

Colonial Beach, Va.
July 30 and 31, 1963

The meeting was called to order at 8:05 P. M. (EDT), July 30, by Chairman Jeremiah Valliant, in the Commission Offices, Colonial Beach, Virginia. Commissioners Hickman, Byrd, Jones, Ball and Legal Officer Thomas Everngam were present. In attendance were Mr. J. William Ryland, Fisheries Law Enforcement Chief, of Virginia; Mr. Roy Rafter, Chief Inspector and Mr. Paul C. Wentzell, Supervising Inspector, of Maryland.

Commissioner Hickman offered motion, duly seconded, that reading of Minutes be dispensed with. Motion carried.

Motion offered by Commissioner Byrd that Financial Report of Executive Secretary on Expenditures, Statement of Cash, as of July 29, 1963, and Balance Sheet and other reports of the Virginia State Auditors, as presented, be accepted. Motion carried.

Report on "Seed Oysters Above Potomac River Bridge": Commissioner Byrd moved that Beacon Bar be temporarily left alone, but that Chairman and Executive Secretary be authorized to negotiate with several dredge boats to work for approximately one week or less on other bars above Bridge to take oysters and properly cull on spot to determine if practical to move seed oysters to lower areas. Motion seconded by Mr. Hickman. Carried.

Motion offered by Commissioner Jones that no more than three (3) boats be employed in above operation and that Law Enforcement be present on all boats during operation. Motion seconded and carried.

Fish Kill Report: Commissioner Hickman reported that Governor Harrison, of Virginia, has appointed a committee of four to report back to his office within the next few weeks. This committee has met in Washington, D. C. with other agencies. It is his thought that Dr. Hargis will propose a resolution to the committee requesting the Governors of both States to seek authoritative base through research and fact by which to control pollutants entering the River.

Motion offered by Commissioner Byrd that we amend Regulations to legalize opening of Oyster Tonging Season as of September 15, 1963, and same date and month in subsequent years. Motion seconded by Commissioner Jones and carried unanimously.

Law Enforcement recommendations: Mr. Rafter and Mr. Ryland jointly recommend the suggestions formulated as of January 20, 1963, on Law Enforcement and adopted by this Commission, remain as our policy. Commissioner Hickman advised that Virginia has made request in Budget to supply its share of enforcement under said recommendations.

Chairman Valliant requested the Executive Secretary to write the proper departments in each State requesting that the annual appropriation of \$50,000.00 from each State be forwarded to us for this fiscal year 63-64. Motion was offered by Commissioner Jones, seconded by Commissioner Byrd that a committee be appointed to work with the Executive Secretary to formulate a budget to be submitted to each State. Motion carried. Chairman Valliant appointed Commissioner Jones and Commissioner Byrd as Budget Committee.

Motion was offered by Commissioner Byrd, seconded by Commissioner Jones, that "Informal Report on Oyster Management and Long-Term Planning Presented to the Potomac River Fisheries Commission", dated June 26, 1963, be accepted as presented and made a part of Minutes and that a letter of appreciation be sent to the committee making this report; namely Dr. L. E. Cronin, Dr. W. J. Hargis, Jr., Mr. J. B. Engle, Dr. J. D. Andrews, Mr. G. F. Beavan. The Secretary was requested to send Dr. Cronin a copy of the Minutes of June 26, 1963, in which request for this report was extended.

At 10:30 P. M., motion offered by Dr. Byrd, seconded and carried that we recess until 9:00 A. M., July 31, 1963.

The Commission reconvened at 9:20 A. M. on July 31, 1963. Identical group as present day before plus Mr. Dallas Long and Mr. John Frye, of the Press. Dr. W. J. Hargis, Jr. and Mr. John Widener joined the meeting later in the morning.

Motion offered by Commissioner Jones, seconded by Commissioner Hickman that contract for placing markers on jurisdictional lines be awarded the low bidder - the low bidder being Southern Maryland Pile Driving Co., Newburg, Maryland, at a figure of \$2,100.00 for all material installing the thirty-one (31) markers on both sides of the River, as approved by U. S. Navy, U. S. Coast Guard and Corps of Engineers. Other bids were as follows: Jenkins Construction Co., \$2,393.82; James A. Powell, \$2,402.50; Pratts Marine Construction Co., \$2,782.25 and Delahay Pile Driving Service Co., \$12,650.00. The Chairman requested Executive Secretary to notify Maryland and Virginia Law Enforcement Chiefs when installation of said markers will begin, so they may supervise and see that it is done according to specifications.

Commission voted to issue invitation to the Interstate Commission on the Potomac River Basin for a joint meeting on September 10, 1963, at either Colonial Beach or Cobb Island, possibly on board the yacht "Governor Tawes", if available; and that the two Commissions jointly invite the "Committees on Fish Mortality" recently appointed by the Governors of the respective States to meet with us at that time, for discussion of mutual problems.

Motion offered by Commissioner Jones, seconded and carried that the following Proposed Supplementary Regulations attached hereto, relating to Crabs and Fish, and Regulation II "Oyster Regulations", be adopted and that Legal Officer is requested to see that same are published and posted according to the terms of the Potomac River Compact, beginning next week.

Commissioner Jones offered motion, seconded, that public hearing be held at Colonial Beach, Virginia, Monday, September 9, 1963, at 10:00 A. M. (Eastern Standard Time) or 11:00 A. M. (Eastern Daylight Time), on the Proposed Regulations. Motion carried. (Press was requested to retire temporarily)

Lengthy discussion was devoted to consideration of an oyster tax for this season. By unanimous consent, the decision was postponed temporarily.

Commissioner Byrd requested that legal counsel give opinion at next meeting relative to the authority of this Commission to make regulations and/or laws authorizing its duly appointed agents to go into either Maryland or Virginia to check on records on Seafood Catches or Purchases.

Upon motion duly made and seconded, it was unanimously

RESOLVED: "That whereas it has come to the attention of the Commission that Mrs. Marie Sedgewick Weems, the stepmother of Dr. George J. Weems, one of the members of the Commission, has recently departed this life, which untimely event has necessitated the absence of the said Commissioner Weems from this meeting; and whereas, the Commission wishes to extend its sympathies in his loss, now therefore,

BE IT RESOLVED: That the Potomac River Fisheries Commission hereby extends to one of its Commissioners, Dr. George J. Weems, its deep sympathies to him and his immediate family in their recent bereavement."

Legal Counsel Everngam was requested to investigate and formulate regulation legalizing denial of application for license to, or revocation of license of, habitual offenders, and submit said recommendations at next meeting.

Commissioner Hickman offered motion, seconded by Dr. Byrd and carried that this Commission go on record endorsing the following

Resolution, which is a part of these Minutes, requesting the Bureau of Commercial Fisheries to seek additional markets for herring. Secretary was instructed to write the Bureau of Commercial Fisheries enclosing copy of Resolution.

"WHEREAS the POTOMAC RIVER FISHERIES COMMISSION was created by the Potomac River Compact. This is a Compact approved by the Congress of the United States between the State of Maryland and the State of Virginia because of their vital interest in conserving and improving the valuable fishery resources in the Potomac River; and

WHEREAS the POTOMAC RIVER FISHERIES COMMISSION is cognizant of the fact that the Potomac River produces large quantities of herring each year which are not used to their ultimate potential value; and

WHEREAS it is evident that this valuable food fish is being marketed and consumed in such a manner that the true food value and dollar value is being wasted because of the lack of a proper market; and

WHEREAS a much greater quantity of these fish could be caught and processed if a profitable market could be developed; and

Now Therefore Be It Resolved: That the POTOMAC RIVER FISHERIES COMMISSION respectfully request the Bureau of Commercial Fisheries to investigate the possibility of new outlets and sources for sale of herring fish, properly processed, to additional markets in the United States and foreign countries."

(At this point, Press returned to the proceedings.)

Dr. Hargis offered a report on the fish mortality in the Potomac River, to the effect that his group feels that effluent from sewage treatment plants is the primary cause of the kill in the Potomac. He stated a recent kill of fish in the Patuxent River was similar, and that now a kill is in progress on the Rappahannock River. In all instances, the kill effected mainly perch.

The date of the next meeting to be concurrent with a public hearing on Monday, September 9, 1963, at Colonial Beach, Virginia, at 10:00 A. M. (Eastern Standard Time).

Meeting adjourned.


CHAIRMAN
SECRETARY

INFORMAL REPORT ON OYSTER MANAGEMENT AND LONG-TERMPLANNING PRESENTED TO THE POTOMAC RIVER FISHERIES COMMISSION

By

Dr. J. D. Andrews, Va. Inst. of Marine Science
Mr. G. F. Beaven, Chesapeake Biol. Lab., Maryland
Dr. L. E. Cronin, Chesapeake Biol. Lab., Maryland
Mr. J. B. Engle, BCF Biol. Lab., Oxford, Maryland
Dr. W. J. Hargis, Jr., Va. Inst. of Marine Science

26 June 1963

INTRODUCTION

We have been asked by the Potomac River Fisheries Commission to prepare a brief summary on oyster management and long-term planning. The comments presented here were developed informally and quickly. It is our intention that they be understandable and constructive, but it is obviously impossible to prepare a formal report in this manner.

We share the Commission's wish that there were some quick and direct method of rehabilitating the oyster fishery and of developing a well-balanced plan for managing all of the resources of the river. Unfortunately, the present opportunities in oyster rehabilitation appear to be quite limited and no available approach promises rapid progress. There are, however, some constructive methods available for attempting improvement and for minimizing possible waste of rehabilitation funds.

The marine laboratories of Maryland, Virginia and the Federal Government have long had a deep interest in this area and its problems and offer complete cooperation with the Commission. Suggestions for implementing that cooperation are included in this report.

As a result of past work by the Chesapeake Biological Laboratory, it is known that spatfall on natural cultch is heaviest at the mouth of the river and that it dwindles rapidly upriver. It also seems to be heaviest on the Maryland shore (interestingly, this coincides with the pattern of setting in the James River).

The setting performance and potential of the lower Virginia tributaries, i.e., the Coan and Yeocomico Rivers, are relatively unknown.

OYSTER REHABILITATION PROGRAM

1. The potentials of the Potomac River for oyster production are excellent. We feel that the river is fully capable of exceeding the quantities produced before the decline.
2. In most of the river, however, productive potential is dependent upon, and will be limited by, the quantity and quality of seed oysters which can be planted.
3. In relation to the present potential sources of seed, we have the following opinions, based on Mr. Beaven's past records of the oyster bars and our collective knowledge of the river and of oysters:
 - a. On the production of seed in the open Potomac River -
 - (1) Present rates of set on Cornfield Harbor and Jones Shore are adequate to sustain the stock for local use if cultch is maintained on the bars. Shells planted there can contribute greatly to the local harvest of marketable oysters. They are not now usable for seed because sets are barely adequate for this purpose. Heavy stone deposits make harvesting of seed impracticable because young oysters would be heavily damaged. It is likely that shells, planted at the proper time, would receive better sets than natural cultch. This should be fully tested and may yield a significant quantity of seed.
 - (2) Near Coan and Yeocomico Rivers, there are extensive areas of bottom which may have potentials for seed production if they are planted with shells, but not enough data are available for evaluating them. They should be tested carefully.
 - (3) We have no present indication that any other location below the bridge will produce usable seed. Additional useful sites should be continuously sought.
 - b. With relation to the known stocks on up-river bars above the bridge -
 - (1) Good sets occur above the Potomac River Bridge, but very rarely; so rarely that the area cannot be relied upon to furnish seed. When these do

occur, they may furnish usable seed, since oysters grow relatively slow on these beds and might be lost in unusually heavy floods. Normally, however, sets are so sparse that they should be left for local harvest. (Study of the average seasonal salinities of these up-river bars indicates that they are marginal.)

- (2) This area should, therefore, be monitored every year and any heavy set might well be utilized as seed. The average quantity will probably be insignificant.
- (3) At the present time, cultch is not needed since shells are plentiful where the bottom is favorable.
- (4) We recommend that the present stocks be left for local harvest since the bushel count is low for seed. In this area, the oysters grow slowly, appear to be quite free from mortalities, and lie scattered among large volumes of shell, which would be expensive to cull. Those that reach legal size are of good quality.

c. On the use of seed from tributaries: As mentioned above, setting appears to be best on the Maryland side of the lower river. Probably tributary waters offer the best potential as setting areas. Every effort should be made to explore and develop these possibilities. The present legal pattern does not permit maximum use of this seed in the river.

- (1) St. Mary's River is biologically capable of producing relatively large volumes of seed in some years. Other tributaries in Maryland and Virginia are less productive but could supplement this source.
- (2) The pattern of using high quality tributary seed for the excellent growth rates possible in the open river has very great possibilities from the biological point of view. We cannot evaluate the legal or social limitations, although we recognize that they may be greater than the biological problems. Effective repletion can be achieved only if all limiting forces are overcome, including those of bio-

logical, legal, and social origin.

d. On purchasing seed from sources outside of the Potomac area -

- (1) At the present time, some seed is available but it would be expensive.
- (2) Importation of seed, especially from out-of-state, is often difficult for legal and political reasons.
- (3) The high cost of such possibilities underscores the Commission's need for establishing an adequate bushel tax at the earliest practicable date.

4. Other aspects of oyster management:

a. On enforcement and control -

- (1) We recognize that effective enforcement of the cull law is essential for maximum development of oyster potentials.
- (2) Shell and seed plantings must be adequately protected prior to harvest.
- (3) Excellent and accurate records will be required, since they are essential for all management efforts.

b. On private plantings vs. public management -

- (1) Both types of cultivation are dependent on the supplies of seed that can be put into cultivation.
- (2) In our opinion, maximum private farming would increase production more rapidly than public management. Private capital can obtain seed from sources which are not available to the public agencies and can provide more risk capital.
- (3) This choice is deeply involved in legal and political problems, which are not properly in our field. We express no opinion on these problems.

c. On inventories of oysters, bottoms, and shell deposits -

- (1) Annual surveys to determine the kinds of oysters present in major areas must be continued. They probably should be more detailed than in past years.
- (2) There should be a thorough inventory of usable stocks, potential growing bottom, and available shell deposits. Such survey and studies, if they are to be accurate enough to be helpful, will be very expensive and time-consuming, although they can be done piecemeal. Our laboratory staffs could develop plans and cost estimates at a later date.

BROAD INVENTORY OF THE POTOMAC RIVER

Many fragments of knowledge exist about the Potomac River and its resources. These should be brought together and made available in clear and useful form for the Commission. At the same time, it is obvious that many gaps exist and that much additional information will be needed in future years for the Commission's guidance. The Maryland and Virginia laboratories have already discussed these needs with the Interstate Commission on the Potomac River Basin, which is also interested in these fields and might be able to join this Commission in supporting some work of this type.

We suggest that the Virginia Institute of Marine Science be assigned principal responsibilities relating to the chemistry, physics, geology and general hydrography of the river and that the Chesapeake Biological Laboratory be assigned primary responsibilities relating to biological aspects. These institutions could take the lead in developing summaries of existing knowledge and presenting plans for future additions to that knowledge.

RECOMMENDATIONS ON GENERAL CONSERVATION, ADMINISTRATION AND RESEARCH

1. We recommend that a capable conservation officer or management biologist be employed by the Potomac River Fisheries Commission for work on all the resources of the river. We suggest that his principal responsibilities might be to provide liaison with state and federal agencies and to provide continuing attention to the management efforts of the Commission.
2. We recommend that continuing contracts for research be established with the Chesapeake Biological Laboratory of Maryland and the Virginia Institute of Marine Science. We suggest that

the financial support from this Commission could be matched in services by the laboratories to provide an excellent research service for the Commission at relatively low costs. This program would be much larger than that possible without continuing Commission support.

3. We recommend that special major research projects, which might have relatively large costs, be developed and funded by supplementary agreements.
4. We recommend that every possible use be made of the U. S. Bureau of Commercial Fisheries Laboratory at Oxford, Maryland, of other federal agencies, and of any other competent sources of assistance.

L. Eugene Cronin
Acting Secretary