

## POTOMAC RIVER FISHERIES COMMISSION

Town Office February 12, 1963

The meeting was called to order by Chairman Valliant at 10:10 A. M. All members of the Commission were present including attorney K. Thomas Everngam. Minutes of the Meeting 21 January 1963 were presented and approved. The secretary reported that check in the amount of \$50,000 from the State of Virginia has been deposited in the regular depository of the Commission. The terms of the office lease were discussed and tentative approval given. Lease is to be drawn and forwarded to Chairman and Secretary for execution.

"L E A S E"

THIS LEASE, Made (in duplicate) this 1st day of February, 1963 by and between Price D. Greenlaw and Jeanne B. Greenlaw, his wife, of Fairfax, Virginia, hereinafter called "LANDLORDS", and Potomac River Fisheries Commission, a public agency created by the "Potomac River Compact of 1958" by the States of Virginia and Maryland, with it's principal office at Colonial Beach, Virginia, hereinafter called "TENANT".

## W I T N E S S E T H,

that for and in consideration of the premises, the terms and conditions hereof, and other good and valuable consideration, the receipt of which is hereby acknowledged, the said Landlords and Tenants hereby demise, lease and agree, one to and with the other, as follows:

1. Landlords hereby rent to Tenant all that former store building and premises known as No. 104 Hawthorne Street, in the Town of Colonial Beach, Virginia for one (1) year from the date of this Lease, at a rental of One Hundred and Ten (\$110.) Dollars per month, payable in advance.

2. Tenant shall have the first right and option to re-rent said building and premises on the same terms for an additional one (1) year period by giving the Landlords written notice thereof by January 1, 1964. Tenant shall have the further option to re-new this Lease for another additional one (1) year period upon the same terms by giving the Landlords written notice thereof by January 1, 1965.

3. Landlords shall furnish adequate heat for first floor of the building and shall extend the heating system to give adequate heat for the entire first floor of the building rented by Tenant.

4. Tenant will remove the shelves now in the building at Tenant's own expense. Tenant will replace the shelves at it's own expense at the end of this one year Lease. If Tenant takes up the first option to renew this Lease for a second year, then the Tenant is relieved of the expense of replacing the shelving.

5. Landlord shall pay for all capital improvements, real estate taxes, assessments, and water and sewer rent on said leased building and premises. Tenant shall pay for all utilities and redecorations, inside maintenance (except heating and plumbing), and changes made inside the building.

6. In the event of any default in rent for a period of sixty (60) days, Landlords shall have the right to immediate repossession of the premises, and to any other legal remedies under the laws of Virginia which Landlords may require.

7. It is mutually agreed that if fire (or other catastrophe) destroy or render this building unusable or unsuitable to Tenant, then Tenant at it's option may declare this Lease to be null and void.

8. This Lease shall be binding on and enure to the benefit of the parties hereto, their heirs, personal representatives, successors, and assigns, as the case may be.

AS WITNESS the hands and seals of the Landlords, and in testimony whereof the Tenant has caused these presents to be executed on it's behalf by it's Chairman and attested by it's Secretary, the date first above written.

WITNESS:

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Price D. Greenlaw

(SEAL)

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Jeanne B. Greenlaw  
LANDLORDS

(SEAL)

ATTEST:

POTOMAC RIVER FISHERIES COMMISSION

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Secretary

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Chairman

Mr. Everngam, attorney to the Commission, presented for consideration the following:

NOTICE OF HEARING

Proposed Licensing Fee Regulations of Potomac River  
Fisheries Commission For Taking of Finfish, Crabs  
and Oysters From The Waters of The Potomac River

Pursuant to the provisions of the Potomac River Compact of 1958, as duly enacted into law by the General Assembly of the State of Maryland and Virginia, and duly ratified by the Congress of the United States of America, the following Regulations are duly proposed and promulgated by the Potomac River Fisheries Commission, as follows:

Regulation I.

Section 1. Any citizen of the States of Maryland and Virginia between the ages of twelve (12) and sixty-five (65) years, who has resided in either of both states for at least twelve (12) months immediately preceding their application, and desiring to commercially take and catch oysters, crabs and finfish from the waters of the Potomac River between the Chesapeake Bay (beginning at the intersection of the low water mark at Point Lookout and an established line running from Smith's Point to Point Lookout) to the intersection of the District of Columbia and Maryland Boundary line at Fox Ferry Point, and following the boundary line of the District of Columbia and the State of Virginia to the Virginia shore (as set forth in the Potomac River Compact of 1958), and each said person working on any boat used in taking or catching same, shall first obtain a numbered license from the Potomac River Fisheries Commission office at Colonial Beach, Virginia, or from an officer or agent duly designed by said Commission to issue same. Each said license shall be good for the calenday year of issuance only and shall not be transferable. All persons engaged in the taking or catching of each said seafood licensed under the provisions of these Regulations shall exhibit their licenses for so doing when required by any officer of the States of Maryland or Virginia. Non-residents of Maryland and Virginia shall not be permitted to commercially take or catch seafood from the said waters of the Potomac River. Commercially taking or catching seafood shall be construed to be the same as taking or catching same for market or profit.

Section 2. The annual commercial license fees payable to the Potomac River Fisheries Commission under Section I herein, shall be as follows:

CRABS

(a) For each person taking or catching crabs commercially by dip nets, nets with handles attached, or trot lines, a license fee of \$\_\_\_\_\_. Any person using a trot line of more than 100 yards in length shall be deemed to be taking crabs commercially.

(b) For each person taking or catching crabs with patent trot lines a license fee of \$\_\_\_\_\_.

(c) For each crab trap, crab pound, or crab pot used, a license fee of \$\_\_\_\_\_. No person shall be permitted to use, set, or have a license for more than 100 crab traps or crab pots in the Potomac River. No crab pots, pounds, or traps shall be set in the waters of Piney Point Hollow, in St. Mary's

County, Maryland.

(d) For each boat buying crabs or engaged in buying, selling or marketing crabs on the Potomac River, a license fee of \$\_\_\_\_\_. No person shall be required to procure an additional license hereunder for marketing his own catch.

#### OYSTERS

(e) For each person taking or catching oysters by hand or ordinary tongs, a license fee of \$\_\_\_\_\_. No oysters shall be taken by patent tongs, hand scrape, or by dredging. No oysters shall be taken or caught except during the tonging season, which shall begin on the first day of September in each year and end on the fifteenth day of April next succeeding.

(f) For each person having a boat to be used in taking or catching oysters, a license fee of \$\_\_\_\_\_.

(g) For each person buying or purchasing oysters on the Potomac River from any person catching or taking oysters from the Potomac River, a license fee of \$\_\_\_\_\_.

#### FISH

(h) For each pound net, a license fee of \$\_\_\_\_\_.

(i) For each float or drift gill net of \_\_\_\_\_ feet and under, a license fee of \$\_\_\_\_\_; and for each additional \_\_\_\_\_ feet of net or fraction thereof, an additional license fee of \$\_\_\_\_\_.

(j) For each haul seine for catching fish, a license fee of \$\_\_\_\_\_. No haul seine shall be used in the Potomac River of a greater length than \_\_\_\_\_ feet.

(k) For each fyke net or hoop net, weir, or similarly fixed device for catching fish, a license fee of \$\_\_\_\_\_.

(l) For each person using a fish trot line, a license fee of \$\_\_\_\_\_.

(m) For each fish or eel pot a license fee of \$\_\_\_\_\_.

(n) For each person using a fish dip net, a license fee of \$\_\_\_\_\_.

Section 3. No person shall engage in the commercial taking and catching of oysters, crabs and finfish in the Potomac River in the area prescribed in these Regulations, nor shall any person use or permit the use of any net, boat, tongs, or other personal property, nor shall any person fish, crab, or take any action for which a license is required under the foregoing Regulations, without first having procured a license from the Commission as aforesaid.

Section 4. Article V Section 2 of the Potomac River Compact law provides that "the violation of any regulation of the Commission shall be a misdemeanor. Unless a lesser punishment is provided by the Commission, such violation shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or confinement in a penal institution for not more than one (1) year, or both, in the discretion of the court, and any vessel, boat or equipment used in the taking of finfish, crabs, oysters, clams or other shellfish from the Potomac River in violation of any regulation of the Commission or of applicable laws may be confiscated by the court, upon the abandonment thereof or the conviction of the owner or operator thereof.

Section 5. (Severability clause).

Section 6. These regulations will take full effect and force 30 days after their final adoption by the Commission.

#### NOTICE OF HEARING

Notice is hereby given to all interested persons that a public hearing will be held by the Potomac River Fisheries Commission on the adoption of the foregoing proposed Regulations,

at the Town Hall, Colonial Beach, Virginia, on

TUESDAY, APRIL 22, 1963, at 1 P. M.

Jeremiah Valliant, Chairman  
Potomac River Fisheries Commission"

These items were considered one by one, with suggested changes. The revised document showing changes is to be presented at the next meeting to be held 6 March 1963, in Annapolis.

Mr. Everngam's report on the Potomac River Fisheries Commission's authority as it relates to mining resources from the Potomac River concludes the Commission does not have the authority to grant permits for mining.

Dr. Byrd represented the Commission at meetings of the Interstate Potomac River Basin Commission in Alexandria on 24 and 25 January, 1963. Following is his report.

"Report of Visit of H. C. Byrd To Meetings  
of the Interstate Potomac River Basin Commission"

Pursuant to request of the Commission, I attended meetings of the Interstate Potomac River Basin Commission at Alexandria on January 24 and 25. The main purposes of the meetings were to discuss the Wollman-Dyer Report, visit Dulles Airport for a sewage disposal study, and to hear a panel discussion by representatives of Pennsylvania, Virginia and Maryland, as to various problems involved in river pollution.

As a result of the visits the following has been received from the Executive Secretary, Carl Johnson:

"-----we appreciated your attendance at our meeting. I hope this will be the beginning of close working relationships between our Commission and the Potomac River Fisheries Commission."

The Wollman-Dyer Report is the result of a study by these gentlemen of the problems connected with pollution of the Potomac River. Dyer presently is head of the Sanitary Engineering Department of Johns Hopkins University and Woolman formerly occupied the same position.

On the second day of the meetings, following the panel discussion, I asked the following questions:

Do studies of pollution of the Potomac give any indication that at any time in the foreseeable future sea food resources of the Potomac may be endangered for human consumption?

Is there any possibility that recommendations in this report for concentration of sewage outlets in tributaries of the Potomac, especially on the Maryland side, may endanger for human consumption sea food resources of these tributaries?

Inasmuch as recreation on the Potomac is under authority of the Tidewater Fisheries Commission of Maryland, can you tell me definitely how far down the River does the pollution from Washington extend, beyond which point all recreation, including swimming is safe?

The answer to both the first and second questions was "No". The answer to the third question was "Everything below Mattawoma Point is perfectly safe."

The questions were asked directly of Mr. Robert Brown, of the Maryland State Board of Health. Brown answered the questions, and no one differed with him.

The result of this visit is that, from the above information, it is evident that the pollution of the upper part of the Potomac River does not extend far enough down the River to occasion immediate concerns of the Virginia Compact Commission on the fisheries of the Potomac.

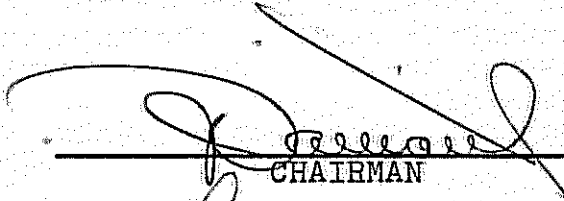
I indicated to the Officers of the Interstate Commission that we would, upon invitation, be glad to meet with that Commission on some future date."

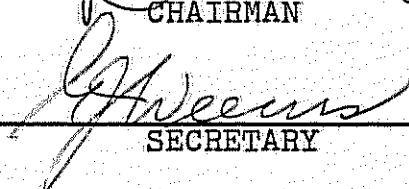
The Chairman notified the Commission it was invited to meet with the Chesapeake Bay and Tributaries Committee of the Senate in Annapolis. The invitation was accepted.

The Commission recessed to go into executive session to hear the report of the Screening Committee. This was presented by Commissioners Jones and Weems. They recommended the appointment of R. M. Norris, Jr., as Executive Secretary.

The Committee recommended and Commissioner Jones moved that Mr. R. M. Norris, Jr. be employed as the Executive Secretary at a salary of \$10,000 per year. The motion was seconded by Commissioner Ball. The Chairman requested the Commission to vote on the motion. There were no dissenting votes and the motion was declared passed.

There being no further business the meeting adjourned.

  
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CHAIRMAN

  
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SECRETARY