

The meeting was called to order by Chairman Valliant at approximately 10:15 A. M. this date. All Commissioners were present. Also present were the following officials of the Fisheries Departments of Maryland and Virginia as well as some members of the Press:

J. Wm. Ryland, Chief Inspector, Virginia
Roy W. Rafter, Chief Inspector, Department of Tidewater Fisheries of Maryland
John C. Widener, Chief, Hydrographic Engineering Division, Tidewater Fisheries of Maryland
George H. Badger, Jr., Engineer, Virginia
Joseph H. Manning, Director, Department of Tidewater Fisheries of Maryland
Paul C. Wentzell, Supervising Inspector, Department of Tidewater Fisheries, Maryland.

Commissioner Valliant welcomed the Press and thanked them for their coverage and consideration in their reports of the activities of the Commission.

The Chairman received the report of the State Engineers of Virginia and Maryland relative to the boundary markers of the Potomac River. The following are the reports of Mr. Widener of Maryland and Mr. Badger of Virginia. There was some discussion on the feasibility of the execution of the two reports. Basically the reports were very near the same. Mr. Widener thought that the report could be executed by the two Departments using departmental help with some additional help from the outside. It was felt that this would reflect quite a savings in funds. Dr. Byrd moved that the report of the two engineers be accepted in principle and they be advised to report at the next meeting with a more definite joint report as to the initial operation and cost to establish buoys and markers and recommend management and maintenance of the markers after the initial work is completed. Motion was seconded by Dr. Weems. Motion was carried and so ordered.

REPORT TO THE POTOMAC RIVER FISHERIES COMMISSION

As directed by the Commission at their meeting the 10th of Jan. 1963, the Chief Engineers and the Chief Inspectors of the Fisheries Commissions of Maryland and Virginia met at Colonial Beach the 17th of Jan. 1963 to

- (1) Determine the locations for the establishment of such ranges, piling targets and buoys across the headlands on each shore of the Potomac River showing clearly the lines of demarcation of the jurisdiction of the Commission for the information of the watermen and of the enforcement officers of each state.

- (2) Discuss joint enforcement procedures.

By consultation among the Engineers and Chief Inspectors present each critical tributary entrance on each side of the river was determined and the number and types of markers best suited for each specific area was agreed upon.

The following table lists the minimum initial requirements for marking the major lines of demarcation. Each succeeding year buoys must be replaced, some piling lost through ice action must be replaced and some ranges will need repair. Also, operating experiences during the first year may require additional structures.

STRUCTURES RECOMMENDED

35	10-inch creosoted piling (20-30 ft.)	
	with targets @ \$157.	\$ 5,495.
42	timber shore ranges (20 feet high)	
	with targets @ 25.	1,050.
18	30-foot spar buoys with $\frac{1}{2}$ -ton weights	
	@ 45.	810.
50	30-foot stakes	
	@ .50	25.

Manpower, boats and expenses involved -

(continued on next page)

(Brought Forward)	\$ 7,380.
Engineer, 7 weeks plus expenses	\$ 1,285.
Boat and shore crew - 4 men, 9 weeks plus expenses	3,678.
Boat fuel	450.
	<u>\$12,785.</u>

In explanation of estimates:

Placing of the piling would have to be done by contract - the cost figures per driven pile gives consideration to the vast area of operations.

The estimated cost and preparation and erection of ranges and laying of buoys is predicted upon the usual procedures in operations of boats, equipment and manpower as carried on by the Maryland Department of Tidewater Fisheries in tidewater Maryland. The manpower and expenses involved are based upon the Department of Tidewater Fisheries costs. No boat maintenance is included.

Now, as to accomplishment of this proposed system of structures, neither the Maryland Department of Tidewater Fisheries or the Virginia counterpart has the personnel and equipment to assign to this work for such an extended period of time and still maintain their respective normal engineering responsibilities.

Respectfully submitted,

(Signed)

John C. Widener, Engineer, Maryland

Jan. 18, 1963

George H. Badger, Jr. Engineer,
Virginia

REPORT TO POTOMAC RIVER FISHERIES COMMISSION

On January 17, Mr. John Widener, Engineer for Department of Tidewater Fisheries of Maryland, and I, as Engineer for Virginia Commission of Fisheries, met with the Chief Inspectors of both States and discussed marking the jurisdictional boundaries of Potomac River Fisheries Commission in regard to enforcement regulations. We went into detail on what, in our opinion, was necessary to distinguish the Potomac River Fisheries Commission from the Maryland or Virginia equivalents.

It was brought out in this meeting that there are 31 major areas along the Potomac River that should be marked with some distinguishing markers showing the separations of the Commissions. In a number of instances, it was felt best that a system of floating buoys be used to show these areas, and in other instances, it was our opinion that shore range markers should be used for separation. In several cases in shallow water areas we recommend a system of creosote piling with a target above the water to distinguish the line.

The cost of such a tremendous undertaking was discussed. It should be borne in mind that Potomac River Fisheries Commission has jurisdiction from the mouth of Potomac River to the District of Columbia line, or a total distance of about 90 miles. This, of course, would be 180 miles of shore line. In trying to arrive at a figure for the engineering cost, we were using the rates of the outside engineer or surveyor.

I believe a conservative estimate would be at least 2 days per area for each of the 31 areas for engineering work, involving putting in temporary markers to be followed later by a crew putting in buoys, shore range stations and piling. Computing at this very low figure, there would be 62 days involved in this work. Adding 10% due to bad weather, would make this at least 68 days work for the engineering portion of this work. \$125 per day for a surveyor and 2 helpers would be a low estimate for this job. A conservative estimate for engineering fees alone would be \$8500. In addition, the use of the survey boat and 2 smaller boats with the crews to

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handle the boats would be necessary. The cost of the aforementioned crews would be considerable because of the great distances involved, and travel expenses incurred while in the area. A cost estimate for boats and crews would be approximately \$5000, or a total of \$13,500 for engineering and marking, plus the cost of materials.

We would need 18 buoys approximately 25 feet in length with proper chains, weights, etc. We would also need approximately 42 shore ranges which would stand about 20 feet above land with 3 x 4 foot targets at the top. In shallow water areas, we would need approximately thirty-five 10-inch pilings, which should be 20 to 25 feet in length.

It is our opinion that if such a task is undertaken, the Potomac River Fisheries Commission should mark these lines in a way that would be superior to any outside markings or, in other words, set an example for the individuals, and also for the two States involved for this type of endeavor.

It seems to me that this project would be very necessary. I know on the Virginia side, from the mouth of Potomac River to Colonial Beach, we have oyster leases joining the jurisdictional line of Potomac River Fisheries Commission. I think it would be very necessary that this area be marked.

I understand from the Virginia Inspectors, that the area from Colonial Beach to the District line, has quite a lot of fishing activity. It would be necessary that Virginia, as well as the Potomac River Fisheries Commission, know the exact spots of this line, due to licensing, law enforcement, etc. I also understand on the Maryland side, oyster bars are involved, from the Mouth of Potomac River to a point above Potomac River Bridge. I am told some of these areas are highly productive and valuable, and there should be some distinguishing lines on this side, so there will be no future contention about licensing or law enforcement. From Potomac River Bridge to the District Line on the Maryland side, there is extensive industry in fishing, especially with fixed fishing devices. It would be necessary that this line show clearly for the afore-mentioned licenses.

Since serving with the Virginia Commission of Fisheries as its Engineer for quite a few years, I cannot stress enough the value of permanent and obvious markings. I know in Tidewater Virginia where areas (both public and private) have been properly marked and are clear to all parties concerned, the contention and misunderstanding has been null. Areas that were in doubt, improperly marked, or with markings not plainly seen have always been a source of contention among the public, the private leaseholders and even the law enforcement officers. On a project such as Potomac River Fisheries Commission is contemplating, I believe this should be the first consideration regardless of the cost to have such boundaries very distinctly marked, so as to be understood by the people and the law enforcement officers. I think if this is done controversies will be practically eliminated.

Respectfully submitted,

(Signed) George H. Badger, Jr.
Engineer

The Chairman called for reports from Chief Inspector Rafter and Chief Inspector Ryland relative to the proposed organization for enforcement. Inspector Rafter reported he felt the yardage and laws should not be changed until the program is given further consideration. It was his thought that probably some adjustment should be made in the fees. I assume he refers to license fees. It was Dr. Byrd's thought that this would not be acceptable to Maryland.

At a meeting on January 17th with Chief Inspector Ryland, Virginia Fisheries Commission, it was agreed that existing laws including those prescribing net yardages should not be changed at this time but should be tried for at least six (6) months.

It was moved by Commissioner Ball and seconded by Commissioner Jones that the combined reports of Inspectors Rafter and Ryland be accepted for study and consideration.

January 20, 1963

TO: Mr. Jeremiah Valliant, Chairman, Potomac River Commission
SUBJECT: Potomac River Law Enforcement

As instructed by the Potomac River Commission at the meeting of January 10, 1963, the Chief Inspectors of Maryland and Virginia met at Colonial Beach on Thursday, January 17, 1963, to discuss law enforcement problems and the enforcement procedures which will be employed by Maryland and Virginia on the Potomac River.

Since Maryland has had all of the enforcement on the River in recent years and Maryland law is presently the law under which we are operating it was agreed that Maryland would assume responsibility for the supervision of enforcement and Supervising Inspector Paul C. Wentzell, of the Maryland Department of Tidewater Fisheries will be the supervisor in charge of enforcement on the River.

The Potomac River Patrol will consist of five (5) full time day patrol boats, two (2) full time night patrol boats, one of which is equipped with radar, two (2) one-half time day patrol boats, Supervisor Wentzell's full time patrol car, Chief Ryland's patrol car one (1) day a week, and two (2) patrol cars which will be available as needed. The equipment and personnel to be supplied by each State will consist of the following:

VIRGINIA

<u>UNIT</u>	<u>STATION</u>	<u>PERSONNEL</u>	<u>DUTY</u>
Anna Marie	Colonial Beach	2	Day Patrol - Full Time
Ranger	Lower Machodoc	4	Day & Night Patrol (Full Time)
Coan River	Coan River	2	Day Patrol - Half-time
Sea Bee	Little Wicomico	2	Day Patrol - Half-time
Chief's Patrol Car	At Large	1	To be available at least One (1) Day a week
Patrol Car		2	To be available as needed
Patrol Car		2	To be available as needed

In addition, Virginia proposes to acquire two (2) patrol cars to be used by personnel assigned to the boats "Anna Marie" and "Coan River".

MARYLAND

<u>UNIT</u>	<u>STATION</u>	<u>PERSONNEL</u>	<u>DUTY</u>
Honga River	Cobb Island	2	Day Patrol - Full time
Potomac II	Breton Bay	2	Day Patrol - Full time
St. Marys'	Piney Point	2	Day Patrol - Full time
Charles	Cobb Island	3	Night Patrol - Full time
Supervisor's Patrol Car	Leonardtown	1	Day-Night - Full Time

The twenty (20 man patrol force (16 full time and 4 half-time men), will operate equipment supplied by their respective States. However, until all men become thoroughly familiar with the laws and operating procedures, the patrol boats will be manned with a crew consisting of an inspector from each State

Communications between the Maryland and Virginia patrol boats will be through ship-to-shore radios on 22.44 AM frequency. All of the boats except the "Anna Marie" (Virginia) and "Honga River" (Maryland) now have radios operating on this frequency.

Although Article V Section 3 of the Compact states that alleged offenders may be taken to either State it was agreed that every effort will be made to take offenders to a court of competent Jurisdiction in the State wherein the offender resides. Of course on the more serious charges such as handscraping or night poaching, it is felt that no favors should be granted the violator and he would be taken to the nearest or most accessible court regardless of his State of residence.

Respectfully submitted,

(Signed)

Roy W. Rafter, Chief Inspector, Maryland

(Signed)

J. William Ryland, Chief Inspector, Virginia

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Chief Inspector Rafter reported that Inspector Paul C. Wentzell had been selected as the supervising inspector for the Potomac River and Chief Ryland stated that Inspector Dameron was the supervising inspector from Virginia assigned to the Potomac River. These two men were introduced at this time.

At this time Commissioner Hickman noted that he would have to present the enforcement report to his whole Commission for their concurrence. It was observed that this same procedure would have to be done by the Maryland Commission. It was moved by Mr. Hickman and seconded by Dr. Weems that these reports be accepted for consideration.

There was some discussion by Inspector Rafter on the four-cent tax per bushel from both Maryland and Virginia as an export tax on oysters. It was moved by Mr. Hickman and seconded by Dr. Weems that the Chairman appoint a committee to study the tax problem and bring in recommendations at the next meeting, if possible. Motion carried and so ordered.

The Chairman read his letter of notification to each Governor of the respective States. The Chairman requested that the letters be incorporated in the minutes.

January 14, 1963

The Honorable J. Millard Tawes
Governor of Maryland
State House
Annapolis, Maryland

Dear Governor Tawes:

On Thursday, January 10, 1963, the entire membership of the Commission appointed to administer the Potomac River Compact of 1958 met in the Town Offices at Colonial Beach, Virginia. Mayor Costenbader opened our meeting with a welcome speech. All town officials and citizens were most cordial and cooperative.

Colonial Beach has been selected for the Commission's first Headquarters for a temporary period. Temporary spelled out in the minutes of our meeting to mean twelve months.

Mr. Lewis Jones, Jr., was selected to serve as Chairman pro tem for the purpose of electing a chairman for the Commission. The writer was elected. Mr. Milton T. Hickman was elected to serve as Vice Chairman and Dr. George J. Weems was elected to serve as Secretary.

The Commission, by its action and/or by Chairman appointments, with commission approval, is now preparing to take on financial obligations, such as; renting a place for its headquarters, hiring administrative personnel, a legal advisor, buying office equipment, stationery, application forms, license forms, investigating and contracting for essential rehabilitation programs, etc. A budget will be prepared after pertinent facts have been established. Advice and counsel will be requested from each state regarding our accounting procedures and fiscal policies.

In view of the foregoing statements as stated in this letter, by direction of the Potomac River Commission, and in an effort to meet the necessary deadlines as required by the Compact of 1958, it is hereby respectfully requested that the \$50,000.00 appropriation budgeted by each State in accordance with Article VI., section 2 of the Compact, be forwarded to The Bank of Westmoreland, Incorporated, Colonial Beach, Virginia, to be deposited to the account of "The Potomac River Fisheries Commission". Mr. W. D. Williams, the President of The Westmoreland Bank is preparing the necessary resolution for our minutes as well as signature cards.

May you be advised further that the writer and the Commission's secretary have been authorized to sign checks for the Commission when monies are available and expenditures are authorized by proper

action of the Commission.

Be further advised that the Commission approved The Westmoreland Bank as its depository after assurance was given by the Bank's President that U. S. Bonds, or the like, would be deposited in escrow with its correspondent banks to cover and secure the deposits of the Commission received from each State.

It is with humility and pride, plus a deep sense of responsibility, that this first communication is forwarded to your high office. No stones will be left unturned in an effort to bring production and harmony to the honor of our two states and their Chief Executives.

Every good wish for you and yours.

Sincerely yours,

(Signed)

Jeremiah Valliant
Chairman
The Potomac River Fisheries
Commission

Mr. Manning presented the check for \$50,000 from Maryland as their initial contribution to the Potomac River Fisheries Commission. The Chairman thanked Mr. Manning for this swift and safe courier service.

The Chairman requested instructions for depositing the check. It was moved by Dr. Weems and seconded by Mr. Hickman that \$20,000 be deposited in the checking account for immediate operating funds and that \$80,000 be deposited in the savings account to draw as much interest as possible until such time as the money is needed.

Resolution of Bank.

I hereby certify that I am duly elected and qualified Secretary of The Potomac River Fisheries Commission and the keeper of the records of said Commission and that the following is a true and correct copy of a resolution duly adopted at a regular meeting of the full Commission held in accordance with the rules and laws of said Commission at its offices at Colonial Beach, Virginia, on the 21st day of January, 1963.

"Be It Resolved, that The Bank of Westmoreland, Inc., be, and it is hereby, designated a depository of this Commission and that funds so deposited may be withdrawn upon a check, draft, note or order of the Commission.

"Be It Further Resolved, that all checks, drafts, notes or orders drawn against said account be signed by any One (one, two, three, etc) of the following:

NAME	TITLE
<u>G. J. Weems (Signed)</u>	<u>Sec.</u>
<u>J. Valliant (Signed)</u>	<u>Chairman</u>
and countersigned by any one of the following:	
NAME	TITLE
<u>G. J. Weems (Signed)</u>	<u>Sec.</u>
<u>J. Valliant (Signed)</u>	<u>Chairman</u>

whose signatures shall be duly certified to said Bank, and that no checks, drafts, notes or orders drawn against said Bank shall be

valid unless so signed.

"Be It Further Resolved, that said Bank is hereby authorized and directed to honor and pay any checks, drafts, notes or orders so drawn, whether such checks, drafts, notes or orders be payable to the order of any such person signing and/or countersigning said checks, drafts, notes or orders, or any of such persons in their individual capacities or not, and whether such checks, drafts, notes or orders are deposited to the individual credit of the person so signing and/or countersigning said checks, drafts, notes or orders, or to the individual credit of any of the other officers or not. This resolution shall continue in force and said Bank may consider the facts concerning the holders of said offices, respectively, and their signatures to be and continue as set forth in the certificate of the Secretary, accompanying a copy of this resolution when delivered to said Bank or in any similar subsequent certificate, until written notice to the contrary is duly served on said Bank.

In Witness Whereof, I have hereunto affixed my name as Secretary this 21 day of Jan., 1963.

(Signed) G. J. Weems
Secretary

I, (Signed) Milton T. Hickman, a member of said Commission do hereby certify that the foregoing is a correct copy of a resolution adopted as above set forth.

(Signed) Milton T. Hickman
To be signed by a director other than the secretary

The Chairman gave a report of the Headquarter's Committee. This report stated that the Committee was satisfied it had found adequate quarters and could make satisfactory arrangements for painting and re-modeling of same. It was moved by Commissioner Jones and seconded by Commissioner Weems that the Committee be empowered to make final arrangements to set up their office.

The Chairman read a letter from Senator Raley of St. Marys' County, Maryland, expressing his interest and cooperation in the success of the operation of the Potomac River Fisheries Commission.

A letter was read from the Maryland Seafood Association expressing its desire to dredge clams in the Potomac River. A motion was made by Mr. Ball and seconded by Mr. Hickman to advise the Maryland Seafood Association that this problem is in the study stage and it will be impossible to give a clear decision on this until a later date.

(SEE PAGE #2) At this point in the meeting, the minutes of the previous meeting were made available to the members. Dr. Byrd requested that a correction be made in his motion on page 2, first line, in paragraph 4; that the words "the area" be struck out and the words "the personnel" be substituted. The correction was accepted and Dr. Byrd moved that the minutes be accepted as corrected. This was seconded by Commissioner Ball and so ordered.

At this time the Chairman notified those present that the general meeting would adjourn until 10:00 A.M., February 12, 1963. The Chairman also stated that the Commission would go into executive session for the purpose of discussing the qualifications of one or two key personnel.

The Commission went into executive session and the Chairman asked for the report of the sub-committee composed of Mr. Jones and Dr. Weems relative to their investigation of personnel for the key position of Executive Secretary and legal counsel. Mr. Jones reported on his investigation of personnel for the position of executive secretary. He reported that he had interviewed and contacted several people. In view of the fact that this was a most sensitive position of the whole Commission, he felt he needed more time in order to interview and investigate the applicants.

For this reason he did not feel that the Committee would be able to make its recommendations at this date. It was moved by Commissioner Ball and seconded by Commissioner Weems that the question be considered at the next meeting. Motion carried and so ordered.

The Commission reported that after investigation it was satisfied that Mr. A. Thomas Everngam of Denton, Maryland, could and would furnish the Commission with legal counsel. It was moved by Dr. Weems and seconded by Mr. Jones that Mr. Everngam be employed as legal counsel. Motion carried and Dr. Weems was asked to notify Mr. Everngam.

It was moved by Dr. Weems that a salary of \$5,000 be allocated for the legal counsel. After some discussion on the expenses for members of the Commission, the following motion was made by Mr. Jones and seconded by Dr. Byrd, that in addition to normal, reasonable traveling expenses, mileage be adjusted on the basis of ten cents permile. Motion was carried and so ordered.

It was moved by Mr. Hickman and seconded by Mr. Ball that the resolutions in regard to bank deposits on the Bank of Westmoreland be adopted. Motion was carried and so ordered.

There being no further business at this time, the Commission adjourned with its next meeting scheduled at 10:00 A. M. on February 12, 1963.



CHAIRMAN

SECRETARY