

POTOMAC RIVER FISHERIES COMMISSION
Colonial Beach, Virginia
January 10, 1964

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The meeting was called to order at 11:05 A. M. by Chairman Valliant. Commissioners Byrd, Hickman, Ball, Jones, Weems; Legal Officer K. Thomas Everngam, and Robert M. Norris, Jr., Executive Secretary were present; as were Chief Inspector Roy Rafter, Supervising Inspector Paul C. Wentzell, of Maryland; Fisheries Law Enforcement Chief J. William Ryland, Inspectors Allen, Webb, Dameron and Mr. Charles Bagnell, of Commission of Fisheries of Virginia. Press representatives present: Mr. Stephen E. Nordlinger, Baltimore Sun and Mr. John C. Goolrick, Fredericksburg Free-Lance Star.

Commissioner Hickman offered motion, seconded by Commissioner Ball, that reading of Minutes of December 12, 1963 meeting, of which mimeographed copies had previously been mailed the Commissioners, be dispensed with, and that they be approved as written. Motion carried.

The Commission then went into executive session at 11:15 A. M. and all persons except the Commissioners, Legal Officer and Executive Secretary withdrew.

Old Business was declared in order. Discussion of the cull law in Paragraph #18 of the Minutes of November 14, 1963, was discussed. It was decided that there would be no changes in either Regulations or law enforcement policy this season - said policy being the issuance of a Warning Ticket to a first offender having uncultured oysters totaling 6 to 9% of his catch and that same be planted; on second offense, offender will be issued a Court Summons if uncultured oysters and/or shells exceed 5%.

Referring to Item E in Minutes of meeting December 12th, Chairman Valliant advised of conference with Mr. Rennie, Budget Director of Maryland, which had cleared any misunderstanding regarding amount of appropriation requested in our Budget Proposal for the 1964-65 fiscal year. Further, that upon counsel of Mr. Rennie, he plans to see Mr. Ubecht, Maryland Comptroller for same purpose. To date, he has not been able to arrange a conference with Mr. Ubecht.

Commissioner Byrd offered motion, seconded by Commissioner Weems, that Chairman Valliant write Maryland Comptroller asking for \$25,000 balance due of the 1963-64 appropriation, and state that arrangements will be made to deposit this amount to the credit of the Potomac River Fisheries Commission equally in bank, or banks, in Maryland. Motion approved unanimously.

Commissioner Byrd offered motion, seconded by Commissioner Weems, that Chairman Valliant be authorized to write to Budget Directors of Maryland and Virginia a letter of explanation that Commission intended to request only \$50,000, the minimum amount required annually from each State by terms of the 1958 Compact, and that Commission would operate within the \$100,000 Budget plus revenue from licensing. Motion approved unanimously.

Commissioner Hickman advised that Budget Director of Virginia has approved an appropriation of \$82,962.00 for Commission for fiscal year of 1964-65 -- the \$32,962.00 excess over the intended request being surplus carried over from last year and shown in the Budget only to indicate funds available for fiscal period 1963-64. Commissioner Jones offered motion, seconded by Commissioner Byrd, that Chairman for the coming year write a letter to the Virginia Budget Director and Chairman of the House Appropriations Committee, of Virginia Legislature, requesting that Budget Department transfer the said \$32,962.00 excess from Potomac River Fisheries Commission budget and add to budget of the Commission of Fisheries of Virginia; thereby increasing the Virginia Commission of Fisheries appropriation by that amount. Motion approved unanimously.

Discussion of seed oyster purchase carried over from last meeting was brought up. Commissioner Weems offered motion, seconded by Commissioner Jones, that decision on purchasing seed

oysters from Kedges Straits or elsewhere be temporarily deferred. Motion approved unanimously.

At 12:05 P. M. Chairman Valliant declared the meeting in open session. Press representatives and others named above returned to the meeting. At this point, the Chairman reported to open session the results of discussions of the executive session.

New Business was declared in order.

Commissioner Byrd offered motion, seconded by Commissioner Hickman, that Chairman appoint Committee to make a study of Items 5 (a) and (b) on the Agenda; namely: (a) "the question of alternating headquarters from year to year, or maintaining duplicate or branch offices in each State", and (b) "establishment of Maryland depository for funds and/or splitting funds between Maryland and Virginia banks": the Committee to submit at next meeting proposed solutions, which would be eminently fair to both States and in the best interests of the River. Motion approved unanimously.

In response to inquiry from Mr. A. E. Bucker, Virginia State Auditor, concerning audits; Commissioner Byrd offered motion, seconded by Commissioner Jones, that Auditor of Public Accounts of each State be reminded of the requirement of the Compact, Article VI, Section 3, Subsection (b) and that audits be conducted accordingly. Motion approved.

Commissioner Byrd offered motion, seconded by Commissioner Jones, that Chairman write the President of John's Hopkins University, the University of Maryland, the University of Virginia and the college of William & Mary and solicit their cooperation by furnishing personnel for a Committee to work out a plan for the rehabilitation of the Potomac River, including oyster bottom and population surveys. Motion approved unanimously.

Commissioner Ball offered motion, seconded by Commissioner Jones, that the Chesapeake Biological Laboratory and the Virginia Institute of Marine Science be requested to furnish us all aid and information in cooperation with this Committee and proceed with a survey of oyster bottom and population immediately. Motion approved.

Chairman Valliant declared the meeting in recess at 12:40 P. M., and at 14:45 P. M. declared the meeting back in session.

Commissioner Byrd offered motion, seconded by Commissioner Hickman, that Commissioner Jones be elected Chairman for 1964. There being no further nominations, unanimous vote was cast in favor of Commissioner Jones.

Nominations for Vice-Chairman declared in order. Commissioner Weems nominated Commissioner Byrd. Nomination seconded by Commissioner Ball. Commissioner Jones offered motion that nominations be closed. Motion seconded by Commissioner Hickman. Commissioner Jones' motion that nominations be closed was approved unanimously. Unanimous vote was then cast for Commissioner Byrd for Vice - Chairman for the coming year.

Commissioner Hickman offered motion, seconded by Commissioner Jones, that Commissioner Weems be elected Secretary for 1964. Commissioner Hickman offered motion that nominations be closed. Motion seconded by Commissioner Jones. Unanimous vote was cast in favor of both motions in proper order, and the Chairman declared Commissioner Weems re-elected Secretary.

At 12:55 P. M., Chairman Valliant told the Commission that working with them this past year had been a pleasure and privilege and expressed his appreciation for their cooperation and support. Chairman Valliant extended his congratulations to the new Chairman, Commissioner Jones, who was then installed as Chairman.

Chairman Jones in a few brief words stated that the Compact became effective about a year ago, and that the Commission was

formed almost immediately. He said that the Commission, in its work, has come a long way and shows great advance in one year, largely due to the able and dedicated leadership of Mr. Valliant. He hopes, and feels, that he will have the continued cooperation and support of the Commission and thanked the Commission for their confidence in electing him Chairman.

Commissioner Byrd offered motion, seconded by Commissioner Weems, that Chairman have prepared a Resolution on Mr. Valliant's able and impartial leadership this past year, and that Resolutions be spread on Minutes of this meeting and copies be forwarded to the Governors of Maryland and Virginia. Motion carried unanimously. Resolution follows:

"RESOLUTION OF POTOMAC RIVER FISHERIES COMMISSION

WHEREAS, Jeremiah Vallinat of Salisbury, Maryland, has served as the first Chairman of the Potomac River Fisheries Commission during its first and formative year of existence; and

WHEREAS, Jeremiah Valliant has by his leadership and executive ability exemplified the highest qualities of fairness and impartiality as Chairman of this Commission composed of three Commissioners from the State of Maryland and three from the Commonwealth of Virginia; and

WHEREAS, Jeremiah Valliant has in our opinion attempted at all times to carry out on the highest level the intent and cooperation expressed by the Potomac River Compact of 1958, which was adopted as the law of Maryland and Virginia by their respective General Assemblies and approved by the Congress of the United States of America.

NOW THEREFORE WE THE UNDERSIGNED MEMBERS OF THE POTOMAC RIVER FISHERIES COMMISSION do hereby express our appreciation of the dedicated and able leadership of Jeremiah Vallinat, as Chairman of the Potomac River Fisheries Commission for the year 1963, and thank him for his unselfish and tireless service.

ATTEST:

Robert M. Norris, Jr. (Signed)
EXECUTIVE SECRETARY

(Signed) Lewis Jones, Jr.

Milton T. Hickman

H. C. Byrd

Neville G. Ball

G. Weems

COMMISSIONERS

Passed January 10, 1964."

Chairman Jones called on Chief Law Enforcement Officers of Maryland and Virginia, Mr. Rafter and Mr. Ryland, who each stated, "No Report" at this time.

Chairman Jones appointed Commissioners Byrd and Hickman, a Committee to make a study of the headquarters location and establishment of banks in Maryland as depositories for Commission funds, and requested their report at next meeting.

Commissioner Valliant offered motion, seconded by Commissioner Hickman, that renewal of lease on present headquarters building for the year 1964, previously approved by telephone poll of each Commissioner, be confirmed. Motion carried.

Chairman Jones brought up Senator J. Frank Raley's (St. Mary's County) request that Commission endorse proposal to straighten jurisdictional line between Heron Island and Blakiston Island, by deleting from Compact, Article II, "Jurisdictional Boundaries", the words, "***thence northeasterly following the ridge of Heron Island Bar to its western extremity***", effect of which would place under Maryland jurisdiction that area north of a straight line from the eastern extremity of Heron Island Bar to the most southerly point of Blakiston Island, an area estimated to contain 150 acres more or less; that Senator Raley is introducing a Bill in Maryland Legislature for this purpose, and that he requests that

the Potomac River Fisheries Commission arrange with Delegate Walther B. Fidler, member of Virginia Legislature, to sponsor same Bill in Richmond simultaneously; that the area in question is approved by Maryland oystermen and clammers for soft shell clamming ground, as it is not a productive oyster bar. No motion offered, but Commission asked Commissioner Weems to discuss with Senator Raley and suggest to him that Bill be presented to Maryland Legislature, get their affirmation quickly as possible (no later than February 15th), and we would then request Delegate Fidler to support this Bill in Virginia.

Commissioner Ball offered motion, seconded by Commissioner Valliant that list of itemized disbursements presented to the Commission for period of December 7, 1963 through January 3, 1964, in the amount of \$2,899.86, be accepted. Motion carried.

Letter from Dr. Richard Miller, Chesapeake Biological Laboratory, was read to the Commission, confirming that closing river to haul seining during the months of January, February and March serves no good conservation purpose, and saying that Virginia Institute Of Marine Science concurs in this opinion.

Chairman Jones asked Commissioner Byrd if he would serve as representative of this Commission to public meeting of Interstate-Commission on the Potomac River Basin, to be held in Arlington, Virginia on January 23rd and 24th.

Legal Officer Everngam advised Commission that his brief on jurisdiction of Potomac River is being mimeographed, and copies will be mailed to each Commissioner in a few days.

Commission decided against contributing financially toward cost (approximately \$16,000) of printing brochures containing seafood recipes to be distributed by Bureau of Commercial Fisheries to restaurants, etc.

Commissioner Byrd advised that Attorney General of Maryland says this Commission has jurisdiction in matter of 4.44 acres of bottom on jurisdictional line at mouth of Upper Machodoc Creek referred last month to Maryland Department of Tidewater Fisheries. Commissioner Weems offered motion, seconded by Commissioner Valliant, that Mr. Self and others, who held lease from Virginia Commission of Fisheries, since voided by that agency, with the cooperation and under the direction of Law Enforcement Officers, determine if Mr. Self had planted oysters on Potomac River side of jurisdictional line; and if so, how many; then only with approval of Law Enforcement Officers can he move same, under direct supervision of said Law Enforcement Officers. Motion unanimously approved.

Letter dated January 7th, from Mr. David Sayre, President of St. Mary's Watermen Association, requesting that this Commission change date of oyster season opening from October 1st to September 1st, was read. Commission instructed the Executive Secretary to write Mr. Sayre that the request will be taken under consideration.

Commissioner Valliant offered motion, seconded by Commissioner Ball, that Commission have printed 1000 pamphlets including the 1958 Compact and Regulations, as indexed by Legal Officer Everngam, if cost does not exceed \$250. Motion approved. Executive Secretary was advised to have three firms quote on cost of printing.

Commissioner Ball said that Law Enforcement Officers should be commended for their cooperation, assistance and devotion to their duties, which has immeasurably aided the Commission in its work and success this year.


The following Resolution was proposed and duly adopted by unanimous vote:


"Be It Resolved, the Bank of Westmoreland, Inc., be, and it is hereby, designated a depository of this Commission and that its 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 in an amount not to exceed one thousand dollars (\$1,000) be signed by Robert M. Norris, Jr., Executive Secretary, with no countersignature required, and checks, drafts, notes, or orders in excess of one thousand dollars (\$1,000) be signed by Robert M. Norris, Jr., Executive Secretary, and countersigned by Chairman of the Potomac River Fisheries Commission, whosoever the same may be, and that this Resolution supercede old Resolution dated April 1, 1963 only in respect to signatures and countersignatures."

Next meeting is called for March 10, 1964 at 10:30 A. M., in the Commission Offices at Colonial Beach.

At 1:35 P. M., the Commission adjourned.


CHAIRMAN


SECRETARY