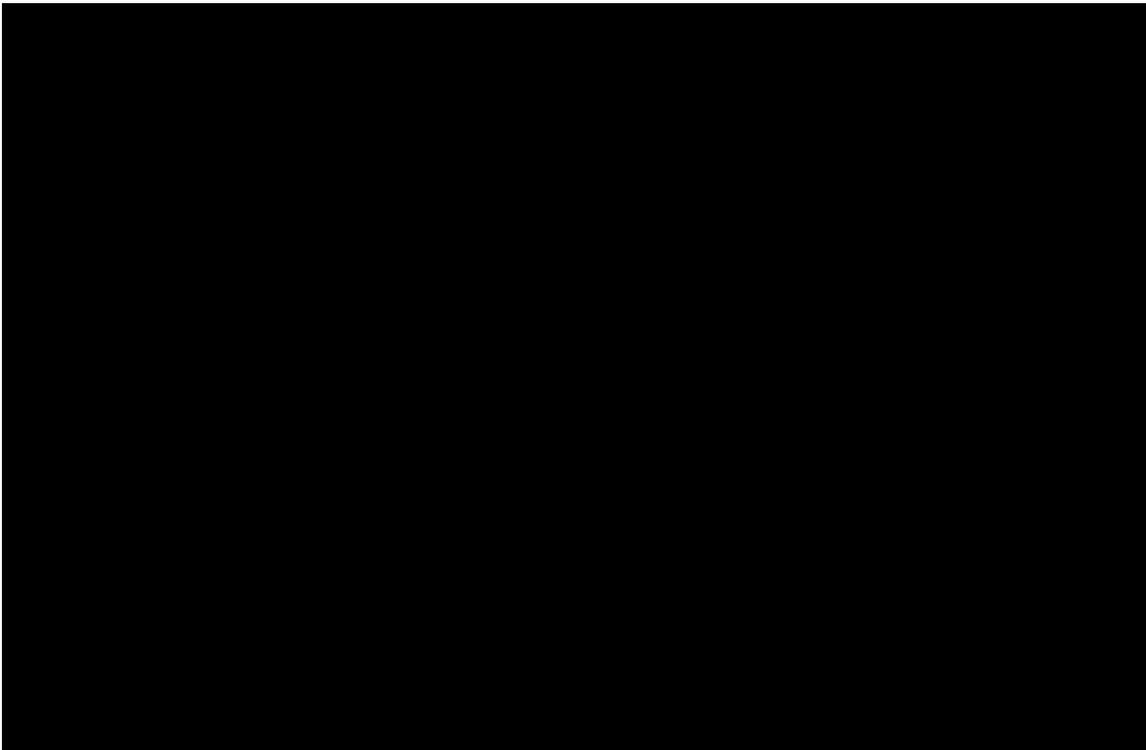
Virginia Marine Resources Commission Public Comments

Agenda Item: Petition for Rulemaking Regarding Atlantic Menhaden, the Chesapeake Bay, and the reduction fishery.

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Virginia Marine Resources Commission

Public Comments

Agenda Item: Petition for Rulemaking Regarding Atlantic Menhaden, the Chesapeake Bay, and the reduction fishery.

Print Date: Friday April 18 2025 08:14

Number	Name	Received	Position
2	FREDERICK ATWOOD	04/15/2025	FAVOR

AVAILABLE DATA HAS SHOWN INCREASING NEGATIVE IMPACT TO OSPREY CHICK PRODUCTIVITY WITH INCREASING NEST FAILURES AS A RESULT OF MENHADEN HARVEST OBSERVATIONS OF CHICK STARVATION HAVE SIGNIFICANTLY INCREASED MANAGEMENT OF MENHADEN FISHERIES WITH RESTRICTIONS IS NEEDED TO SUSTAIN THESE BEAUTIFUL FISH EATERS AS WELL AS OTHER IMPORTANT COMPONENTS OF THE BAY ECOSYSTEM THAT DEPEND ON MENHADEN AS AN IMPORTANT PART OF THEIR FOOD SUPPLY

Virginia Marine Resources Commission

Public Comments

Agenda Item: Petition for Rulemaking Regarding Atlantic Menhaden, the Chesapeake Bay, and the reduction fishery.

Print Date: Friday April 18 2025 08:14

Number	Name	Received	Position
3	MARGARET FISHER	04/15/2025	FAVOR

IF OSPREY ARE BEING NOTICEABLY AFFECTED BY OVERFISHING THAT WOULD BE THE TIP OF THE ICEBERG OF THE ECOSYSTEM DESTRUCTION THAT IS OCCURING PLEASE RESTRICT IT

Virginia Marine Resources Commission

Public Comments

Agenda Item: Petition for Rulemaking Regarding Atlantic Menhaden, the Chesapeake Bay, and the reduction fishery.

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Number	Name	Received	Position
4	JOANNE R HUTTON	04/15/2025	FAVOR

OSPREY IN OTHER PARTS OF THE CHESAPEAKE BAY ARE FARING IN GOOD HEALTH YET THOSE ATTEMPTING TO RAISE YOUNG IN MANY STRETCHES OF THE BAY WHERE MENHADEN WHICH ARE CRITICAL TO SOME 40% OF ALL FISH IN THE OCEAN ARE FISHED WITHOUT MANAGEMENT HAVE SHOWN A FAILURE RATE THAT HAS INCREASED OVER 40% SINCE 2013 MARYLAND STRIPED BASS POPULATIONS HAVE ALSO EXPERIENCED A STEEP DECLINE SCIENTISTS POINT TO DISAPPEARING MENHADEN POPULATIONS DUE TO OVERFISHING VIRGINIA NEEDS TO PARTNER WITH OUR SISTER STATES AND COMMUNITIES TO ASSURE SUSTAINABLE FISHERIES FOR ALL OF US NOT JUST TO PROFIT VIRGINIA INTERESTS OVER THOSE OF OTHERS

Virginia Marine Resources Commission

Public Comments

Agenda Item: Petition for Rulemaking Regarding Atlantic Menhaden, the Chesapeake Bay, and the reduction fishery.

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Number	Name	Received	Position
5	POWELL HUTTON	04/15/2025	FAVOR

MENHADEN ARE AN ESSENTIAL COMPONENT OF OUR ECOSYSTEM SO ARE OSPREYS PLEASE SUPPORT LIMITING MENHADEN CATCH DURING THE TIME WHEN OSPREY CHICKS NEED THEM MOST

Virginia Marine Resources Commission

Public Comments

Agenda Item: Petition for Rulemaking Regarding Atlantic Menhaden, the Chesapeake Bay, and the reduction fishery.

Print Date: Friday April 18 2025 08:14

Number	Name	Received	Position
6	JILL BARKER	04/16/2025	FAVOR

MENHADEN ARE AN ESSENTIAL COMPONENT OF OUR ECOSYSTEM SO ARE OSPREYS PLEASE SUPPORT
LIMITING MENHADEN CATCH DURING THE TIME WHEN OSPREY CHICKS NEED THEM MOST

Virginia Marine Resources Commission

Public Comments

Agenda Item: Petition for Rulemaking Regarding Atlantic Menhaden, the Chesapeake Bay, and the reduction fishery.

Print Date: Friday April 18 2025 08:14

Number	Name	Received	Position
7	EVELYN T NOVINS	04/16/2025	FAVOR

PLEASE SUPPORT LIMITING MENHADEN CATCH DURING THE TIME WHEN OSPREY CHICKS NEED THEM MOST THIS REGULATION WILL CONTRIBUTE TO THE HEALTHY DEVELOPMENT OF OSPREY CHICKS RE ESTABLISHING THEIR FOOD SUPPLY IS ESSENTIAL

Virginia Marine Resources Commission

Public Comments

Agenda Item: Petition for Rulemaking Regarding Atlantic Menhaden, the Chesapeake Bay, and the reduction fishery.

Print Date: Friday April 18 2025 08:14

Number	Name	Received	Position
8	STEVEN WARTINBEE	04/16/2025	FAVOR

AVAILABLE DATA OVER SEVERAL YEARS SHOWS INCREASING FAILURE OF KEYSTONE SPECIES OSPREY NEST FAILURES FOR CHICK MORTALITY THIS SUGGESTS ISSUES WITH THE DOMINANT FOOD RESOURCE MENHADEN ATLANTIC MARINE STATES FISHERIES WORKGROUP HAS SUGGESTED RECOGNIZING THIS ISSUE AND IS RECOMMENDING SEVERAL POSSIBLE SOLUTIONS MANAGEMENT ACTION TO IMPROVE MENHADEN SUPPLY IS NEEDED NOW WE SHOULD NOT ALLOW FURTHER DEGRADATION OF THIS IMPORTANT FOOD RESOURCE

Virginia Marine Resources Commission

Public Comments

Agenda Item: Petition for Rulemaking Regarding Atlantic Menhaden, the Chesapeake Bay, and the reduction fishery.

Print Date: Friday April 18 2025 08:14

Number	Name	Received	Position
9	DANIEL HATFIELD	04/16/2025	FAVOR

PLEASE SUPPORT LIMITING MENHADEN CATCH DURING THE TIME WHEN OSPREY CHICKS NEED THEM MOST

Virginia Marine Resources Commission

Public Comments

Agenda Item: Petition for Rulemaking Regarding Atlantic Menhaden, the Chesapeake Bay, and the reduction fishery.

Print Date: Friday April 18 2025 08:14

Number	Name	Received	Position
10	KARIN E LEHNIGK	04/16/2025	FAVOR

PLEASE SUPPORT OUR NATIVE WILDLIFE AND ECOSYSTEM HEALTH BY PASSING THIS MEASURE

Virginia Marine Resources Commission

Public Comments

Agenda Item: Petition for Rulemaking Regarding Atlantic Menhaden, the Chesapeake Bay, and the reduction fishery.

Print Date: Friday April 18 2025 08:14

Number	Name	Received	Position
11	CHRISTIAN KINGETT	04/16/2025	FAVOR

PLEASE SUPPORT LIMITING MENHADEN CATCH DURING THE TIME WHEN OSPREY CHICKS NEED THEM MOST

Virginia Marine Resources Commission

Public Comments

Agenda Item: Petition for Rulemaking Regarding Atlantic Menhaden, the Chesapeake Bay, and the reduction fishery.

Print Date: Friday April 18 2025 08:14

Number	Name	Received	Position
12	THOMAS L BLACKBURN	04/17/2025	FAVOR

ON BEHALF OF THE NORTHERN VIRGINIA BIRD ALLIANCE A 5 000 MEMBER CHAPTER OF THE NATIONAL AUDUBON SOCIETY I URGE THAT THE VIRGINIA MARINE RESOURCES COMMISSION IMMEDIATELY REDUCE THE CATCH OF ATLANTIC MENHADEN AND MANAGE THE MENHADEN RESIDING IN THE CHESAPEAKE BAY TO ENSURE THAT THIS FEEDER FISH POPULATION MAINTAINS ITS BASIC ECOLOGICAL FUNCTIONS DRAMATICALLY REDUCED OSPREY BREEDING AND LOW SURVIVAL OF YOUNG OSPREYS APPEAR TO BE CAUSED BY THE LOW MENHADEN POPULATIONS IN SECTIONS OF THE CHESAPEAKE BAY ADDITIONAL EFFECTS ARE REDUCED SPORT FISH CATCH SUCH AS STRIPED BASS FURTHER EVIDENCE OF THE OVER FISHING OF MENHADEN IS THAT COMMERCIAL FISHING COMPANIES ARE FINDING IT MORE DIFFICULT TO CATCH THEIR FULL QUOTA OF FISH AND MUST TRAVEL FURTHER INTO THE ATLANTIC OCEAN TO FIND ENOUGH FISH ALTHOUGH SOME HAVE CRITICIZED THE STATISTICAL METHODS USED BY THE 2024 STUDY LINKING OSPREY NEST FAILURE TO REDUCED MENHADEN POPULATIONS THERE IS NO DISPUTE THAT THE OSPREY ARE NOT BRINGING AS MANY MENHADEN TO THEIR NESTS IN CERTAIN AREAS AND THAT THE YOUNG OSPREY ARE STARVING AT THE MINIMUM WE URGE THE COMMISSION TO LIMIT MENHADEN FISHING WITHIN THE CHESAPEAKE BAY DURING THE OSPREY BREEDING SEASON FROM MAY THROUGH SEPTEMBER EACH YEAR UNTIL NEW POPULATION STUDIES PROVE THAT THE MENHADEN POPULATIONS ARE SUFFICIENT TO SUPPORT SPORT FISHING OSPREYS AND COMMERCIAL FISHING IF THE COMMISSION DOES NOT TAKE THESE STEPS NOW IT RISKS ALLOWING THE MENHADEN POPULATION TO DROP SO LOW THAT SIGNIFICANTLY LOWER QUOTAS OR SEVERAL YEAR MORATORIUMS ON COMMERCIAL FISHING WILL BE REQUIRED TO ALLOW THE MENHADEN POPULATION TO RECOVER

Jacey Vineyard, LC
2024-0701

1. Habitat Management Evaluation dated April 22, 2025.
(Page 1)
2. Revised project drawings dated received August 1, 2024.
(Pages 2 - 3)
3. Original project drawings dated received March 20, 2024.
(Pages 4 - 9)
4. Virginia Department of Health, Division of Shellfish Sanitation, comments dated received September 3, 2024.
(Pages 10 - 14)
5. Virginia Department of Health, Office of Environmental Health Services – Marina Program, comments dated received April 16, 2024.
(Pages 15 – 16)
6. Northumberland County Wetland Board permit dated received April 30, 2024.
(Pages 17 - 18)
7. Northumberland County Board of Supervisors decision dated received April 9, 2025.
(Pages 19 - 21)
8. Online protest submissions in Habitat Public Comments.
(Pages 22 - 85)
9. Letter from the Oyster Leaseholder dated received December 20, 2024.
(Pages 86 - 88)

All project drawings, plans and application information are available at
<https://webapps.mrc.virginia.gov/public/habitat/>

HABITAT MANAGEMENT DIVISION EVALUATION

JACEY VINEYARD LC, #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.

Narrative

The Jacey Vineyard is a commercial property in the Wicomico Church section of Northumberland County on the north shore of Mill Creek. The creek is populated with numerous private homes and piers. The project will provide daytime-only mooring for customers of the vineyard and its tasting room. The pier will extend 72 feet channelward of mean low water with mooring for a single vessel at the terminal end of the pier.

Issues

The project is protested by adjacent and nearby property owners who are concerned that the commercial pier will disrupt the pristine nature of the creek and invite additional boat traffic. The neighbors are also concerned that this pier will only be the first step toward a greater, expanded use of the property and the pier. They believe that the proposal is not justified since the vineyard already advertises that there are seven (7) piers to moor vessels in their “private cove.”

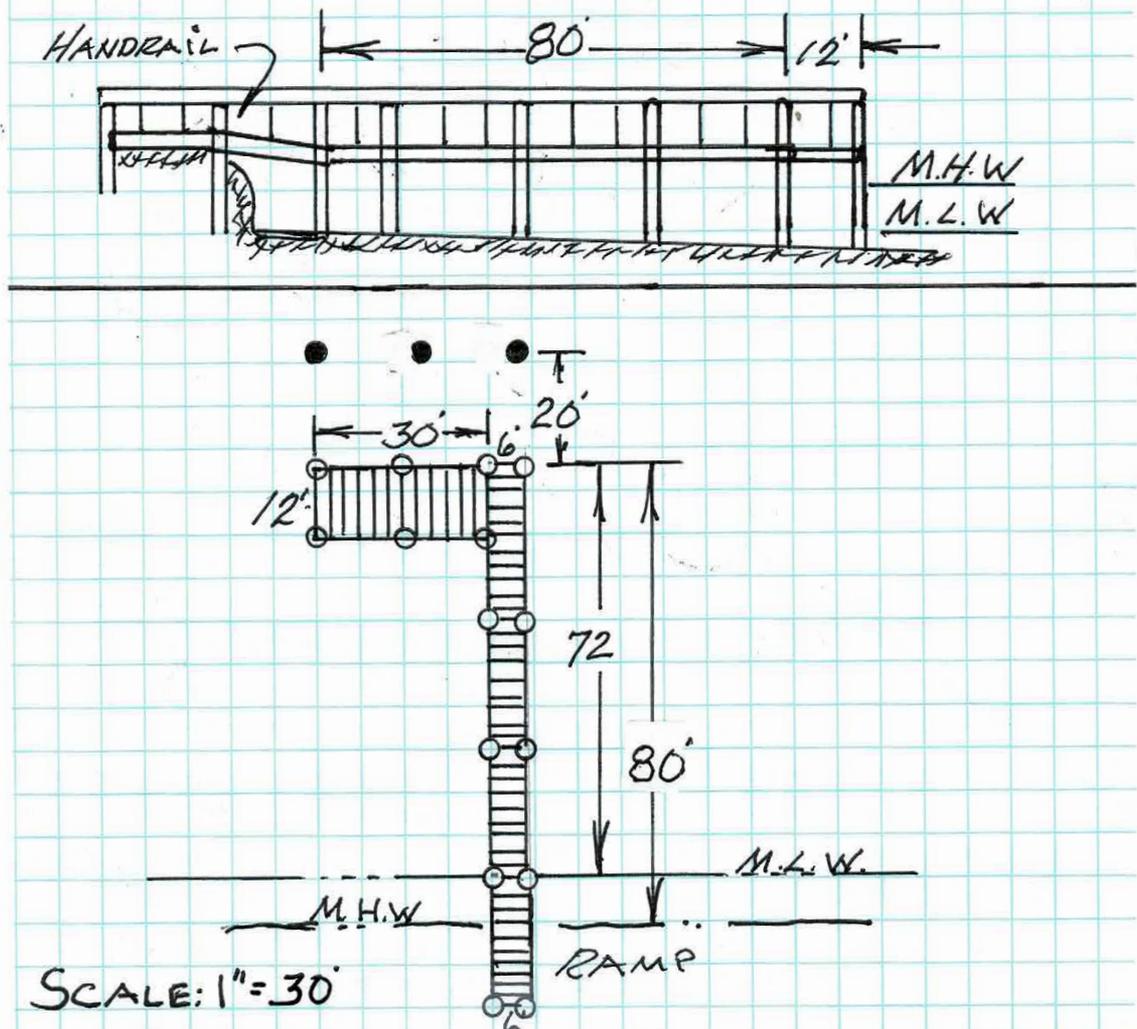
In response to the concerns raised, the applicant agreed to reduce the length of the original pier proposal by ten (10) feet, narrow the width from eight (8) feet to six (6) feet, and removed one (1) of the proposed mooring piles. The applicant has also removed any references to additional moorings from social media and all advertising.

This project has been approved by the Northumberland County Wetlands Board and Board of Supervisors. The project has additionally been approved by the Virginia Department of Health Division of Shellfish Sanitation and the Virginia Department of Health Office of Environmental Health Services-Marina Program. The pier encroaches over a lease owned by Chesapeake Bay Soft Crabs LLC., operated by Mr. Robert Smith. We received a letter on December 20, 2024, from Mr. Smith indicating that he had no objection to the proposed pier.

Summary and Recommendation

While Commission staff is sensitive to the issues raised by the protestants, the applicant has reduced the length and width of the pier to address some of the concerns raised by the protestants. The structure appears to be a reasonable use of state-owned submerged lands, and it does not appear to pose a threat to navigation. In addition, all necessary local approvals have been granted.

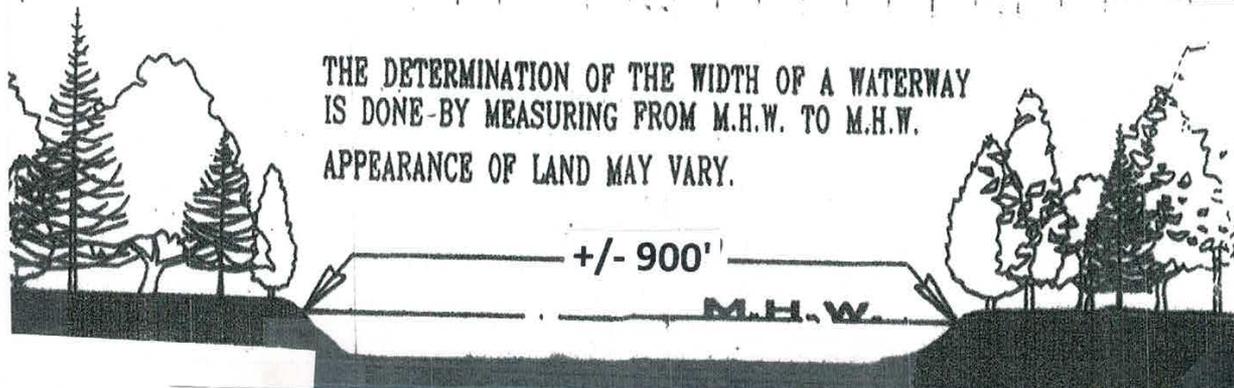
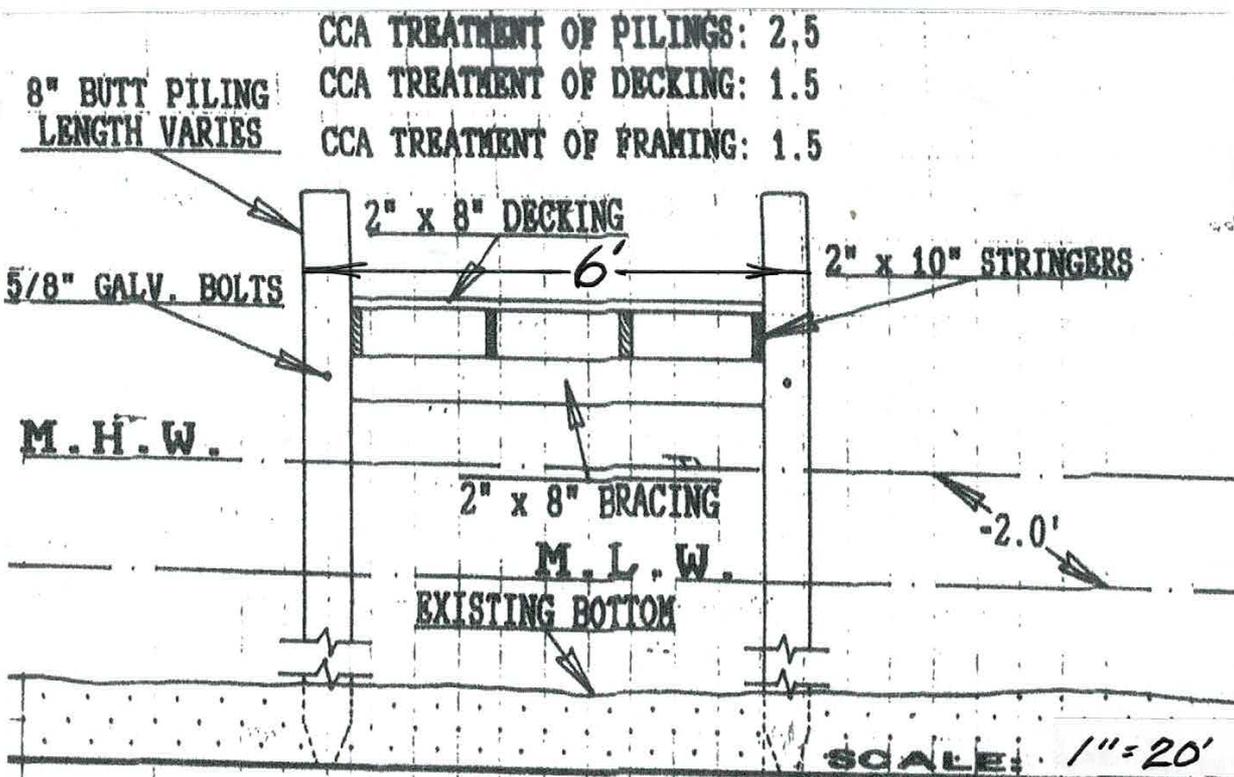
Accordingly, after evaluating the merits of the project against the concerns expressed by those in opposition to the project, and after considering all of the factors contained in §28.2-1205(A) of the Code of Virginia, staff recommends approval of the project with the assessment of royalty of \$3,024.00 for the encroachment over 1,512 square feet of state-owned submerged lands at a rate of \$2.00 per square foot. Staff also recommends approval with the special condition that the pier shall have no overnight mooring and no vessel related services. In addition, the Permittee agrees that this pier will be the only pier to serve the commercial purposes of the Jacey Vineyard.



REVISION TO VMRC #24-0701, CHANGE WIDTH TO 6', LENGTH TO 80', AND ADD A WOODEN HANDRAIL:

ROGER MC KINLEY, INC.
 691 MILL POINT DRIVE
 HEATHSVILLE, VA. 22473
 804-724-8094

JACEY VINEYARD LC. ROBERT W. JACEY, TRUSTEE
 COMMERCIAL PIER PO. BOX 185
 MILL CREEK WICOMICO CHURCH, VA.
 NORTHUMBERLAND CO. MARCH 15, 2024
 COUNTY SECTION #43-J94

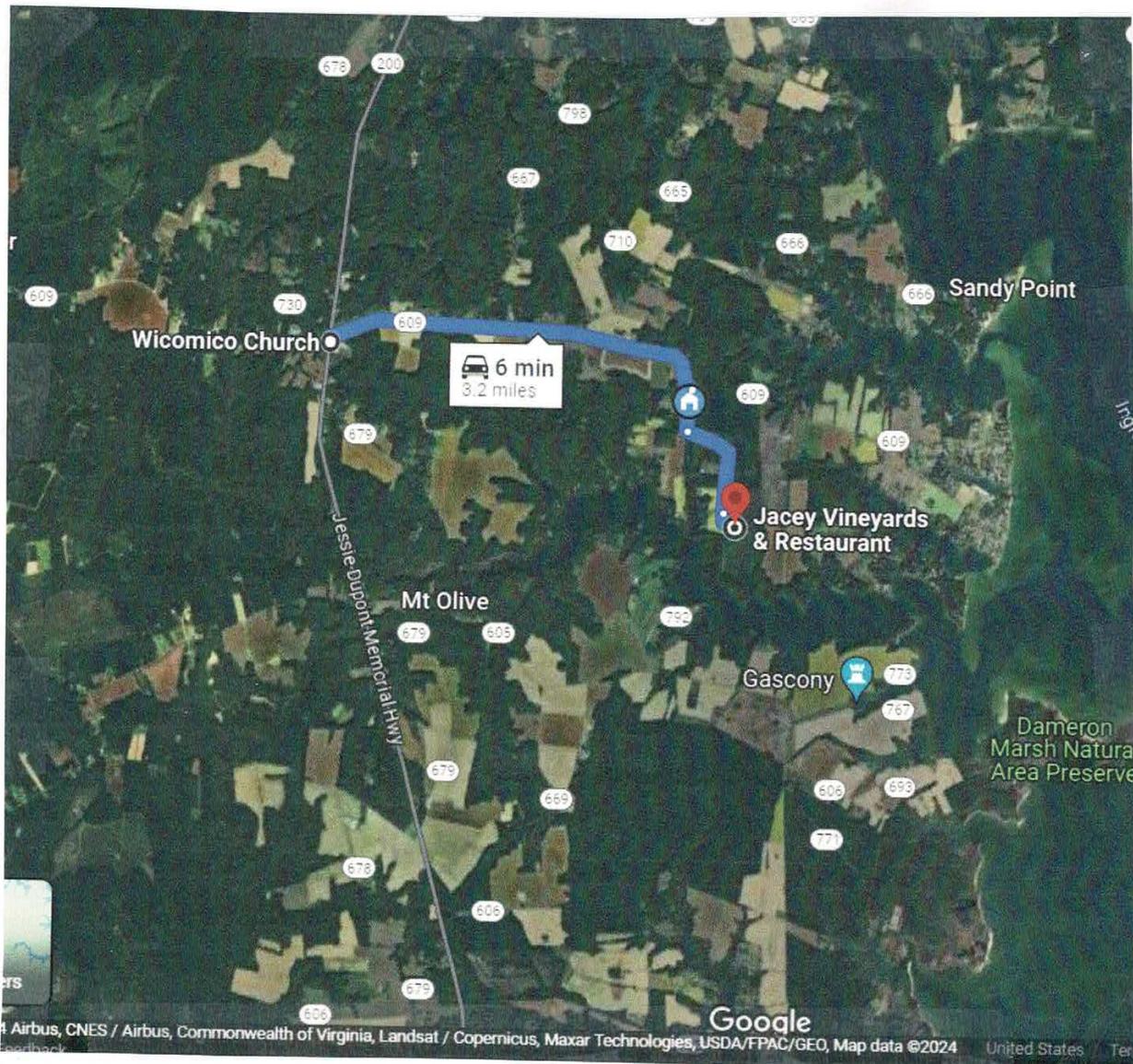


REVISION TO VMRC # 24-0701 CHANGE THE WIDTH TO 6 FEET:

ROGER MC KINLEY, INC.
 691 MILL POINT DRIVE
 HEATHSVILLE, VA. 22473
 804-724-8094

JACEY VINEYARD LC. ROBERT W. JACEY, TRUSTEE
 COMMERCIAL PIER PO. BOX 185
 MILL CREEK WICOMICO CHURCH, VA.
 NORTHUMBERLAND CO. MARCH 15, 2024
 COUNTY SECTION #43-194

PAGE 6



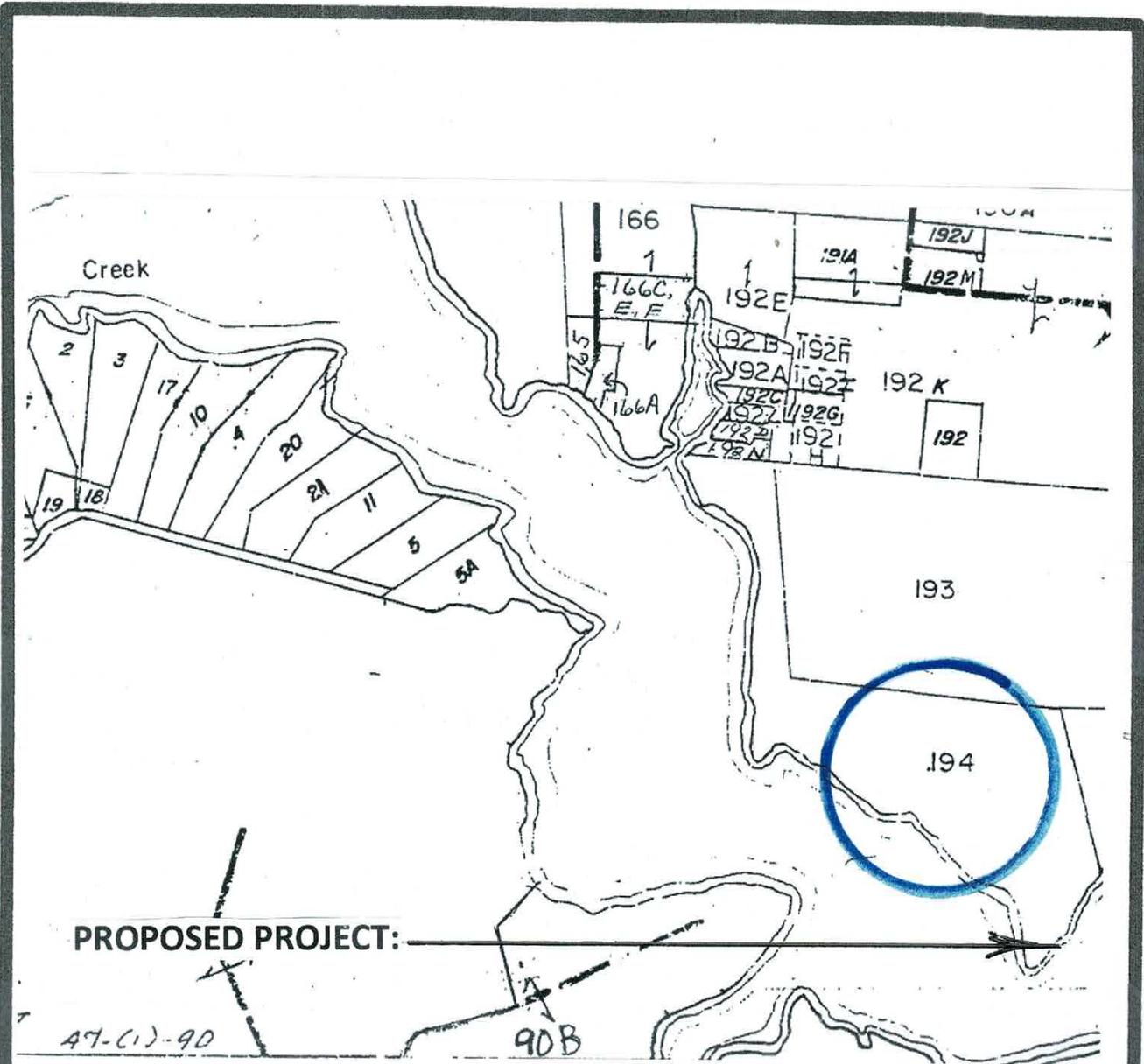
VICINITY MAP:

37.79367 N -76. 33454 W

ROGER MC KINLEY, INC.
691 MILL POINT DRIVE
HEATHSVILLE, VA. 22473
804-724-8094

JACEY VINEYARD LC. ROBERT W. JACEY, TRUSTEE
COMMERCIAL PIER PO. BOX 185
MILL CREEK WICOMICO CHURCH, VA.
NORTHUMBERLAND CO. MARCH 15, 2024
COUNTY SECTION #43-194

PAGE 1



PROPOSED PROJECT:

COUNTY SECTION MAP:

ROGER MC KINLEY, INC.
 691 MILL POINT DRIVE
 HEATHSVILLE, VA. 22473
 804-724-8094

JACEY VINEYARD LC. ROBERT W. JACEY, TRUSTEE
 COMMERCIAL PIER PO. BOX 185
 MILL CREEK WICOMICO CHURCH, VA.
 NORTHUMBERLAND CO. MARCH 15, 2024
 COUNTY SECTION #43-194

PAGE 2



PROPOSED PROJECT:

AERIAL VIEW:

ROGER MC KINLEY, INC.
691 MILL POINT DRIVE
HEATHSVILLE, VA. 22473
804-724-8094

JACEY VINEYARD LC. ROBERT W. JACEY, TRUSTEE
COMMERCIAL PIER PO. BOX 185
MILL CREEK WICOMICO CHURCH, VA.
NORTHUMBERLAND CO. MARCH 15, 2024
COUNTY SECTION #43-194

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JACEY VINEYARD NARRATIVE:

The applicants are proposing to construct a Commercial pier on their property on Mill Creek. The proposed pier will be 90 feet long, 8 feet wide, with a 30 foot by 12 foot "L" head, with associated, free standing mooring pilings.

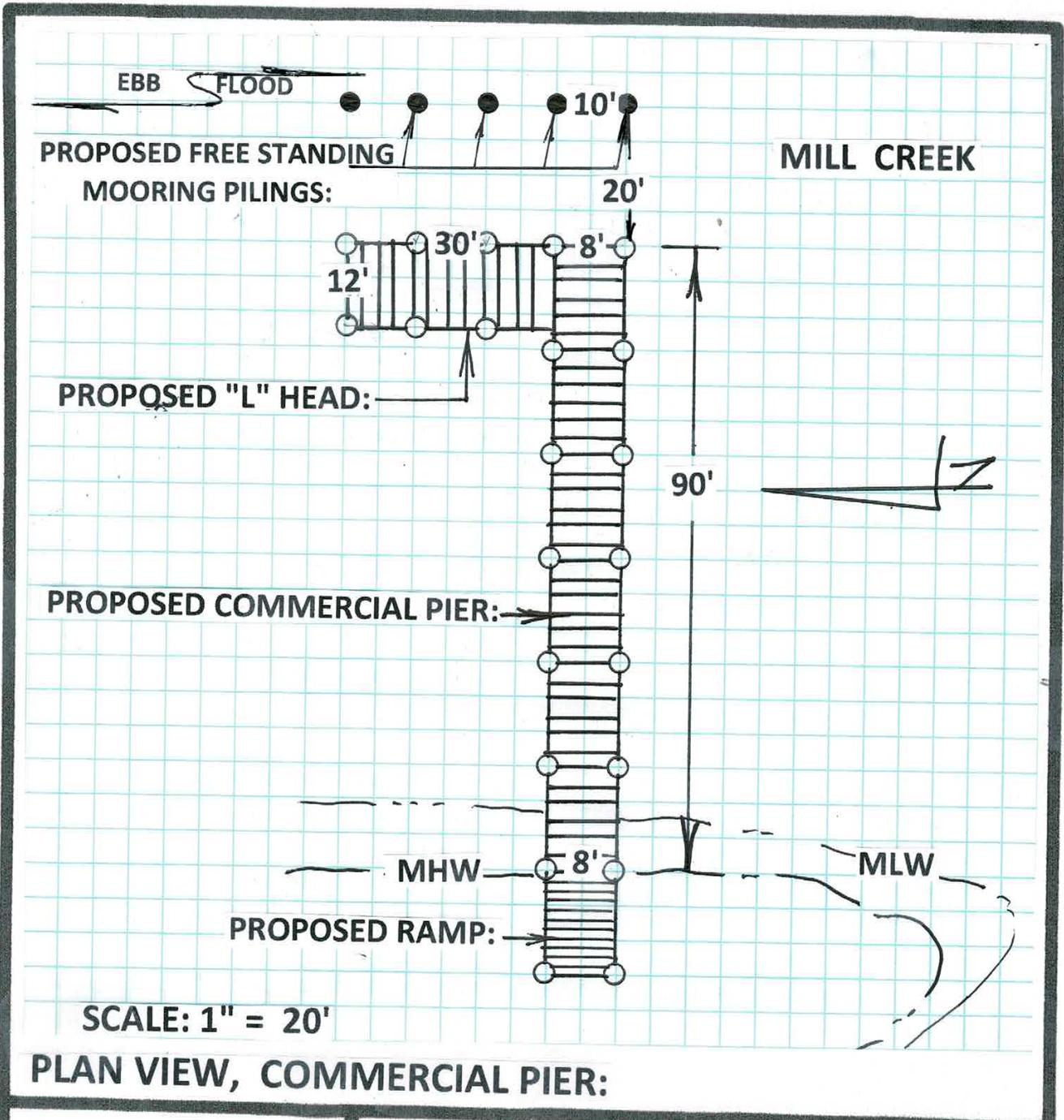
Jacey Vineyard and Restaurant is located a short distance from the proposed pier location. Mill Creek is listed in the Chesapeake Bay Cruising Guide as an ideal stopping off spot for those cruising the Western shore, with a well marked, and deep water entrance, and lots of great anchorages. On any holiday weekend there can be as many as 25 sailing and power vessels anchored in the Creek

The applicants are proposing to provide a safe place for visiting boaters to tie up for a visit to the Winery or the Restaurant. These spots are to be temporary, with no overnight mooring. Transportation will be provided from the pier to the Restaurant/Winery.

ROGER MC KINLEY, INC.
691 MILL POINT DRIVE
HEATHSVILLE, VA. 22473
804-724-8094

JACEY VINEYARD LC. ROBERT W. JACEY, TRUSTEE
COMMERCIAL PIER PO. BOX 185
MILL CREEK WICOMICO CHURCH, VA.
NORTHUMBERLAND CO. MARCH 15, 2024
COUNTY SECTION #43-194

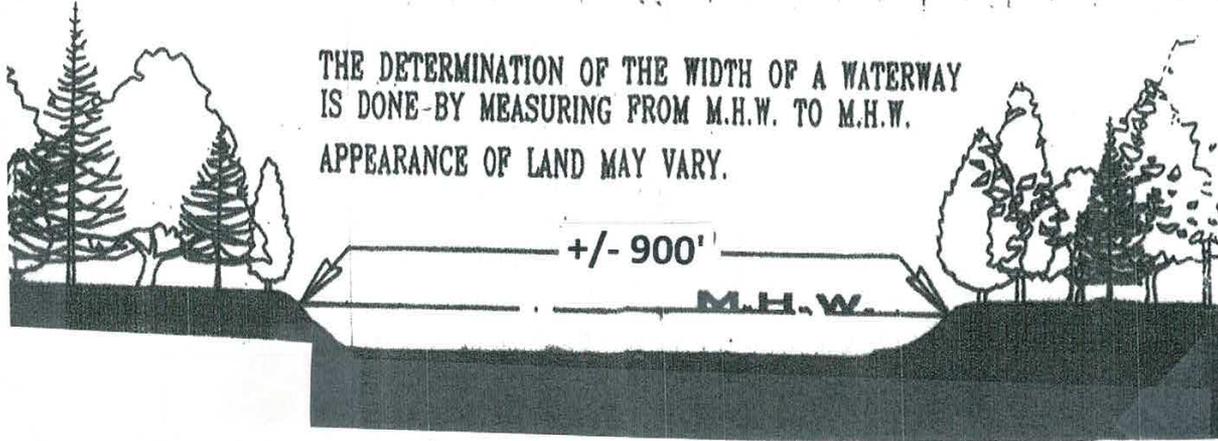
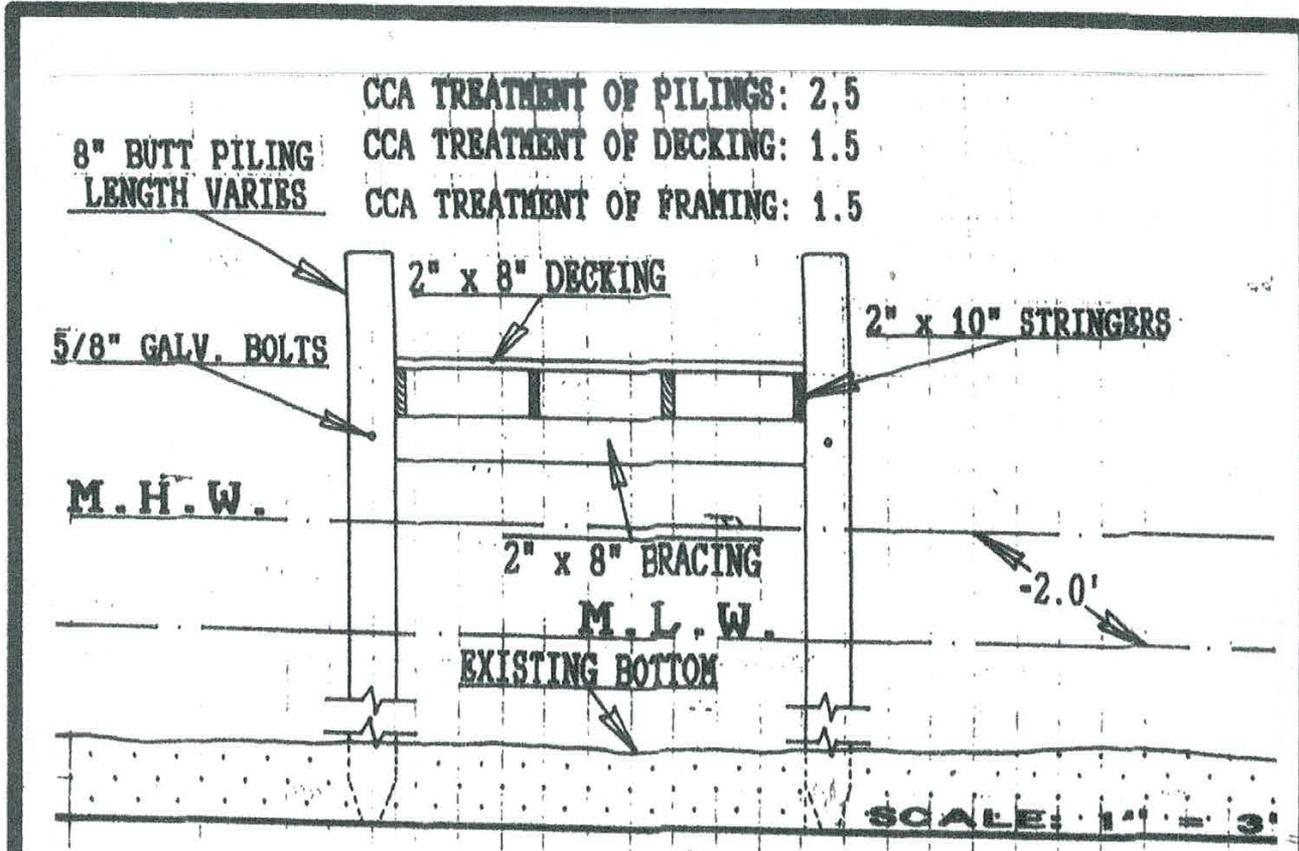
PAGE 4



ROGER MC KINLEY, INC.
 691 MILL POINT DRIVE
 HEATHSVILLE, VA. 22473
 804-724-8094

JACEY VINEYARD LC. ROBERT W. JACEY, TRUSTEE
 COMMERCIAL PIER PO. BOX 185
 MILL CREEK WICOMICO CHURCH, VA.
 NORTHUMBERLAND CO. MARCH 15, 2024
 COUNTY SECTION #43-194

PA6E5



SECTION VIEW, COMMERCIAL PIER:

ROGER MC KINLEY, INC.
 691 MILL POINT DRIVE
 HEATHSVILLE, VA. 22473
 804-724-8094

JACEY VINEYARD LC. ROBERT W. JACEY, TRUSTEE
 COMMERCIAL PIER PO. BOX 185
 MILL CREEK WICOMICO CHURCH, VA.
 NORTHUMBERLAND CO. MARCH 15, 2024
 COUNTY SECTION #43-194

PAGE 6

From: [Madden, Jeff \(MRC\)](#)
To: [MRC - jpa Permits](#)
Subject: FW: JPA: 20240701 in Northumberland, Applicant: Jacey Vineyard, LC
Date: Saturday, August 31, 2024 5:04:05 PM
Attachments: [Screenshot 2024-08-31 11:55:55.png](#)
[Screenshot 2024-08-31 11:56:07.png](#)
[DSC_20240831_115618 - Comments Memo.pdf](#)

Va Dept of Health Div. Shellfish Sanitation

From: Wood, Adam (VDH) <Adam.Wood@vdh.virginia.gov>
Sent: Friday, August 30, 2024 5:47 PM
To: Madden, Jeff (MRC) <jeff.madden@mrc.virginia.gov>
Subject: Re: JPA: 20240701 in Northumberland, Applicant: Jacey Vineyard, LC

This permit still does not impact shellfish waters. Please re-accept the prior memo as VDH's response.

Applicant: Jacey Vineyard, LC
Locality: Northumberland
Project Description: Commercial Pier
Date Received: March 20, 2024
Engineer: Jeffrey P. Madden

After reviewing the application, please reply to this email and indicate one of the following:

I HAVE CONDUCTED A THOROUGH REVIEW OF THE PROPOSED PROJECT BASED UPON THE STATUTORY RESPONSIBILITY OF THIS AGENCY AND MY EVALUATION IS THAT:

THE PROPOSED PROJECT IS **ACCEPTABLE**.

CERTAIN ASPECTS OF THE PROPOSAL ARE OBJECTIONABLE AND UNLESS THE SUGGESTED MODIFICATIONS ARE INCORPORATED, THE PROJECT IS **UNDESIRABLE**. (SUGGESTED MODIFICATIONS SHOULD BE PROVIDED TO THE APPLICANT EXPEDITIOUSLY FOR HIS CONSIDERATION.)

THERE ARE ASPECTS THAT ARE OBJECTIONABLE AND, IN OUR OPINION, NOT RECONCILABLE; THEREFORE, THE PROJECT IS **UNACCEPTABLE**. (THIS IS CONSIDERED AN **AGENCY OBJECTION** REQUIRING REVIEW BY THE FULL COMMISSION IN ACCORDANCE WITH SECTION 28.2-1207(A2) OF THE CODE OF VIRGINIA; MUST BE FULLY JUSTIFIED AND MAY REQUIRE YOUR PRESENCE TO TESTIFY AT THE PUBLIC HEARING.)

WAS A FIELD INVESTIGATION OF THE PROPOSAL PERFORMED BY A MEMBER OF YOUR AGENCY? NO

Very Respectfully

Adam Wood

Growing Area Manager

Virginia Department of Health

Division of Shellfish Safety

Cell: (804) 839-2809

Office: (804) 577-4007

www.vdh.virginia.gov/shellfish



From: Madden, Jeff (MRC) <jeff.madden@mrc.virginia.gov>

Sent: Wednesday, August 14, 2024 11:03 AM

To: Wood, Adam (VDH) <Adam.wood@vdh.virginia.gov>

Subject: JPA: 20240701 in Northumberland, Applicant: Jacey Vineyard, LC

Joint Permit Application Request for Comments

Virginia Marine Resources Commission, Habitat Management Division, requests your review and evaluation of the following permit. Your evaluation is requested no later than September 4, 2024. By statute, we are obliged to refer an objection by any state agency to the full Commission in a public hearing. An unacceptable evaluation will be considered an agency objection. Evaluations suggesting modifications or indicating that the proposal is unacceptable should include comments in the justification of your finding.

Please click the link below for full application details.

[Application: 20240701](#)

Applicant: Jacey Vineyard, LC
Locality: Northumberland
Project Description: Commercial Pier
Date Received: March 20, 2024
Engineer: Jeffrey P. Madden

After reviewing the application, please reply to this email and indicate one of the following:

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THERE ARE ASPECTS THAT ARE OBJECTIONABLE AND, IN OUR OPINION, NOT RECONCILABLE; THEREFORE, THE PROJECT IS **UNACCEPTABLE**. (THIS IS CONSIDERED AN **AGENCY OBJECTION** REQUIRING REVIEW BY THE FULL COMMISSION IN ACCORDANCE WITH SECTION 28.2-1207(A2) OF THE CODE OF VIRGINIA; MUST BE FULLY JUSTIFIED AND MAY REQUIRE YOUR PRESENCE TO TESTIFY AT THE PUBLIC HEARING.)

WAS A FIELD INVESTIGATION OF THE PROPOSAL PERFORMED BY A MEMBER OF YOUR AGENCY? YES / NO

DATE OF INVESTIGATION: _____
NAME OF INVESTIGATOR: _____
COMMENTS: _____

Should you have any questions regarding this permit application, please do not hesitate to contact me at (757) 247-2276 or jeff.madden@mrc.virginia.gov

Jeffrey P. Madden
Environmental Engineer
Virginia Marine Resources Commission
Phone: (757) 247-2276
Email: jeff.madden@mrc.virginia.gov

Viewing application and related documents requires Google Chrome, Mozilla Firefox, Safari, or Microsoft Edge.

Received by VMRC September 3, 2024 /blh



COMMONWEALTH of VIRGINIA

Department of Health
P. O. BOX 2448
RICHMOND, VA 23218-2448

TTY 7-1-1 OR
1-800-828-1120

MEMORANDUM

DATE: 4/8/2024
TO: Jeff Madden
Virginia Marine Resources Commission
FROM: Adam Wood, Growing Area Manager
Division of Shellfish Safety Waterborne Hazards Contro
SUBJECT: JACEY VINEYARD

City / County: Northumberland

Waterbody: Mill Creek

Type: VPDES VMRC VPA VWP JPA Other:

Application / Permit Number: 20240701

- The project will not affect shellfish growing waters.
- The project is located in or adjacent to approved shellfish growing waters, however, the activity as described will not require a change in classification.
- The project is located in or adjacent to condemned shellfish growing waters and the activity, as described, will not cause an increase in the size or type of the existing closure.
- The project will affect condemned shellfish waters and will not cause an increase in the size of the total condemnation. However, a prohibited area (an area from which shellfish relay to approved waters for self-purification is not allowed) will be required within a portion of the currently condemned area. See comments.
- A buffer zone (including a prohibited area) has been previously established in the vicinity of this discharge, however, the closure will have to be revised. Map attached.
- This project will affect approved shellfish waters. If this discharge is approved, a buffer zone (including a prohibited area) will be established in the vicinity of the discharge. Map attached.
- Other.

ADDITIONAL COMMENTS:

Area #: 014
ACW



Received by VMRC September 3, 2024 /blh

From: [Madden, Jeff \(MRC\)](#)
To: [MRC - jpa Permits](#)
Subject: FW: VMRC-20240701
Date: Tuesday, April 16, 2024 9:14:29 AM
Attachments: [image.png](#)

From: Layman, Charles (VDH) <Charles.D.Layman@vdh.virginia.gov>
Sent: Monday, April 15, 2024 11:13 AM
To: Madden, Jeff (MRC) <Jeff.Madden@mrc.virginia.gov>
Cc: Wood, Adam (VDH) <Adam.Wood@vdh.virginia.gov>
Subject: VMRC-20240701

Jeff,

Permit is Approved,

Joint Permit Application Request for Comments

Virginia Marine Resources Commission, Habitat Management Division, requests your review and evaluation of the following permit. Your evaluation is requested no later than April 15, 2024. By statute, we are obliged to refer an objection by any state agency to the full Commission in a public hearing. An unacceptable evaluation will be considered an agency objection. Evaluations suggesting modifications or indicating that the proposal is unacceptable should include comments in the justification of your finding. Please click the link below for full application details.

[Application: 20240701](#)

Applicant: Jacey Vineyard, LC

Locality: Northumberland

Project Description: Commercial Pier

Date Received: March 20, 2024

Engineer: Jeffrey P. Madden

After reviewing the application, please reply to this email and indicate one of the following:

I HAVE CONDUCTED A THOROUGH REVIEW OF THE PROPOSED PROJECT BASED UPON THE STATUTORY RESPONSIBILITY OF THIS AGENCY AND MY EVALUATION IS THAT:

THE PROPOSED PROJECT IS **ACCEPTABLE**.

CERTAIN ASPECTS OF THE PROPOSAL ARE OBJECTIONABLE AND UNLESS THE SUGGESTED MODIFICATIONS ARE INCORPORATED, THE PROJECT IS **UNDESIRABLE**. (SUGGESTED MODIFICATIONS SHOULD BE PROVIDED TO THE APPLICANT EXPEDITIOUSLY FOR HIS CONSIDERATION.)

THERE ARE ASPECTS THAT ARE OBJECTIONABLE AND, IN OUR OPINION, NOT RECONCILABLE; THEREFORE, THE PROJECT IS **UNACCEPTABLE**. (THIS IS CONSIDERED AN **AGENCY OBJECTION** REQUIRING REVIEW BY THE FULL COMMISSION IN ACCORDANCE WITH SECTION 28.2-1207(A2) OF THE CODE OF VIRGINIA; MUST BE FULLY JUSTIFIED AND MAY REQUIRE YOUR PRESENCE TO TESTIFY AT THE PUBLIC HEARING.)

WAS A FIELD INVESTIGATION OF THE PROPOSAL PERFORMED BY A MEMBER OF YOUR AGENCY? NO

DATE OF INVESTIGATION: 4-15-2024

NAME OF INVESTIGATOR: D. Layman

COMMENTS: Facility in compliance with 12VAC5-570- Commonwealth of Virginia Sanitary Regulations for Marinas and Boat Moorings at this time

Charles David Layman II

Environmental Health Specialist II

Office of Environmental Health Services- Marina Program

Phone: (804) 864-7467

[Facebook](#) | [Twitter](#) | [YouTube](#)

Virginia Department of Health
109 Governor Street, 5th Floor
Richmond, VA 23219



Received by VMRC April 16, 2024 map

From: [Barbara Hall](#)
To: [MRC - jpa Permits](#)
Subject: Jacey and White Sand Harbour POA permits
Date: Tuesday, April 30, 2024 8:51:40 AM
Attachments: [20240430 \[REDACTED\].pdf](#)

For your information.

**NORTHUMBERLAND COUNTY
WETLANDS PERMIT**

KEEP FOR YOUR RECORDS

Effective Date: April 19 2024

Pursuant to Title 28.2-1302 of the Code of Virginia (1950), as amended, the Northumberland County Wetlands Board, hereinafter referred to as the Board hereby grants unto Robert W. Jacey, Trustee hereinafter referred to as the permittee, permission to undertake the following described project:

To construct a commercial pier from the shoreline of Mill Creek and 619 Train Lane.

For a more complete description of such project, reference is hereby made to permittee's application for wetlands permit, V.M.R.C. No. 24-0701 which application is attached hereto and made a part hereof.

This permit is granted subject to the following terms and conditions:

1) Except as hereinafter provided, all phases of the project shall conform in all particulars to the permittee's application for wetlands permit. The duly authorized agents of the Board and Marine Resource Commission shall have the right to enter upon the premises at any reasonable time for the purpose of inspecting the work being done pursuant to this permit.

2) Permittee shall, comply with all applicable laws, ordinances, rules and regulations affecting the conduct of the project. The granting of this permit shall not relieve the permittee of the responsibility of obtaining any and all other permits or authority required by the Department of Environmental Quality, the U. S. Army Corps of Engineers, and the Virginia Marine Resource Commission.

3) The permittee shall, to the greatest extent practical, minimize the adverse effects of the project upon adjacent properties and wetlands and upon the natural resources of the Commonwealth: _____

4) The project shall be completed on or before April 19, 2027 after which time this permit shall be void; provided, however, that upon proper application to the Board, the term for the completion of the property may be extended by the Board at its discretion. Any such application for extension of time shall be in writing prior to the expiration date hereof and shall specify the reasons for such extension and the expected date of completion of the project.

5) This permit may be revoked at any time by the Board upon the failure of the permittee to comply with any of the terms and conditions hereof.

6) **The permittee, his agent, or the contractor must notify the Board at the commencement and completion of the project and no project is considered complete and in compliance until all necessary erosion control measures are in place and all graded areas have been adequately stabilized.**

7) Such other terms and conditions peculiarly applicable to the particular project being permitted in order to promote the greatest extent possible the public policy expressed in the Act and to minimize the impact of the project upon the right and property of others and upon the ability of the local government to provide governmental services. (To be inserted after #3)

From: [Madden, Jeff \(MRC\)](#)
To: [MRC - jpa Permits](#)
Subject: Jacey (24-0701) County Board of Supervisors
Date: Wednesday, April 9, 2025 1:38:30 PM
Attachments: [letter 7-12-2025 action.pdf](#)

Jeffrey P. Madden
Senior Environmental Engineer
Habitat Management Division
Virginia Marine Resources Commission
380 Fenwick Road Bldg. 96
Fort Monroe, VA 23651
Jeff.madden@mrc.virginia.gov

From: Barbara Hall <bhall@co.northumberland.va.us>
Sent: Monday, March 24, 2025 4:22 PM
To: Madden, Jeff (MRC) <Jeff.Madden@mrc.virginia.gov>
Cc: Alfred Fisher <acfisher@co.northumberland.va.us>; Tadlock, Luttrell <ltadlock@co.northumberland.va.us>
Subject: BOS approval letter

Good afternoon Jeff,

Attached is the approval letter for Robert Wayne Jacey.

If I can be of further help, please let me know.

Barbara

NORTHUMBERLAND COUNTY, VIRGINIA

Office of Building & Zoning

P. O. Box 129, Heathsville, VA 22473
(804) 580-8910 or (804) 580-7921 FAX (804) 580-8082

July 12, 2024

Robert Wayne Jacey Trustee
619 Train Lane
Heathsville, Va. 22473

Dear Dr. Jacey,

At its public hearing on Thursday, July 11, 2023, the Northumberland County Board of Supervisors approved your request for a Conditional Use Permit in order to construct a commercial pier on property zoned R-2, Residential Waterfront located at 619 Train Lane, Tax Map Parcel 43-(1)-194, subject to the following conditions:

1. All required permits and/or licenses shall be obtained from all appropriate regulatory agencies.
2. The commercial pier shall be constructed as shown on the revised joint permit application received June 25, 2024.
3. Any proposed grading and vegetation removal shall be approved and mitigated for in the Resource Protection Area.
4. There shall be no overnight mooring of vessels from anyone other than the owner.
5. This permit shall be non-transferable and shall only be associated with Jacey Vineyards and Restaurant.
6. All lighting shall be solar, motion activated lights and shall be directed downward.
7. Non-compliance of any of these conditions shall result in this permit to come back before the Board of Supervisors for possible revocation.

The applicant has proffered the following conditions to be made part of the suggested conditions:

1. Non-transferable – As originally stipulated, the proposed commercial pier is solely for the use of Jacey Vineyard Tasting Room and Restaurant and for no other commercial purpose. In addition to this, the Pier may not be passed onto another commercial enterprise as a ‘Commercial Pier’. So there is no misunderstanding, should the Jacey Vineyard & Tasting Room cease operating, the aforementioned pier will revert to a residential dock.

2. Footprint – The width of the Pier shall not exceed 6 feet (excluding the far end “L” extension) and the Length of the Pier, itself will not exceed 80 feet from the Mean High Water (“MHW”) mark to the end of the pier. The ramp will extend from the MHW portion of the pier to the dry embankment. The size of the “L” extension shall not exceed 360 square feet (example: 12’x30’). (As per the Revision to VMRC #24-0701, dated June 25, 2024.
3. No Commerce - The purpose of the pier is to facilitate customers who wish to visit the Vineyard by water, a safe and convenient place to moor their boat and to be picked up or dropped off by boat. No additional commerce shall be conducted on the pier.
4. Lighting – Subject to any State, County or Commercial code which would supersede this condition, lighting on the Pier will be kept to a minimum. Jacey Vineyard is as concerned for ANY unnecessary light pollution on its tranquil creek as our neighbors are and will strive to create as little light as possible. It has been suggested that all light be downward facing, motion activated and warm, with a color temperature rating up to 2700K. We believe that this is a very good target, and we will endeavor to achieve this standard or better. Our caveat, however, is that low lying, motion activated, soft lighting under 2700K for use on a pier may not be an easily obtainable combination. But we thoroughly agree with the objective and will in good faith find an acceptable combination if it becomes necessary.
5. Hours of Operation – The Pier will be operated between 7 a.m. and dusk throughout the year and without overnight mooring by anyone other than the owner.
6. Signage – One ‘Jacey’ business sign, unlighted, not to exceed 9 square feet, e.g. 3’x3’, 2’x4’, etc.

Please contact me if you have any questions.

Sincerely,



Philip H. Marston
Zoning Administrator

**Virginia Marine Resources Commission
Habitat Management Public Comments
Application Number 20240701**

Print Date: Wednesday April 16 2025 10:33

Number	Name	Received	Position
1	KENT EANES	05/06/2024 09:52:15 AM	OPPOSE

OPPOSE

Attachments:
https://webapps.mrc.virginia.gov/public/habitat/pc_pdfGet.php?id=903

May 5, 2024
Northumberland County Board of Supervisors
220 Judicial Place
Heathsville, VA 22473

Virginia Marine Resources Commission (VMRC)
Building 96 380 Fenwick Road
Fort Monroe, VA 23651

Dear Members of the Board of Supervisors and the VMRC:

This letter is written regarding the request of Robert W. Jacey to construct a commercial pier on residential waterfront (R2) parcel at 619 Train Lane on Mill Creek (VMRC #24-0701).

My wife and I are home owners on Mill Creek and I'm writing in opposition to the proposed commercial dock. To be clear, I'm not opposed to Jacey's intended use for the proposed dock. I think a dinghy dock for sailors to visit the vineyard is a great idea. I'm opposed as I think it's a slippery slope down the road, when the property is no longer owned by Robert Jacey. Mill Creek is possibly the most pristine and undeveloped creek in Northumberland County. It is a favorite anchorage for many boaters traveling up and down the Chesapeake Bay because of this fact. I think Mill Creek is a shining example of what good stewardship can accomplish. But, if the property should be purchased by someone looking to develop a commercial operation, it would very much change the dynamics of where we live.

If the proposed dock is likely to get approved, it is my understanding that a locality can put any conditions on a CUP (conditional use permit) it deems necessary. For instance, Irvington specifically says that Irvington CUPS expire upon the sale or transfer of the land ownership. I would respectfully request this condition, if in fact, the permit is actually granted for a commercial pier on this R-2 parcel.

Lastly, again if the proposed dock is likely to get approved then I'd like to encourage the decision makers to take a conservative stance on the width of the dock. I see no justification for an 8' wide dock and it may very well encourage a commercial operation down the road. If their justification is connected to the statement they made in their notes "on any holiday weekend there can be as many as 25 sailing and power vessels anchored in the creek", this statement is an exaggeration. Two years ago I did an anchored boat count on Mill Creek and came up with just shy of 200 boats for the entire year. The most boats we've seen anchored is 16. Once a year or once every other year the Sailing Club of the Chesapeake, who has the best attendance for boats, might have 12-14 boats. We have a 5' wide dock like many residential docks, and we've had a dozen dinghies tied up to our dock with no issues when we had a cruising club over for a happy hour. I don't see any viable reason to have an 8' wide dock, it only disturbs more creek bottom, and will reduce the current oyster lease ground. If the reason they give is they want to drive a golf cart on the dock to pick up visitors, I'd have to say, I don't know a single sailor who would not be willing to walk 90' especially if there's a beverage at the end.

I'm wondering if Mr Jacey explored other options such as applying for variance use or special use permit of a residential dock, as I've been told he already has more than 5 docks (unverified).

Thank you for your consideration,

Kent Eanes
140 E Harmony Circle
Heathsville, VA 22473
804-677-7874

**Virginia Marine Resources Commission
Habitat Management Public Comments
Application Number 20240701**

Print Date: Wednesday April 16 2025 10:33

Number	Name	Received	Position
2	STEVE WAGONER	05/07/2024 09:03:45 AM	OPPOSE

OPPOSE

Attachments:

https://webapps.mrc.virginia.gov/public/habitat/pc_pdfGet.php?id=904

May 6, 2024

Northumberland County Board of Supervisors
220 Judicial Place
Heathsville, VA 22473

Virginia Marine Resources Commission (VMRC)
Building 96 380 Fenwick Rd
Fort Monroe, VA 23651

Dear Members of the Board of Supervisors and the VMRC,

We are writing to express our concerns about the proposed “conditional use permit to construct a commercial pier” submitted March 20, 2024, by Dr. Robert W. Jacey of Jacey Vineyards. This side-door option to expand commercial purposes on residentially zoned property poses great impact to the quality of life and use of Mill Creek.

The application states in Item #8 that the primary and secondary purposes of and the need for the project is “...for access to the owner’s restaurant.” In Item #10, regarding alternatives considered or that will be taken to avoid and minimize impacts...” the response is, “This is for access, no alternatives.” This is not accurate. Jacey Vineyards is already accessible to cars and boats.

This access is touted in its advertising from independent sources, and the owner himself. A June 22, 2022 [PropTalk article](#) begins, “One of the most accessible vineyards for boaters is Jacey Vineyard in Wicomico Church, VA...is geared to welcome boaters who venture into their idyllic cove. There is plenty of swing room to anchor out deeper draft boats and docks for weary boaters eager to sample their homegrown varietals.” It continues, “Powerboaters, depending on their draft, can tie up at one of three docks marked with the Jacey Vineyards signs.”

[Jacey Winery’s website](#), linked from Chesapeake Bay Wine Trail advertising, Copyright 2022, Jacey Vineyards, states, “With seven docks on our own private cove we are one of few vineyards nationwide which visitors can arrive by boat.” In a recent [May 2024 Yelp advertising](#), the owner, himself touts “We have plenty of docks in our cove and are building a larger one Creekside.”

Yet, the permit states there is no current boat access. Additionally, this proclamation assumes it is a done deal. There are multiple concerns about a commercial entity which intends to increase traffic on the creek, and consequently, limit the boatable waters for the rest of the residents here.

The proposed commercial pier will extend approximately 130 feet (140 ft with a boat docked on the end) into the creek, taking all individuals components of the plan drawing together. This size dock accommodates many more boats than the four stated in their proposal. This size dock can not be built for \$30,000 and is not a “dinghy dock.” We believe that this does not accurately reflect the scope of the current project.

A commercial pier of this size in the proposed location will also impact the amount of deep water available to other users. There is a deeper channel for navigation bordered by shallow water, underwater obstacles, a duck blind, and a private dock across the creek.

The addendum states that there are currently 25 boats anchored in our creek each weekend. At best, during inclement weather, there may be up to twelve, non-resident, boats at anchor. The statements of the proposal do not align with their advertising or other factual documentation.

What we find troubling is what we don't know. Current capacity at the Vineyard does not require a commercial pier. With commercial zoning, what will follow?

This needs to be discussed by ALL homeowners on the creek. Lack of community input is troubling. We request that this application be denied or put into abeyance pending the submission of more accurate and detailed information.

Thank you for your consideration,

Bill and Cathy Meahan
234 Highwater Ln
Kilmarnock, VA 22482
Highwater234@icloud.com

Steve and Susan Wagoner
247 Highwater Ln
Kilmarnock, VA 22482
Wagoner53@verizon.net

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20240701

Print Date: Wednesday April 16 2025 10:33

Number	Name	Received	Position
3	ANDREA LEVINE	05/07/2024 09:50:08 AM	OPPOSE

OPPOSE

Attachments:

https://webapps.mrc.virginia.gov/public/habitat/pc_pdfGet.php?id=905

From: [Andrea Levine](#)
To: [Madden, Jeff \(MRC\)](#); [Howell, Beth \(MRC\)](#); pmarston@co.northumberland.va.us; [MRC - jpa Permits](#)
Subject: Letter of Concern re:Robert W Jacey VMRC #24-0701 Dock Application
Date: Monday, May 6, 2024 2:57:06 PM
Attachments: [Robert W Jacey VMRC #24-0701.pdf](#)

Please find attached a letter consisting of 4 pages, including signatures. This is to be presented to the Northumberland Board of Supervisors on May 8th, 2024.

Reply of receipt is requested.

Thank you,

Andrea Levine
140 E Harmony Circle
Heathsville, VA 22473

May 5, 2024

Northumberland County Board of Supervisors
220 Judicial Place
Heathsville, VA 22473

Virginia Marine Resources Commission (VMRC)
Building 96 380 Fenwick Road
Fort Monroe, VA 23651

Dear Members of the Board of Supervisors and the VMRC:

This letter is written regarding the request of Robert W. Jacey to construct a commercial pier on residential waterfront (R2) parcel at 619 Train Lane on Mill Creek (VMRC #24-0701).

The signatories below just became aware of the pending request thanks to the hearing notice in the *Rappahannock Record*. As waterfront homeowners and full-time residents on Mill Creek, we deeply value the pristine nature of our creek and understand the role all creek residents play as stewards for future generations.

With that commitment in mind, we reluctantly do not oppose the pending request but only do so conditionally and only as specified in the application. The permit would grant a commercial pier permit on an R2 parcel. We appreciate the benefit it may bring to Jacey Vineyard. However, because of this unusual and precedent setting decision, we ask the Board of Supervisors and the VMRC, if you choose to grant this request, to expressly include the details as presented on the permit application as part of your written decision to ensure the pier is used in accordance with the permit request.

Specifically, please include:

- Mooring for daytime only (not after 9 pm), for temporary access to the Jacey Vineyard only
- No overnight mooring of boats or dinghies (not only in signage as noted in the Appendix but in practice)
- No lighting on the pier (as included in the Appendix)
- Maximum of 4 wet slips / boats (as included in the Appendix)

Additionally, we would be deeply concerned and prompted to act if the commercial use of this pier were expanded in any way in the future. We understand a change in use would require additional approvals, and we trust the Board of Supervisors and the VMRC will not approve expanded commercial use of this pier or grant other commercial piers on Mill Creek moving forward.

Sincerely

Concerned Mill Creek Homeowners (see attached list)

Chris Huns

CHRISTEL AVENHALL-HARDING
& CHARLES HARDING
1510 Harding Rd
Heathsville VA 22473

Sarah Victoria Harding

1394 Harding Rd
Heathsville, VA 22473

Erthy Ewan

1520 Harding Road
Heathsville, VA 22473

Jennifer Chronis

148 E. Harmony Circle
Heathsville, VA 22473

Andrea Levine

ANDREA LEVINE
140 E HARMONY CIR
HEATHSVILLE, VA 22473

Mike Beckmann
Karen Beckmann

Mike + Karen Beckmann
229 Waring Lane
Heathsville, VA 22473

David Knowles

DAVID KNOWLES
232 WARING
Heathsville, VA 22473

Sh. Waggoner

247 Highwater Ln
Rilmannock

Steven Wagon

247 Highwater Lane

Catherine & Meek
William J. Meek

234 Highwater Lane
Kilmarnock, VA 22482

K & Erik Roth

328 Mill Creek Ln

Kenneth Erik Roth

Kilmarnock, VA 22482

Debbie Shelby

1363 Mill Creek Ln
Kilmarnock VA 22482

Melissa & James
Gates

1211 Mill Creek Ln
Kilmarnock VA 22482

Peter Williams

1063 Mill Creek Lane
KILMARNOCK, VA 22482

Jeff Fair

1211 Mill Creek Lane
Kilmarnock, VA 22482

Walt Sullivan
Peter Sullivan

824 Harding Rd. Heathsville
VA 22422

Authentisign
Mary Martha Stewart

1430 Harding Rd
Heathsville, VA 22473

**Virginia Marine Resources Commission
Habitat Management Public Comments
Application Number 20240701**

Print Date: Wednesday April 16 2025 10:33

Number	Name	Received	Position
4	JOHN P NEILL	05/07/2024 10:23:39 AM	OPPOSE

OPPOSE

Attachments:
https://webapps.mrc.virginia.gov/public/habitat/pc_pdfGet.php?id=906

From: [Patrick Neill](#)
To: [Madden, Jeff \(MRC\)](#); [Howell, Beth \(MRC\)](#); [Philip Marston](#); jpa.permits@mrc.gov
Subject: Proposed commercial pier on Mill Creek
Date: Monday, May 6, 2024 3:24:20 PM

May 6, 2024

Re: VMRC 24-0701

Dear Mr Madden and Mr Marston and Ms. Howell:

I am writing to oppose approval of above reference commercial pier on Mill Creek, potentially creating precedent for further commercial piers on this pristine creek. I agree completely with Mr Eanes letter of opposition already filed. I also do not understand how public access could be permitted across an R-2 parcel to reach a business. Additionally, I've heard that a full abc license has been issued to this vineyard as well? Furthering my concern.

We live directly across from this parcel and have spent most of the past 3 years cleaning up the old abandoned granary and chicken shed slabs on Thorndike Point, after being fortunate enough to purchase it from the longtime owners - the Thorndike family. I promised them I would be a good steward of the land.

This clean up has been at considerable expense, but well worth it, probably closing in on somewhere between \$150,000 to \$200,000; and only possible through the knowledge and expertise of local farmer David Hudnall, who has done the vast majority of this difficult work with us. It is a beautiful point and extremely unique.

I'm sorry, but I do not support the only commercial pier permit issuance on the creek, directly across from us, or anywhere on Mill Creek.

Thank you,

Sincerely,
Patrick Neill
142 Mill Creek Lane
Kilmarnock, VA 22482

Sent from my iPad

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20240701

Print Date: Wednesday April 16 2025 10:33

Number	Name	Received	Position
5	CHRISTEL AVENHALL-HARDING	06/07/2024 15:55:56 PM	OPPOSE

OPPOSE

Attachments:

https://webapps.mrc.virginia.gov/public/habitat/pc_pdfGet.php?id=907

May 7, 2024

Northumberland County Board of Supervisors
220 Judicial Place
Heathsville, VA 22473

Virginia Marine Resources Commission (VMRC) Building 96
380 Fenwick Road
Fort Monroe, VA 23651

Dear Members of the Board of Supervisors and the VMRC:

This letter is written regarding the request of Robert W. Jacey to construct a commercial pier on residential waterfront (R2) parcel at 619 Train Lane on Mill Creek (VMRC #24-0701).

I'm a homeowner on Mill Creek writing in opposition to the proposed commercial dock. I'm strongly apposed to a zoning change that will allow a commercial dock to be attached to a residential parcel.

There are no commercial docks on Mill Creek and I'm concerned that if this dock is approved it might be setting a precedent. What will this mean for the future use of this commercial dock and the attached land? Yes, any kind of commercial operation proposal would require a different permit but already having the dock in place would be one less hurdle to achieve this.

In addition it is also worth to mention that during the summer months the creek becomes quite a busy place as it is. Sometimes up to 25+ boats anchoring overnight all through the creek. It is a very popular place to come in for shelter and perfectly situated wether you travel north or south with it's deep water and easy access from the bay.

To summarize, my primary concerns are; setting a new precedent, a zoning change allowing a commercial dock/operation in a residentially area, the potential and unknown future use of a commercial dock and the already existing overnight boat traffic during the summer months.

Sincerely,



Christel & Charles Harding
1510 Harding Rd
Heathsville VA 22473

**Virginia Marine Resources Commission
Habitat Management Public Comments
Application Number 20240701**

Print Date: Wednesday April 16 2025 10:33

Number	Name	Received	Position
6	SUSAN WAGONER	05/08/2024 02:57:28 AM	OPPOSE

OPPOSE

Attachments:

https://webapps.mrc.virginia.gov/public/habitat/pc_pdfGet.php?id=908

May 7, 2024

Northumberland County Board of Supervisors
220 Judicial Place
Heathsville, VA 22473

Virginia Marine Resources Commission (VMRC)
Building 96 380 Fenwick Rd
Fort Monroe, VA 23651

Dear Members of the Board of Supervisors and the VMRC,

In continued review of the request for a “conditional use permit to construct a commercial pier” submitted March 20, 2024, by Dr. Robert W. Jacey of Jacey Vineyards, additional concerns exist. Specifically, those concerning safe boating and other water activities around the proposed project site, overnight mooring, and commercialization of a residential area.

The plan diagram of the proposed commercial pier shows, in contrast to the 90 ft. stated size of the proposal, an encroachment into the creek of at least 130 feet to include ramp to pier to the end pilings. This does not include additional space required should a large boat be docked at the end.

Many people water ski and go tubing on the creek. According to **Virginia Code Section 29.1-744.3, Slacken speed and control wakes near structures**

It shall be unlawful to operate any motorboat, except a personal watercraft, at a speed greater than the slowest possible speed required to maintain steerage and headway when within 50 feet or less of docks, piers, boathouses, boat ramps, or a person in the water, unless such person in the water (i) is being towed by the motorboat or (ii) is accompanying the motorboat, provided that such motorboat is propelled by an inboard motor or a means of propulsion that is below the water line and forward of (a) the transom or (b) an integrated swim platform.

Va. Code § 29.1-744

This adds 50 feet to the proposed measurements of the pier. Nearby across the creek is another residential dock. Add another 50 feet to the calculation and you see how the navigable waterway is narrowed significantly for fast moving boating activity. Near the project location, as mentioned in another opposition letter are underwater hazards, a duck blind, curve of the creek, and shallow water edges that pose challenges to safe boating. Should this commercial pier be permitted, you have now added a collection of non-residential slow-moving boats coming and going in different directions. All are aware of the safety regulations regarding proximity of boats, one to another. We do not need the creek to be more challenging or dangerous to navigate.

The addendum to the application for a commercial pier off residentially zoned property states that “These spots are to be temporary, with no overnight mooring.” According to **Virginia Code Section 29.1-738 - Operating boat or manipulating water skis, etc., in reckless manner or while intoxicated, etc**

A. No person shall operate any motorboat or vessel, or manipulate any skis, surfboard, or similar device, or engage in any spearfishing while skin diving or scuba diving in a reckless manner so as to endanger the life, limb, or property of any person.

B. No person shall operate any watercraft, as defined in § 29.1-733.2, or motorboat which is underway (i) while such person has a blood alcohol concentration at or greater than the blood alcohol concentration at which it is unlawful to drive or operate a motor vehicle as provided in § 18.2-266 as indicated by a chemical test administered in accordance with § 29.1-738.2, (ii) while such person is under the influence of alcohol, (iii) while such person is under the influence of any narcotic drug or any other self-administered intoxicant or drug of whatsoever nature, or any combination of such drugs, to a degree which impairs his ability to operate the watercraft or motorboat safely, (iv) while such person is under the combined influence of alcohol and any drug or drugs to a degree which impairs his ability to operate the watercraft or motorboat safely, or (v) while such person has a blood concentration of any of the following substances at a level that is equal to or greater than (a) 0.02 milligrams of cocaine per liter of blood, (b) 0.1 milligrams of methamphetamine per liter of blood, (c) 0.01 milligrams of phencyclidine per liter of blood, or (d) 0.1 milligrams of 3,4-methylenedioxymethamphetamine per liter of blood. C. For purposes of this article, the word "operate" includes being in actual physical control of a watercraft or motorboat and "underway" means that a vessel is not at anchor, or made fast to the shore, or aground.

Any person who violates any provision of this section is guilty of a Class 1 misdemeanor.

Va. Code § 29.1-738

Jacey Vineyards has applied for or already been granted an ABC license to serve wine, beer, and spirits. Those of us who patronize restaurants where drinks are served know that not all who go to wineries or bars leave intoxicated, however we know that some do. What about customers that arrive by boat and are too intoxicated to return home? Logic (and the law) tells us the boat will remain overnight at the pier.

Jacey Vineyards published advertising “Located on Mill Creek, visit us by boat or car. Anchor out or stay in a Villa.” Logic tells us that boats will remain at the commercial pier one or more nights as villas are rented.

If customers will be taken by golf cart, Gator or ATV to the restaurant from the pier there will be subsequent changes to the landscape around the creek. Trees will have to come down and a path will have to be graded to shuttle people back and forth. This is in direct contradiction to the Bay Act.

Additionally, signage will go up to mark the spot. This greatly alters the idyllic nature and views of Mill Creek for all its residents. Land use is one thing but by granting this conditional use permit to construct a commercial pier opens it up to any and all commercial activity on the residentially owned property.

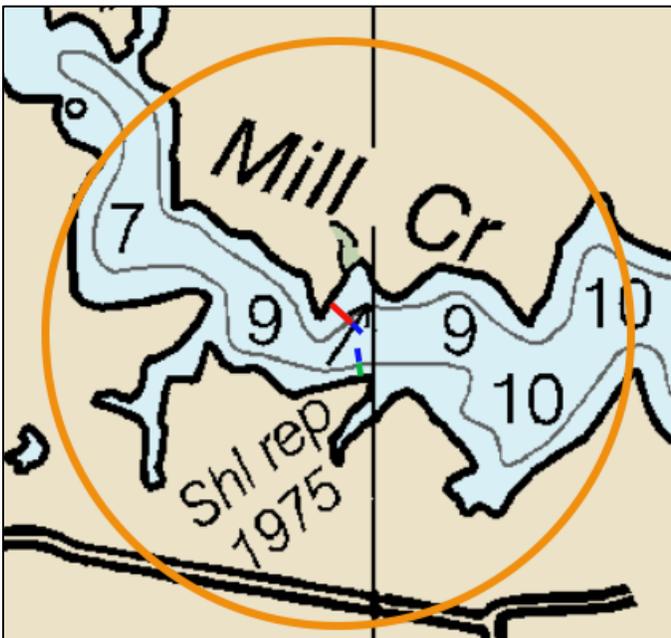
Jacey Vineyards seems to be a multi-faceted business endeavor that appears to be scaling to a larger plan, piece by piece. Once something is agreed to it is an easier route to grow the

commercial business in other ways, by other “exemptions.” There is nothing wrong with wanting a prosperous business but by including the waterfront, it is now encroaching on all residents of Mill Creek.

We oppose the granting of a conditional use permit to construct a commercial pier on the creek.

Steve and Susan Wagoner
247 Highwater Ln
Kilmarnock, VA 22482
Wagoner53@verizon.net

Bill and Cathy Meahan
234 Highwater Ln
Kilmarnock, VA 22482
Highwater234@icloud.com



NOAA Chart with piers and safety buffers overlaid.
Zoom in.

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20240701

Print Date: Wednesday April 16 2025 10:33

Number	Name	Received	Position
7	VICKI HARDING	05/14/2024 10:43:14 AM	OPPOSE

DEAR COMMISSION BOARD MEMBER,\R\NYOU HAVE ALREADY HEARD ALL THE ARGUMENTS!\R\NJUST VOTE NO!\R\NANY BOATER CURRENTLY ON OR COMING INTO MILL CREEK CAN JUST ANCHOR AND /OR DINGY INTO A DOCK AT JC&S RESTAURANT.\R\NTHANK YOU FOR YOU CARE AND ATTENTION TO LIVE ON MILL CREEK WHERE I LIVE.\R\N\R\NSINCERELY \R\NVICKI HARDING

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20240701

Print Date: Wednesday April 16 2025 10:33

Number	Name	Received	Position
8	VICKI HARDING	05/15/2024 04:37:36 AM	OPPOSE

DEAR COMMISSION BOARD MEMBER,\R\N\YOU HAVE ALREADY HEARD ALL THE ARGUMENTS!\R\N\JUST VOTE NO!\R\N\ANY BOATER CURRENTLY ON OR COMING INTO MILL CREEK CAN JUST ANCHOR AND /OR DINGY INTO A DOCK AT JC&S RESTAURANT.\R\N\THANK YOU FOR YOU CARE AND ATTENTION TO LIVE ON MILL CREEK WHERE I LIVE.\R\N\N\NSINCERELY \R\N\NVICKI HARDING

**Virginia Marine Resources Commission
Habitat Management Public Comments
Application Number 20240701**

Print Date: Wednesday April 16 2025 10:33

Number	Name	Received	Position
9	ANNE PARKER	05/22/2024 11:38:38 AM	OPPOSE

PLEASE SEE ATTACHED

Attachments:
https://webapps.mrc.virginia.gov/public/habitat/pc_pdfGet.php?id=920

From: [MRC - jpa Permits](#)
To: [Perry, Michele \(MRC\)](#)
Subject: PROTEST FW: Proposed commercial pier on Mill Creek by Robert Jacey
Date: Wednesday, May 22, 2024 9:25:31 AM
Attachments: [Obituary of Evelyn Emma Jacey \(1912-1978\).docx](#)
[1978 Will of Evelyn Cameron Swift.pdf](#)
[2018-07-30 Final Decree, James Cameron Swift's will.pdf](#)
[2018-08-15 Sale from Trustees of Trust for Robert Wayne Jacey.pdf](#)
[2019-11-20 Deed, Robert Wayne Jacey, et al. Robert Wayne Jacey Revocable Trust.pdf](#)
[Proposed Commercial Pier Letter to N. Defs.docx](#)

From: Anne Parker <emailaparker@yahoo.com>
Sent: Tuesday, May 21, 2024 9:03 PM
To: jwbrann@co.northumberland.va.us; rfhaynie@co.northumberland.va.us;
jmlong@co.northumberland.va.us; acfisher@co.northumberland.va.us;
chwilliams@co.northumberland.va.us
Cc: Madden, Jeff (MRC) <jeff.madden@mrc.virginia.gov>; Howell, Beth (MRC)
<Beth.Howell@mrc.virginia.gov>; pmarston@co.northumberland.va.us; MRC - jpa Permits
<JPA.permits@mrc.virginia.gov>
Subject: Re: Proposed commercial pier on Mill Creek by Robert Jacey

May 21, 2024

To the Northumberland Board of Supervisors:

My name is Anne Parker and I spoke briefly at your May 9th meeting with concerns about the proposed commercial pier on Mill Creek on a residential waterfront (R2) parcel. I did not at that time say anything about my family's history on this creek, but since Robert McKinley gave Robert Jacey's history and Tommy Byrne gave his, I think it is appropriate for me to give mine. I will be as concise as I can be in one paragraph. My great great great grandfather first purchased lands on Mill Creek, including where I live, in the 1830s-40s. My great great grandparents lived at the mouth of Mill Creek and raised my great grandmother there. My grandparents lived at the mouth of Mill Creek and my mother was born and raised there. My mother and father built a one-room cabin in 1960 on land (from these same family lands) given to them by her father. This rough cabin, built by them with help from family and friends, in stages over the years, became the modest ranch-style home that I live in today. I have spent extensive time on this same property on Mill Creek (and on Mill Creek itself) since I was a baby. I was not blessed to be a full-time resident my whole life, but I was a full-time resident for 8th-12th grades, and also was here full summers and weekends throughout my life. After the death of my mother, I moved home with my husband and children and have been here full-time since 2007. I am a recent widow and I have two sons who live at home with me. I am the Parish Administrator for my church and I do volunteer service regularly with the Virginia Master Naturalists.

My home is modest, and of the five rooms, four of them have windows that directly face the location of the proposed commercial pier. I would see the pier, any activity and **any lights** from every one of these four rooms including my bedroom. (Please

see the attached satellite photo with its incorporated notes.)

My deepest concerns for now, and for all time in the future, are keeping the night sky and shoreline on Mill Creek dark, and keeping the peaceful residential nature of Mill Creek.

Mill Creek is still a very dark creek. Though light pollution has changed the night sky since my youth, this creek still has a remarkably dark shoreline. The pledge that was made to not run electricity to the proposed pier is meaningless. They could easily install solar lighting and never turn the lights off at night. If you grant any pier, **which I hope you do not**, I request that it be a requirement that any and **all** lights associated with the pier be turned completely off no later than 10 or 11pm every night and that any future owners also be required to abide by this as well.

Additionally I would like to address the deep concern I have for the potential to misuse this tract of land. I remember my mother many times talking about how the land across from us would always stay the way it was because a woman had left it to the church and that the church was not allowed to sell it, and if they did, then the money could only be used to take care of the cemetery. On a day off work I went to the courthouse to see what truth was in what my mother said.

In 1978 Evelyn Dameron Swift's will stated the following:

"To Wicomico Baptist Church, 20 acres of water front land. The 20 acres to be used as picnic ground for Wicomico Baptist Church, Mila Methodist Church and Wicomico Methodist Church. **To be a bird sanctuary. To be posted at all time "No Hunting"**. To take care of taxes and maintenance of the abovebequest, I give the sum of Five Thousand Dollars (\$5,000.00) to be invested and the income therefrom used for this purpose. **Should the Wicomico Baptist Church be desolved** then the 20 acres may be sold **as a whole and not in parcels.**" (A scan of the entire document is attached.)

The next document pertaining to this tract of land was a Final Decree in the Circuit Court of Northumberland County dated July 30, 2018. The basic result of this decree is that the court nullified Evelyn Dameron Swift's will as pertaining to this piece of property and allowed the sale of the property from the Trustees of Wicomico Baptist Church to Robert Wayne Jacey. Unfortunately Eveyln Dameron Swift apparently did not have an attorney word her will so that it would be unassailable in 2018. This ruling is the first in a slippery slope chain that I believe goes directly against the intended wishes of Evelyn Dameron Swift. The following is an excerpt from this final decree, nullifying her wishes in her will due to a legal technicality.

"... the restriction on the sale of the 20 acres on Mill Creek in Wicomico Church, Northumberland County, Virginia, is null and void as an unlawful restraint on alienation, and further is unenforceable **because the termination of Wicomico Baptist Church**, the precondition in the said will for the sale of the property, **would result in title being undetermined and there is no provision for the distribution of the proceeds of and such sale.**"

(Scan of Final Decree attached.)

The next document is the deed of sale of this property from the Trustees of Wicomico Baptist Church to Robert Wayne Jacey on August 15, 2018. This deed does not include any of the requests/restrictions that Evelyn Dameron Swift made; it does not require that the tract be sold as a whole in the future, and it does not mention her wishes for it to be a “bird sanctuary” or her other wishes. This is the second in the slippery slope chain, further removing this tract from Evelyn Dameron Swift’s intended restrictions on use and development. (Scan of Deed attached.)

The last document is a Deed to Trustee under Revocable Inter Vivos Trust dated November 20, 2019, from Robert Wayne Jacey to Robert Wayne Jacey, Trustee of the Robert Wayne Jacey Revocable Trust. This is another scary link in this slippery slope chain. The wording in this document has opened this tract up for exactly the possibilities that Evelyn Dameron Swift was likely trying to prevent. The following wording troubles me greatly:

“TO FURTHER HAVE AND TO HOLD the property with full power, right and authority hereby granted unto the Grantee, and his successors in trust, to sell, lease, exchange, encumber and/or convey the said property, either in whole or in part, upon such terms and conditions and for such consideration, or no consideration, as the Grantee may in the discretion of the Grantee deem advantageous, with the further right to subdivide and re-subdivide said property and to dedicate such portions thereof for public use as the Grantee shall deem desirable, together with the right to grant licenses and easements for utilities or other purposes across, over and under said property, and the Grantee is hereby empowered to execute, acknowledge and deliver such deed, deeds of trust, leases and other instruments necessary to carry out the foregoing powers, and there shall be no obligation or liability upon any purchaser or purchasers, lessee or lessees of said property, or any part thereof, or upon any party or parties making any loans secured by deed or deeds of trust upon said property, or any part thereof, to see the proper application of the proceeds of such sale, lease or loan.”

I am not a lawyer, but this is what this all means to me. Whether or not Robert Jacey’s intentions are, were or will be as have been stated by his representative, are not relevant. What is relevant is what **could** be done, now or in the future, if you allow yet another link in this slippery slope chain. I believe that Evelyn Dameron Swift thought that she had successfully locked this land into ownership by her church and that they would keep the tract safe and intact; she provided funds to be invested to pay the taxes; she even gave extra money to care for the cemetery. I believe that she did her best to protect this land by leaving it to the church and placing conditions on their ownership of it.

When I started the first draft of this letter I thought that if the Board of Supervisors put the appropriate conditions on a pier, if it was granted, that I would be fine with that. After re-reading the legal documents for this parcel of land, thinking about their significance, and including them in this letter, I have changed my mind. I am begging you to stand up for what is right, to prevent any further changes to this property currently zoned as residential (R2) and to prevent possible commercial development or commercial use of this property. I believe that if a commercial pier is built, the lawyers of tomorrow will be able to circumvent the rules put in place now. Please

deny the application for a commercial pier and do not change this property's zoning from Residential or grant any non-residential uses.

I apologize greatly for the length of this letter and I hope you have been willing to read it and understand my concerns. Thank you for your time.

Sincerely,

Anne Parker
330 Highwater Lane
Kilmarnock, VA 22482
804-577-7253

Attachments:

Edited satellite image of line of sight and notes.jpg

Obituary of Evelyn Dameron Swift (1912-1978).docx

1978 Will of Evelyn Dameron Swift.pdf

2018-07-30 Final Decree, nullification of Evelyn Dameron Swift's will.pdf

2018-08-15 sale from Trustees of Wicomico Baptist Church to Robert Wayne Jacey.pdf

2019-11-20 Deed, Robert Wayne Jacey to The Robert Wayne Jacey Revocable Trust

Proposed commercial pier, letter to N. BofS.doc (copy of text of this email)

LAST WILL AND TESTAMENT-EVELYN D. SWIFT

Know All Men By These Presents, That I, Evelyn Dameron Swift, of Remo, Northumberland County, Virginia, being of sound and disposing mind and memory, do hereby make, publish and declare this to be my last Will and Testament, hereby revoking all other Wills by me at any time heretofore made, with intention of disposing of my entire estate.

ARTICLE I

A. I direct my Executor, hereinafter named, as soon as may be practicable after my death, to pay all my just debts, including the expenses of my funeral and the costs of the administration of my estate, and for the purpose of this Article, I hereby empower my Executor to use and convey any portion of my estate, real or personal.

B. I direct that all estate, inheritance and succession taxes on or against any item which may be included as part of my estate for tax purposes, whether passing under this my last Will and Testament or otherwise, or assessed against any legatee, devise, beneficiary or recipient of the same, shall be paid out of the principal of my general estate to the same effect as if said taxes were expenses of administration, and I direct that none of such taxes shall be prorated or apportioned, and that there shall be no obligation upon any person to reimburse my Executor or my residuary estate therefor. In the absolute discretion of my Executor, he may pay such taxes immediately or he may postpone the payment of such taxes on future or remainder interest until the time possession thereof accrues to the beneficiary.

ARTICLE II

I hereby give and bequeath the following specific bequests:

(1) To my dear one, Glenn F. Chalkley, the sum of Thirty Thousand Dollars, (\$30,000.00), the .50 acre of land and shop building located thereon in Wicomico Church, one pair tall brass candle holders, two alabaster table lamps with white silk shades, one color T.V. set (Tele-Dyne) Packard bell with color aerial, one $\frac{1}{2}$ karat diamond ring, one soda fountain type chair, one hand made walnut magazine rack made by Othe Headley, one jewelry box (Glenn to Evelyn-12/25/61), One gold watch (Waltham) on chain, one pair brass candle holders (three candles each), one lazy boy chair (green), one mahogany poster bed with dresser and mirror and chest of drawers to match bent rocker (cane back and bottom), one Seth Thomas clock, one set, two books, "I Water Fowl and Game Birds of North America", 1 "Song and Garden Birds of North America", two mahogany marble top end tables (Rose carved), one mahogany marble top coffee table (Rose carved), one blender, one mixer, one living room sofa, any of my luggage desired, books: "America the Beautiful", "Scenic Wonders of America", two brass book ends, one brass candle snuffer, one brass tea bell (black wooden handle), one deep fat fryer, one hi-fi and all records, one waffle and grill combination, books: "The New Americas Wonderlands", "Man's Best Friend", my automobile, one green Falcon 1961 with white top, one marble top chest (two long drawers with one secret drawer), all contents from barn and two out houses, one glass mirror with gold frame 22 $\frac{1}{2}$ X 26 $\frac{1}{2}$, one marble chest-waist high-with marble top and one smaller secret pull drawer for size of chest.

(2) To my dear Aunt, Merle Dameron Swift, the sum of Ten Thousand Dollars (\$10,000.00), one home safe, one small cane back and bottom rocker, one miniature picture taken from tin type of Bessie and Perry Dameron, one mustache cup-Perry A. Dameron, two blue bisque parakeet bird, one white China cat, one sewing machine, one plate glass mirror-no frame, two gold frame pictures (living room), flower arrangements in vases, two pictures (flower arrangements in wooden frames, rugs located in living room and bedroom, three hand made flower stands, my beloved mother's miniature picture, my personal home and 14.42 acres of land, with the exception of a portion of the land as described in item no. 3 bequeathed to Marvin Abbott and wife.

(3) To my dear neighbors, Marvin Abbott and Jeanine Abbott, I give a point of land located on and as part of the 14.42 acres as follows: from the black gum tree to a point approximately 200 feet westerly towards my personal residence and then extending in a jib to a point joining the Marvin Abbott line located on Virginia State Highway 665.

R. E. W.

M. W. S.

D. J.

Evelyn Dameron Swift (SEAL)
Evelyn Dameron Swift

(4) To my two-Aunts, Mrs.-Pearl Davenport and Mrs. Nellie Delane, the sum of Five Thousand Dollars (\$5,000.00) each.

(5) To my Uncle and his wife, Dr. and Mrs. Linwood Kent, the sum of Five Thousand Dollars (\$5,000.00), one Roman love seat, one white pitcher (blue Windmill design), one ruby and crystal cup (Bessie Kent, Kilmarnock Fair 1908), one china rabbit, one gray and blue pitcher with contented cows, one old fashion white bisque slipper with clown sitting on toe, two lead cut glass tooth pick holders, one green and gold cup (China), one wine color match holder, one brass fruit bowl, one handkerchief table.

(6) To my Uncle and his wife, Mr. and Mrs. Carlton Dameron, the sum of Three Thousand Dollars (\$3,000.00).

(7) To my dear cousin, Janis Fleet, one mahogany secretary, one blue antique hen, one glass bread tray (It is God's Way - His Will Be Done), one crystal spoon holder (two handles one on each side), one small pitcher (floral design), one small red tomato and green saucer with red strawberries, one green with white slashes, hand painted vinegar cruet-green stopper, one weather barometer (small boy with lamb), one white bisque figurine #7962, two birds-one in flight-one sitting on base, one humming bird (China base), one copper miniature liberty bell, one east lake cane bottom chair to go with secretary.

(8) To my dear cousin, Mary Elizabeth Walls, one china closet, one service for eight Bohemia Czechoslovakia (Normandy design china), one service of six water goblets, six tea glasses, six long stem sherbert and six short stem sherberts (crystal), one glass water pitcher and glass top with knob, one pressed glass bread tray (Give Us This Day Our Daily Bread), one hand made crocheted bed spread, one serving cusbeard (to match dining room suit which was previously given to Mary Elizabeth Walls) one mahogany set of book ends from John to Evelyn, one base rocker, one set of brass bells on living room door, one small cream and sugar (violet design), one hand made white quilted bed quilt in fan form pattern, one berry set six small dishes, one large berry bowl gold trim (J.P.F. Germany), one mantle (Westminister chimes-New Haven) clock (upstairs), two tall silver candle holders (made in Germany), one pair wooden book ends in shape of blocks, two wooden salt and pepper holders (in shape of hurricane lamps).

(9) To my dear cousin, Millie Robertson, one chest (Rose wood carved-three drawers with brass pulls), one set of mahogany book ends from John to Evelyn, one table lamp (white on brass base), one china old fashion pump and bucket on china base, one set of brass bells on living room door, one pressed glass bread tray (Give Us This Day, Our Daily Bread), one book: (Heritage cook book), one hand made quilted bed quilt (blue and gold ring pattern), one large handmade linen table cloth, twelve linen napkins to match, one large glass fruit bowl on stand, one chest of sterling silver (rose pattern-service for six), one ukele, one blue candy dish (two sections), four ice cream sherberts (old fashion), two Indian head wooden book ends, one brass lamp (marble base).

(10) To Cathy Walls, one canoe breach, one diamond ring, $\frac{1}{2}$ karat yellow gold ring, mounted in platinum, Jabel mounting.

(11) To Cindy Walls, one wedding band, one gold bracelet (in house bank).

(12) To Jonathan Walls, one set of illustrated family encyclopedias of the Living Bible with holder (14 volumes).

(13) To my dear cousin, Lois Whaley, one bisque china figurine (boy playing mandolin), one brass dish (Indian heads old bullets), one small china pitcher (red, yellow roses-green leaves), one brass screw top ash tray, two bisque rabbits, one seice mixer and maul, one flat iron (on iron base holder), one brass kettle, one square beveled gold frame mirror, one gate leg table, one childs straight chair-sak, one can bottom chair, one red china tomatoes-sitting in plate to match, one black iron squirrel nut cracker, one black iron tea kettle, two candy dishes (white china -pink and yellow roses-green leaves-made in Germany), one iron child's bank safe (Ideal Safe Deposit), one tea pot covered with fruit design, one fruit bowl to match, including stands to sit on.

(14) To my dear cousin, Sylvia Robinsen, one hand made $\frac{3}{4}$ bed, one hand made $\frac{1}{2}$ - $\frac{3}{4}$ bed spread to go with $\frac{3}{4}$ bed, one three clever bed table, one hand made four drawer dresser, swinging mirror-with two jewelry boxes made on top of chest-two hob nail perfume bottles, one white comb and brush to go with dresser, one lamp made from flat iron with white shade to go with three leaf clever tables, one dark secretary desk, two drawers -3 shelves-two glass doors and all contents to go with desk, two satin glass crinkled edge vases, one brass candle holder (shape of flowers), one gold lay picture with small child holding a puppy, one cane bottom chair, one blue hand woven candle holder that looks like a vase, one bisque slate with figurine-with light green coat, pink tie, light blue short pants, hat in hand, one tear drop pitcher, two pickle dishes-glass and gold edge to match handles, one pickle dish glass without handle-

R.F.M.

M.W.S.

D.J.

Evelyn D. Swift (SEAL)
Evelyn Dameron Swift

Heart design, one gold lay picture with country doctor watching ill child, one small made wash stand, rolled edges and flowered wash bowl and pitcher, one covered soap dish - one cup with handle - one tooth brush glass - one square box with roses on cover, one china candle holder (white and pink) with thumb held, one small tear drop pitcher, two pink Flamingo birds-china, one large white cologne bottle (girls head and stopper to fit bottle).

(15) To my dear cousin, Donald Haynie, one hand painted picture by German artist -Walter Keul, Scene: (two white brick trees by a stream and autumn trees in background- in a gold color antique wood frame, one book "The Good News", one white tea set with blue painting-made in Italy, one bisque figurine-Baby Jesus-Mary and Joseph, one china candy dish-shape of fluted fan completely covered in small flower design, one straight back chair with shuck bottom-painted white, one wash bowl and pitcher (miniature)- white trimmed gold, one pink and white figurine-German girl, one pressed glass vinegar cruet, one candy or preserve pressed glass dish square with covered top (sits on base), one brown stove jar, one medium size kerosene glass lamp on round glass base with a finger held- plain glass shade, four china angels (musical)- one blue-one green-one peach-one orange.

(16) To my friend, Tom Hanley, one large gray and blue stone jar, one Rebecca pitcher at the well-tea set.

(17) To my dear cousin, Earl Dameron, the sum of Two Thousand Dollars, (\$2,000.00), one old trunk-in red and gold scroll pattern, two nautical brass lamps-one red-one green.

(18) To Ruth Dameron, two carnival glass dishes-fluted edges-orange color.

(19) To my dear friend, Henry Hull, one handmade knife, fork, spoon holder, one fruit bowl-flowered with gold trim, one cake plate-roses pink with gold trim (Austria).

(20) To my dear cousins, Clifford and Beulah Dameron, the sum of Five Thousand Dollars (\$5,000.00), one small table (dark)- one drawer, one brass German made clock, 43 acres of land located on Barrots Creek, including oyster shore and timber.

(21) To Audrey Fay Crowther, my piano and bench to match.

(22) To Elsie Lorraine Dameron, one baby cradle (Anderson side of family).

(23) To my dear cousins, Elliott Earl and Carolyn Delano, one plain old fashion brass frame binoculars, one childs high chair, one childs rocking chair, one small wooden coffee grinder (childs), one china cup and saucer on stand (design all over), one china tea or chocolate pot (design all over), one iron red santa bank, one pin cushion (secret opening), 40 acres of timber and land on Barrots Creek.

(24) To Ray Dameron, one Dameron Coat of Arms in antique frame, one book: "The Dameron" -Dameron genealogy, one set Britannica World Encyclopedia and World Atlas in mahogany container, one white and gold mustache cup, four book of Year 1967/70 (Britannica set).

(25) To Pauline Headley, all my dark green glassware (water glasses-fruit juice glasses-fruit dishes-serving dishes), one bureau (dark) with brass pulls on two short drawers and two long drawers, one long living room table (dark).

(26) To Ruby Jeane Delano, one White wash bowl and pitcher with red and gold rim as trimmings, one small pitcher and one cup with handle, one tooth brush holder without handles, one brass lady tea bell, one set of twenty two cook books-"Southern Living".

(27) To Patricia Abbott, one picture of Evelyn, Patricia and Chame taken in flower garden, one milk glass (Titanic Ship), one china Easter egg-lavender violets and gold trim, gold bank around middle of egg.

(28) To my dear cousin, Elsie Haynie, six sherbert glasses and dishes on stand with gold border around top of dish.

(29) To Nellie Garland Cellins, one white rose bowl, one china slipper-with clown sitting on tee, one candy dish and top-gold bank on top.

(30) To Jane Savin, two tall white rose vases from grandmother Jane Kents side of family.

(31) To Otelia Whittaker, one large fruit bowl -two small dishes to match (Carnival glass).

(32) To Leslie and Mary Ann Dameron, one love seat -for two-tall back and two arms from Anderson side of family.

(33) To my dear friend, Gladys Sheveleff, one T.V. revolving water and moonlight scenic lamp, one pewter cocktail shaker, one T.V. tea set-service for four -Leften China (wheat design), one milk glass plate (antique) - to be threaded with ribbon, one small pewter dish on base, one pair brass sea horses (green -color) mounted on open book.

(34) To Virginia Fisher, one fruit bowl China pattern (design chinese on bottom), one nickle Ray lamp with white china tea pot with top (wedgewood china from England) - base to sit on- pink roses and gold trim.

Evelyn D. Swift (SEAL)
Evelyn Dameron Swift

P. S. M.

M. W. S.

S.

- (35) To my dear cousin, Peggy Massad, two East lake cane bottom chairs (one to go to Abe and one to John Massad) when their mother, Peggy, sees fit, two china vases in shape of pineapple- white background- pink roses and gold trim (one to be given to Jane and one to Lizzie as their mother sees fit).
- (36) To my dear cousin, Julia Woodhull, one diamond wrist watch and band, two small white angels made in Germany, one brown fur muskrat coat, two dresser lamps (gold butterflies painted on them), two cane bottom East lake fruit wood chairs, one jewelry box and mirror inside and contents therein, one iron lawn set (seat for two and two chairs), one flower box and table.
- (37) To Betsy Ross Sneed, one hand painted bisque china plate-white with blue iris-hanger for wall, one small hand painted bisque white china plate- with pink sweet peas, hanger for wall, one blue slipper (antique), one wedgewood ash tray made in England.
- (38) To my dear friend, Mary Dawson, the sum of Two Thousand Dollars (\$2,000.00)
- (39) To my faithful friend, Marietta Jessup, the sum of Two Thousand Dollars (\$2,000.00).
- (40) To Mila Methodist Church, the sum of Five Thousand Dollars (\$5,000.00) to be placed in a savings account and the income therefrom to provide funds for "Perpetual Care Cemetery Fund At Mila Methodist Church).
- (41) To Wicomico Methodist Church the sum of Five Thousand Dollars (\$5,000.00) to be placed in a savings account and the income therefrom to provide funds for "Perpetual Care Cemetery Fund Wicomico Methodist Church).
- (42) To my cousin, Kinsley Delano, 5.19 acres- part of Edge Hill (a portion of the Kent Estate).
- (43) To Wicomico Baptist Church, 20 acres of water front land. The 20 acres to be used as picnic grounds for Wicomico Baptist Church, Mila Methodist Church and Wicomico Methodist Church. To be a bird sanctuary. To be posted at all times "No Hunting". To take care of taxes and maintenance of the abovebequest, I give the sum of Five Thousand Dollars (\$5,000.00) to be invested and the income therefrom used for this purpose. Should the Wicomico Baptist Church be dissolved then the 20 acres may be sold as a whole and not in parcels.
- (44) To Wicomico Baptist Church the sum of Five Thousand Dollars (\$5,000.00) to be placed in a savings account -the income from the savings to be used for a "Perpetual Care Cemetery Fund Wicomico Baptist Church" for Dameron and Swift burial lot- plus entire cemetery, even though there should no longer be a church service held at the Wicomico Baptist Church.
- (45) All the rest, residue and remainder of my estate of money shall be distributed as follows: One-quarter (1/4) to Heart Fund Research and Three-quarters (3/4) to Cancer Research.
- (46) To, Mrs. Inez Sissen, my dear cousin, two pressed glass-celery vases, to be given to Reba Haynie, when Inez sees fit.

ARTICLE III.

- (1) My Executor shall fix the time, place and period within which items specifically bequested may be obtained by legatees.
- (2) The decision of my Executor on all questions arising in and out of specific bequests of my said household furnishings shall be final and binding on all parties in interest.

ARTICLE IV.

In addition to, and not in limitation of, all authority, power and discretion granted under applicable law, I authorize and empower my Executor, in his discretion:

- (1) To retain any and all assets of my estate as received and to invest and reinvest all the assets in his hands, without regard to the character of the investments and whether or not they are of a character authorized by law for investment by fiduciaries; and to invest in participation in a common trust fund or funds;
- (2) To borrow money, renew obligations, held, sell, exchange, lease, mortgage, encumber and pledge any and all property, real or personal, forming my estate, or any part thereof, from time to time (not being restricted to investments of a character authorized by law for investments by fiduciaries); to make agreements for any period of time; to change realty to personalty;
- (3) To distribute or divide the principal of my estate in kind, or in money, or partly in kind and partly in money;
- (4) To execute deeds, leases, mortgages, pledges, assignments and any other instrument deemed necessary or advisable to carry out the powers conferred by this Will;

P.E.M.
M.W.S.
Sj

Evelyn Dameron Swift
Evelyn Dameron Swift

(5) To sue or institute any action or proceeding on behalf of my estate, and to defend any action or proceeding brought against my estate, or relating thereto; to compromise, settle, adjust or otherwise dispose of any claim of whatever kind made against or in favor of my estate, including claims for taxes;

(6) To vote in person, or by restricted or unrestricted proxy, all securities in my estate; to participate in or oppose any plan or plans for the consolidation, merger, reorganization or refinancing of any corporation, trust or other enterprise in which my estate may be interested; to participate in any plan for the pooling or transfer of voting rights of any securities in my estate; to pay assessments, exercise subscription, option and other rights relating to any securities in my estate in furtherance of any act permitted herein; and generally to exercise, in respect of all securities in my estate, all rights and powers as are or may be lawfully exercised by any person owning similar property in his own right.

(7) To exercise any and all options and privileges granted under any policies of insurance held by me.

ARTICLE V.

I do hereby nominate and appoint Mitchell J. Alga, of Irvington, Virginia, Executor of this my last Will and Testament.

ARTICLE VI.

I direct that my remains be buried on the third day after death, at Eleven A.M., in the family burying plot in Wicomico Baptist Church Cemetery. To be buried by the side of my husband, John Thomas Swift, on the right side and Bessie Kent Dameron, mother, on the left side. Head stone with Swift provided. Feet stone to be provided as near alike to that of others in lot.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal this 9 day of August, 1978.

Evelyn Dameron Swift (SEAL)
Evelyn Dameron Swift

ARTICLE VII.

The above signature of the testatrix, Evelyn Dameron Swift, was made and the foregoing Will (consisting of five sheets of paper, each of which the testatrix signed), was published, declared and acknowledged to be her last Will and Testament by the said testatrix, in the presence of us, three competent witnesses, present at the same time, and we, the said witnesses, as attesting witnesses, hereunto subscribed the said Will on the date last above written, in the presence of the said testatrix and of each other, at the request of the said testatrix, who was then of sound mind.

Benjamin E. Newsome of Opheia, Va.

Marion Self of Roanoke, Va.

Sue Jett of Burgess, Va.

BURIAL INSTRUCTIONS
AND
FUNERAL SERVICE

I, Evelyn Dameren Swift, born August 29, 1912, request to be buried on the third day after death at 11:00 A.M., in the family burying lot in Wicowice Baptist Church Cemetery. To be laid to rest by the side of my husband, John Thomas Swift, on the right side and Bessie Kent Dameren, mother, on the left side. Head stone with Swift provided. Feet stone to be provided as near alike to that of others in lot as follows:

Evelyn Dameren Swift
August 29, 1912

Funeral service to be taken care of by Elmore and Haynie Funeral Home. Casket as near in accordance as that of mother, as possible. Bronze metal celer casket with pink lining and a pink shroud for deceased (as near alike as mother's, as possible). To have an Eagles vault in matching celer with casket and name plate and a feet stone as near in accordance with the three other graves in the lot, as possible.

Body to be taken from funeral home and brought home to lie in state, as the three other members of family. This is to be supervised by Merle Dameren Swift. Body to be taken in Wicowice Baptist Church for a short service. Soft music to be played by Jett Fulver, music of his choice to be played throughout service. Frequently playing, "A Mighty Fortress Is Our God", "It Is Well With My Soul", and "Abide With Me".

Services to be conducted by The Reverend E. Nelson Lea. Only request is for Twenty-Third Psalm. The rest of the service left to the discretion of Mr. Lea. His judgement is trustworthy.

Pall bearers:

- | | | |
|----------------------|---------------------|------------------|
| 1. Elliott E. Delane | 4. J.P. Conley | 7. Forrest Glass |
| 2. Earl Dameren | 5. Willie Sampson | 8. Henry Hull |
| 3. Clifford Dameren | 6. Mitchell J. Alga | |

Substitutes (if needed):

Cecil Swann
Donald Haynie

Flowers to be permitted.

One gardenia to be placed in deceaseds hand.

Evelyn Dameren Swift (SEAL)
Evelyn Dameren Swift

Phillip E. Newsome
Witness

August 9, 1978
Date

VIRGINIA: IN THE CIRCUIT COURT OF NORTHUMBERLAND COUNTY

IN RE: *IN RE*: ESTATE OF EVELYN DAMERON SWIFT, deceased
Case # *CL-18-252*

FINAL DECREE

This case came to be heard on the papers formerly read, upon the motion of the Trustees of Wicomico Baptist Church for advice and guidance from this Court regarding the devise under the Paragraph 43 of the will of Evelyn Dameron Swift which purported to restrict the sale of the real estate therein described, and was argued by counsel.

It appearing to the Court as follows: that the last will and testament of Evelyn Downing Swift was probated in the Clerk's Office of the Circuit Court of Northumberland County, Virginia, on December 29, 1978; that Paragraph 43 of the last will and testament of Evelyn Downing Swift devised 20 acres on Mill Creek, Wicomico Church, Northumberland County, Virginia, granted certain "picnic" privileges to Mila Methodist Church and to Wicomico Methodist Church, and prohibits the sale of a certain 20 acres on the Mill Creek unless the devisee, Wicomico Baptist Church dissolved; that Mila Methodist Church and Wicomico Methodist Church have agreed to a sale of the property; that the fair market value of the subject real estate as per a recent appraisal is \$360,000.00; that the offer of Robert Wayne Jacey to purchase the subject property for \$360,000.00, with \$35,000.00 cash down and the balance financed over 20 years at 4% has been accepted by Wicomico Baptist Church subject to approval by the Court; and that the sale of the subject real estate would benefit Wicomico Baptist Church,; it is therefore

ADJUDGED, ORDERED AND DECREED that the restriction on the sale of the 20 acres on Mill Creek in Wicomico Church, Northumberland County, Virginia, is null and void as an

LAW OFFICES
**HUBBARD, TERRY
& BRITT**
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
IRVINGTON, VIRGINIA 22480

ORIGINAL

unlawful restraint on alienation, and further is unenforceable because the termination of Wicomico Baptist Church, the precondition in the said will for the sale of the property, would result in title being undetermined and there is no provision for the distribution of the proceeds of and such sale. Further, it is ADJUDGED, ORDERED and DECREED that the Trustees of Wicomico Baptist Church, Janet Scripture Harrison, Stephen Coghill Scripture, and Steve Conley, be, and they hereby are, granted leave to convey the subject real estate by Special Warranty deed to Robert Wayne Jacey pursuant to that certain contract dated July 7, 2016.

And there being nothing further to be done in this case, it is ordered stricken from the docket and placed among ended cases.

Enter: 07/30/2018

R. Michael McKay
Judge

I ask for this:

Matson C. Terry, II
Matson C. Terry, II, p.q.
Hubbars, Terry & Britt, P. C.
8-7-18 - Copy mailed out

LAW OFFICES
**HUBBARD, TERRY
& BRITT**
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ATTORNEYS AT LAW
IRVINGTON, VIRGINIA 22480

B₁

#180001851
12 pages

TAX MAP 43-(1), PARCEL 194
Assessment: \$465,000.00
Consideration: \$360,000.00

Prepared by: Matson C. Terry, Esq., VSB #15296
Return to: P.O. Box 340, Irvington, VA
R 10-9-18 22480



Title insurance underwriter: Fidelity National Title Insurance Company

THIS DEED, Made as of the 15th day of August, 2018, by and between JANET SCRIPTURE HARRISON, STEPHEN COGHILL SCRIPTURE and STEVE CONLEY, TRUSTEES of the WICOMICO BAPTIST CHURCH, Grantors, and ROBERT WAYNE JACEY, of 2821 Parham Road, Suite 105, Richmond, Virginia 23294, Grantee and ROBERT CHRISTOPHER, JOHN PITMAN, JAMES DEIBLER, and JOHN MOORE, TRUSTEES of the WICOMICO UNITED METHODIST CHURCH, parties of the third part, additional Grantors for purposes of recordation; and EDWIN SISSON, RALPH MINNICK, and WILLMORE DAMERON, III, TRUSTEES of the MILA UNITED METHODIST CHURCH, parties of the fourth part, additional Grantors for purposes of recordation.

WITNESSETH:

THAT, WHEREAS, by her will duly dated August 9, 1978, duly probated and filed in the Clerk's Office of the Circuit Court of Northumberland County, Virginia, in Will Book K, at Page 527, Evelyn D. Swift did devise the hereinafter described real estate to Wicomico Baptist Church, and provided Mila Methodist and Wicomico Methodist Church the right to use the subject property as picnic grounds; and

WHEREAS, by a Final Decree entered by the Circuit Court of Northumberland County on July 30, 2018, the Court found that the prohibition on the conveyance on the subject real estate was void and specifically provided that the property could be sold and conveyed to the Grantee herein

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B2

and further acknowledged that the parties of the third and fourth part had agreed to and did in fact relinquish their rights in the subject property as picnic grounds; and

NOW THEREFORE, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, Wicomico Baptist Church, acting by and through its Trustees, does hereby grant, bargain, sell and convey, with SPECIAL WARRANTY unto the Grantee, in fee simple absolute, the following described real estate, to wit:

All that certain tract or parcel of land, containing 20 acres, more or less, conveyed in gross and not by the acre, lying and being in Wicomico Magisterial District, Northumberland County, Virginia, bordering on Mill Creek and described as follows:

Being at a point at low water mark of Mill Creek, at which point marks the southwest corner of land now or formerly of W. C. Blackwell; thence in a north-northeast course with the land nor or formerly of W. C. Blackwell to a larger marked poplar tree; thence in a westerly direction with the land nor or formerly of Ira D. Hinton to a marked oak tree; thence in a north-northeast course with the land now or formerly of Ira D. Hinton to a locust stob driven in the ground; thence continuing in the same straight north-northeast course the land now or formerly of Ira D. Hinton to a marked twin poplar tree in line with land nor or formerly of J. Robert Hatton; thence in a west-northwest direction with a line or property nor or formerly of J. Robert Hatton to the low water mark of Mill Creek; thence with the low water mark of Mill Creek to the point of beginning.

Together with a perpetual, appurtenant, non-exclusive easement of right-of-way for ingress and egress over, along and upon the present road or right-of-way to said property.

Being the identical real estate as that which was conveyed unto Evelyn D. Swift by Deed of Perry A. Dameron, et ux., dated December 17, 1959, duly recorded in the Clerk's Office aforesaid in Deed Book III, at Page 18.

This conveyance is made expressly subject to all easements, conditions, covenants and restriction of record to the extent they may lawfully affect the subject property.

2

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IRVINGTON, VIRGINIA 22480

B3.

The parties of the third and fourth part join in this deed to release, remise and forever quitclaim any and all right, title and interest they may have in and to the subject property pursuant to the will of Evelyn D. Swift as provided in the Decree of the Circuit Court of Northumberland County, Virginia, herein above referenced.

WITNESS the following signatures and seals:

WICOMICO BAPTIST CHURCH

By: [Signature] (SEAL)
JANET SCRIPTURE HARRISON

COMMONWEALTH OF VIRGINIA,
CITY/COUNTY OF Northumberland, to-wit:

The undersigned, a Notary Public in and for the jurisdiction aforesaid, do certify that, JANET SCRIPTURE HARRISON, Trustee of Wicomico Baptist Church, whose name is signed to the foregoing instrument bearing date the 15th day of August, 2018, has this day acknowledged the same before me in my jurisdiction aforesaid.

GIVEN under my hand this 1 day of October, 2018.

My commission expires: 11-30-2021

Registration # 7736303

[Signature]
Notary Public

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HUBBARD, TERRY
& BRITT
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
IRVINGTON, VIRGINIA 22460

AFFIX
SEAL HERE

ANDREA RACHELLE BANKS
NOTARY PUBLIC
REGISTRATION # 7736303
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
11-30-21

3

#190002482

4 Pages

Page 1

DEED TO TRUSTEE UNDER REVOCABLE INTER VIVOS TRUST

NOTE: Pursuant to *Code of Virginia, 1950*, as amended, §58.1-811 (A) 12, no recording fees are due.

Tax Map 43-(1), Parcel 194

Prepared by & return to:
R -> Matson C. Terry, II, VSB # 15296
12-10-19 P. O. Box 340
Irvington, Virginia 22480

TITLE NOT EXAMINED.

THIS DEED OF GIFT, made and entered into this November 20, 2019, by and between ROBERT WAYNE JACEY, GRANTOR, and ROBERT WAYNE JACEY, TRUSTEE of THE ROBERT WAYNE JACEY REVOCABLE TRUST u/a dated April 23, 2007, as amended of 14 Spear Place, Reedville, Virginia 22539, GRANTEE.

WITNESSETH:

That for estate planning purposes and for no monetary consideration, the Grantor does give, grant and convey with Special Warranty, unto the Grantee, and his successors in trust, the real estate, together with improvements thereon and appurtenances thereunto pertaining, more particularly described on Schedule A, attached hereto and made a part hereof by this reference.

TO HAVE AND TO HOLD said property as Trustee under The Robert Wayne Jacey Revocable Trust under agreement dated April 23, 2007, as amended, as the same may be amended from time to time.

TO FURTHER HAVE AND TO HOLD the property with full power, right and authority hereby granted unto the Grantee, and his successors in trust, to sell, lease, exchange, encumber and/or convey the said property, either in whole or in part, upon such terms and conditions and for

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ATTORNEYS AT LAW
VINGTON, VIRGINIA 22480

such consideration, or no consideration, as the Grantee may in the discretion of the Grantee deem advantageous, with the further right to subdivide and re-subdivide said property and to dedicate such portions thereof for public use as the Grantee shall deem desirable, together with the right to grant licenses and easements for utilities or other purposes across, over and under said property, and the Grantee is hereby empowered to execute, acknowledge and deliver such deed, deeds of trust, leases and other instruments necessary to carry out the foregoing powers, and there shall be no obligation or liability upon any purchaser or purchasers, lessee or lessees of said property, or any part thereof, or upon any party or parties making any loans secured by deed or deeds of trust upon said property, or any part thereof, to see the proper application of the proceeds of such sale, lease or loan.

Every deed, deed of trust, lease or other instrument executed by the Grantee, or his successors in trust, on behalf of the trust identified herein and in relation to the property described herein shall be conclusive evidence in favor of every person claiming any right, title or interest thereunder that: (1) at the time of the delivery of such instrument the trust was in full force and effect; (2) that such instrument was executed in accordance with the terms and conditions of the trust agreement establishing said trust, as the same may be amended from time to time, and is binding upon all beneficiaries under said trust; and (3) if such instrument is executed by successor(s) in trust to the Grantee, that such successor(s) in trust have been properly appointed and are fully vested with all the title, estate, rights, powers, duties and obligations of Grantee provided such successor(s) in trust certify in said instrument that such successor(s) in trust have been properly appointed.

WITNESS the following signatures and seals:

2

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IRVINGTON, VIRGINIA 22480

Robert Wayne Jacey (SEAL)
Robert Wayne Jacey

COMMONWEALTH OF VIRGINIA,
COUNTY OF LANCASTER, to-wit:

The undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that ROBERT WAYNE JACEY, whose name is signed to the foregoing writing, have this day acknowledged the same before me in my jurisdiction aforesaid.

GIVEN under my hand and seal this 2nd day of ~~November~~ ^{December}, 2019.

My commission expires: ~~May 31, 2021~~. August 31, 2023

Registration # ~~151602~~ 7054425

Robin E. Miller
Notary Public

SEAL



LAW OFFICES
LUBBARD, TERRY
& BRITT
PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
VINGTON, VIRGINIA 22480

SCHEDULE A

All that certain tract or parcel of land, containing 20 acres, more or less, conveyed in gross and not by the acre, lying and being in Wicomico Magisterial District, Northumberland County, Virginia, bordering on Mill Creek and described as follows:

Being at a point at low water mark of Mill Creek, at which point marks the southwest corner of land now or formerly of W. C. Blackwell; thence in a north-northeast course with the land nor or formerly of W. C. Blackwell to a larger marked poplar tree; thence in a westerly direction with the land nor or formerly of Ira D. Hinton to a marked oak tree; thence in a north-northeast course with the land now or formerly of Ira D. Hinton to a locust stob driven in the ground; thence continuing in the same straight north-northeast course the land now or formerly of Ira D. Hinton to a marked twin poplar tree in line with land nor or formerly of J. Robert Hatton; thence in a west-northwest direction with a line or property nor or formerly of J. Robert Hatton to the low water mark of Mill Creek; thence with the low water mark of Mill Creek to the point of beginning.

Together with a perpetual, appurtenant, non-exclusive easement of right-of-way for ingress and egress over, along and upon the present road or right-of-way to said property.

Being the identical real estate as that which was conveyed to Robert Wayne Jacey by deed of the Trustees of Wicomico Baptist Church dated August 15, 2018, recorded in the Clerk's Office of the Circuit Court of Northumberland County, Virginia, as Instrument No. 180001851.

This conveyance is made expressly subject to all easements, conditions, covenants and restriction of record to the extent they may lawfully affect the subject property.

INSTRUMENT 190002482
RECORDED IN THE CLERK'S OFFICE OF
NORTHUMBERLAND CIRCUIT COURT ON
DECEMBER 10, 2019 AT 02:53 PM
DEBORAH T. BINGHAM, CLERK
RECORDED BY: VGH

4

Obituary of Evelyn Dameron Swift
August 29, 1912 – December 24, 1978

Mrs. Evelyn D. Swift On Sunday, December 24, Mrs. Evelyn Dameron Swift died at her residence in Remo, following a long illness. Mrs. Swift was born at Remo on August 29, 1912, the daughter of the late Perry Dameron and Bessie Kent Dameron. She attended local schools and from 1931 until 1934 she was enrolled in the Training School for Nurses of the Hospital for Women of Maryland and the Johns Hopkins University Hospital in Baltimore. She graduated, receiving her R.N. degree, in 1934. Mrs. Swift practiced nursing in the lower Northern Neck and was employed for many years as a technician at the Virginia Shellfish Sanitation Laboratory in White Stone, from which she retired in 1974. An avid gardener, Mrs. Swift specialized in bulb horticulture and developed an extended landscape display of varied species of irises, peonies and day, lilies. Each spring and summer during the blooming season she welcomed visitors to her garden to share in the beauty of its color and design. She was also an accomplished musician, serving as pianist and choir member in the Wicomico Baptist Church of which she was a lifelong member and a teacher in the Sunday School. Her pastor, the Rev. E. Nelson Lea, conducted her funeral service in the church on Tuesday, December 26, ' followed by interment prayers in the church cemetery. Pallbearers were Mitchell J. Alga, J. P. Conley, Clifford Dameron, Earl Dameron, Elliott Earl Delano, Forrest Glass, Henry Lane Hull and Willie Sampson. Mrs. Swift was the widow of John Thomas Swift who died in 1948. She is survived by three aunts, Mrs. Pearl Davenport of Burgess, Mrs. Nellie Delano of Remo and Mrs. Merle Swift of Fairport; and two uncles, Dr. Linwood Kent of South Hill and Carlton S. Dameron Sr.' of Kilmarnock.

<https://viriniachronicle.com/?a=d&d=RR19790104.1.21&e=-----en-20--1--txt-txIN----->

May 21, 2024

To the Northumberland Board of Supervisors:

My name is Anne Parker and I spoke briefly at your May 9th meeting with concerns about the proposed commercial pier on Mill Creek on a residential waterfront (R2) parcel. I did not at that time say anything about my family's history on this creek, but since Robert McKinley gave Robert Jacey's history and Tommy Byrne gave his, I think it is appropriate for me to give mine. I will be as concise as I can be in one paragraph. My great great great grandfather first purchased lands on Mill Creek, including where I live, in the 1830s-40s. My great great grandparents lived at the mouth of Mill Creek and raised my great grandmother there. My grandparents lived at the mouth of Mill Creek and my mother was born and raised there. My mother and father built a one-room cabin in 1960 on land (from these same family lands) given to them by her father. This rough cabin, built by them with help from family and friends, in stages over the years, became the modest ranch-style home that I live in today. I have spent extensive time on this same property on Mill Creek (and on Mill Creek itself) since I was a baby. I was not blessed to be a full-time resident my whole life, but I was a full-time resident for 8th-12th grades, and also was here full summers and weekends throughout my life. After the death of my mother, I moved home with my husband and children and have been here full-time since 2007. I am a recent widow and I have two sons who live at home with me. I am the Parish Administrator for my church and I do volunteer service regularly with the Virginia Master Naturalists.

My home is modest, and of the five rooms, four of them have windows that directly face the location of the proposed commercial pier. I would see the pier, any activity and **any lights** from every one of these four rooms including my bedroom. (Please see the attached satellite photo with its incorporated notes.)

My deepest concerns for now, and for all time in the future, are keeping the night sky and shoreline on Mill Creek dark, and keeping the peaceful residential nature of Mill Creek.

Mill Creek is still a very dark creek. Though light pollution has changed the night sky since my youth, this creek still has a remarkably dark shoreline. The pledge that was made to not run electricity to the proposed pier is meaningless. They could easily install solar lighting and never turn the lights off at night. If you grant any pier, **which I hope you do not**, I request that it be a requirement that any and **all** lights associated with the pier be turned completely off no later than 10 or 11pm every night and that any future owners also be required to abide by this as well.

Additionally I would like to address the deep concern I have for the potential to misuse this tract of land. I remember my mother many times talking about how the land across from us would always stay the way it was because a woman had left it to the church and that the church was not allowed to sell it, and if they did, then the money could only be used to take care of the cemetery. On a day off work I went to the courthouse to see what truth was in what my mother said.

In 1978 Evelyn Dameron Swift's will stated the following:

"To Wicomico Baptist Church, 20 acres of water front land. The 20 acres to be used as picnic ground for Wicomico Baptist Church, Mila Methodist Church and Wicomico Methodist Church. **To be a bird sanctuary. To be posted at all time "No Hunting"**. To take care of taxes and maintenance of the abovebequest, I give the sum of Five Thousand Dollars (\$5,000.00) to be invested and the income therefrom used for this purpose. **Should the Wicomico Baptist Church be desolved** then the 20 acres may be sold **as a whole and not in parcels.**" (A scan of the entire document is attached.)

The next document pertaining to this tract of land was a Final Decree in the Circuit Court of Northumberland County dated July 30, 2018. The basic result of this decree is that the court nullified Evelyn Dameron Swift's will as pertaining to this piece of property and allowed the sale of the property from the Trustees of Wicomico Baptist Church to Robert Wayne Jacey. Unfortunately Evelyn Dameron Swift apparently did not have an attorney word her will so that it would be unassailable in 2018. This ruling is the first in a slippery slope chain that I believe goes directly against the intended wishes of Evelyn Dameron Swift. The following is an excerpt from this final decree, nullifying her wishes in her will due to a legal technicality.

“... the restriction on the sale of the 20 acres on Mill Creek in Wicomico Church, Northumberland County, Virginia, is null and void as an unlawful restraint on alienation, and further is unenforceable **because the termination of Wicomico Baptist Church**, the precondition in the said will for the sale of the property, **would result in title being undetermined and there is no provision for the distribution of the proceeds of and such sale.**”

(Scan of Final Decree attached.)

The next document is the deed of sale of this property from the Trustees of Wicomico Baptist Church to Robert Wayne Jacey on August 15, 2018. This deed does not include any of the requests/restrictions that Evelyn Dameron Swift made; it does not require that the tract be sold as a whole in the future, and it does not mention her wishes for it to be a “bird sanctuary” or her other wishes. This is the second in the slippery slope chain, further removing this tract from Evelyn Dameron Swift’s intended restrictions on use and development. (Scan of Deed attached.)

The last document is a Deed to Trustee under Revocable Inter Vivos Trust dated November 20, 2019, from Robert Wayne Jacey to Robert Wayne Jacey, Trustee of the Robert Wayne Jacey Revocable Trust. This is another scary link in this slippery slope chain. The wording in this document has opened this tract up for exactly the possibilities that Evelyn Dameron Swift was likely trying to prevent. The following wording troubles me greatly:

“TO FURTHER HAVE AND TO HOLD the property with full power, right and authority hereby granted unto the Grantee, and his successors in trust, to sell, lease, exchange, encumber and/or convey the said property, either in whole or in part, upon such terms and conditions and for such consideration, or no consideration, as the Grantee may in the discretion of the Grantee deem advantageous, with the further right to subdivide and re-subdivide said property and to dedicate such portions thereof for public use as the Grantee shall deem desirable, together with the right to grant licenses and easements for utilities or other purposes across, over and under said property, and the Grantee is hereby empowered to execute, acknowledge and deliver such deed, deeds of trust, leases and other instruments necessary to carry out the foregoing powers, and there shall be no obligation or liability upon any purchaser or purchasers, lessee or lessees of said property, or any part thereof, or upon any party or parties making any loans secured by deed or deeds of trust upon said property, or any part thereof, to see the proper application of the proceeds of such sale, lease or loan.”

I am not a lawyer, but this is what this all means to me. Whether or not Robert Jacey’s intentions are, were or will be as have been stated by his representative, are not relevant. What is relevant is what **could** be done, now or in the future, if you allow yet another link in this slippery slope chain. I believe that Evelyn Dameron Swift thought that she had successfully locked this land into ownership by her church and that they would keep the tract safe and intact; she provided funds to be invested to pay the

taxes; she even gave extra money to care for the cemetery. I believe that she did her best to protect this land by leaving it to the church and placing conditions on their ownership of it.

When I started the first draft of this letter I thought that if the Board of Supervisors put the appropriate conditions on a pier, if it was granted, that I would be fine with that. After re-reading the legal documents for this parcel of land, thinking about their significance, and including them in this letter, I have changed my mind. I am begging you to stand up for what is right, to prevent any further changes to this property currently zoned as residential (R2) and to prevent possible commercial development or commercial use of this property. I believe that if a commercial pier is built, the lawyers of tomorrow will be able to circumvent the rules put in place now. Please deny the application for a commercial pier and do not change this property's zoning from Residential or grant any non-residential uses.

I apologize greatly for the length of this letter and I hope you have been willing to read it and understand my concerns. Thank you for your time.

Sincerely,
Anne Parker
330 Highwater Lane
Kilmarnock, VA 22482
804-577-7253

Attachments:

Edited satellite image of line of sight and notes.jpg
Obituary of Evelyn Dameron Swift (1912-1978).docx
1978 Will of Evelyn Dameron Swift.pdf
2018-07-30 Final Decree, nullification of Evelyn Dameron Swift's will.pdf
2018-08-15 sale from Trustees of Wicomico Baptist Church to Robert Wayne Jacey.pdf
2019-11-20 Deed, Robert Wayne Jacey to The Robert Wayne Jacey Revocable Trust
Proposed commercial pier, letter to N. BofS.doc (copy of text of this email)

**Virginia Marine Resources Commission
Habitat Management Public Comments
Application Number 20240701**

Print Date: Wednesday April 16 2025 10:33

Number	Name	Received	Position
10	PETER & KAREN WILLIAMS	05/24/2024 13:32:56 PM	OPPOSE

SEE ATTACHED

Attachments:
https://webapps.mrc.virginia.gov/public/habitat/pc_pdfGet.php?id=923

From: [Madden, Jeff \(MRC\)](#)
To: [MRC - jpa Permits](#)
Subject: FW: Jacey Vineyard's Application VMRC #240701-protest
Date: Thursday, May 23, 2024 10:22:42 AM

From: Peter Williams <xupw1970@gmail.com>
Sent: Thursday, May 23, 2024 9:33 AM
To: Madden, Jeff (MRC) <jeff.madden@mrc.virginia.gov>
Subject: Jacey Vineyard's Application VMRC #240701

Re: Jacey Vineyard's application to construct a commercial pier on a residential waterfront (R2) parcel at 619 Train Lane on Mill Creek (VMRC #24-0701).

Dear Mr. Madden,,

We live on Mill Creek and are submitting this letter to express our firm opposition to the subject application for the construction of a commercial pier on Mill Creek.

As to why we oppose the approval of a commercial pier on Mill Creek, we refer you to the reasons put forth in the many letters already written and submitted, and the objections posed at the last Board of Supervisors meeting, in opposition to the subject application.

We will be attending the next Board of Supervisors meeting on 13 June 2024 opposing the approval of Jacey Vinyard's application (VMRC #24071).

Thank you for your time.

Peter & Karen Williams
1063 Mill Creek Lane
Kilmarnock, VA.
22482

**Virginia Marine Resources Commission
Habitat Management Public Comments
Application Number 20240701**

Print Date: Wednesday April 16 2025 10:33

Number	Name	Received	Position
11	MARCHAL MEENAN	05/28/2024 10:29:34 AM	OPPOSE

PLEASE SEE ATTACHED

Attachments:
https://webapps.mrc.virginia.gov/public/habitat/pc_pdfGet.php?id=925

May 24, 2024

Re: VMRC 24-0701, Jacey Vineyard proposed commercial pier

Dear Northumberland Board of Supervisors:

We are writing as Mill Creek waterfront residents in strong opposition to the proposed commercial pier on Mill Creek at the Jacey Vineyard. At the outset, we would note that we wish the Jacey Vineyard's ongoing success and believe firmly that a residential dock solution, in keeping with the character of Mill Creek, can be found.

The fundamental question, however, is the need for a *commercial* pier at the winery to support their business. According to their website (jaceyvineyard.com) they currently possess seven docks (or three docks or six docks depending on which description you read on their website) to service the winery and restaurant. The winery also has easy land access. The absence of any explanation as to why the existing docks (with possible improvements, if necessary) combined with their long established dock shuttle service, are inadequate to service the modestly sized winery and restaurant, raises serious questions as to the long term intentions and plans for the property.

Obviously, the granting of a commercial pier permit would

have considerable negative impacts on Mill Creek property and residents. Our concerns are multiple:

First, and demanding very serious consideration by the Supervisors, is the precedent of permitting the first commercial pier on the Creek and the future negative business development it invites. Once that precedent is set, there is no going back when subsequent dock applications are presented. In addition, possible commercial pier requirements, such as pump stations, raise an array of other environmental concerns.

Second, Mill Creek is pristine and unique in the region for its notable lack of commercial development, providing an ideal home for both wildlife and people. The additional boat traffic a commercial pier invites, would negatively impact the Creek from the opening at the Bay, chewing on the shoreline and adding pollution, to its conclusion in the wetland marsh. Additional effects, through noise, would disturb the rich and abundant wildlife population, with which we are blessed.

Third, the expansion of the existing winery and restaurant business, through accommodating substantial additional boat traffic, would guarantee noise and light polluting activities for the Mill Creek community to endure. Noise travels quite easily over the water and the prospect of heavy boat traffic, an outdoor venue, music, evening activities, etc. must be taken into account.

Fourth, with all the negative environmental impacts,

county property tax revenue would likely be impacted due to reduced neighboring land values.

Fifth, any sort of conditional permit is short-sighted and would require constant monitoring and reinterpretation by the County. As noted above, it also opens Mill Creek to an endless array of development ideas which would be difficult, if not impossible, to effectively control.

Mill Creek should remain pristine and free of commercial development and its multiple negative impacts. We strongly urge the Board to deny this application.

Marchal and John Meenan
296 Mill Creek Farm Road
Heathsville, Virginia 22473

301 602-3409

James W. Brann
Vice-Chairman, District 1
804-238-2168
jwbrann@co.northumberland.va.us

Richard F. Haynie
Chairman, District 2
804-580-6821
rfhaynie@co.northumberland.va.us

James M. Long
Supervisor, District 3
804-580-2477
jmlong@co.northumberland.va.us

A.C. Fisher, Jr.

Supervisor, District 4
(h) 804-580-4342 and (c) 804-724-0585
acfisher@co.northumberland.va.us

Charles H. "Chip" Williams, IV
Supervisor, District 5
804-436-6853
chwilliams@co.northumberland.va.us

Lutrell Tadlock
Northumberland County Administrator
ltadlock@co.northumberland.va.us

**Virginia Marine Resources Commission
Habitat Management Public Comments
Application Number 20240701**

Print Date: Wednesday April 16 2025 10:33

Number	Name	Received	Position
12	MARCHAL MEENAN	05/29/2024 08:01:30 AM	OPPOSE

OBJECT

Attachments:
https://webapps.mrc.virginia.gov/public/habitat/pc_pdfGet.php?id=929

May 24, 2024

Re: VMRC 24-0701, Jacey Vineyard proposed commercial pier

Dear Northumberland Board of Supervisors:

We are writing as Mill Creek waterfront residents in strong opposition to the proposed commercial pier on Mill Creek at the Jacey Vineyard. At the outset, we would note that we wish the Jacey Vineyard's ongoing success and believe firmly that a residential dock solution, in keeping with the character of Mill Creek, can be found.

The fundamental question, however, is the need for a *commercial* pier at the winery to support their business. According to their website (jaceyvineyard.com) they currently possess seven docks (or three docks or six docks depending on which description you read on their website) to service the winery and restaurant. The winery also has easy land access. The absence of any explanation as to why the existing docks (with possible improvements, if necessary) combined with their long established dock shuttle service, are inadequate to service the modestly sized winery and restaurant, raises serious questions as to the long term intentions and plans for the property.

Obviously, the granting of a commercial pier permit would

have considerable negative impacts on Mill Creek property and residents. Our concerns are multiple:

First, and demanding very serious consideration by the Supervisors, is the precedent of permitting the first commercial pier on the Creek and the future negative business development it invites. Once that precedent is set, there is no going back when subsequent dock applications are presented. In addition, possible commercial pier requirements, such as pump stations, raise an array of other environmental concerns.

Second, Mill Creek is pristine and unique in the region for its notable lack of commercial development, providing an ideal home for both wildlife and people. The additional boat traffic a commercial pier invites, would negatively impact the Creek from the opening at the Bay, chewing on the shoreline and adding pollution, to its conclusion in the wetland marsh. Additional effects, through noise, would disturb the rich and abundant wildlife population, with which we are blessed.

Third, the expansion of the existing winery and restaurant business, through accommodating substantial additional boat traffic, would guarantee noise and light polluting activities for the Mill Creek community to endure. Noise travels quite easily over the water and the prospect of heavy boat traffic, an outdoor venue, music, evening activities, etc. must be taken into account.

Fourth, with all the negative environmental impacts,

county property tax revenue would likely be impacted due to reduced neighboring land values.

Fifth, any sort of conditional permit is short-sighted and would require constant monitoring and reinterpretation by the County. As noted above, it also opens Mill Creek to an endless array of development ideas which would be difficult, if not impossible, to effectively control.

Mill Creek should remain pristine and free of commercial development and its multiple negative impacts. We strongly urge the Board to deny this application.

Marchal and John Meenan
296 Mill Creek Farm Road
Heathsville, Virginia 22473

301 602-3409

James W. Brann
Vice-Chairman, District 1
804-238-2168
jwbrann@co.northumberland.va.us

Richard F. Haynie
Chairman, District 2
804-580-6821
rfhaynie@co.northumberland.va.us

James M. Long
Supervisor, District 3
804-580-2477
jmlong@co.northumberland.va.us

A.C. Fisher, Jr.

Supervisor, District 4
(h) 804-580-4342 and (c) 804-724-0585
acfisher@co.northumberland.va.us

Charles H. "Chip" Williams, IV
Supervisor, District 5
804-436-6853
chwilliams@co.northumberland.va.us

Lutrell Tadlock
Northumberland County Administrator
ltadlock@co.northumberland.va.us

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20240701

Print Date: Wednesday April 16 2025 10:33

Number	Name	Received	Position
13	DOUGLAS VOTROUBEK	06/10/2024 03:07:07 AM	OPPOSE

HELLO,\R\N\R\NWE RESIDE ON MILL CREEK AND HEREBY SUBMIT THIS LETTER OF OPPOSITION TO THE CONSTRUCTION OF JACEY VINEYARDSâ€™ COMMERCIAL PIER APPLICATION VMRC 24071. \R\N \R\NWE OPPOSE THE APPROVAL OF A COMMERCIAL PIER ON MILL CREEK FOR THE FOLLOWING REASONS: \R\N \R\N1. THIS WILL SET AN UNTENABLE PRECEDENT. SPECIFICALLY, A COMMERCIAL PIER SHOULD NOT BE ATTACHED TO A RESIDENTIAL PARCEL R-2 IN A RESIDENTIAL NEIGHBORHOOD. \R\N2. JACEY VINEYARDS ALREADY HAS NUMEROUS PIERS USED BY THEIR VISITORS. FURTHER, THERE HAVE BEEN NO COMPLAINTS FROM MILL CREEK RESIDENTS ABOUT THE CURRENT PIER VISITOR TRAFFIC. \R\N \R\NUNFORTUNATELY, WE ARE UNABLE TO ATTEND THE BOARD OF SUPERVISORS JUNE 13TH MEETING TO EXPRESS OUR OBJECTIONS. WE HOPE YOU WILL STRONGLY CONSIDER THE VALID CONCERNS OUR MILL CREEK NEIGHBORS WILL PRESENT. \R\N \R\NTHANK YOU FOR YOUR TIME. \R\N \R\NDOUGLAS AND CATHERINE VOTROUBEK \R\N1361 MILL CREEK LANE KILMARNOCK, VA. 22482

**Virginia Marine Resources Commission
Habitat Management Public Comments
Application Number 20240701**

Print Date: Wednesday April 16 2025 10:33

Number	Name	Received	Position
14	BETH VOTHVOTROUBEK	06/10/2024 08:54:13 AM	OPPOSE

PLEASE SEE ATTACHED

Attachments:

https://webapps.mrc.virginia.gov/public/habitat/pc_pdfGet.php?id=934

From: [Madden, Jeff \(MRC\)](#)
To: [MRC - jpa Permits](#)
Subject: VMRC # 24-0701 (Jacey Vinyard) protest ltr
Date: Friday, June 7, 2024 1:59:48 PM

From: Richard F. Haynie <rfhaynie@co.northumberland.va.us>
Sent: Friday, June 7, 2024 9:40 AM
To: Charles Williams <chwilliams@co.northumberland.va.us>; Beth Votroubek <bethvotroubek@msn.com>; Madden, Jeff (MRC) <jeff.madden@mrc.virginia.gov>; Howell, Beth (MRC) <beth.howell@mrc.virginia.gov>; Philip Marston <pmarston@co.northumberland.va.us>; jpapermits@mrc.gov; James W. Brann <jwbrann@co.northumberland.va.us>; James M. Long <jmlong@co.northumberland.va.us>; Alfred Fisher <acfisher@co.northumberland.va.us>
Cc: Doug Votroubek (H) <dougvotroubek@msn.com>
Subject: Re: Commercial pier application VMRC #24071: OPPOSE

Great, thanks for letting me know.

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Charles Williams <chwilliams@co.northumberland.va.us>
Sent: Friday, June 7, 2024 9:16:49 AM
To: Beth Votroubek <bethvotroubek@msn.com>; jeff.madden@mrc.virginia.gov <jeff.madden@mrc.virginia.gov>; beth.howell@mrc.virginia.gov <beth.howell@mrc.virginia.gov>; Philip Marston <pmarston@co.northumberland.va.us>; jpapermits@mrc.gov <jpapermits@mrc.gov>; James W. Brann <jwbrann@co.northumberland.va.us>; Richard F. Haynie <rfhaynie@co.northumberland.va.us>; James M. Long <jmlong@co.northumberland.va.us>; Alfred Fisher <acfisher@co.northumberland.va.us>
Cc: Doug Votroubek (H) <dougvotroubek@msn.com>
Subject: Re: Commercial pier application VMRC #24071: OPPOSE

Received. Thank you.

Get [Outlook for iOS](#)

From: Beth Votroubek <bethvotroubek@msn.com>
Sent: Friday, June 7, 2024 9:12:11 AM
To: jeff.madden@mrc.virginia.gov <jeff.madden@mrc.virginia.gov>; beth.howell@mrc.virginia.gov <beth.howell@mrc.virginia.gov>; Philip Marston <pmarston@co.northumberland.va.us>; jpapermits@mrc.gov <jpapermits@mrc.gov>; James W. Brann <jwbrann@co.northumberland.va.us>; Richard F. Haynie <rfhaynie@co.northumberland.va.us>; James M. Long <jmlong@co.northumberland.va.us>; Alfred Fisher <acfisher@co.northumberland.va.us>; Charles Williams <chwilliams@co.northumberland.va.us>
Cc: Doug Votroubek (H) <dougvotroubek@msn.com>
Subject: Commercial pier application VMRC #24071: OPPOSE

Hello,

We reside on Mill Creek and hereby submit this letter of opposition to the construction of Jacey Vineyards' commercial pier application VMRC #24071.

We oppose the approval of a commercial pier on Mill Creek for the following reasons:

1. This will set an untenable precedent. Specifically, a commercial pier should not be attached to a residential parcel (R-2) in a residential neighborhood.
2. Jacey Vineyards already has numerous piers used by their visitors. Further, there have been no complaints from Mill Creek residents about the current pier visitor traffic.

Unfortunately, we are unable to attend the Board of Supervisors June 13th meeting to express our objections. We hope you will strongly consider the valid concerns our Mill Creek neighbors will present.

Thank you for your time.

Douglas and Catherine Votroubek
1361 Mill Creek Lane Kilmarnock, VA. 22482

**Virginia Marine Resources Commission
Habitat Management Public Comments
Application Number 20240701**

Print Date: Wednesday April 16 2025 10:33

Number	Name	Received	Position
15	ALBERT D BUGG III	06/13/2024 08:25:52 AM	OPPOSE

ATTORNEY FOR ANNA RANSOME - OBJECT

Attachments:
https://webapps.mrc.virginia.gov/public/habitat/pc_pdfGet.php?id=939



A. DAVIS BUGG, JR.
ALBERT D. BUGG, III

4421 IRVINGTON ROAD P. O. BOX 720
IRVINGTON, VIRGINIA 22480

ATTORNEYS AT LAW
PROCTORS IN ADMIRALTY

DEXTER C. RUMSEY, III
1942-2015

June 12, 2024

Via Regular Mail and Email

Ms. Beth Howell
Mr. Jeffrey Madden
Virginia Marine Resources Commission
Building 96
380 Fenwick Road
Ft. Monroe, Virginia 23651
beth.howell@mrc.virginia.gov
jeff.madden@mrc.virginia.gov

RE: Tax Map Parcel #43-(1)-194

Dear Ms. Howell and Mr. Madden,

Please be advised that I have been retained to represent Mrs. Anna Ransone, regarding a request by Mr. Robert W. Jacey for a Conditional Use Permit and VMRC Joint Permit Application to construct a commercial pier on property shown as Tax Map Parcel #43-(1)-194, located in Northumberland County at 619 Train Lane, Heathsville Virginia 22473 (herein the "Property"), currently zoned R-2, Residential Waterfront. For additional reference purposes, this is VMRC Joint Permit Application number 24-0701. It has been brought to my attention that neither Mrs. Ransone, nor her brother, William C. Blackwell, III, were provided with proper notice under Va. Code Ann. 28.2-1302 as adjacent property owners. Accordingly, we request that action regarding this application be paused until proper notice is given. Thank you.

Sincerely yours,

Albert D. Bugg, III

ADBIII/am

cc: Ms. Anna Ransone (*via email*)

Mr. Eric Gregory (*via email*)

Roger H, McKinley, Sr,
691 Mill Point Drive
Heathsville, Virginia 22473
e-mail: 691millpoint6541@gmail.com
office: 804-724-8094
cell: 804-436-6484

December 16, 2024

Mr. Randy Owen
Chief, Habitat Management
Virginia Marine Resources Commission
380 Fenwick Road
Fort Monroe, Virginia 23651

re: VMRC, Project No. 24-0701, Robert Jacey, M.D.
Commercial Pier, Mill Creek

Dear Mr. Owen:

This letter is in regards to the above-noted project for a commercial pier on Mill Creek in Northumberland County, Virginia. Although we have received approval for this project from the Northumberland County Wetlands Board, as well as the Northumberland County Board of Supervisors, your office requested a letter from Robert Smith, the Oyster Shore leaseholder, confirming he has no objection to the proposed project.

As requested, I am enclosing with this letter, a letter, signed by Mr. Smith, the leaseholder, stating he has no objection to the construction or use of the proposed pier on his lease. It is anticipated that construction of the pier will begin some time next year.

Approval from County officials required five public hearings; three before the County Board of Supervisions and two before the County Wetlands Board members. During these five hearings, anyone wishing to express concerns about this project had more than ample opportunity to express their opinions.

It has been several months now since these public hearings and no one has come forward to file for an appeal of the board's decisions. I would respectfully ask that you place this project into the "sea of forgetfulness" and leave it to rest. I cannot imagine any benefit to re-opening this proposal for another public hearing because all of the issues discussed have been mitigated.

Thanking you, in advance, for your kind consideration of this request, I am,

Most Sincerely,



Roger H. McKinley, Sr.

RHM,sr./bm
cc: Robert Jacey, M.D.
Enclosure

**Mr. Robert Smith
Chesapeake Bay Soft Crabs
185 Colleville Road
reedville, Va. 22539**

September 10, 2024

RE: Letter to VMRC concerning Commercial Pier on Mill Creek.

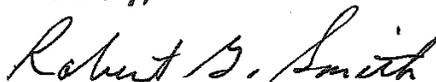
**Mr. Randy Owen, Chief, Habitat Management
Virginia Marine Resources Comm.
380 Fenwick Road
Fort Monroe, Va. 23651**

Dear Mr. Owen;

I have received a request from the Agent for Bob Jacey, MD. for a letter from me stating that I do not have an objection to the construction and use of the Commercial pier on Mill Creek, which is either on or adjacent to my Oyster Shore Lease.

I am not opposed to their construction or use of said pier, as a matter of face it may be a good thing for our commercial interest on the Creek.

Sincerely;



**Robert Smith
Ches. Bay Soft Crabs.**

ROGER MCKINLEY
691 MILL POINT DR.
HEATHSVILLE, VA 22473

M

RICHMOND VA RPDC 230
18 DEC 2024 PM 6 L



Mr. Randy Owen, Chief Habitat Mgmt.
Virginia Marine Resources Commission
380 Fenwick Road
Fort Monroe, Virginia 23651

23651-106480



Donald Debord
MRC #2024-2678

1. Habitat Management Evaluation dated April 22, 2025.
(Pages 1 and 2)
2. Project drawings dated received March 13, 2025.
(Pages 3 through 6)
3. Letter of protest from Ms. Treazure R. Johnson dated received January 10, 2025.
(Pages 7 and 8)

All project drawings, plans and application information are available at
<https://webapps.mrc.virginia.gov/public/habitat/>

HABITAT MANAGEMENT DIVISION EVALUATION

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.

Narrative

The project is located along the York River shoreline in a residentially zoned area of King and Queen County. This area is characterized by single family homes with private piers, most of which have open-sided roof structures.

Mr. Debord submitted an application (#23-0844) in April of 2023 to perform maintenance and repair of an existing 100-foot long private pier, demolish an existing deck on the pier, and install an open-sided boathouse. Staff determined that the proposed reconstruction of the existing pier at 100 feet in length was statutorily authorized under §28.2-1205.A.3 and §28.2-1209 of the Code of Virginia.

Staff also sent notification letters to the adjacent property owners regarding the proposed boathouse. When no response was received within the 15-day comment period, the boathouse was also determined to be statutorily authorized pursuant to §28.2-1205.A.3 of the Code of Virginia. A “No Permit Necessary” letter was sent to the applicant and agent on September 11, 2023, notifying them of this determination.

On October 24, 2024, a letter was received from anonymous persons stating that the pier was not being constructed as proposed in the 2023 application. Staff immediately contacted the authorized agent who confirmed that the contractor had constructed an approximately 200-foot long pier with a 10-foot by 35-foot deck and a 5-foot by 51-foot finger pier. The contractor was preparing to construct the proposed open-sided boathouse as well as a new gazebo that was not part of the 2023 application.

Staff immediately informed the agent and contractor that work should be stopped as the pier and roof structures did not match the 2023 application drawings and was not authorized by VMRC. They were also instructed to file a new application requesting to retain the already constructed pier, and to install the proposed unconstructed roof structures. The applicant submitted a new application (#24-2678) on November 13, 2024, to retain the 200-foot long pier, decking, and finger pier, and to install a 14-foot by 37-foot open-sided boathouse and 16-foot by 18-foot open-sided gazebo.

Due to the proposed open-sided gazebo and boathouse roof structures, new notification letters were sent to the adjacent property owners to ascertain whether they objected to the modified proposal. On January 1, 2025, a letter of objection was received from Ms. Treasure Johnson, the downstream adjacent property owner. No correspondence from the upstream adjacent property owner has been received to date.

Pursuant to §28.2-1203.A.5 of the Code of Virginia, staff determined that the 200-foot long private pier, decking, and finger pier part of the proposal was statutorily authorized, but that a VMRC subaqueous permit is required for the open-sided gazebo and boathouse due to the neighbor’s

Narrative (cont'd)

objections. A legal advertisement for the proposed open-sided gazebo and boathouse was published in the Tidewater Review, which has circulation in King and Queen County.

Issues

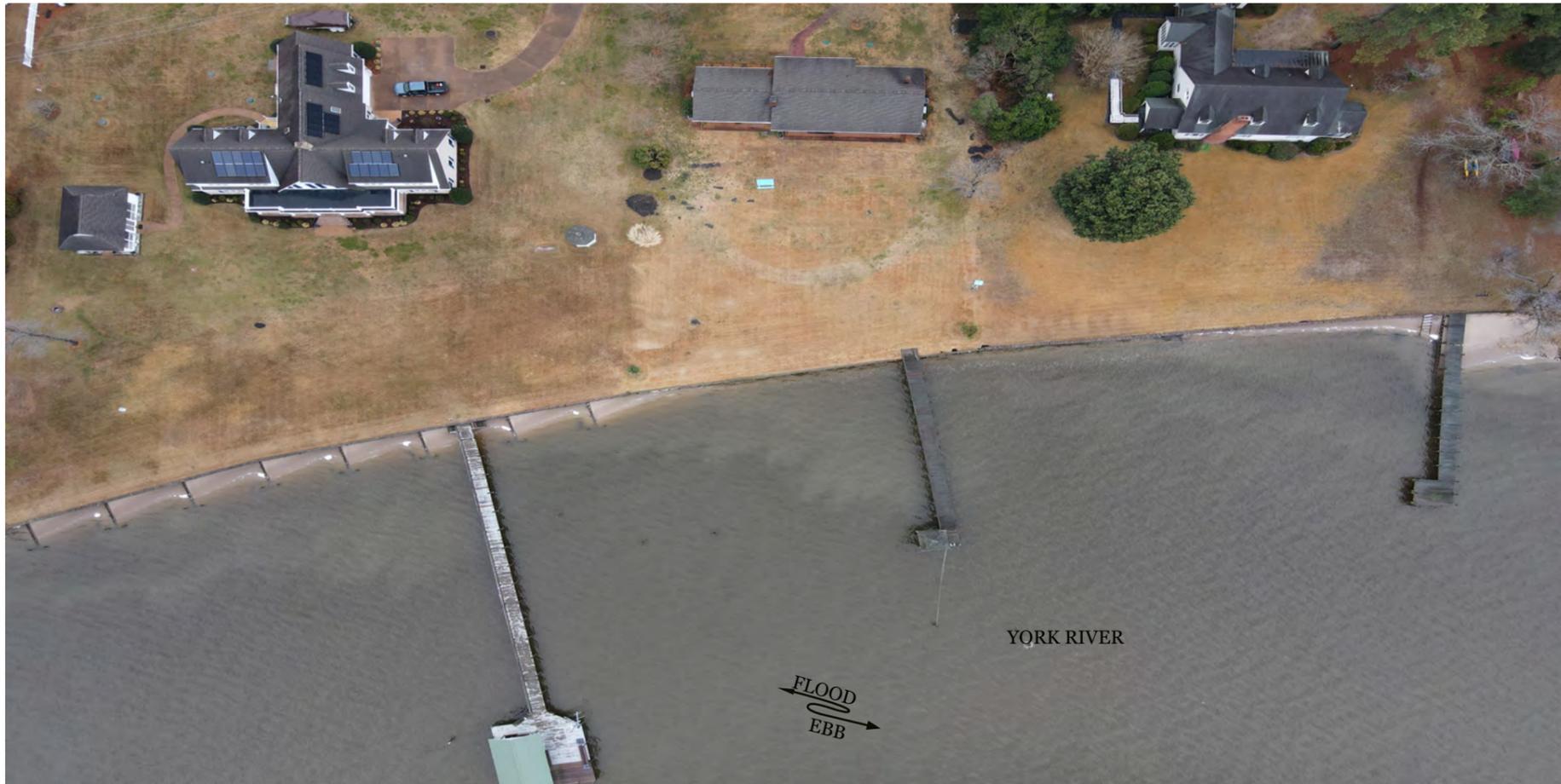
Ms. Treasure's letter of objection stated that the length of the new pier with the gazebo and boathouse will impact her viewshed upriver. She also notes that the pier built was not what was proposed in the original 2023 application and is concerned that the new pier might encumber her riparian rights.

Summary/Recommendations

The 200-foot long pier, as constructed, meets the statutory authorization provided for in §28.2-1203.A.5 of the Code of Virginia. Staff does not believe that the longer pier will negatively impact navigation as alleged by the protestant. Had the gazebo and boathouse not been protested, they too would have been statutorily authorized under the aforementioned code section since the proposed gazebo is under 400 square feet in size, the boathouse is under 700 square feet, and both are open-sided.

There are several piers along this reach of the York River ranging from 150 to 210 feet in length, all of which have roof structures, all upstream of the applicant. The property to the downstream side of the protestant also has a roofed structure. During a site visit on January 15, 2025, staff determined that the applicant's pier construction began on his property, 20 feet from the shared property line with the protestant, and appears to be reasonably sited to extend into his riparian area.

In this case, we believe the open-sided design of the gazebo and boathouse roof structures only minimally adds to the visual obstruction already presented by Mr. Debord's statutorily authorized pier and other piers with roof structures in the area. Ultimately, staff believes that the addition of the gazebo and boathouse is a reasonable use of the applicant's riparian rights for private pier encroachment over state-owned submerged lands. Accordingly, after evaluating the merits of the project against the concerns expressed by those in opposition, and after considering all the factors contained in §28.2-1205 of the Code of Virginia, staff recommends approval of the project as proposed.

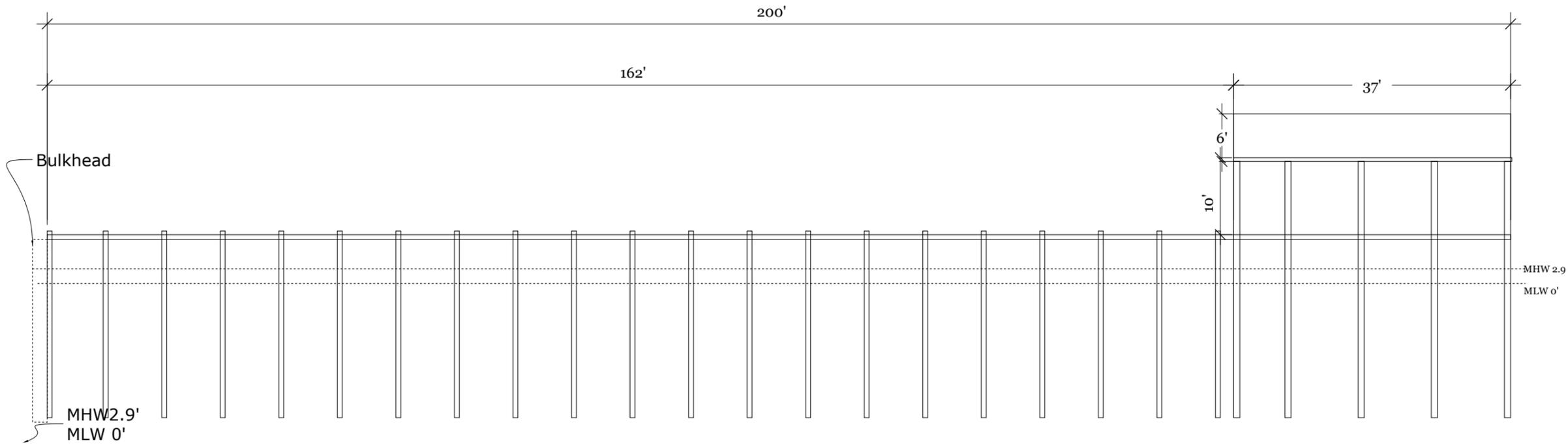


GENERAL EROSION AND SEDIMENTATION CONTROL NOTES:

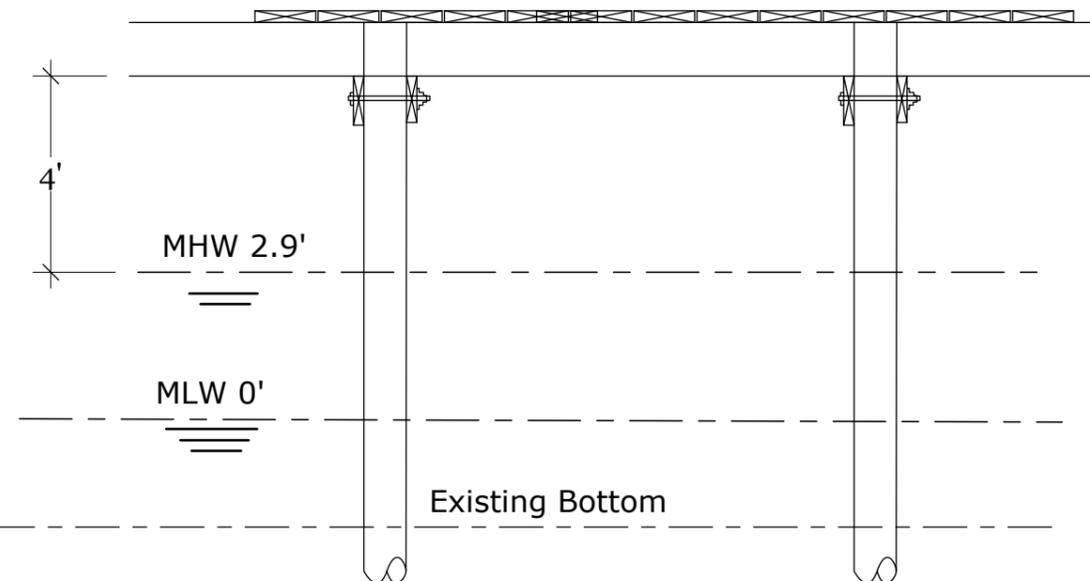
1. EROSION AND SEDIMENTATION CONTROL PLAN: THE PROJECT SHALL ADHERE TO AN APPROVED EROSION AND SEDIMENTATION CONTROL PLAN, DETAILING MEASURES TO MINIMIZE SOIL EROSION AND SEDIMENTATION DURING CONSTRUCTION ACTIVITIES.
 2. SEDIMENT BASINS: SEDIMENT BASINS OR TRAPS SHALL BE INSTALLED AT APPROPRIATE LOCATIONS TO CAPTURE SEDIMENT-LADEN RUNOFF FROM THE CONSTRUCTION SITE, PREVENTING SEDIMENT DISCHARGE INTO WATER BODIES.
 3. VEGETATIVE BUFFER ZONES: ESTABLISHMENT OF VEGETATIVE BUFFER ZONES ALONG WATER BODIES AND SENSITIVE AREAS TO STABILIZE SOILS, REDUCE EROSION, AND FILTER RUNOFF.
 4. SILT FENCING: INSTALLATION OF SILT FENCING OR SIMILAR EROSION CONTROL BARRIERS ALONG THE PERIMETER OF THE CONSTRUCTION SITE TO CONTAIN SEDIMENT RUNOFF AND PREVENT OFF-SITE SEDIMENTATION.
 5. CONSTRUCTION ENTRANCE/EXIT: DESIGNATION OF STABILIZED CONSTRUCTION ENTRANCES AND EXITS TO MINIMIZE TRACKING OF SEDIMENT ONTO ADJACENT ROADWAYS.
 6. STORMWATER MANAGEMENT: IMPLEMENTATION OF STORMWATER MANAGEMENT PRACTICES TO CONTROL THE QUANTITY AND QUALITY OF RUNOFF FROM THE SITE, INCLUDING DETENTION BASINS, INFILTRATION MEASURES, AND VEGETATED SWALES.
 7. SOIL STABILIZATION: PROMPT STABILIZATION OF EXPOSED SOILS THROUGH SEEDING, MULCHING, OR OTHER EROSION CONTROL MEASURES TO PREVENT EROSION AND SEDIMENTATION.
 8. CONSTRUCTION PHASING: PHASED CONSTRUCTION TO LIMIT THE AREA OF DISTURBANCE AT ANY GIVEN TIME AND REDUCE THE POTENTIAL FOR EROSION AND SEDIMENTATION.
 9. INSPECTIONS AND MAINTENANCE: REGULAR INSPECTIONS OF EROSION AND SEDIMENTATION CONTROL MEASURES TO ENSURE EFFECTIVENESS AND TIMELY MAINTENANCE TO ADDRESS ANY DEFICIENCIES OR FAILURES.
 10. COMPLIANCE MONITORING: COMPLIANCE MONITORING BY QUALIFIED PERSONNEL TO VERIFY ADHERENCE TO EROSION AND SEDIMENTATION CONTROL REQUIREMENTS OUTLINED IN THE APPROVED PLAN AND PERMIT CONDITIONS.
- THIS GENERAL EROSION AND SEDIMENTATION CONTROL NOTES, INCLUDING THE RDL PROVISION, ARE INTENDED TO GUIDE THE IMPLEMENTATION OF EFFECTIVE MEASURES TO PROTECT WATER QUALITY AND MINIMIZE ENVIRONMENTAL IMPACTS DURING THE CONSTRUCTION PROCESS IN POQUOSON, VA.

PROJECT SUMMARY:

1. ****PROJECT PROPOSED A 6'X200' WALKWAY WITH A 10'X35' PIER WITH A 5' X58' FINGER PIER WITH A 16,000 LBS BOAT LIFT WITH A 37'X14' ROOF OPEN SIDED BOAT HOUSE OVER SLIP, WITH ADDITIONAL 18'X16' GAZABO ROOF WITH A 5'X42' FLOATING FINGER PIER WITH GANGWAY.**
2. **THIS PROJECT WILL BE ACCESSED VIA BARGE, NO TREE CLEARING OR GRADED NEEDED FOR THIS PROJECT.**
3. ****ENVIRONMENTAL COMPLIANCE:** ALL ASPECTS OF THE PROJECT WILL ADHERE TO LOCAL ENVIRONMENTAL REGULATIONS AND PERMITTING REQUIREMENTS. PERMIT APPLICATIONS WILL BE SUBMITTED TO RELEVANT AGENCIES TO ENSURE COMPLIANCE WITH ENVIRONMENTAL AND ZONING STANDARDS, INCLUDING THE POQUOSON WETLANDS BOARD.**
4. ****CONTRACTOR ENGAGEMENT:** THE CONSTRUCTION OF THE PIER AND BOATHOUSE WILL BE OVERSEEN BY A REPUTABLE LOCAL CONTRACTOR SPECIALIZING IN MARINE AND ECOLOGICAL RESTORATION. THE CONTRACTOR WILL MANAGE SITE PREPARATION AND EROSION CONTROL MEASURES TO ENSURE THE SUCCESS OF THE PROJECT.**
5. ****JOINT PERMIT APPLICATION:** DETAILED PLANS AND DRAWINGS WILL BE INCLUDED IN THE JOINT PERMIT APPLICATION SUBMITTED TO REGULATORY BODIES OVERSEEING THE PROJECT. THESE DOCUMENTS WILL OUTLINE THE PROPOSED DESIGN, CONSTRUCTION METHODS, AND MATERIALS USED TO OBTAIN NECESSARY APPROVALS FOR PROJECT COMMENCEMENT.**



- NOTES:
1. HARDWARE 5/8" GALVANIZED Ogee WASHERS & GALVANIZED WEATHERTURFF BOLTS SHALL BE USED AT ALL PILE AND CROSS TIES ALL CROSS TIES WITH NO SPAN SHALL BE GREATER THAN 10'
 2. MATERIALS SHALL BE 2X8 ROUGH CUT TREATED 8.0CCA ALL FRAMING IS GRADE 2 OR BETTER #1 DECKING TREATED 8.0CCA ATTACHED WITH 1X3" SIMPSON DECK SCREWS
 3. WALKWAY WILL MAINTAIN VERTICAL CLEARANCE ABOVE ALL WETLANDS EQUAL TO THE PIER WIDTH 6' WIDE = 5' VERT



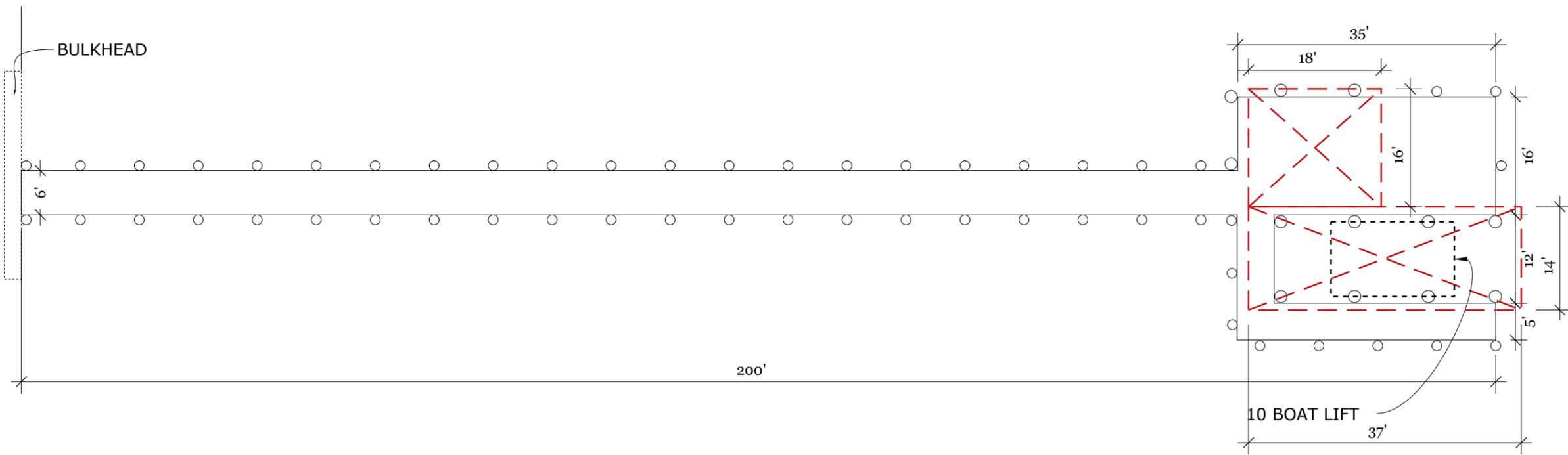
REVISIONS

NO.	DATE	REVISIONS
1	MM/DD/YY	...
2	MM/DD/YY	...
3	MM/DD/YY	...
4	MM/DD/YY	...
5	MM/DD/YY	...

Permit Division LLC
SUBDIVISION DEVELOPMENT
PLAN OF ROSEWOOD

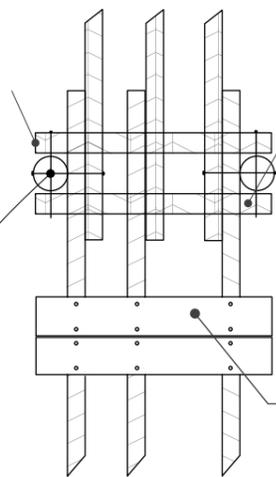
SIDE VIEW

A 01



TOPICAL FRAMING DETAIL

TWO 2X8 ROUGH CUT CROSS TIES TREATED 8.0CCA MUST BE ATTACHED WITH 5/8" GALVANIZED BOLTS. NO SPAN SHOULD BE GREATER THAN 10'. ALL FRAMING IS GRADE 2 OR BETTER.



2X8 ROUGH CUT STRINGERS TREATED 8.0CCA MUST BE ATTACHED WITH 5/8 GALVANIZED BOLTS. SPANS SHOULD NOT EXCEED 11'5". CENTER JOISTS SHOULD HAVE A MAXIMUM OF 24" MINIMUM OVERLAP BETWEEN SPLICES.

8" MINIMUM BUTT TREATED 2.5CCA

#1 DECKING TREATED CA MUST BE ATTACHED WITH #10X3" SIMPSON DECK SCREWS.

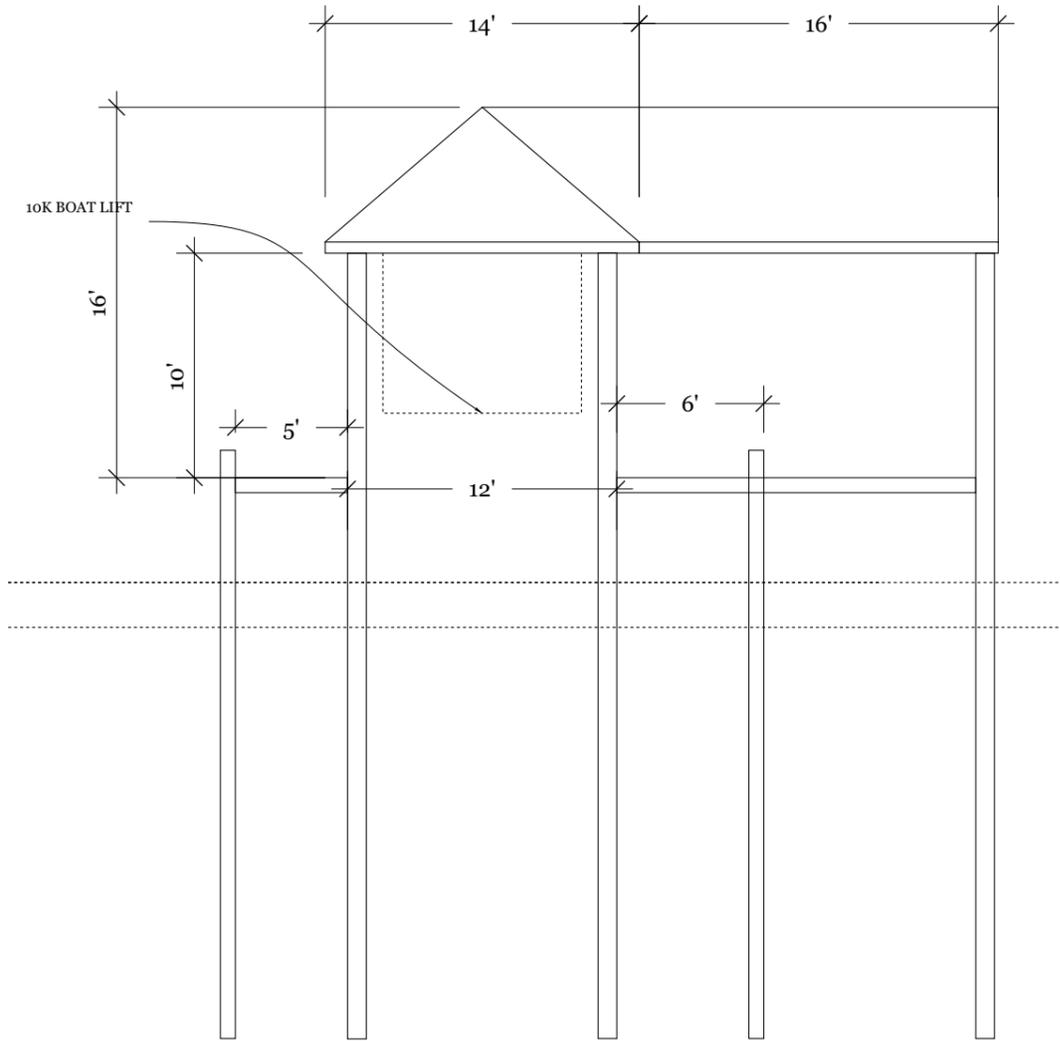
REVISIONS

NO.	DATE	REVISIONS
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SUBDIVISION DEVELOPMENT
PLAN OF ROSEWOOD

PLAN VIEW

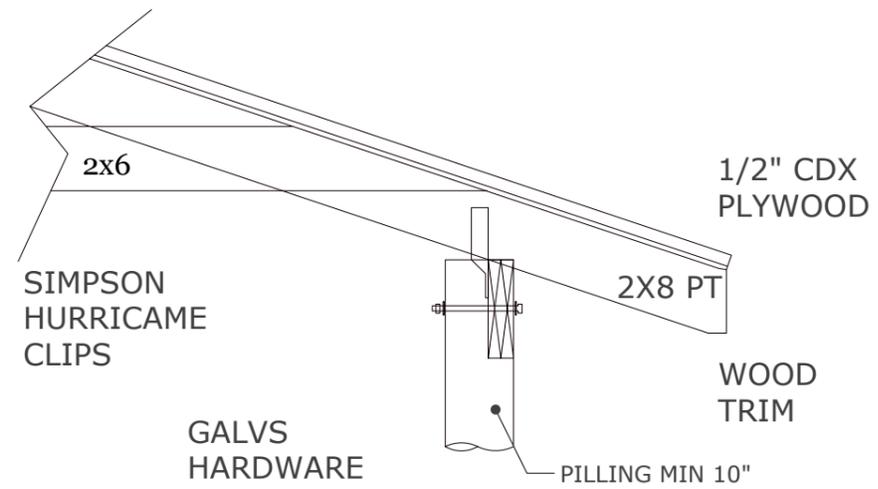
A 02



- NOTES
1. ROOF TRUSS TO BE STICK BUILT
 2. HURRICANE CLIPS AND HOLD DOWN TO PILINGS AND THROUGH BOLTED TO PILINGS
 3. SHEATHING 1/2" CDX PLYWOOD
 4. ASPHALT SHINGLES
 5. ALL WOOD TO BE PRESSURE TREATED
 6. BOLTS AND HARDWARE TO BE GALVANIZED OR SS.
 7. LIFT TO BE INSTALLED PER MANUFACTURE SPEC.
 8. ALUMINUM OVERHEAD BEAM BOAT LIFT MANUFACTURED BY UNIVERSAL BOAT LIFT CHARLES CITY, VA
 9. LIFT CAPACITY 16,000LBS

- NOTES
1. ALL PILINGS WILL BE 8" TIMBER PILES AT MINIMUM.
 2. ALL BOLTS SHALL BE HDG, 3/4" DIAMETER GALVANIZED BOLT (ASTM A307)U.O.N.
 3. ALL HARDWARE SHALL BE HOT DIPPED GALVANIZED IN ACCORDANCE WITH ASTM, A153. USE OGEE WASHERS WHERE POSSIBLE.
 4. ALL TIMBER STRINGERS BANDS AND BLOCKING SHALL BE 2.5# CCA TREATED.
 6. PROVIDE METAL CORNER BRACKETS (INSIDE AND OUTSIDE) WITH BOLTED CONNECTIONS.

TOPICAL ASPHALT SHINGLE ROOF DETAIL



REVISIONS	REMARKS
1	MM/DD/YY
2	...
3	...
4	...
5	...

Permit Division LLC
 SUBDIVISION DEVELOPMENT
 PLAN OF ROSEWOOD

FRONT VIEW

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20242678

Print Date: Thursday April 17 2025 08:45

Number	Name	Received	Position
1	TREAZURE R JOHNSON	01/02/2025 10:58:17 AM	OPPOSE

GENERALLY, THE SIZE OF THE PROJECT, MORE SPECIFICALLY THE LENGTH OF THE WALKWAY/PIER, WILL NEGATIVELY IMPACT THE VIEW FROM OUR HOME. PLEASE SEE ATTACHMENT WHICH PROVIDES ADDITIONAL DETAIL.

Attachments:

https://webapps.mrc.virginia.gov/public/habitat/pc_pdfGet.php?id=1079

Comments Regarding VMRC #2024-2678

We are abutters of the project proposed by the above-identified VMRC Application. I regret having to comment negatively on the project, because the applicant is a wonderful neighbor. However, the current waterfront construction, due to its length and given the sight lines from our property, will have a significant negative impact on the water views up the river from our home, and as a result I have been told will likely impact its value.

I recognize that the proposed structures, a boat house and a roofed gazebo, will be open-sided. However, their pitched roofs will not, and the boathouse will not be “see-through” when it houses a boat. It is not the proposed structures we object to, however, but rather the size of the walkway upon which they will be constructed. The current 200-foot walkway, for which retroactive approval is sought, replaced a 100-foot walkway, and the additional length is what places the structures in a position to block our view. The 200-foot walkway/pier is considerably larger than any similar structures in this immediate area.

The applicant filed an earlier application, VMRC #23-0844, for work in this same location. The property location already had a walkway/pier measuring 100 lineal feet in length. In addition to bulkhead repair and addition of jetties, that application requested a permit to: 1) demolish the existing L-head on the walkway and replace it with a boathouse having 31’ x 18’ roof; 2) add a 10,000-pound boat lift; and 3) perform maintenance on the existing 100-foot walkway. It specified that the existing 100-foot walkway/pier would not be removed and that the overall lineal length of the project would be 100 lineal feet. The applicant shared the draft application with us, including schematics, and we raised no objections or comments with him or with the Marine Resources Commission. It reflected an improvement and repair of what was already in place.

However, the construction that occurred was not consistent with that allowed by the permit, instead exceeding it extensively. Specifically, the existing walkway was completely removed and replaced with the current walkway measuring 200 lineal feet.

I apologize for not including any drawings or mechanical information or discussing whether the Groner doctrine established by *Groner v. Foster* would have any application, but there was simply limited time. The Notice from the Marine Resources Commission was dated 12/16/2024 and postmarked 12/17/2024. It was delivered by the USPS on 12/20/2024. That left 6 business days to comment, with two intervening holidays, during a period when many people were out of the office.

Treasure Johnson

202-321-1292

Bradley Beach
#2024-1402

1. Habitat Management Evaluation dated April 22, 2025
(Pages 1-2)
2. Application drawings dated-received June 12, 2024
(Pages 3-6)
3. Adjacent Property Owner letter of opposition dated-received January 6, 2025
(Page 7)
4. Form letters of opposition dated-received March 21, 2025
(Pages 8-34)
5. Letters of opposition dated-received January 14, 2025 - April 6, 2025
(Pages 35-77)
6. VMRC partial no permit necessary letter dated February 20, 2025
(Pages 78-79)
7. City of Virginia Beach Waterfront Operations permit dated-received April 3, 2025
(Pages 80-84)

April 22, 2025

HABITAT MANAGEMENT DIVISION EVALUATION

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.

Narrative

The project is located adjacent to property within a cove tributary to northern Back Bay in the Sandbridge Subdivision of Virginia Beach. This subdivision is characterized by natural tributaries and manmade canals to Back Bay that support year-round residential and short-term vacation rental properties. The location of the project is within a natural cove and over state-owned submerged bottomlands under the Commission's purview. Nearly every neighboring waterfront parcel has a constructed private pier, some of which are also equipped with an open-sided roof structure.

Staff received Mr. Beach's application requesting authorization to construct a new open-sided gazebo roof structure and open-sided boathouse adjacent to the existing, previously statutorily authorized private pier (VMRC #2018-1711). A partial 'no permit necessary' letter was issued on February 20, 2025, for the proposed floating dock addition, which qualified for the statutory authorization provided for a private pier pursuant to §28.2-1203(A)(5) of the Code of Virginia.

Issues

The project is protested by the adjoining property owner to the northeast, Mr. and Mrs. Black, and numerous other Virginia Beach residents and visitors. Staff received Mr. and Mrs. Black's signed adjacent property owner (APO) form submitted by the applicant's authorized agent on January 6, 2025, and received additional complaints on January 14, 2025. As part of the standard review of private roof structure proposals, staff also notified the other adjacent property owners, Mr. and Mrs. Marsh, and Mr. Griffith on February 24, 2025 – no comments were received from those APOs. Given the Blacks' initial protest, staff began processing the application for a Commission subaqueous permit, and a newspaper advertisement was published in the Virginian Pilot.

Staff coordinated a site meeting with Mr. and Mrs. Black at their property on the afternoon of March 21, 2025, to discuss their concerns and questions about the permitting process. They reiterated the concerns included in their original protest correspondence and in two additional letters of protest submitted March 21st, the day of the site meeting. One of the letters of protest also included 17 protest form letters from residents at 11 nearby properties. After the site meeting with Mr. and Mrs. Black, another 38 additional letters of opposition were received, however, it is unclear from these additional letters where the protestants actually live or own property.

Per the received protest correspondence, objections include: the proposed roof structures will negatively impact the character, property values, and quality of life of the surrounding community; alter the aesthetic appeal and obstruct natural views; become a safety hazard for swimmers and other recreational users (e.g., swimmers, kayakers, wind surfers, etc.); set a local precedent; and will leave less room for critical wildlife.

Issues (cont'd)

The Virginia Beach Waterfront Operations office has approved the proposal.

Summary/Recommendations

Nearly all properties within the community have private piers, some of which, including two (2) properties within the immediate vicinity of the proposed project, have open-sided roof structures. This proposal would have qualified for the aforementioned statutory authority provided for private piers and open-sided roof structures if it were not protested by the adjacent riparian property owners, Mr. and Mrs. Black.

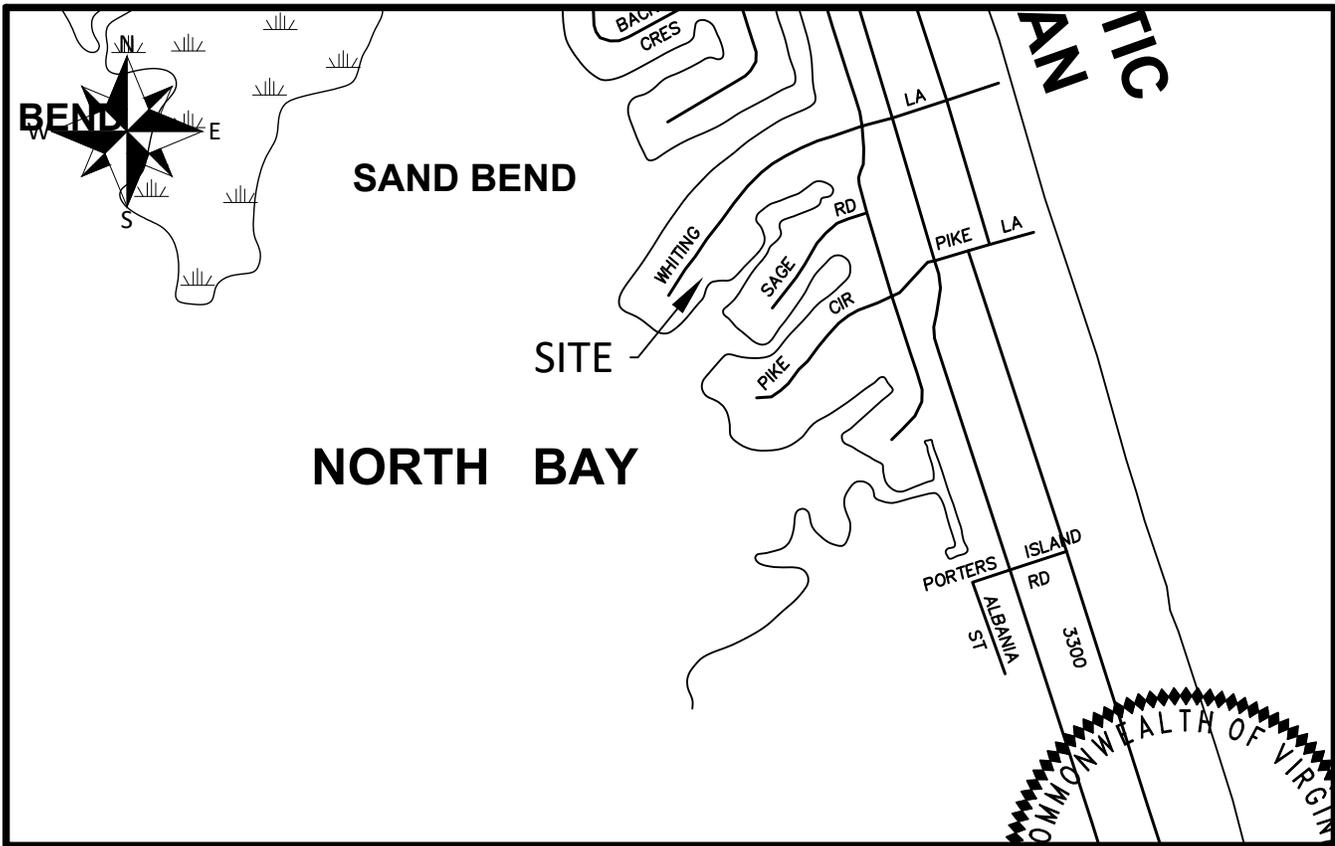
In this case, we believe the open-sided design of the roof structures only minimally adds to the visual obstruction already presented by Mr. Beach's statutorily authorized private pier and boat lift. Staff and this Commission have historically agreed that this type of private pier and open-sided roof proposal is an appropriate use of a riparian property owner's rights to access state-owned submerged lands. Accordingly, after evaluating the applicant's request and project drawings, the merits of the project against the concerns expressed by those in opposition, and after considering all factors contained in §28.2-1205 of the Code of Virginia, staff recommends approval of the project as proposed.

SITE INFORMATION

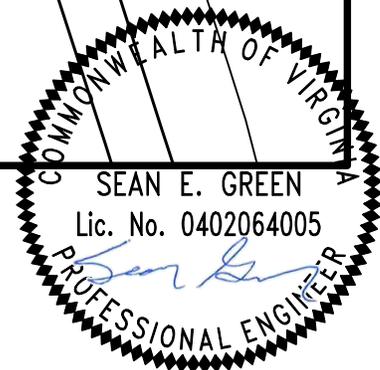
LEGAL DESCRIPTION: **LOT 47, SECTION 1, BACK BAY MEADOWS**
REFERENCE: **MAP BOOK 50, PAGE 6**, ON FILE AT THE CLERK'S OFFICE, VIRGINIA BEACH, VA
GPIN: **2433-30-4947**
ZONING: **R-15 RESIDENTIAL**

SEQUENCE OF EVENTS

1. OBTAIN ALL NECESSARY PERMITS.
2. SCHEDULE ON-SITE PRE-CONSTRUCTION MEETING WITH COASTAL ZONE INSPECTOR.
3. MOBILIZE EQUIPMENT TO SITE, MARK ACCESS WAY WITH SAFETY FENCE.
4. CONSTRUCT IMPROVEMENTS.
5. DEMOBILIZE EQUIPMENT FROM SITE WHILE ADDING TOP SOIL AND SEED TO ALL AREAS DENUDED / DAMAGED BY CONSTRUCTION OPERATIONS.



VICINITY MAP



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PURPOSE: DRY STORAGE OF THE APPLICANT'S VESSEL
 DATUM: NAVD 88
 APOS:
 1. REED BLACK RT
 2. CHARLES D. GRIFFITH, JR.
 3. FRANK R. MARSH

REV:



WATERFRONT CONSULTING, INC.
 2589 QUALITY COURT, SUITE 323
 VIRGINIA BEACH, VA 23454
 PHONE: (757) 425-8244, MOBILE: (757) 619-7302

ENGINEERING SERVICES PROVIDED BY:
 STONE GREEN CONSULTING, LLC
 4014 MEDINA ROAD #1015, AKRON, OH 44333
 (330) 400-3811

PROPOSED: OPEN SIDED BOAT HOUSE AND GAZEBO & FLOATING PIER
 IN: NORTH BAY
 AT: 353 WHITING LANE
 VIRGINIA BEACH, VA 23456
 APPLICATION BY:
 BRADLEY L. BEACH
 SHEET: 6 OF 6
 DATE: JUNE 21, 2023



M.B. 50 PG. 6

NORTH BAY
← FLOOD
EBB →

APO #2
NOW OR FORMERLY
CHARLES D. GRIFFITH, JR.
106.241 AC
GPIN: 2432-39-6633

**PROPOSED 18'x26' OPEN
SIDED ROOF OVER
EXISTING BOAT LIFT
ON EXISTING PILES, 16'x18'
OPEN SIDED GAZEBO WITH
(5) 10" TIMBER PILES,
AND 5'x20' FLOAT**

MHW AT FACE
OF EX. BKHD

MLW

EX. BKHD OF BLACK

EX. PIER,
PILES,
& BOAT
LIFT

10" TIMBER
PILE (TYP.)

EX. BKHD OF
MARSH

ACCESSWAY = 1,213 SF
AREA IS APPROXIMATE

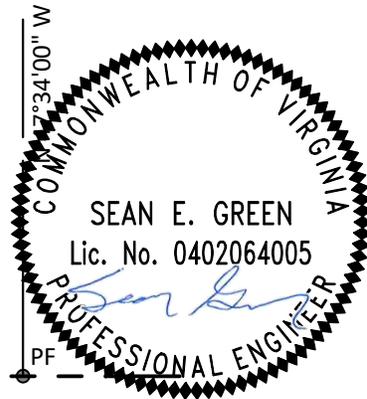
SITE ACCESS

APO #1
NOW OR FORMERLY
REED BLACK RT
349 WHITING LANE
GPIN: 2433-31-4088

APO #3
NOW OR FORMERLY
FRANK R. MARSH
357 WHITING LANE
GPIN: 2433-30-3962

NO TREES WILL BE
REMOVED / CUT FOR THIS
PROJECT

3 STY. FR
#353



PF

N 42°26'00" E

100.00'

S 36°35'00" E

173.17'

170.00'

7°34'00" W

PROPOSED IMPROVEMENTS

WHITING LANE
50' RIGHT-OF-WAY



SCALE: 1" = 30'

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REV:



**WATERFRONT
CONSULTING, INC.**

2589 QUALITY COURT, SUITE 323
VIRGINIA BEACH, VA 23454

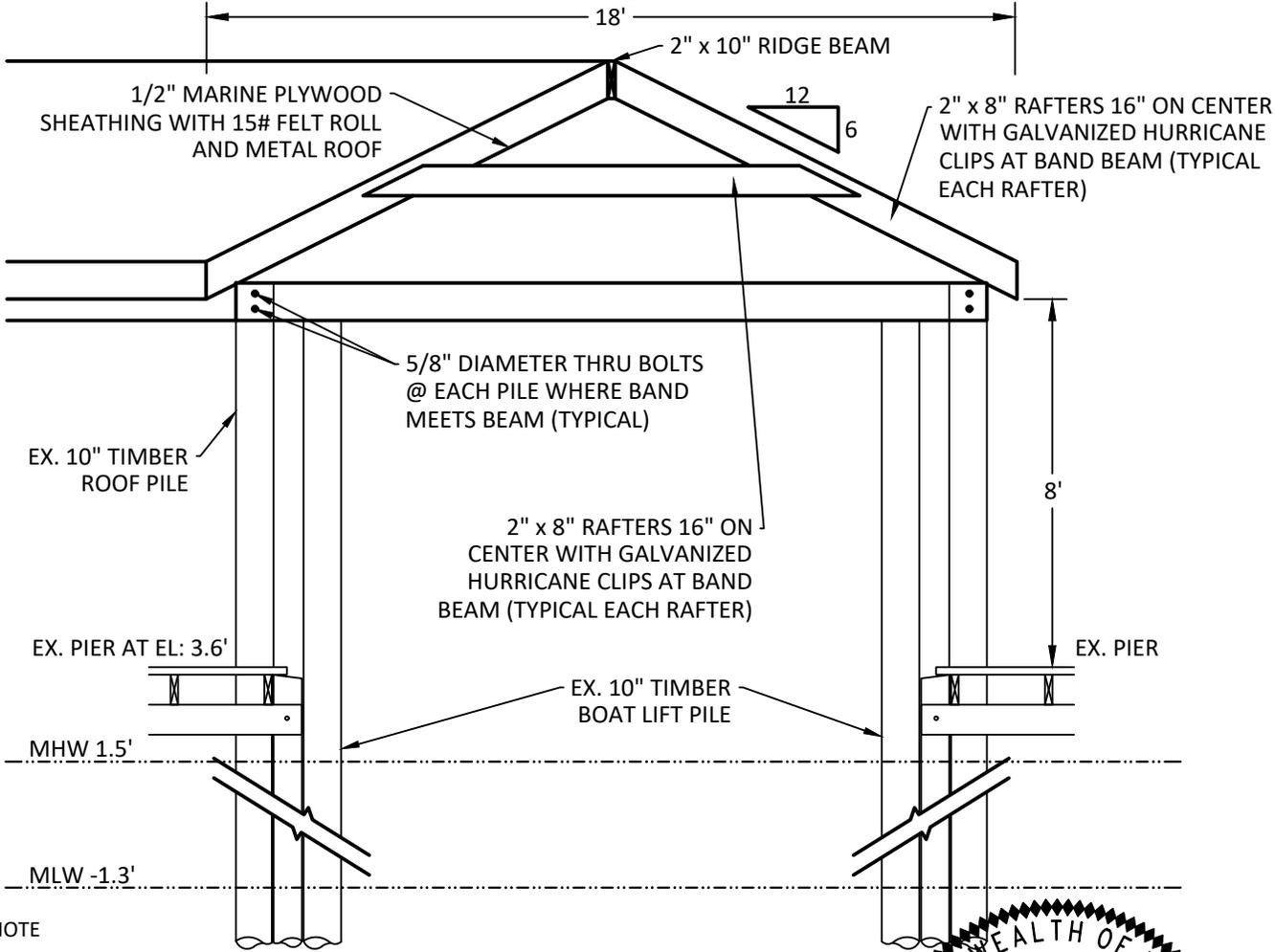
PHONE: (757) 425-8244, MOBILE: (757) 619-7302

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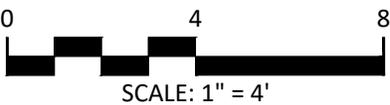
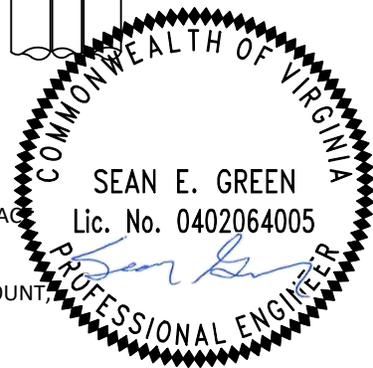
PROPOSED: OPEN SIDED BOAT HOUSE
AND GAZEBO & FLOATING PIER
IN: NORTH BAY
AT: 353 WHITING LANE
VIRGINIA BEACH, VA 23456
APPLICATION BY:
BRADLEY L. BEACH
SHEET: 1 OF 6
DATE: JUNE 21, 2023

PROPOSED ROOF OVER BOAT SLIP CROSS SECTION



NOTE

1. ALL TIMBER MATERIAL FOR USE IN THIS MARINE ENVIRONMENT SHALL BE PRESERVATIVE TREATED IN ACCORDANCE WITH THE AWPA
2. ALL HARDWARE SHALL BE GALVANIZED IN ACCORDANCE WITH ASTM A-153.
3. DRAWINGS ARE FOR PERMIT PURPOSES ONLY, AND DO NOT CONSTITUTE FULL DESIGN DRAWINGS - FINAL DESIGN BY OTHERS.
4. NO HYDROGRAPHIC SURVEYS OR SOIL BORINGS HAVE BEEN TAKEN TO CONFIRM SUBSURFACE SOIL CONDITIONS (FOR PILE LENGTH DETERMINATION).
5. PIER LAYOUT IS BASED ON VISUAL ON-SITE INSPECTION.
6. ABNORMAL SITE CONDITIONS NOT READILY APPARENT HAVE NOT BEEN TAKEN INTO ACCOUNT, AND MAY REQUIRE MODIFICATIONS TO THE MINIMUM PILE LENGTHS SHOWN.
7. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY DEPTH OF WATER AND SUBSURFACE CONDITIONS AND TO SELECT PILE LENGTHS ADEQUATE FOR THE STRUCTURE.



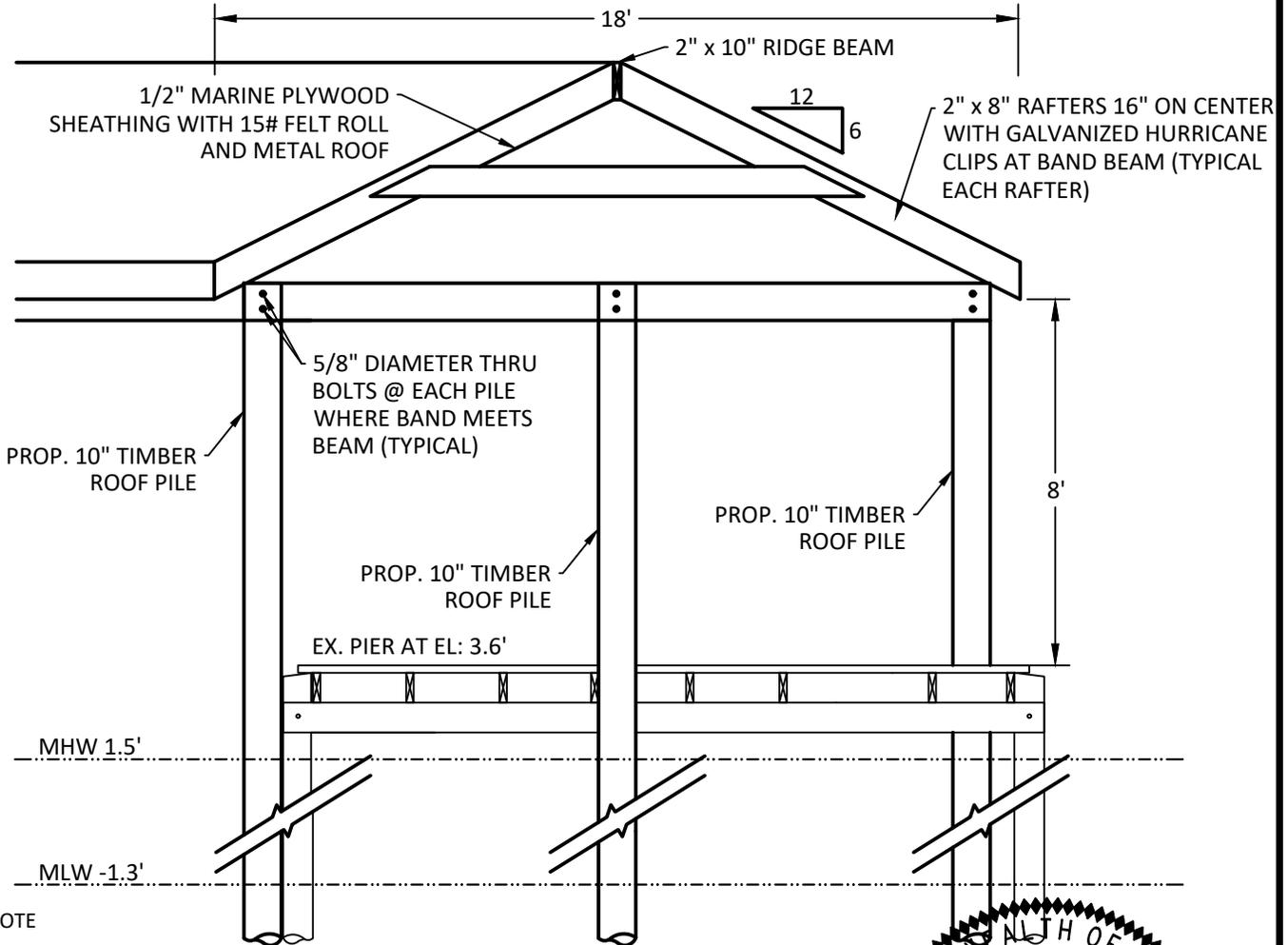
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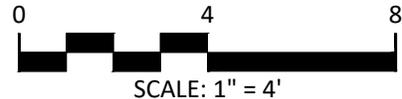
PROPOSED: OPEN SIDED BOAT HOUSE AND GAZEBO & FLOATING PIER
 IN: NORTH BAY
 AT: 353 WHITING LANE
 VIRGINIA BEACH, VA 23456
 APPLICATION BY:
 BRADLEY L. BEACH
 SHEET: 2 OF 6
 DATE: JUNE 21, 2023

PROPOSED ROOF OVER DECK AREA CROSS SECTION



NOTE

1. ALL TIMBER MATERIAL FOR USE IN THIS MARINE ENVIRONMENT SHALL BE PRESERVATIVE TREATED IN ACCORDANCE WITH THE AWPA
2. ALL HARDWARE SHALL BE GALVANIZED IN ACCORDANCE WITH ASTM A-153.
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WATERFRONT CONSULTING, INC.

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 IN: NORTH BAY
 AT: 353 WHITING LANE
 VIRGINIA BEACH, VA 23456
 APPLICATION BY:
 BRADLEY L. BEACH
 SHEET: 3 OF 6
 DATE: JUNE 21, 2023

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER’S ACKNOWLEDGEMENT FORM

I (we), Reed Black RT, own land next to (across the water
(Print adjacent/nearby property owner’s name)

from/on the same cove as) the land of Bradley L. Beach
(Print applicant’s name(s))

I have reviewed the applicant’s project drawings dated June 21, 2023
(Date)

to be submitted for all necessary federal, state and local permits.

I HAVE NO COMMENT ABOUT THE PROJECT.

I DO NOT OBJECT TO THE PROJECT.

I OBJECT TO THE PROJECT.

The applicant has agreed to contact me for additional comments if the proposal changes prior to construction of the project.

(Before signing this form be sure you have checked the appropriate option above).

R. J. Black
Adjacent/nearby property owner’s signature(s)

Jan. 5, 2025
Date

Note: If you object to the proposal, the reason(s) you oppose the project must be submitted in writing to VMRC. An objection will not necessarily result in denial of the project; however, valid complaints will be given full consideration during the permit review process.

From: [Birge, Tiffany \(MRC\)](#)
To: [MRC - jpa Permits](#)
Subject: 24-1402, Beach Pro
Date: Friday, March 21, 2025 10:50:46 AM
Attachments: [24-1402 Beach Protests multiple.pdf](#)

Good morning,
Please process the attachment as a protest submitted by Mrs. Black for 24-1402, Beach.
Thanks!

Tiffany Birge
Environmental Engineer, Habitat Management

Virginia Marine Resources Commission
Building 96, 380 Fenwick Road
Ft. Monroe, VA 23651

Tiffany.birge@mrc.virginia.gov, 757-247-2254

From: [Aileen Black](#)
To: [Birge, Tiffany \(MRC\)](#)
Subject: Request for extension of deadline for public comment on the permit application VMRC #2024-1402, submitted by Bradley Beach, to construct a gazebo and boathouse adjacent to an existing private pier at 353 Whiting Lane, Virginia Beach
Date: Thursday, March 20, 2025 3:00:49 PM
Attachments: [20250202211607.pdf](#)
[Gmail - Re: Petition Against the Proposed Private Open-Sided Boat House and Gazebo & Floating Pier Construction Project at 353 Whiting Lane.pdf](#)
[DOC0270.PDF](#)
[SB Petition.pdf](#)
[Scan 1.pdf](#)
[Scan 3.pdf](#)
[Scan 2.pdf](#)
[Scan 4.pdf](#)
[Scan 5.pdf](#)
[Scan 6.pdf](#)
[Scan 7.pdf](#)
[Scan 8.pdf](#)
[Scan 9.pdf](#)
[Scan 10.pdf](#)
[Scan.pdf](#)

Subject: Follow-up on Opposition to 353 Whiting Lane Private Dock Roof Addition Project

Dear Tiffany,

I hope this email finds you well. I am writing to follow up on my previous email regarding the proposed private dock roof addition project at 353 Whiting Lane. As you may recall, I expressed strong opposition to this project on behalf of myself and many local residents who are concerned about the potential impacts on our community and the environment.

I want to apologize for the delay in supplying additional support and gathering community input. Unfortunately, as you are already aware, we were delayed in our efforts due to the cease and desist order that was issued to us by Bradley L. Beach. However, we are pleased to report that as of this week the order has been addressed, and we are now able to exercise our 1st amendment rights and gather community input.

Our attorneys reviewed the order and strongly believe that it was outside legal bounds. We are grateful that the matter has been resolved, and we can now focus on engaging with the community and sharing our concerns about the project. Thank you for extending the input time. We will now be able to gather additional support and will submit it on line.

Prior to the cease and desist order, we were able to gather significant local support for our opposition to the project. A signed petition had been circulated in the street and the homes that are on the canal where the proposed boathouse will be built. We have received numerous messages of support from concerned citizens. The petition has been signed by 16 individuals that live on Whiting Lane or on the canal the proposed boat house will be built. There are not that many homes on the street. That is strong support that opposes this permit. I have attached them for your review.

The concerns we have raised about the project remain unchanged. Specifically, we are worried about the potential impacts on water quality, the increased risk of accidents and injuries, and the loss of scenic views and recreational opportunities. We believe that the project would be a significant departure from the character of our community and would set a precedent for similar developments in the future.

I would like to request that the Commission carefully consider the concerns and objections raised by local residents and take them into account when making your decision on this project. We believe that it is essential to prioritize the well-being of our community and the environment over the interests of one homeowner that isn't a resident of the community.

In preparation for our first meeting tomorrow, I went to review the files you have online and see that you submitted a new request for submission for comment in the Virginian Pilot. Why didn't you mention that to us when we communicated? This lack of transparency of this process Tiffany is troubling.

Thank you for your time and consideration. We look forward to meeting tomorrow afternoon..

Sincerely,

Aileen and Reed Black
349 Whiting Lane
Virginia Beach VA 23456

Below you find the signature of the following homeowners/residents on Whiting Lane, Little Island Rd and Sage that oppose the permit.

Jim Kelly 309 Sage Rd
Rebeka Kelly 309 Sage Rd
Desiree Cajés 316 Sage Rd
Robert Cajés 316 Sage Rd
Yapin Huang 333 Whiting Lane
Swen Eiddissen 333 Whiting Lane
Elizabeth Failmezger 312 Sage Rd
Diane McKearny 3101 Little island Rd
Dennis McKearny 3101 Little island Rd
Fritz Platz 352 Whiting Lane
Keri Douglas 312 Whiting Lane
Shely Holley 313 Whiting lane
John Lenart 348 Whiting Lane
Dru Lenart 348 Whiting Lane
Jane Pleiffer 356 Whiting Lane
John Pleiffer 356 Whiting Lane
Pat Burns 325 Whiting Lane
Shawn Mussleman 3109 Little island Rd

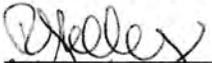
Petition Against the Proposed Private Open-Sided Boat House and Gazebo & Floating Pier Construction Project at 353 Whiting Lane

We, the undersigned, oppose the proposed private dock roof addition project at 353 Whiting Lane, which would have an impact on the character, property values, and quality of life of our community.

We urge the WRMC to consider the following for this permit and the future::

- Consider the potential impacts of this project on our community and prioritize the preservation of our community's unique charm and natural beauty.
- Ensure that any future dock or boat house construction projects comply with existing zoning regulations, past agreements and respect the character of our community.

By signing below, we affirm our opposition to the proposed private open-sided boat house and gazebo & floating pier construction project at 353 Whiting Lane and urge you to take our concerns into consideration when making a decision on this matter.

Signature: 
Name: Rebekah Kelly
Address: 370 Sae Road
Email: rebekahkelly@yahoo.com
Phone: 757-272-0034

Additional Comments (optional):

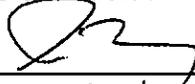
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By signing below, we affirm our opposition to the proposed private open-sided boat house and gazebo & floating pier construction project at 353 Whiting Lane and urge you to take our concerns into consideration when making a decision on this matter.

Signature: 
Name: James Kelly
Address: 320 Sage Rd, Va Beach, VA 23456
Email: James Kelly 23456@yahoo.com
Phone: 757-619-2247

Additional Comments (optional):



Aileen Black <aileenmblack@gmail.com>

Re: Petition Against the Proposed Private Open-Sided Boat House and Gazebo & Floating Pier Construction Project at 353 Whiting Lane

Desiree Cajés <desireecajés@yahoo.com>
To: Aileen Black <aileenmblack@gmail.com>

Mon, Feb 3, 2025 at 5:29 PM

Hi, Aileen. Good evening. My husband & I supports your petition. It is fair enough to you & the rest of the nearby property owners if there is a review of the permit considering the owner is planning to build a large boat house , floating pier that is beyond the standard size. I hope this petition is heard. Best, Robert & Desiree Cajés
Sent from my iPhone

On Feb 3, 2025, at 12:06 PM, Aileen Black <aileenmblack@gmail.com> wrote:

Desiree,

Just checking to see if you have any difficulties with the document. A few others did so just checking to see if you did. Please let me know if you have any questions or need more information

Thanks
Aileen Black

On Tue, Jan 28, 2025 at 10:38AM Aileen Black <aileenmblack@gmail.com> wrote:

Desiree,

Thank you for calling me back and taking the time to review the information below. We would really appreciate your support.

It is also great to finally put a name to your beautiful house. Again I love the blue!

If you have any questions or would like some additional information, please let me know

Sincerely
Aileen and Reed Black
703 927 2733

Dear Neighbors,

As long-time residents of Sandbridge, we're writing to urge you to join us in opposing the proposed private dock roof addition project at [353 Whiting Lane](#). This massive structure would alter the aesthetic appeal of our community, negatively impact property

Recieved by VMRC Mar 21, 2025 map

13

values, and compromise the quality of life we've grown to love.

The proposed dock roof is 756 square feet - half the size of some houses on Whiting and Sage! Its massive size and design would be out of scale with surrounding homes, creating an eyesore that would negatively impact our properties. Moreover, it would obstruct natural views and vistas, replacing them with a large, imposing structure. This is the dock today built summer of 2022 after a revised permit was approved that did **not** include a roof. The current dock is massive in Sandbridge terms with a 50 ft length out into the canal. The second photo is a rendition of what we potentially will have at the end of our canal. The owners at 353 Whiting have full use of the bay today. Adding the roof is a convenience, not a necessity.



But that's not all. The roof addition would also create significant safety concerns for swimmers, kayakers, and windsurfers in the canal as seen below. The lack of visibility would increase the risk of accidents and injuries, making it difficult for people to see potential hazards. The photos below were taken before the dock that now exists was built.



Recieved by VMRC Mar 21, 2025 map

Furthermore, allowing permit applicants to reapply for an addition, in this case a roof, after it was previously not approved in an original application is just wrong. This is a clear violation of the terms of the approved permit and a mockery of the collaborative neighborhood process. We urge you to join us in opposing this permit and ensuring that this precedent is not set for our community. This could happen next to you.

Please consider the potential impacts of this project on our community and join us in opposition. We'd be happy to discuss this matter further and ask you to sign this petition to oppose this permit.

Thank you for your time and consideration.

Aileen and Reed Black

[349 Whiting Lane](#)

703 927 2733

Here is the Petition:

Petition Against the Proposed Private Open-Sided Boat House and Gazebo & Floating Pier Construction Project at 353 Whiting Lane

We, the undersigned, oppose the proposed private dock roof addition project at 353 Whiting Lane, which would have an impact on the character, property values, and quality of life of our community.

We urge the WRMC to consider the following for this permit and the future::

- Consider the potential impacts of this project on our community and prioritize the preservation of our community's unique charm and natural beauty.
- Ensure that any future dock or boat house construction projects comply with existing zoning regulations, past agreements and respect the character of our community.

By signing below, we affirm our opposition to the proposed private open-sided boat house and gazebo & floating pier construction project at 353 Whiting Lane and urge you to take our concerns into consideration when making a decision on this matter.

Signature: _____ Name: _____ Address: _____
 _____ Email: _____ Phone: _____

Additional Comments (optional):

Petition Against the Proposed Private Open-Sided Boat House and Gazebo & Floating Pier Construction Project at 353 Whiting Lane

To: Virginia Marine Resource Commission

Subject: Opposition to the Proposed Private Open-Sided Boat House and Gazebo & Floating Pier Construction Project at 353 Whiting Lane

We, the undersigned, strongly oppose the proposed private dock roof addition project at 353 Whiting Lane, which would have a devastating impact on the character, property values, and quality of life of our community.

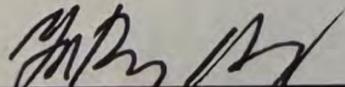
Reasons for Opposition:

- The proposed dock roof is a significant structure that would alter the aesthetic appeal of our community, creating an eyesore that would negatively impact the value of our properties.
- The massive size and design of the roof would be out of scale with the surrounding homes, obstructing natural views and vistas that many of us enjoy.
- The lack of visibility created by the roof structure would increase the risk of accidents and injuries for swimmers, kayakers, and windsurfers in the canal.
- The owner's attempt to reapply for a roof addition after a previous permit was denied is a clear violation of the terms of the original permit and a mockery of the process.
- The proposed roof addition would further affront our community's character and quality of life, creating a visual blight in the middle of the canal.

We urge you to consider the following:

- Oppose the proposed dock roof construction project and hold the owner accountable to the agreement and solutions already agreed.
- Consider the potential impacts of this project on our community and prioritize the preservation of our community's unique charm and natural beauty.
- Ensure that any future dock or boat house construction projects comply with existing zoning regulations and respect the character of our community.

By signing below, we affirm our opposition to the proposed private open-sided boat house and gazebo & floating pier construction project at 353 Whiting Lane and urge you to take our concerns into consideration when making a decision on this matter.

Signature:  Name: YAPING HUANG

Address: 333 Whiting Lane Email: VITAMINS124@GMAIL.COM

Phone: 973-960-4219

Petition Against the Proposed Private Open-Sided Boat House and Gazebo & Floating Pier Construction Project at 353 Whiting Lane

To: Virginia Marine Resource Commission

Subject: Opposition to the Proposed Private Open-Sided Boat House and Gazebo & Floating Pier Construction Project at 353 Whiting Lane

We, the undersigned, strongly oppose the proposed private dock roof addition project at 353 Whiting Lane, which would have a devastating impact on the character, property values, and quality of life of our community.

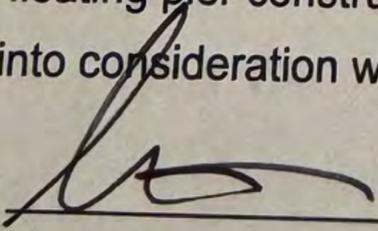
Reasons for Opposition:

- The proposed dock roof is a significant structure that would alter the aesthetic appeal of our community, creating an eyesore that would negatively impact the value of our properties.
- The massive size and design of the roof would be out of scale with the surrounding homes, obstructing natural views and vistas that many of us enjoy.
- The lack of visibility created by the roof structure would increase the risk of accidents and injuries for swimmers, kayakers, and windsurfers in the canal.
- The owner's attempt to reapply for a roof addition after a previous permit was denied is a clear violation of the terms of the original permit and a mockery of the process.
- The proposed roof addition would further affront our community's character and quality of life, creating a visual blight in the middle of the canal.

We urge you to consider the following:

- Oppose the proposed dock roof construction project and hold the owner accountable to the agreement and solutions already agreed.
- Consider the potential impacts of this project on our community and prioritize the preservation of our community's unique charm and natural beauty.
- Ensure that any future dock or boat house construction projects comply with existing zoning regulations and respect the character of our community.

By signing below, we affirm our opposition to the proposed private open-sided boat house and gazebo & floating pier construction project at 353 Whiting Lane and urge you to take our concerns into consideration when making a decision on this matter.

Signature: 

Name: SVEN EIDISSEN

Address: 333 Whiting Lane

Email: MAILSVEN@PROTONMAIL.COM

Phone: 703 587 5418

Hello from your Neighbor across the canal

Aileen Black <aileenmblack@gmail.com>

Tue, Jan 28 at 1:48 PM

To: <liz.failmezger@gmail.com>

Hello!

We are your neighbors at 349 Whiting Lane (across the canal). Boy this year has been cold! We are going door to door to ask for your support to oppose a very large Boat House/Gazebo at the end of our canal. You probably saw me on your doorbell camera but when I came by you were not home. So thought we would email this to you. We hope we can count on your support. I will be happy to set up a time to talk to answer your questions.

Aileen and Reed Black

703 927 2733

Dear Neighbors,

As long-time residents of Sandbridge, we're writing to urge you to join us in opposing the proposed private dock roof addition project at 353 Whiting Lane. This massive structure would alter the aesthetic appeal of our community, negatively impact property values, and compromise the quality of life we've grown to love.

The proposed dock roof is 756 square feet - half the size of some houses on Whiting and Sage! Its massive size and design would be out of scale with surrounding homes, creating an eyesore that would negatively impact our properties. Moreover, it would obstruct natural views and vistas, replacing them with a large, imposing structure. This is the dock today built summer of 2022 after a revised permit was approved that did **not** include a roof. The current dock is massive in Sandbridge terms with a 50 ft length out into the canal. The second photo is a rendition of what we potentially will have at the end of our canal. The owners at 353 Whiting have full use of the bay today. Adding the roof is a convenience, not a necessity.



But that's not all. The roof addition would also create significant safety concerns for swimmers, kayakers, and windsurfers in the canal as seen below. The lack of visibility would increase the risk of accidents and injuries, making it difficult for people to see potential hazards. The photos below were taken before the dock that now exists was built.





Furthermore, allowing permit applicants to reapply for an addition, in this case a roof, after it was previously not approved in an original application is just wrong. This is a clear violation of the terms of the approved permit and a mockery of the collaborative neighborhood process. We urge you to join us in opposing this permit and ensuring that this precedent is not set for our community. This could happen next to you.

Please consider the potential impacts of this project on our community and join us in opposition. We'd be happy to discuss this matter further and ask you to sign this petition to oppose this permit.

Thank you for your time and consideration.

Aileen and Reed Black
349 Whiting Lane
703 927 2733

Here is the Petition:

Petition Against the Proposed Private Open-Sided Boat House and Gazebo & Floating Pier Construction Project at 353 Whiting Lane

We, the undersigned, oppose the proposed private dock roof addition project at 353 Whiting Lane, which would have an ~~impact on the character of~~ property values, and quality of life of our community.

We urge the WRMC to consider the following for this permit and the future::

- Consider the potential impacts of this project on our community and prioritize the preservation of our community's unique charm and natural beauty.
- Ensure that any future dock or boat house construction projects comply with existing zoning regulations, past agreements and respect the character of our community.

By signing below, we affirm our opposition to the proposed private open-sided boat house and gazebo & floating pier construction project at 353 Whiting Lane and urge you to take our concerns into consideration when making a decision on this matter.

Signature: Elizabeth Failmezzger Name: Elizabeth Failmezzger
Address: 312 Sage Rd VB 23456 Email: Liz.Failmezzger@gmail.com
Phone: 757 849 4320

Additional Comments (optional):

the terms of the approved permit and a mockery of the collaborative neighborhood process. We urge you to join us in opposing this permit and ensuring that this precedent is not set for our community. This could happen next to you

Please consider the potential impacts of this project on our community and join us in opposition. We'd be happy to discuss this matter further and ask you to sign this petition to oppose this permit.

Thank you for your time and consideration

Aileen and Reed Black
349 Whiting Lane
703 927 2733

Here is the Petition:

Petition Against the Proposed Private Open-Sided Boat House and Gazebo & Floating Pier Construction Project at 353 Whiting Lane

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- Consider the potential impacts of this project on our community and prioritize the preservation of our community's unique charm and natural beauty.
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By signing below, we affirm our opposition to the proposed private open-sided boat house and gazebo & floating pier construction project at 353 Whiting Lane and urge you to take our concerns into consideration when making a decision on this matter.

Signature: Diane McKeown Name: _____
3101 Little Island Rd VA Beach Address: _____
VA 23456 Email: _____
diameckeaney@gmail.com Phone: _____
757-469-0234

Additional Comments (optional):

the terms of the approved permit and a mockery of the collaborative neighborhood process. We urge you to join us in opposing this permit and ensuring that this precedent is not set for our community. This could happen next to you.

Please consider the potential impacts of this project on our community and join us in opposition. We'd be happy to discuss this matter further and ask you to sign this petition to oppose this permit.

Thank you for your time and consideration.

Aileen and Reed Black
349 Whiting Lane
703 927 2733

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Petition Against the Proposed Private Open-Sided Boat House and Gazebo & Floating Pier Construction Project at 353 Whiting Lane

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- Ensure that any future dock or boat house construction projects comply with existing zoning regulations, past agreements and respect the character of our community.

By signing below, we affirm our opposition to the proposed private open-sided boat house and gazebo & floating pier construction project at 353 Whiting Lane and urge you to take our concerns into consideration when making a decision on this matter.

Signature: Dennis McKeowney Name: _____
DENNIS MCKEOWNEY Address: _____
dmcKEOWNEY@cox.net Email: _____
757-641-7682 Phone: _____

Additional Comments (optional):

the terms of the approved permit and a mockery of the collaborative neighborhood process. We urge you to join us in opposing this permit and ensuring that this precedent is not set for our community. This could happen next to you.

Please consider the potential impacts of this project on our community and join us in opposition. We'd be happy to discuss this matter further and ask you to sign this petition to oppose this permit.

Thank you for your time and consideration.

Aileen and Reed Black
349 Whiting Lane
703 927 2733

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- Consider the potential impacts of this project on our community and prioritize the preservation of our community's unique charm and natural beauty.
- Ensure that any future dock or boat house construction projects comply with existing zoning regulations, past agreements and respect the character of our community

By signing below, we affirm our opposition to the proposed private open-sided boat house and gazebo & floating pier construction project at 353 Whiting Lane and urge you to take our concerns into consideration when making a decision on this matter.

Signature: Fritz Platz Name: (Fritz Platz)
353 Whiting Lane - 29456 Address:
howse@public.net Email:
804 386 2478 Phone:

Additional Comments (optional):

the terms of the approved permit and a mockery of the collaborative neighborhood process. We urge you to join us in opposing this permit and ensuring that this precedent is not set for our community. This could happen next to you.

Please consider the potential impacts of this project on our community and join us in opposition. We'd be happy to discuss this matter further and ask you to sign this petition to oppose this permit.

Thank you for your time and consideration.

Aileen and Reed Black
349 Whiting Lane
703 927 2733

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Petition Against the Proposed Private Open-Sided Boat House and Gazebo & Floating Pier Construction Project at 353 Whiting Lane

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- Consider the potential impacts of this project on our community and prioritize the preservation of our community's unique charm and natural beauty
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By signing below, we affirm our opposition to the proposed private open-sided boat house and gazebo & floating pier construction project at 353 Whiting Lane and urge you to take our concerns into consideration when making a decision on this matter.

Signature: Keri Douglas Name: KERI DOUGLAS
312 WHITING LANE Address:
KERI DOUGLAS MAP.COM Email:
202-276-1702 Phone:

Additional Comments (optional):

the terms of the approved permit and a mockery of the collaborative neighborhood process. We urge you to join us in opposing this permit and ensuring that this precedent is not set for our community. This could happen next to you.

Please consider the potential impacts of this project on our community and join us in opposition. We'd be happy to discuss this matter further and ask you to sign this petition to oppose this permit.

Thank you for your time and consideration.

Aileen and Reed Black
349 Whiting Lane
703 927 2733

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By signing below, we affirm our opposition to the proposed private open-sided boat house and gazebo & floating pier construction project at 353 Whiting Lane and urge you to take our concerns into consideration when making a decision on this matter.

Signature: John Lemert Name: _____
349 Whiting Lane Address: _____
drulem@earthlink.net Email: _____
950 11241-8437 Phone: _____

Additional Comments (optional):

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Please consider the potential impacts of this project on our community and join us in opposition. We'd be happy to discuss this matter further and ask you to sign this petition to oppose this permit.

Thank you for your time and consideration.

Aileen and Reed Black
349 Whiting Lane
703 927 2733

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Petition Against the Proposed Private Open-Sided Boat House and Gazebo & Floating Pier Construction Project at 353 Whiting Lane

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We urge the WRMC to consider the following for this permit and the future:

- Consider the potential impacts of this project on our community and prioritize the preservation of our community's unique charm and natural beauty.
- Ensure that any future dock or boat house construction projects comply with existing zoning regulations, past agreements and respect the character of our community.

By signing below, we affirm our opposition to the proposed private open-sided boat house and gazebo & floating pier construction project at 353 Whiting Lane and urge you to take our concerns into consideration when making a decision on this matter.

Signature: Don Lenart Name: _____
348 Whiting Lane Address: _____
Don.Lenart@gmail.com Email: _____
980-241-8737 Phone: _____

Additional Comments (optional):

the terms of the approved permit and a mockery of the collaborative neighborhood process. We urge you to join us in opposing this permit and ensuring that this precedent is not set for our community. This could happen next to you.

Please consider the potential impacts of this project on our community and join us in opposition. We'd be happy to discuss this matter further and ask you to sign this petition to oppose this permit.

Thank you for your time and consideration.

Aileen and Reed Black
349 Whiting Lane
703 927 2733

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Petition Against the Proposed Private Open-Sided Boat House and Gazebo & Floating Pier Construction Project at 353 Whiting Lane

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By signing below, we affirm our opposition to the proposed private open-sided boat house and gazebo & floating pier construction project at 353 Whiting Lane and urge you to take our concerns into consideration when making a decision on this matter.

Signature: *Jane P. Shepperd* Name: _____
356 Whiting Lane Address: _____
janeandreed@jps.net Email: *mail.com*
315 408 1647 Phone: _____

Additional Comments (optional):

the terms of the approved permit and a mockery of the collaborative neighborhood process. We urge you to join us in opposing this permit and ensuring that this precedent is not set for our community. This could happen next to you.

Please consider the potential impacts of this project on our community and join us in opposition. We'd be happy to discuss this matter further and ask you to sign this petition to oppose this permit.

Thank you for your time and consideration.

Aileen and Reed Black
349 Whiting Lane
703 927 2733

Here is the Petition:

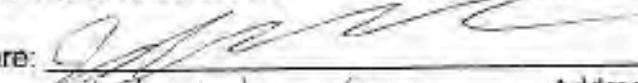
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- Ensure that any future dock or boat house construction projects comply with existing zoning regulations, past agreements and respect the character of our community.

By signing below, we affirm our opposition to the proposed private open-sided boat house and gazebo & floating pier construction project at 353 Whiting Lane and urge you to take our concerns into consideration when making a decision on this matter.

Signature:  Name: _____
Address: 356 Whiting Lane
Email: itmarina1969@gmail.com
Phone: 757-613-9659

Additional Comments (optional):

the terms of the approved permit and a mockery of the collaborative neighborhood process. We urge you to join us in opposing this permit and ensuring that this precedent is not set for our community. This could happen next to you.

Please consider the potential impacts of this project on our community and join us in opposition. We'd be happy to discuss this matter further and ask you to sign this petition to oppose this permit.

Thank you for your time and consideration.

Aileen and Reed Black
349 Whiting Lane
703 927 2733

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Petition Against the Proposed Private Open-Sided Boat House and Gazebo & Floating Pier Construction Project at 353 Whiting Lane

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- Ensure that any future dock or boat house construction projects comply with existing zoning regulations, past agreements and respect the character of our community.

By signing below, we affirm our opposition to the proposed private open-sided boat house and gazebo & floating pier construction project at 353 Whiting Lane and urge you to take our concerns into consideration when making a decision on this matter.

Signature: Patricia L. Burns Name:
325 Whiting Lane Address:
beachbirds@jpb.kenexmail.com Email:
757-435-6131 Phone:

Additional Comments (optional):

the terms of the approved permit and a mockery of the collaborative neighborhood process. We urge you to join us in opposing this permit and ensuring that this precedent is not set for our community. This could happen next to you.

Please consider the potential impacts of this project on our community and join us in opposition. We'd be happy to discuss this matter further and ask you to sign this petition to oppose this permit.

Thank you for your time and consideration.

Aileen and Reed Black
349 Whiting Lane
703 927 2733

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By signing below, we affirm our opposition to the proposed private open-sided boat house and gazebo & floating pier construction project at 353 Whiting Lane and urge you to take our concerns into consideration when making a decision on this matter.

Signature: *Sarah Moseley* Name: _____
3109 Little Island Rd Address: _____
Moseleyan525@gmail.com Email: _____
757-578-0877 Phone: _____

Additional Comments (optional):

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
1	REED & AILEEN BLACK	01/14/2025 04:55:29 AM	OPPOSE

OBJECT

Attachments:

https://webapps.mrc.virginia.gov/public/habitat/pc_pdfGet.php?id=1087

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
2	AILEEN M BLACK	03/21/2025 09:45:22 AM	OPPOSE

AS LONG-TIME RESIDENTS OF SANDBRIDGE, WE STRONGLY URGE YOU TO REJECT THE PROPOSED PRIVATE DOCK ROOF ADDITION PROJECT AT 353 WHITING LANE. THIS MASSIVE STRUCTURE WOULD ALTER THE AESTHETIC APPEAL OF OUR COMMUNITY, NEGATIVELY IMPACT PROPERTY VALUES, AND COMPROMISE THE QUALITY OF LIFE WE'VE GROWN TO LOVE. THE 756-SQUARE-FOOT ROOF WOULD BE OUT OF SCALE WITH SURROUNDING HOMES, OBSTRUCT NATURAL VIEWS, AND CREATE SAFETY CONCERNS FOR SWIMMERS, KAYAKERS, AND WINDSURFERS. WE URGE YOU TO PRIORITIZE THE PRESERVATION OF OUR COMMUNITY'S UNIQUE CHARM AND NATURAL BEAUTY, AND ENSURE THAT ANY FUTURE DOCK OR BOAT HOUSE CONSTRUCTION PROJECTS ARE HARMONIOUS WITH THE NEIGHBORHOOD AND RESPECT THE CHARACTER OF OUR COMMUNITY.

Attachments:

Submitted photos for this comment will begin on next page.

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

1742565314.jpg



Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
3	AILEEN BLACK	03/21/2025 11:07:05 AM	OPPOSE

SEE ATTACHED

Attachments:

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
4	STEVEN BLACK	03/22/2025 12:33:45 PM	OPPOSE

HEY THERE,

I'M WRITING TO EXPRESS MY CONCERNS ABOUT THE PROPOSED PRIVATE DOCK ROOF ADDITION PROJECT AT 353 WHITING LANE. AS A LONG-TIME RESIDENT OF SANDBRIDGE, I'VE GROWN TO LOVE THIS COMMUNITY AND I THINK THIS PROJECT WOULD REALLY CHANGE THE VIBE OF OUR NEIGHBORHOOD.

THE AGGREGATE DOCK/GAZEBO ROOF IS HUGE - 756 SQUARE FEET! THAT'S ALMOST AS BIG AS SOME OF THE HOUSES ON WHITING AND SAGE. IT WOULD BE SUPER OUT OF SCALE WITH THE SURROUNDING HOMES AND WOULD BLOCK OUR VIEWS OF THE CANAL. PLUS, IT WOULD CREATE SAFETY CONCERNS FOR PEOPLE WHO LIKE TO SWIM, KAYAK, OR WINDSURF IN THE AREA.

I'M WORRIED THAT IF THIS PROJECT GETS APPROVED, IT COULD SET A BAD PRECEDENT FOR OUR COMMUNITY. I WANT TO MAKE SURE THAT OUR NEIGHBORHOOD STAYS THE WAY IT IS - A BEAUTIFUL, PEACEFUL PLACE WHERE WE CAN ENJOY THE WATER AND EACH OTHER'S COMPANY.

PLEASE CONSIDER MY CONCERNS AND REJECT THIS PROJECT. THANKS FOR TAKING THE TIME TO READ MY LETTER!

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
5	MICHELE W AGUANNO-MORGAN	04/15/2025 15:04:24 PM	OPPOSE

AS A FAMILY MEMBER OF LONG-TIME RESIDENT OF SANDBRIDGE, I STRONGLY REJECT THE PROPOSED PRIVATE DOCK ROOF ADDITION PROJECT AT 353 WHITING LANE. THIS MASSIVE STRUCTURE WOULD ALTER THE AESTHETIC APPEAL OF THE COMMUNITY, NEGATIVELY IMPACT PROPERTY VALUES, DESTROY THE VIEW TO THE AND ACCESS TO THE OCEAN, AND COMPROMISE THE QUALITY OF LIFE WE'VE GROWN TO LOVE. THE 756-SQUARE-FOOT ROOF WOULD BE OUT OF SCALE WITH SURROUNDING HOMES, OBSTRUCT NATURAL VIEWS, AND CREATE SAFETY CONCERNS FOR SWIMMERS, KAYAKERS, AND WINDSURFERS. WE URGE YOU TO PRIORITIZE THE PRESERVATION OF THE COMMUNITY'S UNIQUE CHARM AND NATURAL BEAUTY, AND ENSURE THAT ANY FUTURE DOCK OR BOAT HOUSE CONSTRUCTION PROJECTS ARE HARMONIOUS WITH THE NEIGHBORHOOD AND RESPECT THE CHARACTER OF OUR COMMUNITY. PLEASE DON'T LOWER THE VALUE OF EVERY HOME ON WHITING TO INCLUDE THE HOME OF THE APPLICANT.

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
6	LESLIE A HIBBS	03/25/2025 01:52:50 AM	OPPOSE

DEAR VMRC,

I'M WRITING TO EXPRESS MY STRONG OPPOSITION TO THE PROPOSED PRIVATE DOCK ROOF ADDITION PROJECT AT 353 WHITING LANE. AS A FREQUENT USER OF THE CANAL FOR KAYAKING, WINDSURFING, AND SWIMMING, I'M DEEPLY CONCERNED ABOUT THE IMPACT THIS PROJECT WOULD HAVE ON MY ABILITY TO ENJOY THIS BEAUTIFUL AREA.

THE PROPOSED DOCK ROOF IS MASSIVE - 756 SQUARE FEET! IT WOULD BLOCK OUR VIEWS OF THE CANAL AND CREATE A SAFETY HAZARD FOR ALL OF US WHO USE THE WATER. AS SOMEONE WHO LOVES TO SPEND TIME ON THE WATER, I'M WORRIED THAT THIS PROJECT WOULD MAKE IT DIFFICULT FOR ME TO SEE POTENTIAL HAZARDS AND ENJOY THE AREA WITHOUT FEELING THREATENED.

I URGE YOU TO REJECT THIS PROJECT AND PRIORITIZE THE PRESERVATION OF OUR COMMUNITY'S NATURAL BEAUTY AND RECREATIONAL SPACES.

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
7	ANDRE C DENONNO	03/25/2025 07:40:00 AM	OPPOSE

I BELIEVE THE STRUCTURE TO BE TOO LARGE, AND IT WILL ONLY SET A PRECEDENT FOR OTHER HOMEOWNERS WHO COULD DO THE SAME THING. THE PARTICULAR AREA IN QUESTION, ALL STRUCTURES ON THE WATER ARE RELATIVELY MORE CONSERVATIVE. BOTH THE NORTH END AND THE SOUTH END OF SANDBRIDGE ALREADY HAVE STRUCTURES THAT ARE LIKE THAT.

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
8	VIRGINIA L COCHRAN	03/25/2025 06:30:30 AM	OPPOSE

I STRONGLY OPPOSE THE PROPOSED ADDITION AT 353 WHITING LN. IT IS SO OUT OF SCALE WITH THE SURROUNDING AREA THAT IT WOULD CHANGE THE CHARACTER OF THE NEIGHBORHOOD. IN ADDITION, IT WOULD CLEARLY BLOCK THE LOVELY WATER VIEW FOR OTHER RESIDENTS, AND WOULD CREATE POSSIBLE WATER SPORTS SAFETY CONCERNS AND POSSIBLE LIABILITY ISSUES.

 ADMITTEDLY, I AM NOT A RESIDENT, BUT I AM A VISITOR. IN FACT, I WILL BE A MEMBER OF A PARTY OF 9 ADULTS VISITING IN THE NEAR FUTURE. LIKE MANY VISITORS, WE SAVE FOR THE TRIP. WE BUY GAS AND GROCERIES AND SUNDRIES AND SOUVENIRS. WE LOVE ATTRACTIONS AND NATURE WALKS AND RESTAURANTS. MOST OF ALL, WE VISIT FOR THE TRANQUIL AND BEAUTIFUL VIEWS OF THE PEACEFUL BAY AND PROXIMITY TO THE MAJESTIC ATLANTIC OCEAN. I WOULD BE MOST UPSET TO ARRIVE AND DISCOVER THAT SOMEONE HAD ERECTED A GIANT STRUCTURE BLOCKING THE VIEW AND CREATING A HAZARD TO SAFE ENJOYMENT OF WATER SPORTS.

 THE ATLANTIC COAST IS LONG AND HAS MANY VACATION AREAS. IF I EXPERIENCED SUCH DISAPPOINTMENT ONCE, I WOULD PICK ANOTHER LOCALE TO VISIT.

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
9	ELIZABETH M BLACK	03/25/2025 08:51:59 AM	OPPOSE

'M WRITING TO EXPRESS MY CONCERNS ABOUT THE PROPOSED PRIVATE DOCK ROOF ADDITIONS PROJECT AT 353 WHITING LANE. AS A FREQUENT VISITOR TO SANDBRIDGE, I'VE HAD THE PLEASURE OF ENJOYING THE BEAUTIFUL VIEWS AND RECREATIONAL OPPORTUNITIES THAT THIS AREA HAS TO OFFER.

 THE PROPOSED DOCK ROOF IS MASSIVE - 756 SQUARE FEET! IT WOULD NOT ONLY ALTER THE AESTHETIC APPEAL OF THE AREA, BUT ALSO CREATE A SAFETY HAZARD FOR THOSE OF US WHO USE THE WATER. AS SOMEONE WHO LOVES TO KAYAK, WINDSURF, AND SWIM, I'M WORRIED THAT THIS PROJECT WOULD MAKE IT DIFFICULT FOR ME TO SEE POTENTIAL HAZARDS AND ENJOY THE AREA WITHOUT FEELING THREATENED.

 I'M ALSO CONCERNED ABOUT THE PRECEDENT THIS PROJECT WOULD SET. IF THE OWNERS OF 353 WHITING LANE CAN ADD AN AGGREGATE ROOF TO THEIR DOCK OF THIS SIZE OF ALMOST A COMMERCIAL SIZE, WHAT'S TO STOP OTHERS FROM DOING THE SAME? IT WOULD UNDERMINE THE INTEGRITY OF SANDBRIDGE'S RESIDENTIAL CASUAL FEEL AND CREATE A SLIPPERY SLOPE TOWARDS A MORE COMMERCIAL, LARGE-SCALE EXPERIENCE. LET ALONE THE IMPACT THAT COULD BRING TO OUR WILD LIFE..

 I URGE YOU TO REJECT THIS PROJECT AND PRIORITIZE THE PRESERVATION OF VIRGINIA BEACHâ€™S NATURAL BEAUTY AND RECREATIONAL SPACES..

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
10	TERESA B AGOSTA ROTUNDA	03/25/2025 09:01:48 AM	OPPOSE

DEAR VRMC,

I'M WRITING TO EXPRESS MY CONCERNS ABOUT THE PROPOSED PRIVATE DOCK ROOF ADDITIONS PROJECT AT 353 WHITING LANE. AS A FREQUENT VISITOR TO SANDBRIDGE, I'VE HAD THE PLEASURE OF ENJOYING THE BEAUTIFUL VIEWS AND RECREATIONAL OPPORTUNITIES THAT THIS AREA OFFERS.

THE PROPOSED DOCK ROOF IS MASSIVEâ€”756 SQUARE FEET! IT WOULD NOT ONLY ALTER THE AREA'S AESTHETIC APPEAL BUT ALSO CREATE A SAFETY HAZARD FOR THOSE WHO USE THE WATER. AS SOMEONE WHO LOVES TO KAYAK, WINDSURF, AND SWIM, I'M WORRIED THAT THIS PROJECT WOULD MAKE IT DIFFICULT FOR ME TO SEE POTENTIAL HAZARDS AND ENJOY THE AREA WITHOUT FEELING THREATENED.

I'M ALSO CONCERNED ABOUT THE PRECEDENT THIS PROJECT WOULD SET. IF THE OWNERS OF 353 WHITING LANE CAN ADD AN AGGREGATE ROOF TO THEIR DOCK OF THIS SIZE OF ALMOST A COMMERCIAL SIZE, WHAT'S TO STOP OTHERS FROM DOING THE SAME? IT WOULD UNDERMINE THE INTEGRITY OF SANDBRIDGE'S RESIDENTIAL CASUAL FEEL AND CREATE A SLIPPERY SLOPE TOWARDS A MORE COMMERCIAL, LARGE-SCALE EXPERIENCE. ALSO, FURTHER DEVELOPMENT OF SANDBRIDGE BEACH WILL NEGATIVELY IMPACT WILDLIFE IN THE AREA.

I URGE YOU TO REJECT THIS PROJECT AND PRIORITIZE THE PRESERVATION OF VIRGINIA BEACHâ€™S NATURAL BEAUTY AND RECREATIONAL SPACES. I OPPOSE BUILDING A LARGE STRUCTURE ON BEAUTIFUL, PRISTINE, LIGHTLY DEVELOPED SANDBRIDGE BEACH.

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
11	VAN BLACK	03/25/2025 09:10:33 AM	OPPOSE

DEAR VRMC,

I'M WRITING TO EXPRESS MY CONCERNS ABOUT THE PROPOSED PRIVATE DOCK ROOF ADDITIONS PROJECT AT 353 WHITING LANE. AS A FREQUENT VISITOR TO SANDBRIDGE, I'VE HAD THE PLEASURE OF ENJOYING THE BEAUTIFUL VIEWS AND RECREATIONAL OPPORTUNITIES THAT THIS AREA HAS TO OFFER.

THE PROPOSED DOCK ROOF IS MASSIVE - 756 SQUARE FEET! IT WOULD NOT ONLY ALTER THE AESTHETIC APPEAL OF THE AREA, BUT ALSO CREATE A SAFETY HAZARD FOR THOSE OF US WHO USE THE WATER. AS SOMEONE WHO LOVES TO KAYAK, WINDSURF, AND SWIM, I'M WORRIED THAT THIS PROJECT WOULD MAKE IT DIFFICULT FOR ME TO SEE POTENTIAL HAZARDS AND ENJOY THE AREA WITHOUT FEELING THREATENED.

I'M ALSO CONCERNED ABOUT THE PRECEDENT THIS PROJECT WOULD SET. IF THE OWNERS OF 353 WHITING LANE CAN ADD AN AGGREGATE ROOF TO THEIR DOCK OF THIS SIZE OF ALMOST A COMMERCIAL SIZE, WHAT'S TO STOP OTHERS FROM DOING THE SAME? IT WOULD UNDERMINE THE INTEGRITY OF SANDBRIDGE'S RESIDENTIAL CASUAL FEEL AND CREATE A SLIPPERY SLOPE TOWARDS A MORE COMMERCIAL, LARGE-SCALE EXPERIENCE. LET ALONE THE IMPACT THAT COULD BRING TO OUR WILD LIFE..

I URGE YOU TO REJECT THIS PROJECT AND PRIORITIZE THE PRESERVATION OF VIRGINIA BEACH'S NATURAL BEAUTY AND RECREATIONAL SPACES..

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Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
12	ROBERT L HIBBS JR.	03/25/2025 11:56:43 AM	OPPOSE

RUINS THE EXPERIENCE FOR US AT VIRGINIA BEACH

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Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
13	SUSAN HARRIS	03/25/2025 17:09:01 PM	OPPOSE

I FEEL THIS MASSIVE STRUCTURE WOULD ALTER THE AESTHETIC APPEAL OF THE COMMUNITY.

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Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
14	DOROTHY M PAJKOWSKI	03/25/2025 20:59:48 PM	OPPOSE

I HAVE SPENT THE LAST 25 YEARS TRAVELING WITH MY FAMILY TO SANDRIDGE FROM HECTIC NEW YORK FOR THE PEACEFULNESS AND NATURAL BEAUTY. WE ENJOY THE WATER SPORTS AND THE SAFETY OF THE BAY AREA. THE CONCEPT OF A STRUCTURE OF THIS SIZE IS JUST NOT FITTING TO THE PEACEFULNESS OF THIS AREA.

 PLEASE PROTECT THE CONSERVATIVE CONSTRUCTION....BECAUSE ONCE IT IS GONE, IT IS GONE!

 THANK YOU FOR YOUR KIND CONSIDERATION AND I DO OPPOSE!

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Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
15	CARL J DENONNO	03/25/2025 23:14:50 PM	OPPOSE

FOR OVER THIRTY YEARS I AND MY EVER GROWING FAMILY HAVE BEEN MAKING ANNUAL AND OFTENTIMES BI-ANNUAL TRIPS TO SANDRIDGE VA.

 WE BOAT, KAYAK, SWIM, WADE AND FISH IN THE CANAL BETWEEN WHITING LANE AND SAGE ROAD. IT IS QUIET AND SERENE LOCATION WITH BEAUTIFUL VISTAS.

 I MOST DEFINITELY WOULD NOT LIKE TO HAVE SUCH MASSIVE STRUCTURES INTRODUCED TO AREA.

 THEY WOULD NEGATIVELY ALTER PUBLIC SAFETY, THE VIEW OF OTHERS AND THE CURRENT MARINE LIFE.

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Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
16	MADISON M DENONNO	03/26/2025 13:00:59 PM	OPPOSE

DEAR VRMC,

I'M WRITING TO EXPRESS MY CONCERNS ABOUT THE PROPOSED PRIVATE DOCK ROOF ADDITIONS PROJECT AT 353 WHITING LANE. AS A VISITOR OF THE AREA DURING MY SUMMER BREAK FROM SCHOOL, I FIND THE BEAUTY OF THE SPACE TO BE IN JEOPARDY BY THIS PROPOSITION. THE PROPOSED DOCK IS BEYOND REASONABLE SIZE AND IT WOULD NOT ONLY ALTER THE AESTHETIC APPEAL OF THE AREA, BUT ALSO CREATE A SAFETY HAZARD FOR THOSE OF US WHO USE THE WATER. AS SOMEONE WHO LOVES TO KAYAK, SWIM, AND JET SKI IN THESE WATERS, I'M WORRIED THAT THIS PROJECT WOULD MAKE IT DIFFICULT FOR ME TO SEE POTENTIAL HAZARDS WHEN RETURNING TO LAND OR ENJOYING THE WATERWAYS TO THEIR FULL POTENTIAL. I AM SIMILARLY CONCERNED ABOUT THE ALTERING OF STANDARDS OF THE AREA IN MAINTAINING THE NATURAL INTEGRITY. WHO'S TO SAY THIS WILL NOT BE A SEGWAY FOR FURTHER LARGE SCALE PROJECTS THAT WILL CONTINUE TO IMPEDE ON THE EXPERIENCE OF THE AREA? I URGE YOU TO REJECT THIS PROJECT AND PRIORITIZE THE PRESERVATION OF VIRGINIA BEACH'S NATURAL BEAUTY AND RECREATIONAL SPACES.

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
17	CARLA L VOGT	03/26/2025 20:51:01 PM	OPPOSE

I OPPOSE THE APPLICATION FOR A DOCK AND ROOF AT 353 WHITING AVE. I SPEND A LOT OF TIME ON WHITING AVE., AND HAVE ALWAYS ENJOYED THE UNOBSTRUCTED VIEW OF THE BAY. THE SIZE OF THE DOCK IS WAY OUT OF PROPORTION WITH OTHER DOCKS IN THE NEIGHBORHOOD, AND IF APPROVED, COULD SET A PRECEDENT FOR OTHER DOCKS THAT WOULD MAKE A RESIDENTIAL NEIGHBORHOOD LOOK MORE LIKE A COMMERCIAL AREA.

 WHILE THE SIZE OF THE DOCK IS A SIGNIFICANT CONCERN, THE PROPOSED ROOF IS EVEN WORSE. THE ROOF IS INCOMPATIBLE WITH OTHER DOCKS IN THE NEIGHBORHOOD, THIS PROJECT WOULD BLOCK THE VIEWS THAT WE HAVE ALWAYS ENJOYED, AND RUIN THE EXPERIENCE OF SITTING ON THE DECK AND ENJOYING THE VIEWS.

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Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
18	ROBBIE GUTIERREZ	03/27/2025 09:49:15 AM	OPPOSE

DEAR VRMC,

I'M WRITING TO EXPRESS MY CONCERNS ABOUT THE PROPOSED PRIVATE DOCK ROOF ADDITIONS PROJECT AT 353 WHITING LANE. AS A FREQUENT VISITOR TO SANDBRIDGE, I'VE HAD THE PLEASURE OF ENJOYING THE BEAUTIFUL VIEWS AND RECREATIONAL OPPORTUNITIES THAT THIS AREA HAS TO OFFER.

THE PROPOSED DOCK ROOF IS MASSIVE - 756 SQUARE FEET! IT WOULD NOT ONLY ALTER THE AESTHETIC APPEAL OF THE AREA, BUT ALSO CREATE A SAFETY HAZARD FOR THOSE OF US WHO USE THE WATER. AS SOMEONE WHO LOVES TO KAYAK, WINDSURF, AND SWIM, I'M WORRIED THAT THIS PROJECT WOULD MAKE IT DIFFICULT FOR ME TO SEE POTENTIAL HAZARDS AND ENJOY THE AREA WITHOUT FEELING THREATENED.

I'M ALSO CONCERNED ABOUT THE PRECEDENT THIS PROJECT WOULD SET. IF THE OWNERS OF 353 WHITING LANE CAN ADD AN AGGREGATE ROOF TO THEIR DOCK OF THIS SIZE OF ALMOST A COMMERCIAL SIZE, WHAT'S TO STOP OTHERS FROM DOING THE SAME? IT WOULD UNDERMINE THE INTEGRITY OF SANDBRIDGE'S RESIDENTIAL CASUAL FEEL AND CREATE A SLIPPERY SLOPE TOWARDS A MORE COMMERCIAL, LARGE-SCALE EXPERIENCE. LET ALONE THE IMPACT THAT COULD BRING TO OUR WILD LIFE..

I URGE YOU TO REJECT THIS PROJECT AND PRIORITIZE THE PRESERVATION OF VIRGINIA BEACH'S NATURAL BEAUTY AND RECREATIONAL SPACES.

SINCERELY,
ROBBIE GUTIERREZ

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
19	PHIL GUTIERREZ	03/27/2025 10:43:30 AM	OPPOSE

I'M WRITING TO EXPRESS MY CONCERNS ABOUT THE PROPOSED PRIVATE DOCK ROOF ADDITIONS PROJECT AT 353 WHITING LANE. AS A FREQUENT VISITOR TO SANDBRIDGE, I'VE HAD THE PLEASURE OF ENJOYING THE BEAUTIFUL VIEWS AND RECREATIONAL OPPORTUNITIES THAT THIS AREA HAS TO OFFER.

 THE PROPOSED DOCK ROOF IS MASSIVE - 756 SQUARE FEET! IT WOULD NOT ONLY ALTER THE AESTHETIC APPEAL OF THE AREA, BUT ALSO CREATE A SAFETY HAZARD FOR THOSE OF US WHO USE THE WATER. AS SOMEONE WHO LOVES TO KAYAK, WINDSURF, AND SWIM, I'M WORRIED THAT THIS PROJECT WOULD MAKE IT DIFFICULT FOR ME TO SEE POTENTIAL HAZARDS AND ENJOY THE AREA WITHOUT FEELING THREATENED.

 I'M ALSO CONCERNED ABOUT THE PRECEDENT THIS PROJECT WOULD SET. IF THE OWNERS OF 353 WHITING LANE CAN ADD AN AGGREGATE ROOF TO THEIR DOCK OF THIS SIZE OF ALMOST A COMMERCIAL SIZE, WHAT'S TO STOP OTHERS FROM DOING THE SAME? IT WOULD UNDERMINE THE INTEGRITY OF SANDBRIDGE'S RESIDENTIAL CASUAL FEEL AND CREATE A SLIPPERY SLOPE TOWARDS A MORE COMMERCIAL, LARGE-SCALE EXPERIENCE. LET ALONE THE IMPACT THAT COULD BRING TO OUR WILD LIFE..

 I URGE YOU TO REJECT THIS PROJECT AND PRIORITIZE THE PRESERVATION OF VIRGINIA BEACH™S NATURAL BEAUTY AND RECREATIONAL SPACES.

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Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
20	BRIELLE SKORKE	03/28/2025 10:31:12 AM	OPPOSE

DEAR VMRC,

 I'M WRITING TO EXPRESS MY STRONG OPPOSITION TO THE PROPOSED PRIVATE DOCK ROOF ADDITION PROJECT AT 353 WHITING LANE. AS A FREQUENT USER OF THE CANAL FOR KAYAKING, WINDSURFING, AND SWIMMING, I'M DEEPLY CONCERNED ABOUT THE IMPACT THIS PROJECT WOULD HAVE ON MY ABILITY TO ENJOY THIS BEAUTIFUL AREA.

 THE PROPOSED DOCK ROOF IS MASSIVE - 756 SQUARE FEET! IT WOULD BLOCK OUR VIEWS OF THE CANAL AND CREATE A SAFETY HAZARD FOR ALL OF US WHO USE THE WATER. AS SOMEONE WHO LOVES TO SPEND TIME ON THE WATER, I'M WORRIED THAT THIS PROJECT WOULD MAKE IT DIFFICULT FOR ME TO SEE POTENTIAL HAZARDS AND ENJOY THE AREA WITHOUT FEELING THREATENED.

 I URGE YOU TO REJECT THIS PROJECT AND PRIORITIZE THE PRESERVATION OF OUR COMMUNITY'S NATURAL BEAUTY AND RECREATIONAL SPACES.

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Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
21	KELLY EUSTACE	03/30/2025 11:51:53 AM	OPPOSE

DEAR VMRC,

I'M WRITING TO EXPRESS MY STRONG OPPOSITION TO THE PROPOSED PRIVATE DOCK ROOF ADDITION PROJECT AT 353 WHITING LANE. AS A FREQUENT USER OF THE CANAL FOR KAYAKING, WINDSURFING, AND SWIMMING, I'M DEEPLY CONCERNED ABOUT THE IMPACT THIS PROJECT WOULD HAVE ON MY ABILITY TO ENJOY THIS BEAUTIFUL AREA.

THE PROPOSED DOCK ROOF IS MASSIVE - 756 SQUARE FEET! IT WOULD BLOCK OUR VIEWS OF THE CANAL AND CREATE A SAFETY AND NAVIGATION HAZARD FOR ALL OF US WHO USE THE WATER. AS SOMEONE WHO LOVES TO SPEND TIME ON THE WATER, I'M WORRIED THAT THIS PROJECT WOULD MAKE IT DIFFICULT FOR ME TO SEE POTENTIAL HAZARDS AND ENJOY THE AREA WITHOUT FEELING THREATENED.

I URGE YOU TO REJECT THIS PROJECT AND PRIORITIZE THE PRESERVATION OF OUR COMMUNITY'S NATURAL BEAUTY AND RECREATIONAL SPACES.

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Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
22	ANNE K SMITH	03/30/2025 12:23:46 PM	OPPOSE

I'M WRITING TO EXPRESS MY STRONG OPPOSITION TO THE PROPOSED PRIVATE DOCK ROOF ADDITION PROJECT AT 353
WHITING LANE. AS A HOMEOWNER WHO OWNS PROPERTY NEARBY, I'M DEEPLY CONCERNED ABOUT THE IMPACT THIS PROJECT WOULD HAVE ON THE OVERALL CHARACTER OF OUR COMMUNITY.
THE PROPOSED AGGREGATE DOCK/GAZEBO ROOF IS MASSIVE - 756 SQUARE FEET! IT WOULD BE A SIGNIFICANT EYESORE AND WOULD OBSTRUCT RESIDENTS VIEWS OF THE CANAL. AS SOMEONE WHO HAS INVESTED IN THIS COMMUNITY, I BELIEVE IT'S ESSENTIAL TO PRESERVE THE NATURAL BEAUTY AND CHARM OF THE SANDBRIDGE AREA.
FURTHERMORE, I'M WORRIED ABOUT THE SAFETY AND NAVIGATION CONCERNS THIS PROJECT COULD RAISE. THE LACK OF VISIBILITY WOULD INCREASE THE RISK OF ACCIDENTS AND INJURIES FOR SWIMMERS, KAYAKERS, AND WINDSURFERS IN THE AREA. AS A HOMEOWNER, I'M RESPONSIBLE FOR THE SAFETY OF MY FAMILY AND FRIENDS, AND I DON'T WANT TO SEE OUR RESIDENTS, RENTERS AND THEIR FAMILIES ENDURE A POTENTIAL HAZARD.
I URGE YOU TO REJECT THIS PROJECT AND PRIORITIZE THE PRESERVATION OF OUR COMMUNITY'S UNIQUE CHARACTER AND NATURAL BEAUTY.

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Number	Name	Received	Position
23	DEVER CARRISON	03/30/2025 12:44:36 PM	OPPOSE

DEAR VRMC,
I'M WRITING TO EXPRESS MY CONCERNS ABOUT THE PROPOSED PRIVATE DOCK ROOF ADDITIONS PROJECT AT 353 WHITING LANE. AS A FREQUENT VISITOR TO SANDBRIDGE, I'VE HAD THE PLEASURE OF ENJOYING THE BEAUTIFUL VIEWS AND RECREATIONAL OPPORTUNITIES THAT THIS AREA HAS TO OFFER.
THE PROPOSED DOCK ROOF IS MASSIVE - 756 SQUARE FEET! IT WOULD NOT ONLY ALTER THE AESTHETIC APPEAL OF THE AREA, BUT ALSO CREATE A SAFETY AND NAVIGATION HAZARD FOR THOSE OF US WHO USE THE WATER. AS SOMEONE WHO LOVES TO KAYAK, WINDSURF, AND SWIM, I'M WORRIED THAT THIS PROJECT WOULD MAKE IT DIFFICULT FOR ME TO SEE POTENTIAL HAZARDS AND ENJOY THE AREA WITHOUT FEELING THREATENED.
I'M ALSO CONCERNED ABOUT THE PRECEDENT THIS PROJECT WOULD SET. IF THE OWNERS OF 353 WHITING LANE CAN ADD AN AGGREGATE ROOF TO THEIR DOCK OF THIS SIZE OF ALMOST A COMMERCIAL SIZE, WHAT'S TO STOP OTHERS FROM DOING THE SAME? IT WOULD UNDERMINE THE INTEGRITY OF SANDBRIDGE'S RESIDENTIAL CASUAL FEEL AND CREATE A SLIPPERY SLOPE TOWARDS A MORE COMMERCIAL, LARGE-SCALE EXPERIENCE. LET ALONE THE IMPACT THAT COULD BRING TO OUR WILD LIFE.
I URGE YOU TO REJECT THIS PROJECT AND PRIORITIZE THE PRESERVATION OF VIRGINIA BEACH'S NATURAL BEAUTY AND RECREATIONAL SPACES.

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Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
24	REBECCA CHIUSANO	03/31/2025 14:17:25 PM	OPPOSE

CONCERNS ON HOW THIS WILL LEAVE LESS ROOM FOR THE WILDLIFE THAT IS SO IMPORTANT TO OUR BAYS & OCEANS.

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Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
25	JUDITH D MOORE	03/31/2025 15:01:48 PM	OPPOSE

I STRONGLY OPPOSE THE HUGE AND MONSTROUS BOATHOUSE AND GAZEBO PROPOSED FOR CONSTRUCTION AT 353 WHITING LANE. IT WILL BLOCK VIEWS, CREATE A SAFETY HAZARD, AND IS COMPLETELY OUT OF KEEPING WITH THE FAMILY ORIENTED, LOWKEY, PEACEFUL AND BEAUTIFUL ENVIRONMENT OF SANDBRIDGE AND THIS AREA OF WHITING LANE. IT WOULD BE UGLY AND WILL IMPEDE QUIET AND PEACEFUL KAYAKING AND SWIMMING IN THE AREA. WILDLIFE WILL LIKELY BE AFFECTED. I WOULD SUSPECT THAT PROPERTY VALUES AROUND THIS HORRIBLE STRUCTURE WOULD BE AFFECTED. IT SETS A PRECEDENT THAT WOULD ALLOW OTHER GIANT STRUCTURES TO BE CONSIDERED AND BUILT IN SANDBRIDGE, WHICH WILL RUIN THE QUALITY OF LIFE THAT THOSE WHO LIVE AND VISIT THERE HAVE COME TO EXPECT. MY HUSBAND AND I BUILT AND OWNED THE HOUSE AT 349 WHITING FOR 15 YEARS; I AM QUITE FAMILIAR WITH THIS ISSUE BECAUSE A PREVIOUS OWNER OF THE LOT AT 353 PROPOSED THIS SAME DOCK AND WE FOUGHT IT (THE PREVIOUS OWNER SOLD THE LOT AND ABANDONED PLANS FOR THIS FREAKISH, UGLY DOCK STRUCTURE WHEN CONFRONTED WITH THE NEGATIVE REACTION OF HIS FUTURE NEIGHBORS). AND WHILE I NO LONGER OWN AT SANDBRIDGE, MY FAMILY AND I VISIT OFTEN, AND I CERTAINLY WOULDN'T WANT TO BE ANYWHERE NEAR WHITING LANE IF THIS FREAKISH DOCK, WHICH AT 756 SQUARE FEET IS ABOUT THE SIZE OF MY CURRENT ONE-BEDROOM APARTMENT, IS ALLOWED.

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Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
26	PATRICK BLACK	03/31/2025 19:28:00 PM	OPPOSE

HEY THERE,

I'M WRITING TO EXPRESS MY CONCERNS ABOUT THE PROPOSED PRIVATE DOCK ROOF ADDITION PROJECT AT 353 WHITING LANE. AS A LONG-TIME RESIDENT OF SANDBRIDGE, I'VE GROWN TO LOVE THIS COMMUNITY AND I THINK THIS PROJECT WOULD REALLY CHANGE THE VIBE OF OUR NEIGHBORHOOD.

THE AGGREGATE DOCK/GAZEBO ROOF IS HUGE - 756 SQUARE FEET! THAT'S ALMOST AS BIG AS SOME OF THE HOUSES ON WHITING AND SAGE. IT WOULD BE SUPER OUT OF SCALE WITH THE SURROUNDING HOMES AND WOULD BLOCK OUR VIEWS OF THE CANAL. PLUS, IT WOULD CREATE SAFETY CONCERNS FOR PEOPLE WHO LIKE TO SWIM, KAYAK, OR WINDSURF IN THE AREA.

I'M WORRIED THAT IF THIS PROJECT GETS APPROVED, IT COULD SET A BAD PRECEDENT FOR OUR COMMUNITY. I WANT TO MAKE SURE THAT OUR NEIGHBORHOOD STAYS THE WAY IT IS - A BEAUTIFUL, PEACEFUL PLACE WHERE WE CAN ENJOY THE WATER AND EACH OTHER'S COMPANY.

PLEASE CONSIDER MY CONCERNS AND REJECT THIS PROJECT. THANKS FOR TAKING THE TIME TO READ MY COMMENTS!

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Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
27	KELLY BLACK	03/31/2025 19:30:24 PM	OPPOSE

DEAR VRMC,

I'M WRITING TO EXPRESS MY CONCERNS ABOUT THE PROPOSED PRIVATE DOCK ROOF ADDITIONS PROJECT AT 353 WHITING LANE. AS A FREQUENT VISITOR TO SANDBRIDGE, I'VE HAD THE PLEASURE OF ENJOYING THE BEAUTIFUL VIEWS AND RECREATIONAL OPPORTUNITIES THAT THIS AREA HAS TO OFFER.

THE PROPOSED DOCK ROOF IS MASSIVE - 756 SQUARE FEET! IT WOULD NOT ONLY ALTER THE AESTHETIC APPEAL OF THE AREA, BUT ALSO CREATE A SAFETY AND NAVIGATION HAZARD FOR THOSE OF US WHO USE THE WATER. AS SOMEONE WHO LOVES TO KAYAK, WINDSURF, AND SWIM, I'M WORRIED THAT THIS PROJECT WOULD MAKE IT DIFFICULT FOR ME TO SEE POTENTIAL HAZARDS AND ENJOY THE AREA WITHOUT FEELING THREATENED.

I'M ALSO CONCERNED ABOUT THE PRECEDENT THIS PROJECT WOULD SET. IF THE OWNERS OF 353 WHITING LANE CAN ADD AN AGGREGATE ROOF TO THEIR DOCK OF THIS SIZE OF ALMOST A COMMERCIAL SIZE, WHAT'S TO STOP OTHERS FROM DOING THE SAME? IT WOULD UNDERMINE THE INTEGRITY OF SANDBRIDGE'S RESIDENTIAL CASUAL FEEL AND CREATE A SLIPPERY SLOPE TOWARDS A MORE COMMERCIAL, LARGE-SCALE EXPERIENCE. LET ALONE THE IMPACT THAT COULD BRING TO OUR WILD LIFE..

I URGE YOU TO REJECT THIS PROJECT AND PRIORITIZE THE PRESERVATION OF VIRGINIA BEACH'S NATURAL BEAUTY AND RECREATIONAL SPACES.

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Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
28	RACHAEL MATTIO	03/31/2025 20:09:28 PM	OPPOSE

DEAR VRMC,

I'M WRITING TO EXPRESS MY CONCERNS ABOUT THE PROPOSED PRIVATE DOCK ROOF ADDITIONS PROJECT AT 353 WHITING LANE. AS A FREQUENT VISITOR TO SANDBRIDGE, I'VE HAD THE PLEASURE OF ENJOYING THE BEAUTIFUL VIEWS AND RECREATIONAL OPPORTUNITIES THAT THIS AREA HAS TO OFFER.

THE PROPOSED DOCK ROOF IS MASSIVE - 756 SQUARE FEET! IT WOULD NOT ONLY ALTER THE AESTHETIC APPEAL OF THE AREA, BUT ALSO CREATE A SAFETY AND NAVIGATION HAZARD FOR THOSE OF US WHO USE THE WATER. AS SOMEONE WHO LOVES TO KAYAK, WINDSURF, AND SWIM, I'M WORRIED THAT THIS PROJECT WOULD MAKE IT DIFFICULT FOR ME TO SEE POTENTIAL HAZARDS AND ENJOY THE AREA WITHOUT FEELING THREATENED.

I'M ALSO CONCERNED ABOUT THE PRECEDENT THIS PROJECT WOULD SET. IF THE OWNERS OF 353 WHITING LANE CAN ADD AN AGGREGATE ROOF TO THEIR DOCK OF THIS SIZE OF ALMOST A COMMERCIAL SIZE, WHAT'S TO STOP OTHERS FROM DOING THE SAME? IT WOULD UNDERMINE THE INTEGRITY OF SANDBRIDGE'S RESIDENTIAL CASUAL FEEL AND CREATE A SLIPPERY SLOPE TOWARDS A MORE COMMERCIAL, LARGE-SCALE EXPERIENCE. LET ALONE THE IMPACT THAT COULD BRING TO OUR WILD LIFE..

I URGE YOU TO REJECT THIS PROJECT AND PRIORITIZE THE PRESERVATION OF VIRGINIA BEACH'S NATURAL BEAUTY AND RECREATIONAL SPACES..

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Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
29	CYNTHIA J COIRO-MOINI	04/01/2025 13:29:54 PM	OPPOSE

DEAR VRMC,

I'M WRITING TO EXPRESS MY OPPOSITION TO THE PROPOSED PRIVATE DOCK ROOF ADDITION PROJECT AT 353 WHITING LANE. AS A HOMEOWNER WHO LIVES NEARBY, I'M DEEPLY CONCERNED ABOUT THE IMPACT THIS PROJECT WOULD HAVE ON PROPERTY VALUES AND THE OVERALL CHARACTER OF OUR COMMUNITY.

THE PROPOSED AGGREGATE DOCK/GAZEBO ROOF IS MASSIVE - 756 SQUARE FEET. IT WOULD BE A SIGNIFICANT EYESORE AND WOULD OBSTRUCT VIEWS OF THE CANAL. AS SOMEONE WHO HAS INVESTED IN THIS COMMUNITY, I BELIEVE IT'S ESSENTIAL TO PRESERVE THE NATURAL BEAUTY AND CHARM OF OUR NEIGHBORHOOD.

FURTHERMORE, I'M WORRIED ABOUT THE SAFETY AND NAVIGATION CONCERNS THIS PROJECT WOULD RAISE. THE LACK OF VISIBILITY WOULD INCREASE THE RISK OF ACCIDENTS AND INJURIES FOR SWIMMERS, KAYAKERS, AND WINDSURFERS IN THE AREA.

I URGE YOU TO REJECT THIS PROJECT AND PRIORITIZE THE PRESERVATION OF OUR COMMUNITY'S UNIQUE CHARACTER AND NATURAL BEAUTY.

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
30	ELIZABETH T FRITSCHÉ	04/01/2025 16:00:49 PM	OPPOSE

I AM VERY OPPOSED TO THE PROPOSED PRIVATE DOCK ROOF ADDITIONS PROJECT SUBMITTED FOR 353 WHITING LANE. AS A FREQUENT VISITOR TO SANDBRIDGE, I'VE HAD THE PLEASURE OF ENJOYING THE BEAUTIFUL VIEWS AND RECREATIONAL OPPORTUNITIES THAT THIS AREA HAS TO OFFER, AND THIS ROOF STRUCTURE WILL SIGNIFICANTLY IMPACT THOSE VIEWS AND SAFE RECREATION IN THAT AREA.

ACCORDING TO THE APPLICATION, THE PROPOSED DOCK ROOF IS A MASSIVE 756 SQUARE FEET! THE STRUCTURE OF THIS SIZE WOULD NOT ONLY ALTER THE AESTHETIC APPEAL OF THE AREA, BUT ALSO CREATE A SAFETY HAZARD FOR THOSE SEEKING RECREATIONAL USE OF THE WATER. AS SOMEONE WHO LOVES TO KAYAK, SWIM, AND ENJOY TIME IN THE WATER, I'M WORRIED THAT THIS PROJECT WOULD BE AN OBSTRUCTION THAT WOULD MAKE IT DIFFICULT FOR ME TO SEE POTENTIAL HAZARDS AND ENJOY THE AREA WITHOUT FEELING THREATENED.

I'M ALSO CONCERNED ABOUT THE PRECEDENT THIS PROJECT WOULD SET. IF THE OWNERS OF 353 WHITING LANE CAN ADD AN AGGREGATE ROOF TO THEIR DOCK OF THIS SIZE OF ALMOST A COMMERCIAL SIZE, WHAT'S TO STOP OTHERS FROM DOING THE SAME? IT WOULD UNDERMINE THE INTEGRITY OF SANDBRIDGE'S RESIDENTIAL CASUAL FEEL AND CREATE A PRECEDENCE FOR A MORE COMMERCIAL, LARGE-SCALE CONSTRUCTION. IN ADDITION TO LIMITING THE ENJOYMENT OF THOSE IN SANDBIDGE, IT COULD NEGATIVELY IMPACT THE COASTAL WILDLIFE WHEN WE ARE WORKING SO HARD TO PRESERVE THE NATURAL BEAUTY AND EXISTING ENVIRONMENT.

I STRONGLY URGE YOU TO REJECT THIS PROJECT FOR THE REASONS STATED ABOVE AND SUPPORT THE PRESERVATION OF THE COMMUNITY.

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
31	ELIZABETH A B.	04/03/2025 12:53:50 PM	OPPOSE

I WRITE TO FORMALLY OBJECT TO THE PROPOSED INSTALLATION OF A ROOF ON THE PRIVATE DOCK AT 353 WHITING LANE (HEREINAFTER REFERRED TO AS THE "PROPOSED STRUCTURE"). AS AN ACTIVE MEMBER OF THE COMMUNITY AND A FREQUENT USER OF THE CANAL FOR RECREATIONAL ACTIVITIES, I AM DEEPLY CONCERNED ABOUT THE NEGATIVE IMPACT THIS STRUCTURE WILL HAVE ON THE SAFETY, ACCESSIBILITY, AND OVERALL AESTHETIC VALUE OF THE WATERWAY. THE SCALE OF THE PROPOSED STRUCTURE—SPANNING 756 SQUARE FEET—WOULD SIGNIFICANTLY OBSTRUCT THE VIEWS OF THE CANAL THAT HAVE BEEN INTEGRAL TO THE CHARACTER AND APPEAL OF THIS AREA. THE PRESERVATION OF OPEN WATER VIEWS HAS LONG BEEN A DEFINING FEATURE OF THIS COMMUNITY, CONTRIBUTING TO BOTH ITS HISTORIC CHARM AND ITS ONGOING PROSPERITY. ALLOWING SUCH A LARGE AND INTRUSIVE STRUCTURE WOULD SET A DANGEROUS PRECEDENT FOR FUTURE DEVELOPMENTS THAT THREATEN THE VERY QUALITIES THAT HAVE MADE THIS COMMUNITY DESIRABLE. MORE CONCERNING, HOWEVER, ARE THE SERIOUS SAFETY RISKS POSED BY THE PROPOSED STRUCTURE. THE CANAL IS UTILIZED BY INDIVIDUALS OF ALL AGES, FROM TODDLERS TO THE ELDERLY, FOR VARIOUS RECREATIONAL ACTIVITIES. THE SIZE AND PLACEMENT OF THE PROPOSED STRUCTURE WOULD SEVERELY LIMIT VISIBILITY, OBSTRUCTING THE ABILITY TO SEE POTENTIAL HAZARDS SUCH AS WILDLIFE OR APPROACHING BOATS, INCLUDING JET SKIS. THIS LIMITED VISIBILITY CREATES A SIGNIFICANT RISK FOR COLLISIONS, ACCIDENTS, AND OTHER POTENTIAL HARM. SUCH RISKS, PARTICULARLY IN AREAS HEAVILY FREQUENTED BY THE PUBLIC, MUST BE CONSIDERED WHEN MAKING DECISIONS ABOUT PRIVATE DEVELOPMENT. ADDITIONALLY, THE IMPACT ON THE WATERWAY ITSELF CANNOT BE UNDERSTATED. THE PROPOSED STRUCTURE OBSTRUCTS NOT ONLY THE NATURAL AESTHETIC OF THE AREA BUT MAY ALSO INTERFERE WITH ESTABLISHED WATER RIGHTS AND THE FREE USE OF THE WATERWAY BY OTHER RESIDENTS. IN VIRGINIA, WATER RIGHTS ARE PROTECTED UNDER THE PUBLIC TRUST DOCTRINE, WHICH ENSURES THAT NAVIGABLE WATERS REMAIN ACCESSIBLE FOR RECREATIONAL AND COMMERCIAL USE. BY ALLOWING SUCH AN OBSTRUCTION, THE COMMISSION WOULD BE UNDERMINING THIS PRINCIPLE AND VIOLATING THE COLLECTIVE RIGHTS OF OTHER CANAL USERS. IT IS THE DUTY OF THE COMMISSION TO PROTECT THE INTERESTS OF THE COMMUNITY, INCLUDING THE PRESERVATION OF ITS NATURAL BEAUTY, THE SAFETY OF ITS MEMBERS, FINANCIAL INTERESTS, AND THE OVERALL INTEGRITY OF THE WATERWAY. I URGE YOU TO CAREFULLY CONSIDER THE BROADER IMPLICATIONS OF THIS PROJECT, PARTICULARLY THE SAFETY RISKS AND THE POTENTIAL FOR DIMINISHED ENJOYMENT OF THE CANAL BY THE PUBLIC. AS A DIRECTLY IMPACTED MEMBER OF THE COMMUNITY, I RESPECTFULLY REQUEST THAT THE COMMISSION REJECT THIS PROPOSAL. THE CONSEQUENCES OF ALLOWING THE CONSTRUCTION OF THIS STRUCTURE WOULD BE HARMFUL TO THE ENTIRE COMMUNITY, BOTH NOW AND IN THE FUTURE. I TRUST THAT THE COMMISSION WILL ACT IN ACCORDANCE WITH ITS RESPONSIBILITY TO PRESERVE THE COLLECTIVE INTERESTS OF THE PEOPLE IT SERVES. THANK YOU FOR YOUR ATTENTION TO THIS CRITICAL MATTER. I REMAIN CONFIDENT THAT THE COMMISSION WILL MAKE THE RIGHT DECISION IN FAVOR OF THE COMMUNITY'S WELL-BEING.

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
32	LAUREN A LANDAU	04/03/2025 17:31:51 PM	OPPOSE

DEAR VMRC,

I'M WRITING TO EXPRESS MY STRONG OPPOSITION TO THE PROPOSED PRIVATE DOCK ROOF ADDITION AT 353 WHITING LANE. AS SOMEONE WHO HAS EXPERIENCED FIRSHTHAND THE UNIQUE CHARM AND NATURAL BEAUTY OF THE SANDBRIDGE COMMUNITY AND ITS WATERWAYS, I FEEL COMPELLED TO SPEAK UP AGAINST A PROJECT THAT THREATENS THE DISTINCTIVE CHARACTER THAT DRAWS SO MANY OF US TO THE AREA.

THE PROPOSED STRUCTURE IS 756 SQUARE FEET AN ENORMOUS SIZE THAT IS COMPLETELY OUT OF CHARACTER WITH THE REST OF SANDBRIDGE AND NEARLY COMMERCIAL IN SCALE. TO PUT THIS IN PERSPECTIVE, THIS ROOF WOULD BE LARGER THAN MANY STUDIO AND 1-BEDROOM APARTMENTS, APPROXIMATELY THE SIZE OF A THREE-CAR GARAGE, AND ALMOST HALF THE FOOTPRINT OF AN AVERAGE SINGLE-FAMILY HOME. THIS WILL UNDOUBTEDLY OVERWHELM OUR PEACEFUL RESIDENTIAL CANAL AND FUNDAMENTALLY ALTER THE AESTHETIC APPEAL OF THE AREA.

AS SOMEONE WHO ENJOYS KAYAKING, WINDSURFING, PADDLEBOARDING, AND SWIMMING IN THIS AREA, I'M DEEPLY CONCERNED ABOUT THE SIGNIFICANT SAFETY HAZARDS THIS ENGROSSING STRUCTURE WILL CREATE. THE ROOF WILL DRASTICALLY OBSTRUCT VISIBILITY FOR WATER USERS, MAKING IT NEARLY IMPOSSIBLE TO SEE POTENTIAL HAZARDS AND NAVIGATE SAFELY. ADDING SUCH AN IMPOSING OVERHEAD STRUCTURE WILL CREATE DANGEROUS BLIND SPOTS AND SHADOWS ON THE WATER, INCREASING THE RISK OF COLLISIONS AND ACCIDENTS FOR ALL WATERCRAFT AND SWIMMERS IN THE VICINITY. FOR FAMILIES WITH CHILDREN WHO USE THESE WATERS, THIS PRESENTS AN UNACCEPTABLE RISK THAT COULD LEAD TO SERIOUS INJURY.

SANDBRIDGE IS A TREASURED AND IRREPLACEABLE COMMUNITY KNOWN FOR ITS PRISTINE NATURAL BEAUTY, TRANQUIL ENVIRONMENT, AND RESIDENTIAL CASUAL FEEL. THE CURRENT DOCK IS ALREADY QUITE LARGE, EXTENDING 50 FEET INTO THE CANAL AND IS A SUBSTANTIAL STRUCTURE EVEN WITHOUT A ROOF. ADDING A ROOF OF THIS MAGNITUDE WOULD GREATLY OBSTRUCT THE SCENIC VIEWS AND NATURAL VISTAS THAT RESIDENTS AND VISITORS CHERISH, REPLACING THEM WITH AN IMPOSING AND UNSIGHTLY MANUFACTURED STRUCTURE.

I MUST ALSO EMPHASIZE WHAT APPEARS TO BE A DELIBERATE CIRCUMVENTION OF PROPER PROTOCOLS: THIS ROOF WAS NOT APPROVED IN THE ORIGINAL PERMIT. THE EXISTING DOCK WAS BUILT IN SUMMER OF 2022 AFTER A REVISED PERMIT WAS APPROVED THAT DID NOT INCLUDE A ROOF. THIS ATTEMPT TO ADD A ROOF LATER THROUGH A SEPARATE APPLICATION WHOLLY UNDERMINES THE INTEGRITY OF THE ENTIRE PUBLIC PERMITTING PROCESS. IT SHOWS BLATANT AND CRUDE DISREGARD FOR THE ESTABLISHED PROTOCOLS DESIGNED TO PROTECT OUR COMMUNITY. ALLOWING SUCH A TACTIC WOULD SET A DANGEROUS PRECEDENT THAT PIECEMEAL PERMITS CAN BE OBTAINED TO BYPASS PROPER SCRUTINY. PERHAPS MOST IMPORTANTLY, APPROVING THIS PROJECT WOULD SET A DANGEROUS PRECEDENT. IF THE OWNERS OF 353 WHITING LANE CAN ADD ROOF OF THIS SIZE, THIS WOULD CREATE A SLIPPERY SLOPE TOWARD A MORE COMMERCIAL, LARGE-SCALE EXPERIENCE THAT COULD PERMANENTLY CHANGE THE CHARACTER AND INTEGRITY OF SANDBRIDGE.

THIS ADDITION WOULD CREATE DANGEROUS CONDITIONS FOR RECREATIONAL WATER USERS, COULD NEGATIVELY AFFECT OUR PRECIOUS LOCAL WILDLIFE, ALTER THE AESTHETIC APPEAL OF OUR COMMUNITY, NEGATIVELY IMPACT PROPERTY VALUES, AND MEANINGFULLY COMPROMISE THE QUALITY OF LIFE WE'VE GROWN TO LOVE. FURTHERMORE, THIS MASSIVE ADDITION WOULD IRREVERSIBLY CHIP AWAY AT THE SMALL-SCALE CHARM AND INTIMATE CHARACTER THAT DEFINES OUR BELOVED NEIGHBORHOOD.

I IMPLORE YOU TO PROTECT OUR COMMUNITY'S CHERISHED CHARACTER, PUBLIC SAFETY, AND NATURAL BEAUTY BY

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

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DENYING THIS PERMIT. THE FUTURE OF SANDBRIDGE'S UNIQUE IDENTITY IS AT STAKE. PLEASE PRIORITIZE THE PRESERVATION OF VIRGINIA BEACH'S VALUED NATURAL SPACES AND THE RESIDENTIAL ATMOSPHERE THAT MAKES SANDBRIDGE SUCH A VALUED DESTINATION OF RESPITE FOR RESIDENTS AND VISITORS ALIKE. ONCE WE BEGIN ALLOWING OVERSIZED, COMMERCIAL-SCALE STRUCTURES LIKE THIS, WE CAN NEVER RECLAIM THE AUTHENTIC CHARACTER THAT HAS DEFINED OUR COMMUNITY FOR GENERATIONS.

 THANK YOU FOR CONSIDERING MY PERSPECTIVE.

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
33	CATHERINE M BOKMAN	04/03/2025 22:05:03 PM	OPPOSE

DEAR VRMC,

I'M WRITING TO EXPRESS MY CONCERNS ABOUT THE PROPOSED PRIVATE DOCK ROOF ADDITIONS PROJECT AT 353 WHITING LANE. AS A FREQUENT VISITOR TO SANDBRIDGE, I'VE HAD THE PLEASURE OF ENJOYING THE BEAUTIFUL VIEWS AND RECREATIONAL OPPORTUNITIES THAT THIS AREA HAS TO OFFER.

NOTHING IS MORE PRECIOUS THAN PRESERVING OUR WATERWAYS FOR NOT ONLY THEIR NATURAL BEAUTY BUT AS A HEALTHY HOME FOR OUR NATIVE PLANTS AND AQUATIC SEA LIFE.

THE PROPOSED DOCK WITH ITS - 756 SQUARE FEET ADDITION IS URBAN SPRAWL ON OUR WATERWAYS.! IT WOULD NOT ONLY ALTER THE AESTHETIC APPEAL OF THE AREA, BUT ALSO CREATE A SAFETY HAZARD FOR THOSE OF US WHO USE THE WATER ALONG WITH DISTURBING THE ECHO SYSTEM.

I'M ALSO CONCERNED ABOUT THE PRECEDENT THIS PROJECT WOULD SET. IF THE OWNERS OF 353 WHITING LANE CAN ADD AN AGGREGATE ROOF TO THEIR DOCK OF THIS SIZE OF ALMOST A COMMERCIAL SIZE, WHAT'S TO STOP OTHERS FROM DOING THE SAME? IT WOULD UNDERMINE THE INTEGRITY OF SANDBRIDGE'S RESIDENTIAL CASUAL FEEL AND CREATE A SLIPPERY SLOPE TOWARDS A MORE COMMERCIAL, LARGE-SCALE EXPERIENCE. LET ALONE THE IMPACT THAT COULD BRING TO OUR WILD LIFE..

I URGE YOU TO REJECT THIS PROJECT AND PRIORITIZE THE PRESERVATION OF VIRGINIA BEACH'S NATURAL BEAUTY AND RECREATIONAL SPACES..

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
34	BRIANNA DONELON	04/03/2025 22:13:38 PM	OPPOSE

DEAR VRMC,

I'M WRITING TO EXPRESS MY CONCERNS ABOUT THE PROPOSED PRIVATE DOCK ROOF ADDITIONS PROJECT AT 353 WHITING LANE. AS A FREQUENT VISITOR TO SANDBRIDGE, I'VE HAD THE PLEASURE OF ENJOYING THE BEAUTIFUL VIEWS AND RECREATIONAL OPPORTUNITIES THAT THIS AREA HAS TO OFFER.

THE PROPOSED DOCK ROOF IS MASSIVE - 756 SQUARE FEET! IT WOULD NOT ONLY ALTER THE AESTHETIC APPEAL OF THE AREA, BUT ALSO CREATE A SAFETY HAZARD FOR THOSE OF US WHO USE THE WATER. AS SOMEONE WHO LOVES TO KAYAK, WINDSURF, AND SWIM, I'M WORRIED THAT THIS PROJECT WOULD MAKE IT DIFFICULT FOR ME TO SEE POTENTIAL HAZARDS AND ENJOY THE AREA WITHOUT FEELING THREATENED.

I'M ALSO CONCERNED ABOUT THE PRECEDENT THIS PROJECT WOULD SET. IF THE OWNERS OF 353 WHITING LANE CAN ADD AN AGGREGATE ROOF TO THEIR DOCK OF THIS SIZE OF ALMOST A COMMERCIAL SIZE, WHAT'S TO STOP OTHERS FROM DOING THE SAME? IT WOULD UNDERMINE THE INTEGRITY OF SANDBRIDGE'S RESIDENTIAL CASUAL FEEL AND CREATE A SLIPPERY SLOPE TOWARDS A MORE COMMERCIAL, LARGE-SCALE EXPERIENCE. LET ALONE THE IMPACT THAT COULD BRING TO OUR WILD LIFE..

I URGE YOU TO REJECT THIS PROJECT AND PRIORITIZE THE PRESERVATION OF VIRGINIA BEACH'S NATURAL BEAUTY AND RECREATIONAL SPACES.

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
35	TRISH DONELON	04/03/2025 22:22:53 PM	OPPOSE

DEAR VRMC,

I'M WRITING TO EXPRESS MY CONCERNS ABOUT THE PROPOSED PRIVATE DOCK ROOF ADDITIONS PROJECT AT 353 WHITING LANE. AS A FREQUENT VISITOR TO SANDBRIDGE, I'VE HAD THE PLEASURE OF ENJOYING THE BEAUTIFUL VIEWS AND RECREATIONAL OPPORTUNITIES THAT THIS AREA HAS TO OFFER.

THE PROPOSED DOCK ROOF IS MASSIVE - 756 SQUARE FEET! IT WOULD NOT ONLY ALTER THE AESTHETIC APPEAL OF THE AREA, BUT ALSO CREATE A SAFETY HAZARD FOR THOSE OF US WHO USE THE WATER. AS SOMEONE WHO LOVES TO KAYAK, WINDSURF, AND SWIM, I'M WORRIED THAT THIS PROJECT WOULD MAKE IT DIFFICULT FOR ME TO SEE POTENTIAL HAZARDS AND ENJOY THE AREA WITHOUT FEELING THREATENED.

I'M ALSO CONCERNED ABOUT THE PRECEDENT THIS PROJECT WOULD SET. IF THE OWNERS OF 353 WHITING LANE CAN ADD AN AGGREGATE ROOF TO THEIR DOCK OF THIS SIZE OF ALMOST A COMMERCIAL SIZE, WHAT'S TO STOP OTHERS FROM DOING THE SAME? IT WOULD UNDERMINE THE INTEGRITY OF SANDBRIDGE'S RESIDENTIAL CASUAL FEEL AND CREATE A SLIPPERY SLOPE TOWARDS A MORE COMMERCIAL, LARGE-SCALE EXPERIENCE. LET ALONE THE IMPACT THAT COULD BRING TO OUR WILD LIFE..

I URGE YOU TO REJECT THIS PROJECT AND PRIORITIZE THE PRESERVATION OF VIRGINIA BEACH'S NATURAL BEAUTY AND RECREATIONAL SPACES.

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
36	VICTORIA BOSS	04/03/2025 22:37:39 PM	OPPOSE

DEAR VRMC,

I'M WRITING TO EXPRESS MY CONCERNS ABOUT THE PROPOSED PRIVATE DOCK ROOF ADDITIONS PROJECT AT 353 WHITING LANE. AS A FREQUENT VISITOR TO SANDBRIDGE, I'VE HAD THE PLEASURE OF ENJOYING THE BEAUTIFUL VIEWS AND RECREATIONAL OPPORTUNITIES THAT THIS AREA HAS TO OFFER.

THE PROPOSED DOCK ROOF IS MASSIVE - 756 SQUARE FEET! IT WOULD NOT ONLY ALTER THE AESTHETIC APPEAL OF THE AREA, BUT ALSO CREATE A SAFETY HAZARD FOR THOSE OF US WHO USE THE WATER. AS SOMEONE WHO LOVES TO KAYAK, WINDSURF, AND SWIM, I'M WORRIED THAT THIS PROJECT WOULD MAKE IT DIFFICULT FOR ME TO SEE POTENTIAL HAZARDS AND ENJOY THE AREA WITHOUT FEELING THREATENED.

I'M ALSO CONCERNED ABOUT THE PRECEDENT THIS PROJECT WOULD SET. IF THE OWNERS OF 353 WHITING LANE CAN ADD AN AGGREGATE ROOF TO THEIR DOCK OF THIS SIZE OF ALMOST A COMMERCIAL SIZE, WHAT'S TO STOP OTHERS FROM DOING THE SAME? IT WOULD UNDERMINE THE INTEGRITY OF SANDBRIDGE'S RESIDENTIAL CASUAL FEEL AND CREATE A SLIPPERY SLOPE TOWARDS A MORE COMMERCIAL, LARGE-SCALE EXPERIENCE. LET ALONE THE IMPACT THAT COULD BRING TO OUR WILD LIFE..

I URGE YOU TO REJECT THIS PROJECT AND PRIORITIZE THE PRESERVATION OF VIRGINIA BEACH'S NATURAL BEAUTY AND RECREATIONAL SPACES..

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
37	SHELBY HRITZ	04/04/2025 16:25:12 PM	OPPOSE

 I'M WRITING TO EXPRESS MY CONCERNS ABOUT THE PROPOSED PRIVATE DOCK ROOF ADDITION PROJECT AT 353 WHITING LANE. AS A LONG-TIME RESIDENT OF SANDBRIDGE, I THINK THIS PROJECT WOULD REALLY BE GOOD FOR THE NEIGHBORHOOD. IT WILL BRING DOWN VALUE OF ALL OTHER HOMES. IT ALSO WILL MEAN OTHERS WILL FEEL FREE TO ADD THESE MASSIVE BUILDOUTS WHERE EVER THEY WANT AND BLOCK THE PRECUOY VIEW FOR EVERYONE.

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
38	JASPER HILL	04/04/2025 16:29:40 PM	OPPOSE

THIS IS SETTING A TERRIBLE EXAMPLE AND WILL ULTIMATELY HARM THE COMMUNITY, THE ENVIRONMENT, AND HOUSING VALUES. I AM DISAPPOINTED IT'S BEEN ALLOWED TO GO THIS FAR AND EXPECT OTHERS TO FOLLOW SUIT. ANY EFFORTS TO PRESERVE THE CURRENT FEEL OF THE NEIGHBORHOOD WILL BE GONE AND ONLY A FEW WILL RETAIN A VIEW (AND THEIR HOUSE'S VALUE)

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
39	GRACIE SMITH	04/04/2025 16:50:00 PM	OPPOSE

THIS IS NOT ONLY AN EYESORE THAT IMPOSES ON THE RESIDENTS. ITâ€™S A SAFETY ISSUE - IMPAIRED VISIBILITY WOULD INCREASES RISK OF ACCIDENTS AND POTENTIALLY INJURIES.

 AS A HOMEOWNER, Iâ€™M DISAPPOINTED THAT THIS WOULD BE PERMITTED AND I STRONGLY OPPOSE. THIS THING IS JUST MASSIVE. ESSENTIALLY THE SIZE OF A SMALL HOME. MY UNDERSTANDING WHEN THE DOCK WAS APPROVED IT WAS WITHOUT THIS ROOM AND HOUSE SIZED STRUCTURE. DEPRIVING NEIGHBORS OF A VIEW.

 I URGE DENIAL OF THE PERMIT AND BUILD OUT FOR THE GOOD OF ALL. LOWER HOME VALUES FOR NEIGHBORS, SAFETY CONCERNS, AND SETTING THE TONE FOR OTHERS TO DO THE SAME THING. THIS WILL ERODE THE NEIGHBORHOOD COHESIVENESS THAT WE HAVE WORKED HARD TO BUILD.

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
40	DRUSILLA L DAVIES	04/06/2025 11:21:26 AM	OPPOSE

I AM IN OPPOSITION TO THE PROPOSED DOCK ROOF ADDITION AT 353 WHITING LANE. AS A HOME OWNER ON ONE OF THE CANALS, I AM CONCERNED THIS WOULD HAVE ON PROPERTY VALUES AND OVERALL IMPACT ON THE CHARACTER OF OUR COMMUNITY. THE PROPOSED ROOF OVER THE DOCK IS AN EYESORE AND WOULD OBSTRUCT THE VIEWS OF THE CANAL. AS SOMEONE WHO HAS INVESTED IN THIS COMMUNITY, I BELIEVE IT IS IMPORTANT TO PROTECT AND PRESERVE THE NATURAL BEAUTY AND CHARM OF OUR NEIGHBORHOOD.

 THE PROPOSED ROOF WOULD IMPEDE ON HOMEOWNERS SAFETY GOING OUT AND COMING IN OFF THE BAY AND INCREASE THE LIKELIHOOD OF ACCIDENTS. I URGE YOU TO REJECT THIS PROJECT.

Virginia Marine Resources Commission Habitat Management Public Comments Application Number 20241402

Print Date: Tuesday April 15 2025 17:41

Number	Name	Received	Position
41	LILIAN DO	04/06/2025 19:08:49 PM	OPPOSE

DEAR VRMC,

I'M WRITING TO EXPRESS MY CONCERNS ABOUT THE PROPOSED PRIVATE DOCK ROOF ADDITIONS PROJECT AT 353 WHITING LANE. AS A FREQUENT VISITOR TO SANDBRIDGE, I'VE HAD THE PLEASURE OF ENJOYING THE BEAUTIFUL VIEWS AND RECREATIONAL OPPORTUNITIES THAT THIS AREA HAS TO OFFER.

THE PROPOSED DOCK ROOF IS MASSIVE - 756 SQUARE FEET! IT WOULD NOT ONLY ALTER THE AESTHETIC APPEAL OF THE AREA, BUT ALSO CREATE A SAFETY HAZARD FOR THOSE OF US WHO USE THE WATER. AS SOMEONE WHO LOVES TO KAYAK, WINDSURF, AND SWIM, I'M WORRIED THAT THIS PROJECT WOULD MAKE IT DIFFICULT FOR ME TO SEE POTENTIAL HAZARDS AND ENJOY THE AREA WITHOUT FEELING THREATENED.

I'M ALSO CONCERNED ABOUT THE PRECEDENT THIS PROJECT WOULD SET. IF THE OWNERS OF 353 WHITING LANE CAN ADD AN AGGREGATE ROOF TO THEIR DOCK OF THIS SIZE OF ALMOST A COMMERCIAL SIZE, WHAT'S TO STOP OTHERS FROM DOING THE SAME? IT WOULD UNDERMINE THE INTEGRITY OF SANDBRIDGE'S RESIDENTIAL CASUAL FEEL AND CREATE A SLIPPERY SLOPE TOWARDS A MORE COMMERCIAL, LARGE-SCALE EXPERIENCE. LET ALONE THE IMPACT THAT COULD BRING TO OUR WILD LIFE..

I URGE YOU TO REJECT THIS PROJECT AND PRIORITIZE THE PRESERVATION OF VIRGINIA BEACH'S NATURAL BEAUTY AND RECREATIONAL SPACES.



COMMONWEALTH of VIRGINIA

Marine Resources Commission

380 Fenwick Road

Building 96

Fort Monroe, Virginia 23651

February 20, 2025

Stefanie K. Taillon
Acting Secretary of Natural
and Historic Resources

Jamie L. Green
Commissioner

Mr. Bradley Beach
c/o Waterfront Consulting, Inc.
2589 Quality Court, Suite 323
Virginia Beach, VA 23454
bradb@ventureconstruction.com
bob@waterfrontconsulting.net

Re: VMRC #2024-1402

Dear Mr. Beach:

We have received your application requesting authorization to construct a 16-foot by 18-foot open-sided gazebo roof structure over an existing fixed deck and an 18-foot by 26-foot open-sided boathouse over an existing boat lift, and a 5-foot by 20-foot floating finger pier adjacent to an existing private pier serving 353 Whiting Lane situated along Back Bay in Virginia Beach.

Please be advised, the boathouse and gazebo portion of your project will require a permit from this agency. You will receive additional correspondence regarding that review process.

Based upon your application and drawings, which assert that you are a riparian property owner, please be advised that your pier proposal qualifies for the statutory authorization found in **Section 28.2-1203(A)5 of the Code of Virginia**. No permit will be required from the Marine Resources Commission provided your pier will be exclusively for your private, non-commercial use, is located within your riparian area, and complies with all conditions detailed in the cited Code section. Please be aware that the sale or leasing of mooring space at your pier would change its status, and issuance of a permit by this agency would then be required.

Please be advised that the foregoing determination grants no authority for an individual to encroach upon the property rights, including riparian rights of others. If you are uncertain whether your pier is located within your riparian area, your local Circuit Court is the proper tribunal for apportioning those riparian rights. In addition, this letter does not authorize any encroachment on leased oyster planting ground without the express consent of the leaseholder.

An Agency of the Natural Resources Secretariat

www.mrc.virginia.gov

Telephone (757) 247-2200 Information and Emergency Hotline 1-800-541-4646

Bradley Beach
February 20, 2025
Page Two

For your information, you may need authorization from your locality and/or the U.S. Army Corps of Engineers prior to commencing your project. Your application has been forwarded to these agencies.

If I may be of further assistance, please contact me at (757) 247-2254 or via email at tiffany.birge@mrc.virginia.gov.

Sincerely,

A handwritten signature in cursive script that reads "Tiffany L. Birge".

Tiffany Birge
Environmental Engineer
Habitat Management Division

TLB:tsb

HM

cc: U.S. Army Corps of Engineers
City of Virginia Beach – Waterfront Operations
Applicant



April 3, 2025

Sent via email only:

Bradley Beach
bradb@venturesconstruction.com

Bob Simon
Waterfront Consulting, Inc.
bob@waterfrontconsulting.net

Subject: Waterfront Construction Review Letter
Bradley Beach, 353 Whiting Ln.
Accela Record: 2024-WTRA-00126

Dear Mr. Beach:

The Virginia Beach Department of Planning and Community Development staff has reviewed the Joint Permit Application (JPA) for the above referenced property regarding the following proposed improvements:

- Construct Open Sided Gazebo Roof/Open Sided Boathouse Roof
- Floating Dock
- Approved for Waterfront construction drawings received by VMRC, dated June 12, 2024. Pages 1 thru 6

A building permit will be required to construct the proposed improvements. Building permits are issued by the Department of Planning and Community Development, Permits and Inspections Office. In addition to the requirements of the JPA the following conditions apply.

1. **An on-site pre-construction meeting will be required.** The contractor must contact Waterfront Operations at (757) 385-8246 to schedule the pre-construction meeting, 48-hours prior to mobilizing to the site. Please be advised that no land disturbance or construction activities may commence until after the pre-construction meeting and required building permit has been obtained and appropriately displayed on site.
2. Land disturbance shall be limited to the area necessary to provide for the construction of the proposed improvements only.
3. Erosion & sediment (E&S) measures shall be properly installed prior to any land disturbance and shall remain in place until such time as vegetative cover is established for all areas denuded during construction. Land disturbance is inclusive of construction access ways, stockpile areas, and staging areas.

4. All disturbed or denuded areas shall be stabilized in accordance with the Virginia Erosion and Sediment Control Law and Regulations. Permanent or temporary soil stabilization measures shall be applied to all disturbed / denuded area(s) and vegetative cover established before submittal of the Engineer's Final Inspection Report.
5. Within 30 days from completion of the project, the contractor shall have the Engineer of Record complete and return the enclosed Engineer's Final Inspection Report to the Department of Planning and Community Development, Waterfront Operations Office. Please be advised that the building permit will not be closed until the report is submitted and reviewed.
6. This approval will expire two years from the date of this letter. If the project has not been completed by that time, it will be necessary to reapply to continue the project. Contact this office if this situation occurs.

Field changes are not permitted. Any revisions to the proposed improvements must first be shown on revised drawings, the drawings resealed by the Engineer of Record, and resubmitted to VMRC for review and approval.

Make sure that you have received all necessary authorizations, or documentation that no permit is required, from each review agency associated with the JPA process prior to obtaining a building permit for this work with the City. To apply for a building permit, a record will need to be created through Accela Citizen Access at <https://aca-prod.accela.com/cvb/Default.aspx> under the Permits tab. During the record creation, please upload the following documents.

- A copy of this letter.
- The approval packet from Waterfront Operations containing the entire Joint Permit Application with the City of Virginia Beach Zoning stamp.
- All permits or approvals from the US Army Corps of Engineers (US ACOE) and VMRC.
- All necessary building permit forms to be processed and reviewed by City Staff.

Please be advised that Zoning and/or Permits and Inspections may require additional information that could affect the release of the building permit.

A building permit may also be obtained in person. All required documents must be provided if applying for a permit in person. The Permits and Inspections office is located at 2875 Sabre Street, Suite 500. You may contact the Permits and Inspections office at (757) 385-4211 concerning the cost of the building permit.

Sincerely,



Chris Berggren
Engineering Tech II

XXX/xxx

cc: Virginia Marine Resource Commission – Tiffany Birge

**ENGINEER/SURVEYOR'S FINAL INSPECTION REPORT
FOR
WATERFRONT CONSTRUCTION /
COASTAL PRIMARY SAND/DUNE PROJECTS**

REVISION 02-2012

BUILDING PERMIT NUMBER:

(If unknown contact Permits & Inspections at 757-385-4211)

CONTRACTOR:

WATERFRONT FILE NUMBER:

PROJECT LOCATION:

APPLICANT'S NAME:

APPLICANT'S ADDRESS:

ENGINEER/SURVEYOR OF RECORD:

THIS IS TO CERTIFY THAT I HAVE INSPECTED THE REFERENCED PROJECT AND TO THE BEST OF MY KNOWLEDGE, THIS PROJECT HAS BEEN CONSTRUCTED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS I PREPARED. *ANY DEVIATIONS IN CONSTRUCTION MUST BE SUBMITTED ON REVISED PLANS TO THE VMRC FOR CONSIDERATION. IF YOU HAVE ANY QUESTIONS CONTACT THE WATERFRONT OPERATIONS STAFF.

THIS FORM MUST BE COMPLETED AND SUBMITTED TO THE DEPARTMENT OF PLANNING, PERMITS AND INSPECTIONS DIVISION AFTER ALL INSPECTIONS ARE COMPLETE AND PRIOR TO THE FINAL INSPECTION BY CITY PERSONNEL.

SIGNATURE OF ENGINEER/SURVEYOR OF
RECORD CERTIFYING THE ABOVE

DATE

TYPE OR PRINT NAME OF ENGINEER/
SURVEYOR OF RECORD

ANY ALTERATION OF THIS FORM OR ITS ENDORSEMENTS WITHOUT EXPRESS CONSENT FROM THE ORIGINATOR SHALL
INVALIDATE THIS INSTRUMENT.

Zoning Approval

Use: _____

Zoning: _____

Standard Setbacks – Variance Setbacks: Zoning Inspection: BZA _____ CUP _____

_____ Front _____ FVR _____ CRZ _____

_____ Side _____ CBPA Inspection: YES _____ NO _____

_____ Side Corner _____ Flood Plain _____

_____ Rear _____ Watershed _____

_____ Height _____ AICUZ: _____ & _____

Remarks: _____

Recieved by VMRC April 3, 2025 map

DSC File Number: _____ Date: _____

DSC/Zoning Staff

SHELLFISH MANAGEMENT DIVISION EVALUATION, 4/22/2025

DISCUSSION:

Request for approval to support the Potomac River Fisheries Commission implementation of an oyster revitalization project in the Potomac River.

ISSUES:

The Virginia 2024-2026 Biennium Final Budget allocated up to \$200,000 from the general fund to support the Potomac River Fisheries Commission (PRFC) implementation of an oyster revitalization project in the Potomac River. The funding is contingent on an equal amount of support being provided for the project by the state of Maryland as they have in their most recent budget.

BIENNIUM BUDGET § 1-108. MARINE RESOURCES COMMISSION (402)

3. Out of the amounts provided to support oyster replenishment and oyster restoration activities, the Commission may expend up to \$200,000 from the general fund the first year to support the Potomac River Fisheries Commission implementation of an oyster revitalization project in the Potomac River. The funding is contingent on an equal amount of support being provided for the project by the state of Maryland. If the matching funds are not provided, the Commission may use the funding for other oyster replenishment projects.

The State of Maryland has allocated \$100,000 to support the project which will be matched by the State of Virginia bringing the entire project budget to \$200,000. The VMRC is partnering with PRFC to sell between 30,000-50,000 bushels of fossil shell for the establishment of an oyster seed area in the Potomac River. The Shellfish Management Division is requesting approval from the Commission to contract this work to ensure the use of this resource is in the best interest of the Commonwealth.

§ 28.2-550. Authority of Commissioner to make certain contracts; funds received to be paid into Oyster Replenishment Fund.

A. The Commissioner, with the approval of the Commission, may contract with any person to take or dredge submerged oyster shells or any other subaqueous materials from the tidal waters of the Commonwealth, and shall have the authority to plant, use, or sell such shells or other materials in whatever manner the Commission deems to be in the best interest of the Commonwealth.

The PRFC received unanimous support of this revitalization project by both the PRFC Oyster Strategic Planning Panel (OSPP) and the PRFC Board. The completed project will not only serve the Potomac River as a long-term sustainable source for oyster seed, but also relieve potential harvest pressures from Virginia's public oyster grounds as watermen will have more ground available.

BACKGROUND:

The Virginia Marine Resource Commission (VMRC) has been at the forefront of oyster restoration and replenishment efforts since the establishment of its Replenishment program in 1929. Each year the Commission is asked to review proposed projects, funding and procurement procedures that will be used for the maintenance and expansion of this ecologically, economically, and culturally important resource. Although the public oyster resource is currently stable, the recent positive trends could decline as result of consecutive years of poor spat sets, diminished replenishment and restoration efforts, other natural causes, or significant changes in the current management strategy that result in substantial increases in harvest amounts. Since about the mid-2000's, Virginia has been experiencing a period of relatively high and consistent spat sets or recruitment, in most areas most years. The record number of market oyster observed during the 2021 and 2022 survey is the likely result of the increased replenishment effort combined with these recent high recruitment events (spat sets), and adjustments in the management measures. Current harvest levels are likely sustainable but are dependent on continued public investment in replenishment effort (shell planting, seed planting, and other substrates such as stone).

There are currently two locations permitted for hydraulic shell dredging (reef shells), one in the lower James River and a second location in the vicinity of the Craney Island Eastward Expansion.

SUMMARY:

Staff recommends that the Commission consider approval of the sale of fossil shell resources to support the Potomac River Fisheries Commission implementation of an oyster revitalization project in the Potomac River.

FISHERIES MANAGEMENT DIVISION EVALUATION, 4/22/2025

PUBLIC HEARING: Proposal 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 through March in specified areas in Virginia coastal waters.

ISSUES: The Atlantic sturgeon fishery has been under a moratorium in both state and federal waters since 1998 due to endangered/threatened status, with recent concerns regarding bycatch mortality in large-mesh gillnet fisheries along the coast. Bycatch mortality in gillnets was shown to decrease with a reduction in soak time. To reduce soak time in the spiny dogfish fishery, the pending federal measures and approved Atlantic State Marine Fisheries Commission (ASMFC) measures include prohibiting roundfish gillnets with a mesh size of 5.25 to 10 inches (13.34 to 25.4 cm) from Sturgeon Bycatch Reduction Areas overnight from November through March.

BACKGROUND: Spiny dogfish are managed by the ASMFC in state waters and jointly managed by the Mid-Atlantic Fisheries Management Council (MAFMC) and the New England Fisheries Management Council (NEFMC) in federal waters. The commercial fishery runs from May 1 to April 30 under an annual commercial quota, of which Virginia holds a 10.8% share. The 2024/2025 coast wide quota is 10,249,260 pounds, with the 2025/2026 quota still undecided.

The MAFMC and NEFMC adopted the Spiny Dogfish Framework Adjustment 6 in response to a 2021 Biological Opinion and 2022 Action Plan issued by the National Marine Fisheries Service (NMFS) which required a reduction in the bycatch of Atlantic sturgeon in federally permitted large-mesh gillnet fisheries. The Framework Adjustment 6 requires federally permitted spiny dogfish vessels fishing with roundfish gillnets (i.e., not tie-down gillnets) with a mesh size of 5.25 to 10 inches (13.34 to 25.4 cm) to remove nets from the water by 8 p.m. ET each day until 5 a.m. ET the following day in the Virginia and Delaware and Maryland (Delmarva Peninsula) Sturgeon Bycatch Reduction Areas (Figure 1).

The ASMFC Spiny Dogfish Board approved Addendum VII to the FMP in February 2025 to remain consistent with the federal Spiny Dogfish Framework Adjustment 6. Under Addendum VII, state permit holders would be required to adhere to corresponding regulations. These measures would be effective from November 1 to March 31, beginning on May 1, 2025.

RECOMMENDATION: Staff recommends the Commission 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 the Delaware and Maryland Atlantic Sturgeon Bycatch Reduction Area and the Virginia Atlantic Sturgeon Bycatch Reduction Area in Virginia coastal waters.

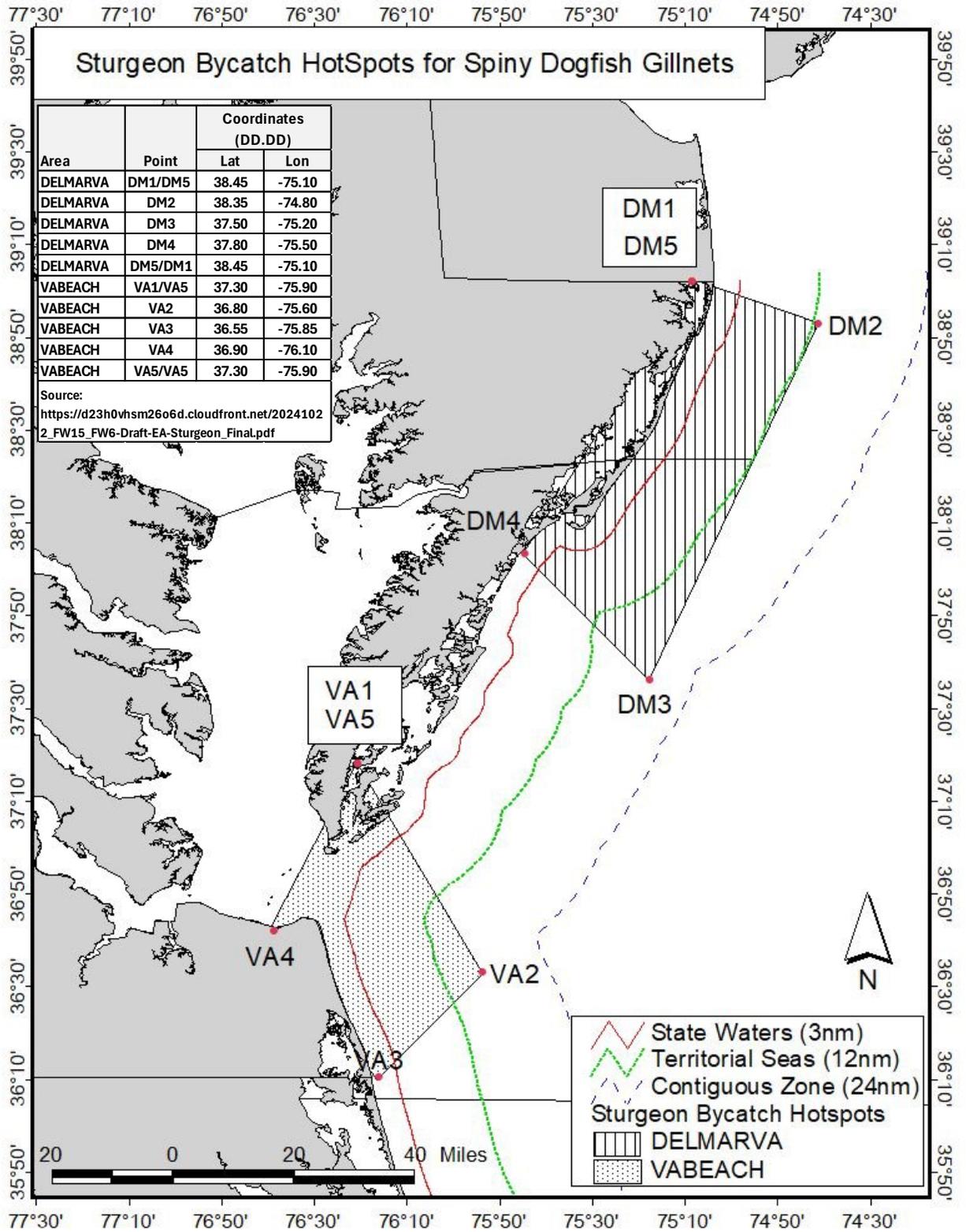


Figure 1: Virginia Bycatch Hotspot Polygons – Spiny Dogfish Fishery Only



COMMONWEALTH of VIRGINIA

Marine Resources Commission

380 Fenwick Road
Building 96
Fort Monroe, VA 23651

Stefanie K. Taillon
Acting Secretary of Natural
and Historic Resources

Jamie L. Green
Commissioner

NOTICE

The Virginia Marine Resources Commission invites public comment on proposed amendments to regulations, as shown below. By April 3, 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, April 22, 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 11:59 p.m., Thursday, April 17, 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 4VAC20-490- , “Pertaining to Sharks”

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.

The purpose of these amendments is to comply with Addendum VII of the Atlantic States Marine Fisheries Commission’s Spiny Dogfish Fishery Management Plan and the Spiny Dogfish Framework Adjustment 6 from the Mid-Atlantic Fisheries Management Council. This action will maintain consistency between the federal and interstate FMPs.

II. Chapter 4VAC20-1190, “Pertaining to Gill Net Control Date” and Chapter 4VAC20-1090, “Pertaining to Licensing Requirements and License Fees”.

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.

An Agency of the Natural and Historic Resources Secretariat

www.mrc.virginia.gov

Telephone (757) 247-2200 Information and Emergency Hotline 1-800-541-4646

The Commission proposes to amend Chapter 4VAC20-1090, “Pertaining to Licensing Requirements and License Fees” to establish an extended drift gill net license up to 6,000 feet and associated fee.

The purpose of these amendments is to sustainably manage an increasing abundance of pelagic species observed in the bay and coastal waters, and to create additional opportunities for the commercial industry.

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 WORK DAYS PRIOR TO THE MEETING DATE AND IDENTIFY YOUR NEEDS.

"PERTAINING TO SHARKS"

CHAPTER 4 VAC 20-490-10 ET SEQ.

PREAMBLE

This chapter establishes gear restrictions, a possession limit, and limitations on the taking and landing of sharks, and prohibits the transfer of any spiny dogfish limited entry permit. This chapter is promulgated pursuant to the authority contained in § 28.2-201 and of the Code of Virginia.

This chapter amends and re-adopts, as amended, previous chapter 4 VAC 20-490-10 et seq. which was promulgated August 27, 2024, and made effective on September 1, 2024. The effective date of this chapter, as amended, is ~~September 1, 2024~~ May 1, 2025.

4 VAC 20-490-10. Purpose.

The purpose of this chapter is to ensure the conservation of shark resources, by preventing overfishing by commercial and recreational fisheries, and to control the practice of finning.

4 VAC 20-490-20. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise.

“Agent” means any person who possesses the Commercial Fisherman Registration License, fishing gear license, or fishing permit of a registered commercial fisherman in order to fish that commercial fisherman’s gear or sell that commercial fisherman’s harvest.

“Annual quota” means Virginia’s 10.795% share of the annual coastwide commercial spiny dogfish quota managed by the Atlantic States Marine Fisheries Commission.

“Carcass length” means that length measured in a straight line from the anterior edge of the first dorsal fin to the posterior end of the shark carcass.

“Circle Hook” means a non-offset, non-stainless steel hook with the point turned sharply and straight back toward the shank.

“COLREGS line” means the COLREGS Demarcation Line, as defined in the Code of Federal Regulations (33 CFR 80.510 Chesapeake Bay Entrance, VA).

“Commercial shark fisherman” means any commercial fisherman permitted to land or possess sharks (excluding spiny dogfish) that has landed and sold one pound of shark or more (excludes spiny dogfish) in that calendar year (January 1 through December 31).

"PERTAINING TO SHARKS"

CHAPTER 4 VAC 20-490-10 ET SEQ.

"Commercially permitted aggregated large coastal shark" means any of the following species:

Blacktip, *Carcharhinus limbatus*
Bull, *Carcharhinus leucas*
Lemon, *Negaprion brevirostris*
Nurse, *Ginglymostoma cirratum*
Silky, *Carcharhinus falciformis*
Spinner, *Carcharhinus brevipinna*
Tiger, *Galeocerdo cuvier*

"Commercially permitted hammerhead shark" means any of the following species:

Great hammerhead, *Sphyrna mokarran*
Scalloped hammerhead, *Sphyrna lewini*
Smooth hammerhead, *Sphyrna zygaena*

"Commercially permitted nonblacknose small coastal shark" means any of the following species:

Atlantic sharpnose, *Rhizoprionodon terraenovae*
Bonnethead, *Sphyrna tiburo*
Finetooth, *Carcharhinus isodon*

"Commercially permitted pelagic shark" means any of the following species:

Blue, *Prionace glauca*
Porbeagle, *Lamna nasus*
Thresher, *Alopias vulpinus*

"Commercially prohibited shark" means any of the following species:

Atlantic angel, *Squatina dumeril*
Basking, *Cetorhinus maximus*
Bigeye sand tiger, *Odontaspis noronhai*
Bigeye sixgill, *Hexanchus nakamurai*
Bigeye thresher, *Alopias superciliosus*
Bignose, *Carcharhinus altimus*
Blacknose, *Carcharhinus acronotus*
Caribbean reef, *Carcharhinus perezii*
Caribbean sharpnose, *Rhizoprionodon porosus*

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Dusky, *Carcharhinus obscurus*
Galapagos, *Carcharhinus galapagensis*
Longfin mako, *Isurus paucus*
Narrowtooth, *Carcharhinus brachyurus*
Night, *Carcharhinus signatus*
Oceanic whitetip, *Carcharhinus longimanus*
Sand tiger, *Carcharias taurus*
Sevengill, *Heptranchias perlo*
Sixgill, *Hexanchus griseus*
Smalltail, *Carcharhinus porosus*
Whale, *Rhincodon typus*
White, *Carcharodon carcharias*
Shortfin mako, *Isurus oxyrinchus*

"Control rule" means a time-certain date, past, present or future, used to establish participation in a limited entry fishery and may or may not include specific past harvest amounts.

"Dressed weight" means the result from processing a fish by removal of head, viscera, and fins, but does not include removal of the backbone, halving, quartering, or otherwise further reducing the carcass.

"Finning" means removing the fins and returning the remainder of the shark to the sea.

"Fork length" means the length of a fish measured from the most forward projection of the snout, with the mouth closed, to the fork of the tail along the midline, using a straight-line measure, not measured over the curve of the body.

"Large mesh gill net" means any gill net with a stretched mesh of greater than five inches.

"Longline" means any fishing gear that is set horizontally, either anchored, floating or attached to a vessel, and that consists of a mainline or groundline, greater than 1,000 feet in length, with multiple leaders (gangions) and hooks, whether retrieved by hand or mechanical means.

"Movable gill net" means any gill net other than a staked gill net.

"Permitted commercial gear" means rod and reel, handlines, shark shortlines, small mesh gill nets, large mesh gill nets, pound nets, and weirs.

"Recreational shore angler" means a person neither fishing from a vessel nor transported to or from a fishing location by a vessel.

"PERTAINING TO SHARKS"

CHAPTER 4 VAC 20-490-10 ET SEQ.

"Recreational vessel angler" means a person fishing from a vessel or transported to or from a fishing location by a vessel.

"Recreationally permitted shark" means any of the following species:

Atlantic sharpnose, *Rhizoprionodon terraenovae*
Blacknose, *Carcharhinus acronotus*
Blacktip, *Carcharhinus limbatus*
Blue, *Prionace glauca*
Bonnethead, *Sphyrna tiburo*
Bull, *Carcharhinus leucas*
Finetooth, *Carcharhinus isodon*
Great hammerhead, *Sphyrna mokarran*
Lemon, *Negaprion brevirostris*
Nurse, *Ginglymostoma cirratum*
Porbeagle, *Lamna nasus*
Scalloped hammerhead, *Sphyrna lewini*
Smooth Dogfish, *Mustelus canis*
Smooth hammerhead, *Sphyrna zygaena*
Spinner, *Carcharhinus brevipinna*
Thresher, *Alopias vulpinus*
Tiger, *Galeocerdo cuvier*

"Recreationally prohibited shark" means any of the following species:

Atlantic angel, *Squatina dumeril*
Basking, *Cetorhinus maximus*
Bigeye sand tiger, *Odontaspis noronhai*
Bigeye sixgill, *Hexanchus nakamurai*
Bigeye thresher, *Alopias superciliosus*
Bignose, *Carcharhinus altimus*
Caribbean reef, *Carcharhinus perezii*
Caribbean sharpnose, *Rhizoprionodon porosus*
Dusky, *Carcharhinus obscurus*
Galapagos, *Carcharhinus galapagensis*
Longfin mako, *Isurus paucus*
Narrowtooth, *Carcharhinus brachyurus*
Night, *Carcharhinus signatus*
Oceanic whitetip, *Carcharhinus longimanus*

"PERTAINING TO SHARKS"**CHAPTER 4 VAC 20-490-10 ET SEQ.**

Sand tiger, *Carcharias taurus*
Sandbar, *Carcharhinus plumbeus*
Sevengill, *Heptranchias perlo*
Silky, *Carcharhinus falciformis*
Sixgill, *Hexanchus griseus*
Smalltail, *Carcharhinus porosus*
Whale, *Rhincodon typus*
White, *Carcharodon carcharias*
Shortfin mako, *Isurus oxyrinchus*

“Research only shark” means any of the following species:

Sandbar, *Carcharhinus plumbeus*

“Shark shortline” means a fish trotline that is set horizontally, either anchored, floating or attached to a vessel, and that consists of a mainline or groundline, 1,000 feet in length or less, with multiple leaders (gangions) and no more than 50 corrodible circle hooks, whether retrieved by hand or mechanical means.

“Small mesh gill net” means any gill net with a stretched mesh of equal to or less than five inches.

“Smooth Dogfish” means any shark of the species *Mustelus canis*. Smooth dogfish are also known as "smoothhound shark."

“Snout” means the most forward projection from a fish’s head that includes the upper and lower jaw.

"Spiny dogfish" means any shark of the species *Squalus acanthias*.

“Delaware and Maryland Atlantic Sturgeon Bycatch Reduction Area” means all tidal waters of the Atlantic that are bounded by a line beginning at a point at, Latitude 38° 27.00' N, Longitude 75° 06.00' W; thence south easterly to a point at, Latitude 38° 21.00' N, Longitude 74° 48.00' W; thence southerly to a point at Latitude 37° 30.00' N, Longitude 75° 12.00' W; thence north westerly to a point at Latitude 37° 48.00' N, Longitude 75° 30.00' W; thence north easterly to a point at Latitude 38° 27.00' N, Longitude 75° 06.00' W, said point being the point of beginning.

"PERTAINING TO SHARKS"**CHAPTER 4 VAC 20-490-10 ET SEQ.**

“Virginia Atlantic Sturgeon Bycatch Reduction Area” means all tidal waters of the Atlantic that are bounded by a line beginning at a point at, Latitude 37° 18.00' N, Longitude 75° 54.00' W; thence south easterly to a point at, Latitude 36° 48.00' N, Longitude 75° 36.00' W; thence south westerly to a point at Latitude 36° 33.00' N, Longitude 75° 51.00' W; thence north westerly to a point at Latitude 36° 54.00' N, Longitude 76° 06.00' W; thence north easterly to a point at Latitude 37° 18.00' N, Longitude 75° 54.00' W, said point being the point of beginning.

4 VAC 20-490-30. Commercial gear restrictions.

A. It shall be unlawful for any person to place, set, or fish any longline in Virginia's tidal waters.

B. It shall be unlawful for any person to place, set, or fish any shark shortline in Virginia's tidal waters with more than 50 hooks. All hooks must be corrodible circle hooks. In addition, any person aboard a vessel fishing shortlines must practice the protocols and possess the federally required release equipment, for pelagic and bottom longlines, for the safe handling, release and disentanglement of sea turtles and other non-target species; all captain and vessel owners must be certified in using handling and release equipment.

C. It shall be unlawful for a person to possess more than two shark shortlines on board a vessel.

D. It shall be unlawful for any person fishing for commercial purposes to possess any shark caught by means other than permitted commercial gear.

E. Any person fishing commercially for sharks shall check all large mesh gill nets at least once every two hours.

4 VAC 20-490-35. [Repealed]**4 VAC 20-490-40. Recreational harvest limitations and gear restrictions.**

"PERTAINING TO SHARKS"**CHAPTER 4 VAC 20-490-10 ET SEQ.**

A. Recreational fishing vessels are allowed a maximum possession limit of one recreationally permitted shark, excluding smooth dogfish, per trip, regardless of the number of people on board the vessel. In addition, each recreational vessel angler may possess one bonnethead and one Atlantic sharpnose per trip. The possession aboard a vessel of more than one recreationally permitted shark, excluding smooth dogfish, or the possession of more than one Atlantic sharpnose shark or one bonnethead shark, per person, shall constitute a violation of this regulation. When fishing from any boat or vessel where the entire catch is held in a common hold or container, the possession limits for Atlantic sharpnose shark or bonnethead shark shall be for the boat or vessel and shall be equal to the number of persons on board legally eligible to fish, plus one additional recreationally permitted shark. The captain or operator of the boat or vessel shall be responsible for any boat or vessel possession limits.

B. A recreational shore angler is allowed a maximum possession limit of one recreationally permitted shark, excluding smooth dogfish, per calendar day. In addition, a recreational shore angler may harvest one additional bonnethead and one additional Atlantic sharpnose per calendar day. The possession of more than one recreationally permitted shark, excluding smooth dogfish, or the possession of more than one bonnethead and one Atlantic sharpnose, by any person, shall constitute a violation of this regulation.

C. It shall be unlawful for any person to possess any recreationally prohibited shark.

D. It shall be unlawful for any person to possess any recreationally permitted shark landed under the recreational harvest limitations described in this section that is less than 54 inches in fork length except as described in subdivisions 1, 2 and 3 of this subsection:

1. It shall be unlawful for any person to possess any recreationally caught great hammerhead, scalloped hammerhead, or smooth hammerhead shark that is less than 78 inches in fork length.
2. Atlantic sharpnose, bonnethead, finetooth, blacknose, and smooth dogfish sharks are exempt from the recreational size limit described in this subsection.

E. It shall be unlawful for any person to take, harvest, land, or possess any blacktip, bull, great hammerhead, lemon, nurse, scalloped hammerhead, smooth hammerhead, spinner or tiger shark from May 15 through July 15 of any calendar year.

F. All sharks must have heads, tails and fins attached naturally to the carcass. Anglers may gut and bleed the carcass as long as the head and tail are not removed. Filleting any shark is prohibited, until that shark is offloaded at the dock or on shore.

"PERTAINING TO SHARKS"**CHAPTER 4 VAC 20-490-10 ET SEQ.**

G. It shall be unlawful for any person fishing recreationally to take any shark using any gear other than handline or rod and reel.

H. Any person fishing recreationally for sharks shall use non-offset, corrodible, non-stainless steel circle hooks except when fishing with flies or artificial lures.

4 VAC 20-490-41. Commercial harvest limitations.

A. Beginning January 1 of any given year it shall be unlawful for any person to possess on board a vessel or to land in Virginia more than a combined total of 36 commercially permitted aggregated large coastal sharks and commercially permitted hammerhead sharks in one twenty-four hour period, unless the Commission has posted notice of any change to possession limits on its website at <http://mrc.virginia.gov/Regulations/VA-commercial-shark-possession-limits.shtm>. The person who owns or operates the vessel is responsible for compliance with the provisions of this subsection.

B. It shall be unlawful for any person to fillet a shark, until that shark is offloaded at the dock or on shore, except smooth dogfish as provided in subsection C of this section. A licensed commercial fisherman may eviscerate and remove the head of any shark, but the tail and all fins of any shark, except smooth dogfish as provided in subsection C of this section, shall remain naturally attached to the carcass through landing. The fins of any shark, except smooth dogfish, may be partially cut but some portion of the fin shall remain attached, until the shark is landed.

C. Virginia licensed commercial fishermen may completely process smooth dogfish at sea prior to landing when the harvest of smooth dogfish comprises at least 25%, by weight, of the total retained harvest except that it shall be unlawful for anyone to land or possess on board any vessel any amount of processed smooth dogfish whereby the total weight of fins exceeds 12 percent of the total dressed weight of any smooth dogfish.

D. It shall be unlawful to possess, on board a vessel, or to land in Virginia any species of shark, after NOAA Fisheries has closed the fishery for that species in Federal waters.

E. There are no commercial trip limits or possession limits for smooth dogfish or sharks on the lists of commercially permitted pelagic species or commercially permitted non-blacknose species.

F. Except as described in this section, it shall be unlawful for any person to take, harvest, land, or possess in Virginia any blacktip, bull, great hammerhead, lemon nurse, scalloped hammerhead, silky, smooth hammerhead, spinner or tiger shark from May 15 through July 15. These sharks may be transported by vessel, in Virginia waters, during the closed season provided the sharks were caught in a legal manner consistent with federal regulations outside Virginia waters and:

"PERTAINING TO SHARKS"

CHAPTER 4 VAC 20-490-10 ET SEQ.

1. The vessel does not engage in fishing, in Virginia waters, while possessing the species listed in this subsection; and

2. All fishing gear aboard the vessel is stowed and not available for immediate use.

G. It shall be unlawful for any person to retain, possess or purchase any commercially prohibited shark or any research only shark, except as provided in subsection I of this section.

H. All sharks harvested from state waters or federal waters, for commercial purposes, shall only be sold to a federally permitted shark dealer.

I. The commissioner may grant exemptions from the seasonal closure, quota, possession limit, size limit, gear restrictions and prohibited species restrictions. Exemptions shall be granted only for display or research purposes. Any person granted an exemption for the harvest of any shark for research or display shall report the species, weight, location caught and gear used for each shark collected within 30 days. Any person granted a permit to possess any shark for research or display shall provide the commissioner, on an annual basis, information on the location and status of the shark throughout the life of the shark.

4 VAC 20-490-42. Spiny dogfish commercial quota and harvest limitations.

A. The fishing year for spiny dogfish shall be from May 1 of the current calendar year through April 30 of the following calendar year. For the fishing year, the commercial spiny dogfish landings quota shall be limited to the annual quota except as specified in subsection B of this section.

B. If a quota transfer occurs between Virginia and another state or region participating in the Interstate Fishery Management Plan for spiny dogfish, Virginia's annual quota for the fishing year shall be limited to the annual quota amount as adjusted for transfers.

C. It shall be unlawful for any person to take, harvest, or possess aboard any vessel or to land in Virginia any spiny dogfish harvested from federal waters for commercial purposes after it has been announced that the federal quota for spiny dogfish has been taken.

D. It shall be unlawful for any person to take, harvest, or possess aboard any vessel or to land in Virginia more than 7,500 pounds of spiny dogfish per day for commercial purposes.

E. It shall be unlawful for any person to take, harvest, or possess aboard any vessel or to land in Virginia any spiny dogfish for commercial purposes after the annual quota specified in subsections A and B of this section has been landed and announced as such.

"PERTAINING TO SHARKS"**CHAPTER 4 VAC 20-490-10 ET SEQ.**

F. Any spiny dogfish harvested from state waters or federal waters, for commercial purposes, shall only be sold to a federally permitted dealer.

G. It shall be unlawful for any buyer of seafood to receive any spiny dogfish after any commercial harvest or annual quota described in this section has been landed and announced as such.

H. It shall be unlawful for any person fishing for spiny dogfish with a Virginia Spiny Dogfish Permit to leave any gill net gear with a mesh size of 5.25-inches to 10-inches in the Delaware and Maryland Atlantic Sturgeon Bycatch Reduction Area or at the Virginia Atlantic Sturgeon Bycatch Reduction Area between 8:00 pm through 5:00 am the following day from November 1 through March 31.

4 VAC 20-490-43. Limited access control rule.

At such time the status of shark stocks or their fisheries warrant the establishment of a limited access program for participation in the commercial fishery for sharks, a control rule may be enacted that limits participation in the commercial fisheries for sharks to those individuals who participated in that fishery on and before December 31, 2004. The control rule may also include eligibility requirements based on past harvest amounts.

4 VAC 20-490-44. Spiny dogfish limited entry fishery permit and permit transfers.

A. It shall be unlawful for any person to take, catch, possess, or land any spiny dogfish without first having obtained a Spiny Dogfish Limited Entry Fishery Permit from the Marine Resources Commission. Such permit shall be completed in full by the permittee who shall keep a copy of that permit in his possession while fishing for or selling spiny dogfish. Permits shall only be issued to Virginia registered commercial fishermen meeting either of the criteria described in subdivision 1 or 2 of this subsection:

1. Shall have documentation of (i) harvest from a movable gill net for an average of at least 60 days from 2006 through 2008, (ii) a minimum harvest of one pound of spiny dogfish at any time from 2006 through 2008, and (iii) harvest of at least one pound of spiny dogfish from May 1, 2010, through April 30, 2012, in the Marine Resources Commission's

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mandatory harvest reporting system, except that federal dealer reports to the Standard Atlantic Fisheries Information System can satisfy the one pound harvest requirement, for May 1, 2010, through April 30, 2012.

2. Shall have documentation of (i) harvests that total greater than 10,000 pounds of spiny dogfish in any one year from 2006 through 2008, and (ii) harvest of at least one pound of spiny dogfish from May 1, 2010, through April 30, 2012, in the Marine Resources Commission's mandatory harvest reporting system, except that federal dealer reports to the Standard Atlantic Fisheries Information System can satisfy the one pound harvest requirement, for May 1, 2010, through April 30, 2012.

B. Any smooth dogfish or unidentified dogfish documented on Virginia mandatory reporting forms as harvested during the months of November through February 2006 through 2008 shall be classified as spiny dogfish when determining eligibility for a Spiny Dogfish Limited Entry Fishery Permit as described in subdivisions A 1 and A 2 of this section.

C. It is unlawful to transfer any Spiny Dogfish Limited Entry Fishery permit after November 23, 2009.

D. The use of agents in the spiny dogfish fishery is prohibited.

E. The commissioner or his designee may grant exceptions to the prohibition against transfers of the Spiny Dogfish Limited Entry Fishery Permit as described in subsection C of this section to any individual who meets any of the following criteria:

1. Demonstrates a significant hardship on the basis of health and provides the commissioner documentation, by an attending Physician, of the medical condition.
2. Demonstrates a significant hardship on the basis of a call to active military duty and provides the commissioner an explanation, in writing, and copy of the military orders for active duty.
3. Documents the retirement or death of the immediate family member permitted for the spiny dogfish limited entry fishery and possessing a legal Commercial Fisherman Registration License.

4VAC20-490-45. [Repealed]

4VAC20-490-46. Spiny dogfish monitoring requirements.

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When it has been projected and announced by the Marine Resources Commission that 80% of the Virginia spiny dogfish quota has been landed, each Virginia seafood buyer shall call the Marine Resources Commission's interactive voice recording system on a daily basis to report the exact weight of spiny dogfish received or purchased, in pounds, until it is projected and announced that the Virginia spiny dogfish quota has been landed and the fishery closed.

4VAC20-490-47. Control date.

The Marine Resources Commission hereby establishes April 30, 2011, as the control date for management of all spiny dogfish licenses and fisheries in Virginia. The harvest of any spiny dogfish or the participation by any individual in any Virginia spiny dogfish fishery after the control date will not be considered in the calculation of spiny dogfish rights should further entry limitations be established. Any individual entering the spiny dogfish fishery after the control date may forfeit any right to future participation in the spiny dogfish fishery should further entry limitation be established.

4VAC20-490-48. Smooth dogfish commercial quota and harvest limitations.

A. During each calendar year, total allowable commercial landings of smooth dogfish shall be limited to a quota in dressed weight calculated pursuant to the Interstate Coastal Sharks Fishery Management Plan.

B. It shall be unlawful for any person to take, harvest, or possess aboard any vessel or to land in Virginia any smooth dogfish harvested from federal waters once NOAA Fisheries has determined and announced that 80% of the smooth dogfish coastwide quota has been harvested.

C. It shall be unlawful for any person to harvest or to land in Virginia any smooth dogfish for commercial purposes after the quota specified in subsection A of this section has been landed and announced as such.

D. Any smooth dogfish harvested from state waters or federal waters, for commercial purposes, shall only be sold to a federally permitted dealer.

E. It shall be unlawful for any buyer of seafood to receive any smooth dogfish harvested from federal waters once NOAA Fisheries has determined and announced that 80% of the smooth dogfish coastwide quota has been harvested.

F. It shall be unlawful for any buyer of seafood to receive any smooth dogfish after the commercial quota specified in subsection A of this section has been attained and announced as such.

"PERTAINING TO SHARKS"

CHAPTER 4 VAC 20-490-10 ET SEQ.

4VAC20-490-50. Finning.

It shall be unlawful for any person to engage in finning.

4VAC20-490-60. [Repealed]

4VAC20-490-70. Penalty.

As set forth in §28.2-903 of the Code of Virginia, any person 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 person within 12 months of a prior violation is a Class 1 misdemeanor.

* * * * *

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 April 22, 2025.

**COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION**

BY: _____
Jamie L. Green
Commissioner

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

Notary Public

FISHERIES MANAGEMENT DIVISION EVALUATION, 4/22/2025

PUBLIC HEARING: Proposal to: 1) amend Chapter 4 VAC 20-1190-10 et seq., “Pertaining to gill net control date, limited entry, and transfers” to establish an extended drift gill net license; and amend Chapter 4 VAC 20-1090-10 et seq., to create an extended drift gill net license specifically for the harvest of Spanish mackerel.

ISSUES: Spanish mackerel are consistently seen in Virginia’s coastal and tidal waters from April through September. Commercial harvest has been increasing in Virginia in recent years, so much so that the Commission issued experimental gear permits in 2022 to explore the use of a more efficient gear type for targeting Spanish mackerel in Chesapeake Bay and the coastal waters of Virginia up to three miles. The experimental gear allowed for up to 6,000 ft of continuous net, substantially more than the maximum of 1,200 ft for an individual net allowed presently in regulation.

The experimental fishery began with four permits in 2022, increased to five in 2023, and increased again to 20 in 2024 resulting in a total harvest of 330,058 pounds of Spanish mackerel during the three-year period. After three years of collecting information from the experimental gear type, the agency and industry believe this gear type can be established as a new gear license by developing and adopting regulations in 2025.

BACKGROUND: Spanish mackerel are cooperatively managed by the Atlantic States Marine Fisheries Commission in state waters (0-3 miles from shore) in the Omnibus Amendment to the Interstate Fishery Management Plans for Spanish mackerel, spot, and spotted seatrout. The South Atlantic Fishery Management Council and NOAA Fisheries manages the species in federal waters (3-200 miles from shore) under the Coastal Migratory Pelagic Resources Fishery Management Plan. The quota for the Atlantic Migratory Group is split into two zones, the Southern Zone (Florida through South Carolina) and the Northern Zone (North Carolina through New York). The 2024/2025 federal commercial seasonal quota (ACL) for the Northern zone, which includes Virginia, is 662,670 pounds. The federal season ran from March 1st through July 28th, 2024. According to the 2022 ASFMC Spanish Mackerel Technical Committee report, Virginia caught 18.9% of the Northern Zone quota.

The majority of commercial landings occur in state waters. Gill nets and pound nets are the most common gears used in the Northern Zone. ASMFC's Omnibus Amendment allows for commercial trips limits of up to 3,500 pounds daily per vessel during the season with a 500 pound daily per vessel bycatch allowance once the quota is met and federal waters close. Virginia's regulations follow the maximum trip limit during the season and bycatch allowance once federal waters close. The VMRC was approached by three watermen from the Northern Neck in 2022 about instituting the use of extended drift gill nets up to 6,000 feet to target large numbers of Spanish mackerel in the upper part of Chesapeake Bay. To determine the efficiency and potential concerns of the gear type, the Commission issued a special experimental gear permit to fish the coastal waters up to three miles and Chesapeake Bay. In 2022, four permittees harvested 58,979 pounds of Spanish mackerel with minimal bycatch. As a result, an additional permit was issued in 2023 resulting in the harvest of 52,149 pounds of Spanish mackerel. With interest continuing to grow, an additional 16 permits were issued in 2024, resulting in the harvest of 218,930 pounds of Spanish mackerel. With Spanish mackerel abundance increasing in the Bay and nearly 20% of the Northern Zone quota being caught in Virginia, staff are proceeding with the implementation of the new extended drift gill net license. Working with experimental gill net licensees for the past three years, staff have determined this experimental gear to be the most efficient at targeting and catching Spanish mackerel, in combination with low bycatch (Table 1; Figure 1).

Staff are recommending the following conditions as it pertains to establishing an extended drift gill license. It shall be unlawful to operate this gear anywhere except within the mainstem of the Chesapeake Bay as well as the Coastal waters of Virginia up to 3 miles. It shall be unlawful to operate this gear except from June 1 through September 30 of each calendar year. It shall be unlawful to operate this gear except from 30 minutes prior to sunset through 9 a.m. The license holder shall stay within 100 yards of the gear when in the water. It shall be unlawful for any person to place, set or fish any gill net, except when licensed as a fixed fishing device, that is not marked as provided in 4VAC20-430-20. A vessel engaged in fishing this gear shall not fish more than 6,000 feet of contiguous mesh, with the end-marker flag furthest from the vessel must have a light and radar deflector attached. Vessels must post two all-around lights in a vertical line with the upper being red and the lower being white. The base of the bottom white light shall be 7.5 feet above the water line. Registered commercial fishermen and licensed seafood buyers shall

allow those authorized by the commission to observe or to sample harvest and seafood products associated with extended drift gill net gear to obtain biological information for scientific and management purposes.

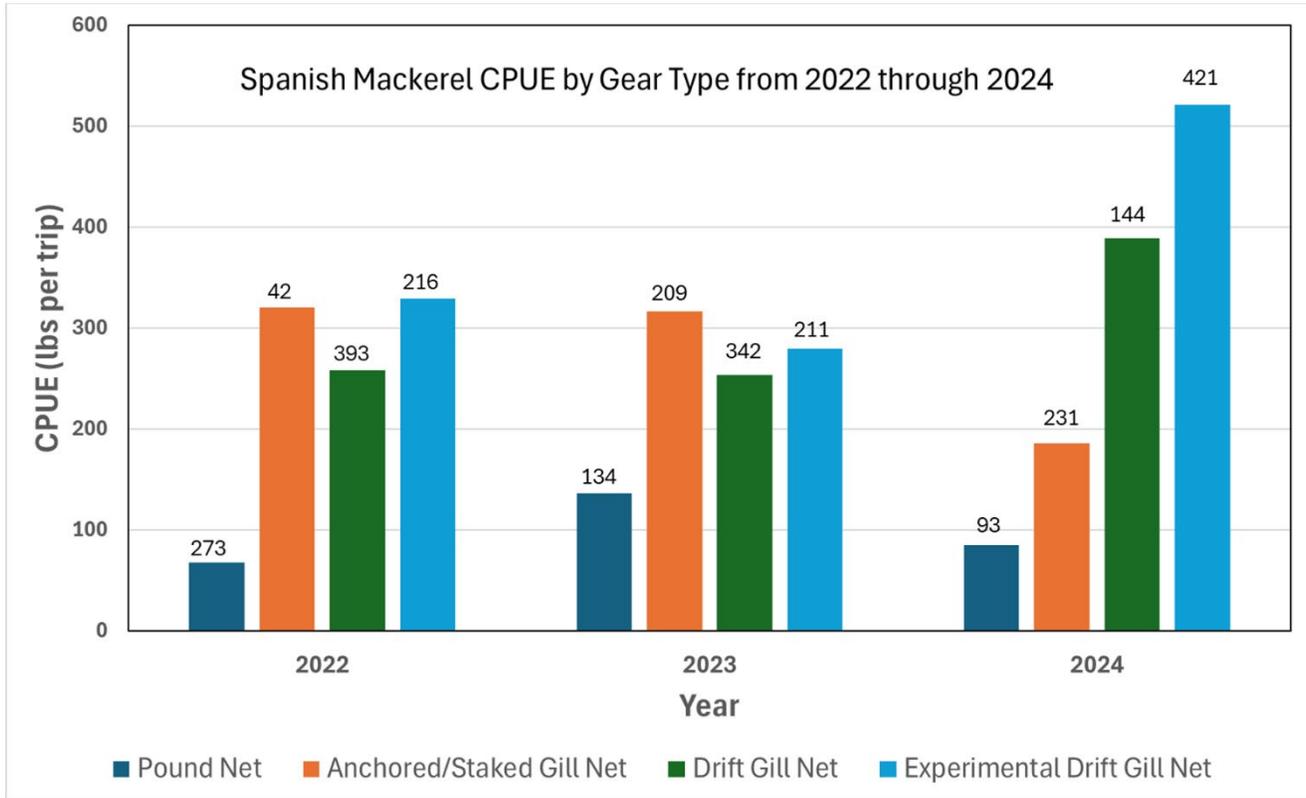
Chapter 4 VAC 20-1090-10, "Pertaining to Licensing Requirements and License Fee" will need to be amended if Chapter 4 VAC 20-1190-10 is approved and implemented to include a commercial extended drift gill net fee.

RECOMMENDATION: Staff recommends: 1) amend Chapter 4 VAC 20-1190-10 ET SEQ. "Pertaining to gill net control date, limited entry, and transfers" to establish an extended drift gill net license and 2) amend Chapter 4 VAC 20-1090 et seq., "Pertaining to Licensing Requirements and License Fees" to establish an extended drift gill net license fee.

Table 1. The five most harvested and most bycaught species in 2024 extended drift gill net experimental fishery.

Harvest		
<i>Species name</i>	<i>Pounds</i>	<i>CPUE</i>
Spanish Mackerel	219,486	515
Bluefish	49,851	117
Spot	1,771	4
Atlantic Menhaden	1,343	3
Bonito	955	2
Bycatch		
<i>Species name</i>	<i>Pounds</i>	<i>CPUE</i>
Sandbar Shark	1,232	0.37
Atlantic Menhaden	2,307	0.27
Cobia	42	0.05
Butterfish	89	0.05
Bluefish	90	0.02

Figure 1. Spanish mackerel catch-per-unit-effort by gear types from 2022 through 2024





COMMONWEALTH of VIRGINIA

Marine Resources Commission

380 Fenwick Road
Building 96
Fort Monroe, VA 23651

Stefanie K. Taillon
Acting Secretary of Natural
and Historic Resources

Jamie L. Green
Commissioner

NOTICE

The Virginia Marine Resources Commission invites public comment on proposed amendments to regulations, as shown below. By April 3, 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, April 22, 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 11:59 p.m., Thursday, April 17, 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 4VAC20-490- , “Pertaining to Sharks”

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.

The purpose of these amendments is to comply with Addendum VII of the Atlantic States Marine Fisheries Commission’s Spiny Dogfish Fishery Management Plan and the Spiny Dogfish Framework Adjustment 6 from the Mid-Atlantic Fisheries Management Council. This action will maintain consistency between the federal and interstate FMPs.

II. Chapter 4VAC20-1190, “Pertaining to Gill Net Control Date” and Chapter 4VAC20-1090, “Pertaining to Licensing Requirements and License Fees”.

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.

An Agency of the Natural and Historic Resources Secretariat

www.mrc.virginia.gov

Telephone (757) 247-2200 Information and Emergency Hotline 1-800-541-4646

The Commission proposes to amend Chapter 4VAC20-1090, "Pertaining to Licensing Requirements and License Fees" to establish an extended drift gill net license up to 6,000 feet and associated fee.

The purpose of these amendments is to sustainably manage an increasing abundance of pelagic species observed in the bay and coastal waters, and to create additional opportunities for the commercial industry.

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 WORK DAYS PRIOR TO THE MEETING DATE AND IDENTIFY YOUR NEEDS.

"PERTAINING TO GILL NET CONTROL DATE,~~LIMITED ENTRY AND TRANSFERS~~"
CHAPTER 4 VAC 20-1190-10 ET SEQ.

PREAMBLE

This chapter establishes a control date, gear specifications, limited entry, transfer and licensing requirements for conservation and management of all commercial gill net fisheries.

This chapter is promulgated pursuant to authority contained in § 28.2-201 of the Code of Virginia. This chapter amends and re-adopts, as amended, previous Chapter 4 VAC 20-1190-10 et seq., which was promulgated by the Marine Resources Commission on ~~October 27, 2009~~ November 24, 2009 and made effective ~~December 1, 2009~~ January 1, 2010. The effective date of this chapter, as amended, is ~~January 1, 2010~~ May 1, 2025.

4 VAC 20-1190-10. Purpose.

The purpose of this chapter is to establish a control date, gear specifications, limited entry, transfer and licensing requirements for conservation and management of the gill net fishery ~~through limited entry~~.

4 VAC 20-1190-15. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context indicates otherwise;

"Extended drift gill net" means a drift gill net not to exceed 6,000 feet in total length, where one end is attached to a vessel.

"Gill Net" means all gill nets up to 600 feet, or all gill nets over 600 feet and up to 1,200 feet, except any stake gill net of ~~1200~~ 1,200 feet in length or under, with a fixed location or any extended

"PERTAINING TO GILL NET CONTROL DATE,~~LIMITED ENTRY AND TRANSFERS~~"
CHAPTER 4 VAC 20-1190-10 ET SEQ.

drift gill net.

4 VAC 20-1190-20. Control Date.

The Commission hereby establishes December 31, 2005, as the control date for management of all commercial gill net fisheries under its jurisdiction. Participation by any individual in a gill net fishery after the control date will not be considered in the calculation or distribution of gill net rights should any entry limitations be established. Any individual entering the gill net fishery after the control date will have no right to future participation in the gill net fishery should any entry limitations be established.

4 VAC 20-1190-30. Limited Entry and Permits

- A. Either a Class A Resident ~~gill net permit~~ Gill Net Permit, a Class A Non-Resident ~~gill net permit~~ Gill Net Permit, or a Class B ~~gill net permit~~ Gill Net Permit shall be required for a harvester before purchasing a gill net license.
- B. A commercial fisherman shall be considered qualified for the Class A Resident ~~gill net permit~~ Gill Net Permit if ~~they are~~ the commercial fisherman is a resident of the Commonwealth of Virginia, possess a valid Virginia Commercial Fisherman Registration License, and satisfies one of the following conditions:
1. Shall have possessed a valid Virginia gill net license prior to December 31, 2005;
 2. Shall have possessed a valid Virginia gill net license and documented on Virginia mandatory reporting forms harvest from legally licensed gill nets for at least 100 days, in any one year, from 2006 through 2008;
 3. Shall have possessed a valid Virginia gill net license and documented on Virginia mandatory reporting forms harvest from legally licensed gill nets for at least 60 days, in any two years, from 2006 through 2008.

"PERTAINING TO GILL NET CONTROL DATE,~~LIMITED ENTRY AND TRANSFERS~~"**CHAPTER 4 VAC 20-1190-10 ET SEQ.**

- C. A commercial fisherman shall be considered qualified for the Class A Non-Resident ~~gill net permit~~ Gill Net Permit if ~~he~~ the commercial fisherman is not a resident of the Commonwealth of Virginia, possess a valid Virginia Commercial Fisherman Registration License, and satisfies one of the following conditions:
1. Shall have possessed a valid Virginia gill net license prior to December 31, 2005;
 2. Shall have possessed a valid Virginia gill net license and documented on Virginia mandatory reporting forms harvest from legally licensed gill nets for at least 100 days, in any one year, from 2006 through 2008;
 3. Shall have possessed a valid Virginia gill net license and documented on Virginia mandatory reporting forms harvest from legally licensed gill nets for at least 60 days, in any two years, from 2006 through 2008.
- D. A harvester shall be considered qualified for the Class B ~~gill net permit~~ Gill Net Permit if ~~he~~ the harvester does not satisfy the requirements described in subsection B or C of this section.

4 VAC 20-1190-40. Permit Limitations

- A. Class A ~~Resident~~ resident gill net permittees or Class A ~~Non-Resident~~ non-resident gill net permittees shall be authorized to purchase any number of gill net licenses provided the maximum footage associated with all purchased gill net licenses does not exceed 12,000 feet.
- B. Class B gill net permittees shall be authorized to purchase any number of gill net licenses, provided; however, the maximum footage associated with all purchased gill net licenses does not exceed 6,000 feet.

"PERTAINING TO GILL NET CONTROL DATE,~~LIMITED ENTRY AND TRANSFERS~~"
CHAPTER 4 VAC 20-1190-10 ET SEQ.

- C. A person who does not qualify for either a Class A Resident ~~gill net permit~~ Gill Net Permit, Class A Non-Resident ~~gill net permit~~ Gill Net Permit or a Class B ~~gill net permit~~ Gill Net Permit shall not be authorized to purchase any gill net license.
- D. A legal gill net permit shall be in the possession of any gill net permittee or ~~his~~ their agent who is placing, setting, or fishing that permittee's gill net.
- E. It shall be unlawful for more than one gill net limited entry permittee aboard any vessel at any time to set, place or fish any gill nets, except those gill nets legally licensed to only one gill net permittee.

4 VAC 20-1190-50. Permit Transfers

- A. Class A ~~Resident~~ resident gill net permittees may only transfer that permit to another registered commercial fisherman who is a resident of the Commonwealth of Virginia. The transferor and the transferee shall have documented all prior fishing activity on Virginia mandatory reporting forms and shall not be under any sanction by the Marine Resources Commission for noncompliance with the regulation. Transfers must be approved by the commissioner, or ~~his~~ the commissioner's designee, and are permanent. The permanent transfer authorizes the transferee to possess a Class A Resident ~~permit~~ Gill Net Permit and the transferor shall lose ~~his~~ their eligibility for that Class A Resident ~~gill net permit~~ Gill Net Permit.

"PERTAINING TO GILL NET CONTROL DATE,~~LIMITED ENTRY AND TRANSFERS~~"
CHAPTER 4 VAC 20-1190-10 ET SEQ.

- B. Class A ~~Non-Resident~~ non-resident gill net permittees may only transfer that permit to another commercial fisherman who is not a resident of the Commonwealth of Virginia. The transferor and the transferee shall have documented all prior fishing activity on Virginia mandatory reporting forms and shall not be under any sanction by the Marine Resources Commission for noncompliance with the regulation. Transfers must be approved by the commissioner, or ~~his~~ the commissioner's designee, and are permanent. The permanent transfer authorizes the transferee to possess a Class A Non-Resident ~~permit~~ Gill Net Permit and the transferor shall lose ~~his~~ eligibility for that Class A Non-Resident ~~gill net permit~~ Gill Net Permit.

4VAC 20-1190-55. Extended Drift Gill Net

- A. It shall be unlawful to operate this gear anywhere except within the mainstem of the Chesapeake Bay as well as the coastal waters of Virginia east of the COLREGS line up to the three nautical mile limit.
- B. It shall be unlawful to operate this gear except from June 1 through September 30 of each calendar year.
- C. It shall be unlawful to operate this gear except from 30 minutes prior to sunset through 9 a.m.
- D. The license holder shall stay within 100 yards of the gear when in the water.
- E. This gear shall be marked in accordance with 4VAC20-430 and shall also be marked with:

"PERTAINING TO GILL NET CONTROL DATE,~~LIMITED ENTRY AND TRANSFERS~~"
CHAPTER 4 VAC 20-1190-10 ET SEQ.

- 1. Two all-around lights in a vertical line with the upper being red and the lower being white. The base of the bottom white light shall be 7.5 feet above the water line.
 - 2. A light and radar reflector attached to the end-marker flag furthest from the vessel.
- F. Registered commercial fishermen and licensed seafood buyers shall allow those authorized by the commission to observe or to sample harvest and seafood products associated with extended drift gill net gear to obtain biological information for scientific and management purposes.

4 VAC 20-1190-60. Penalty

As set forth in §28.2-903 of the Code of Virginia, any person 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 person within 12 months of a prior violation is a Class 1 misdemeanor.

* * * * *

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 April 22, 2025.

**COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION**

BY: _____
**JAMIE L.GREEN
COMMISSIONER**

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

Notary Public

DRAFT

FISHERIES MANAGEMENT DIVISION EVALUATION, 4/22/2025

PUBLIC HEARING: Proposal to: 1) amend Chapter 4 VAC 20-1190-10 et seq., “Pertaining to gill net control date, limited entry, and transfers” to establish an extended drift gill net license; and amend Chapter 4 VAC 20-1090-10 et seq., to create an extended drift gill net license specifically for the harvest of Spanish mackerel.

ISSUES: Spanish mackerel are consistently seen in Virginia’s coastal and tidal waters from April through September. Commercial harvest has been increasing in Virginia in recent years, so much so that the Commission issued experimental gear permits in 2022 to explore the use of a more efficient gear type for targeting Spanish mackerel in Chesapeake Bay and the coastal waters of Virginia up to three miles. The experimental gear allowed for up to 6,000 ft of continuous net, substantially more than the maximum of 1,200 ft for an individual net allowed presently in regulation.

The experimental fishery began with four permits in 2022, increased to five in 2023, and increased again to 20 in 2024 resulting in a total harvest of 330,058 pounds of Spanish mackerel during the three-year period. After three years of collecting information from the experimental gear type, the agency and industry believe this gear type can be established as a new gear license by developing and adopting regulations in 2025.

BACKGROUND: Spanish mackerel are cooperatively managed by the Atlantic States Marine Fisheries Commission in state waters (0-3 miles from shore) in the Omnibus Amendment to the Interstate Fishery Management Plans for Spanish mackerel, spot, and spotted seatrout. The South Atlantic Fishery Management Council and NOAA Fisheries manages the species in federal waters (3-200 miles from shore) under the Coastal Migratory Pelagic Resources Fishery Management Plan. The quota for the Atlantic Migratory Group is split into two zones, the Southern Zone (Florida through South Carolina) and the Northern Zone (North Carolina through New York). The 2024/2025 federal commercial seasonal quota (ACL) for the Northern zone, which includes Virginia, is 662,670 pounds. The federal season ran from March 1st through July 28th, 2024. According to the 2022 ASFMC Spanish Mackerel Technical Committee report, Virginia caught 18.9% of the Northern Zone quota.

The majority of commercial landings occur in state waters. Gill nets and pound nets are the most common gears used in the Northern Zone. ASMFC's Omnibus Amendment allows for commercial trips limits of up to 3,500 pounds daily per vessel during the season with a 500 pound daily per vessel bycatch allowance once the quota is met and federal waters close. Virginia's regulations follow the maximum trip limit during the season and bycatch allowance once federal waters close. The VMRC was approached by three watermen from the Northern Neck in 2022 about instituting the use of extended drift gill nets up to 6,000 feet to target large numbers of Spanish mackerel in the upper part of Chesapeake Bay. To determine the efficiency and potential concerns of the gear type, the Commission issued a special experimental gear permit to fish the coastal waters up to three miles and Chesapeake Bay. In 2022, four permittees harvested 58,979 pounds of Spanish mackerel with minimal bycatch. As a result, an additional permit was issued in 2023 resulting in the harvest of 52,149 pounds of Spanish mackerel. With interest continuing to grow, an additional 16 permits were issued in 2024, resulting in the harvest of 218,930 pounds of Spanish mackerel. With Spanish mackerel abundance increasing in the Bay and nearly 20% of the Northern Zone quota being caught in Virginia, staff are proceeding with the implementation of the new extended drift gill net license. Working with experimental gill net licensees for the past three years, staff have determined this experimental gear to be the most efficient at targeting and catching Spanish mackerel, in combination with low bycatch (Table 1; Figure 1).

Staff are recommending the following conditions as it pertains to establishing an extended drift gill license. It shall be unlawful to operate this gear anywhere except within the mainstem of the Chesapeake Bay as well as the Coastal waters of Virginia up to 3 miles. It shall be unlawful to operate this gear except from June 1 through September 30 of each calendar year. It shall be unlawful to operate this gear except from 30 minutes prior to sunset through 9 a.m. The license holder shall stay within 100 yards of the gear when in the water. It shall be unlawful for any person to place, set or fish any gill net, except when licensed as a fixed fishing device, that is not marked as provided in 4VAC20-430-20. A vessel engaged in fishing this gear shall not fish more than 6,000 feet of contiguous mesh, with the end-marker flag furthest from the vessel must have a light and radar deflector attached. Vessels must post two all-around lights in a vertical line with the upper being red and the lower being white. The base of the bottom white light shall be 7.5 feet above the water line. Registered commercial fishermen and licensed seafood buyers shall

allow those authorized by the commission to observe or to sample harvest and seafood products associated with extended drift gill net gear to obtain biological information for scientific and management purposes.

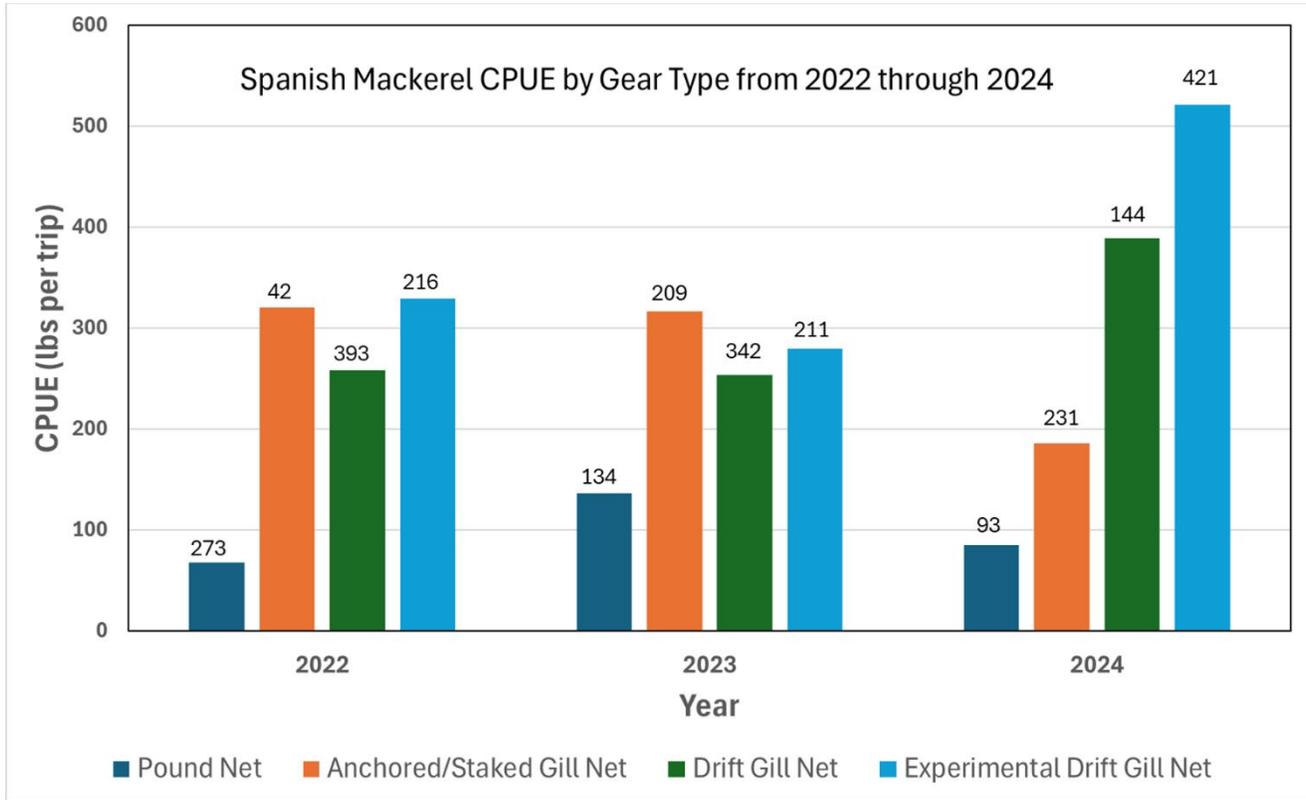
Chapter 4 VAC 20-1090-10, "Pertaining to Licensing Requirements and License Fee" will need to be amended if Chapter 4 VAC 20-1190-10 is approved and implemented to include a commercial extended drift gill net fee.

RECOMMENDATION: Staff recommends: 1) amend Chapter 4 VAC 20-1190-10 ET SEQ. "Pertaining to gill net control date, limited entry, and transfers" to establish an extended drift gill net license and 2) amend Chapter 4 VAC 20-1090 et seq., "Pertaining to Licensing Requirements and License Fees" to establish an extended drift gill net license fee.

Table 1. The five most harvested and most bycaught species in 2024 extended drift gill net experimental fishery.

Harvest		
<i>Species name</i>	<i>Pounds</i>	<i>CPUE</i>
Spanish Mackerel	219,486	515
Bluefish	49,851	117
Spot	1,771	4
Atlantic Menhaden	1,343	3
Bonito	955	2
Bycatch		
<i>Species name</i>	<i>Pounds</i>	<i>CPUE</i>
Sandbar Shark	1,232	0.37
Atlantic Menhaden	2,307	0.27
Cobia	42	0.05
Butterfish	89	0.05
Bluefish	90	0.02

Figure 1. Spanish mackerel catch-per-unit-effort by gear types from 2022 through 2024





COMMONWEALTH of VIRGINIA

Marine Resources Commission

380 Fenwick Road
Building 96
Fort Monroe, VA 23651

Stefanie K. Taillon
Acting Secretary of Natural
and Historic Resources

Jamie L. Green
Commissioner

NOTICE

The Virginia Marine Resources Commission invites public comment on proposed amendments to regulations, as shown below. By April 3, 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, April 22, 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 11:59 p.m., Thursday, April 17, 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 4VAC20-490- , “Pertaining to Sharks”

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.

The purpose of these amendments is to comply with Addendum VII of the Atlantic States Marine Fisheries Commission’s Spiny Dogfish Fishery Management Plan and the Spiny Dogfish Framework Adjustment 6 from the Mid-Atlantic Fisheries Management Council. This action will maintain consistency between the federal and interstate FMPs.

II. Chapter 4VAC20-1190, “Pertaining to Gill Net Control Date” and Chapter 4VAC20-1090, “Pertaining to Licensing Requirements and License Fees”.

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.

The Commission proposes to amend Chapter 4VAC20-1090, "Pertaining to Licensing Requirements and License Fees" to establish an extended drift gill net license up to 6,000 feet and associated fee.

The purpose of these amendments is to sustainably manage an increasing abundance of pelagic species observed in the bay and coastal waters, and to create additional opportunities for the commercial industry.

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 WORK DAYS PRIOR TO THE MEETING DATE AND IDENTIFY YOUR NEEDS.

“PERTAINING TO LICENSING REQUIREMENTS AND LICENSE FEES”

CHAPTER 4 VAC 20-1090-10 ET SEQ.

PREAMBLE

This chapter establishes licenses required of persons to take, catch, harvest, possess or market fish, oysters, crabs, clams or other seafood species, for commercial purposes, in the tidal waters of Virginia. This chapter establishes oyster resource user fees to address oyster resource replenishment and harvest reporting needs. This chapter establishes recreational licenses and licenses used for non-commercial purposes, required of persons to take, catch, harvest, or possess finfish or blue crab, for recreational purposes, in the tidal waters of Virginia.

This chapter is promulgated pursuant to authority contained in § 28.2-201 of the Code of Virginia and amends and re-adopts, as amended, previous Chapter 4 VAC 20-1090-10 et seq. which was promulgated ~~July 27, 2021~~ February 28, 2023 and made effective on ~~August 1, 2021~~ March 3, 2023. The effective date of this chapter, as amended, is ~~April 1, 2024~~ May 1, 2025.

4 VAC 20-1090-10. Purpose.

The purpose of this regulation is to specify the fees for each license required of any person to take, catch, harvest, possess or market fish, oysters, crabs, clams or other seafood species in the tidal waters of Virginia for commercial purposes or to take, catch or possess any species for recreational purposes. The license fees described in this regulation supersede those fishing license fees described in Title 28.2 of the Code of Virginia.

4 VAC 20-1090-20. [Repealed]

4 VAC 20-1090-30. License fees.

The following listing of license fees applies to any person who purchases a license for the purposes of harvesting for commercial purposes, or fishing for recreational purposes, during any calendar year. The fees listed below include a \$1 agent fee.

1. COMMERCIAL LICENSES	
Commercial Fisherman Registration License	\$190.00
Commercial Fisherman Registration License for a person 70 years or older	\$90.00
Delayed Entry Registration.	\$190.00

“PERTAINING TO LICENSING REQUIREMENTS AND LICENSE FEES”

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Delayed Entry Registration License for a person 70 years or older	\$90.00
Seafood Landing License for each boat or vessel	\$175.00
For each Commercial Fishing Pier over or upon subaqueous beds (mandatory)	\$83.00
Seafood Buyer's License -- For each boat or motor vehicle	\$63.00
Seafood Buyer's License -- For each place of business	\$126.00
Clam Aquaculture Product Owner's Permit	\$10.00
Oyster Aquaculture Product Owner's Permit	\$10.00
Clam Aquaculture Harvester's Permit	\$5.00
Oyster Aquaculture Harvester's Permit	\$5.00
Nonresident Harvester's License	\$444.00
2. OYSTER RESOURCE USER FEES	
Any licensed commercial fisherman harvesting oysters by hand	\$50.00
For any harvester using one or more gear types to harvest oysters or for any registered commercial fisherman who solely harvests or possesses any bushel limit described in 4 VAC 20-720-80, only one oyster resource user fee, per year, shall be paid	\$300.00
On any business shucking or packing no more than 1,000 gallons of oysters	\$500.00
On any business shucking or packing more than 1,000 but no more than 10,000 gallons of oysters	\$1,000.00
On any business shucking or packing more than 10,000 but no more than 25,000 gallons of oysters	\$2,000.00
On any business shucking or packing more than 25,000 gallons of oysters	\$4,000.00
On any oyster buyer using a single truck or location	\$100.00
On any oyster buyer using multiple trucks or locations	\$300.00
Commercial aquaculture operation, on riparian assignment or general oyster planting grounds	\$50.00
3. OYSTER HARVESTING, SHUCKING, RELAY AND BUYERS LICENSES	
Any person purchasing oysters caught from the public grounds of the Commonwealth or the Potomac River, for a single place of business with one boat or motor vehicle used for buying oysters	\$50.00
Any person purchasing oysters caught from the public grounds of the Commonwealth or the Potomac River, for a single place of business with multiple boats or motor vehicles used for buying oysters	\$100.00
For each person taking oysters by hand, or with ordinary tongs	\$10.00
For each single-rigged patent tong boat taking oysters	\$35.00

“PERTAINING TO LICENSING REQUIREMENTS AND LICENSE FEES”

CHAPTER 4 VAC 20-1090-10 ET SEQ.

For each double-rigged patent tong boat taking oysters	\$70.00
Oyster Dredge Public Ground	\$50.00
Oyster Hand Scrape	\$50.00
To shuck and pack oysters, for any number of gallons under 1,000	\$12.00
To shuck and pack oysters, for 1,000 gallons, up to 10,000	\$33.00
To shuck and pack oysters, for 10,000 gallons, up to 25,000	\$74.00
To shuck and pack oysters, for 25,000 gallons, up to 50,000	\$124.00
To shuck and pack oysters, for 50,000 gallons, up to 100,000	\$207.00
To shuck and pack oysters, for 100,000 gallons, up to 200,000	\$290.00
To shuck and pack oysters, for 200,000 gallons or over	\$456.00
To relay condemned shellfish from a general oyster planting ground	\$150.00
4. BLUE CRAB HARVESTING AND SHEDDING LICENSES, EXCLUSIVE OF CRAB POT LICENSES	
For each person taking or catching crabs by dip nets	\$13.00
For ordinary trotlines	\$13.00
For patent trotlines	\$51.00
For each single-rigged crab-scrape boat	\$26.00
For each double-rigged crab-scrape boat	\$53.00
For up to 210 peeler pots	\$36.00
For up to 20 tanks and floats for shedding crabs	\$9.00
For more than 20 tanks or floats for shedding crabs	\$19.00
For each crab trap or crab pound	\$8.00
5. CRAB POT LICENSES	
For up to 85 crab pots	\$48.00
For over 85 but not more than 127 crab pots	\$79.00
For over 127 but not more than 170 crab pots	\$79.00
For over 170 but not more than 255 crab pots	\$79.00
For over 255 but not more than 425 crab pots	\$127.00
6. HORSESHOE CRAB, LOBSTER AND SHRIMP LICENSES	

“PERTAINING TO LICENSING REQUIREMENTS AND LICENSE FEES”

CHAPTER 4 VAC 20-1090-10 ET SEQ.

For each person harvesting horseshoe crabs by hand	\$16.00
For each boat engaged in fishing for, or landing of, lobster using less than 200 pots	\$41.00
For each boat engaged in fishing for, or landing of, lobster using 200 pots or more	\$166.00
For each person commercial shrimp trawling	\$100.00
7. CLAM HARVESTING LICENSES	
For each person taking or harvesting clams by hand, rake or with ordinary tongs	\$24.00
For each single-rigged patent tong boat taking clams	\$58.00
For each double-rigged patent tong boat taking clams	\$84.00
For each boat using clam dredge (hand)	\$19.00
For each boat using clam dredge (power)	\$44.00
For each boat using hydraulic dredge to catch soft shell clams	\$83.00
For each person taking surf clams	\$124.00
Water Rake Permit	\$24.00
8. CONCH (WHELK) HARVESTING LICENSES	
For each boat using a conch dredge	\$58.00
For each person taking channeled whelk by conch pot	\$51.00
9. FINFISH HARVESTING LICENSES	
Each pound net	\$41.00
Each stake gill net of 1,200 feet in length or under, with a fixed location	\$24.00
All other gill nets up to 600 feet	\$16.00
All other gill nets over 600 feet and up to 1,200 feet	\$24.00
<u>Extended drift gill net up to 6,000 feet</u>	<u>\$100.00</u>
Each person using a cast net or throw net or similar device	\$13.00
Each fyke net head, weir, or similar device	\$13.00
For fish trotlines	\$19.00
Each person using or operating a fish dip net	\$9.00
On each haul seine used for catching fish, under 500 yards in length	\$48.00
On each haul seine used for catching fish, from 500 yards in length to 1,000 yards in length	\$146.00
For each person using commercial hook and line	\$31.00

“PERTAINING TO LICENSING REQUIREMENTS AND LICENSE FEES”

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For each person using commercial hook and line for catching striped bass only	\$31.00
For up to 100 fish pots	\$19.00
For over 100 but not more than 300 fish pots	\$24.00
For over 300 fish pots	\$62.00
For up to 100 eel pots	\$19.00
For over 100 but not more than 300 eel pots	\$24.00
For over 300 eel pots	\$62.00
For each person electrofishing catfish	\$100.00
10. MENHADEN HARVESTING LICENSES	
Any person purchasing more than one of the following licenses, as described in this subsection, for the same vessel, shall pay a fee equal to that for a single license for the same vessel.	
On each boat or vessel under 70 gross tons fishing for the purse seine menhaden reduction sector	\$249.00
On each vessel 70 gross tons or over fishing for the purse seine menhaden reduction sector	\$996.00
On each boat or vessel under 70 gross tons fishing for the purse seine menhaden bait sector	\$249.00
On each vessel 70 gross tons or over fishing for the purse seine menhaden bait sector	\$996.00
11. COMMERCIAL GEAR FOR RECREATIONAL USE	
Up to five crab pots with a terrapin excluder device	\$36.00
Up to five crab pots without a terrapin excluder device	\$46.00
Crab trotline (300 feet maximum)	\$10.00
One crab trap or crab pound	\$6.00
One gill net up to 300 feet in length	\$9.00
Fish dip net	\$7.00
Fish cast net	\$10.00
Up to two eel pots	\$10.00
12. SALTWATER RECREATIONAL FISHING LICENSE	
Individual, resident (one year)	\$17.50
Individual, resident (two years)	\$33.50
Individual, resident (three years)	\$49.50
Individual, resident (four years)	\$65.50

“PERTAINING TO LICENSING REQUIREMENTS AND LICENSE FEES”

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Individual, nonresident (one year)	\$25.00
Temporary 10-Day, resident	\$10.00
Temporary 10-Day, nonresident	\$10.00
Recreational boat, resident	\$48.00
Recreational boat, nonresident, provided a nonresident may not purchase a recreational boat license unless his boat is registered in Virginia	\$76.00
Head Boat/Charter Boat, resident, six or less passengers	\$190.00
Head Boat/Charter Boat, nonresident, six or less passengers	\$380.00
Head Boat/Charter Boat, resident, more than six passengers, plus \$5.00 per person, over six persons	\$190.00
Head Boat/Charter Boat, nonresident, more than six passengers, plus \$5.00 per person, over six persons	\$380.00
Rental Boat, resident, per boat, with maximum fee of \$703	\$14.00
Rental Boat, nonresident, per boat, with maximum fee of \$1270	\$18.00
Commercial Fishing Pier (Optional)	\$632.00
Disabled Resident Lifetime Saltwater License	\$10.00
Disabled Nonresident Lifetime Saltwater License	\$10.00
Reissuance of Saltwater Recreational Boat License	\$5.00
13. COMBINED SPORTFISHING LICENSE	
This license is to fish in all inland waters and tidal waters of the Commonwealth during open season.	
Residents	\$39.50
Nonresidents	\$71.00
14. COMBINED SPORTFISHING TRIP LICENSE	
This license is to fish in all inland waters and tidal waters of the Commonwealth during open season, for five consecutive days.	
Residents	\$24.00
Nonresidents	\$31.00
15. TIDAL BOAT SPORTFISHING LICENSE	
Residents	\$126.00
Nonresidents	\$201.00
16. LIFETIME SALTWATER RECREATIONAL FISHING LICENSES	

“PERTAINING TO LICENSING REQUIREMENTS AND LICENSE FEES”

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Individual Resident Lifetime License	\$276.00
Individual Nonresident Lifetime License	\$500.00
Individual Resident Lifetime License age 45 – 50	\$132.00
Individual Nonresident Lifetime License age 45 – 50	\$240.00
Individual Resident Lifetime License age 51 – 55	\$99.00
Individual Nonresident Lifetime License 51 – 55	\$180.00
Individual Resident Lifetime License age 56 – 60	\$66.00
Individual Nonresident Lifetime License age 56 – 60	\$120.00
Individual Resident Lifetime License age 61 – 64	\$35.00
Individual Nonresident Lifetime License age 61 – 64	\$60.00
Individual Resident Lifetime License age 65 and older	\$5.00

4 VAC 20-1090-40. Penalty.

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

B. As set forth in § 28.2-549 of the Code of Virginia, any person willfully failing to pay oyster resource user fees to the Commission shall be guilty of a Class 1 misdemeanor.

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, and recorded in the Commission's minute book, at meeting held in Hampton, Virginia on April 22, 2025.

**COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION**

By: _____

**Jamie L. Green
Commissioner**

“PERTAINING TO LICENSING REQUIREMENTS AND LICENSE FEES”

CHAPTER 4 VAC 20-1090-10 ET SEQ.

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

Notary Public

DRAFT