

Chairman Jones called the meeting to order at 9:07 A. M. (EST). Present were Commissioners Byrd, Hickman, Ball, Valliant and Weems; Legal Officer K. Thomas Everngam; Robert M. Norris, Jr., Executive Secretary; Chief Inspector Roy Rafter, Supervising Inspector Paul C. Wentzell and Mr. John C. Widener, Engineer of Maryland; and Law Enforcement Chief J. William Ryland and Inspector Ralph Dameron, of Virginia. From the press were Mr. Dallas Long, Miss Evelyn Gough, Mr. Harris; and Mr. James Moser entered at 9:38 A.M.

Commissioner Hickman offered motion, seconded by Commissioner Valliant that reading of Minutes of meeting of March 31, 1964, which mimeographed copies had previously been mailed out to Commissioners, be dispensed with. Commissioner Byrd moved that said Minutes be corrected identifying in the seventh paragraph "Citizens National Bank of Leonardtown", as, "Citizens National Bank of Southern Maryland, Lexington Park, Maryland". Commissioner Valliant seconded motion. Chairman Jones requested a vote and the motion was approved.

Chairman Jones introduced Mr. Joseph H. Manning, Director of Maryland Tidewater Fisheries Commission, who was present to advise and offer his views of soft shell clamming in the Potomac River. Commissioner Weems suggested that Mr. Manning also give us his opinion on shell and seed oyster planting. Mr. Manning recommended that regulations be set up to enable the Commission to close "clamming rocks" on very short notice, and that the various groups of oystermen and clambers be brought together and agree where the clamming areas should be.

Commissioner Byrd proposed three questions: (1) To find out whether under the law we are prohibited from dealing in the question of marketing? (2) There apparently is no danger of depletion or exhaustion provided proper management steps are taken? (3) The clamming industry be conducted for the benefit of the individual watermen who cannot afford to put \$25,000 into a clamming rig; should we allow individuals to put large rigs in the River and take up large quantities of clams at lower cost than the small operator is able to do, which would eventually put the small operator out of business? Commissioner Byrd then offered motion that the following resolution be adopted, and that a special meeting of this Commission be held to consider such regulations that may be presented them; said regulations to meet the three questions propounded above:

"WHEREAS, there is a rich untapped resource in the Potomac River in soft clams; and

WHEREAS, the watermen of Maryland and Virginia have never made use of this resource; and

WHEREAS, it is the duty of the POTOMAC RIVER FISHERIES COMMISSION to develop all resources of the Potomac River; and

WHEREAS, it is the function of the POTOMAC RIVER FISHERIES COMMISSION to develop and protect such resources; and further that it be the sense of the POTOMAC RIVER FISHERIES COMMISSION that the entire Potomac River be closed to soft clam dredging with the exception of such areas as may be hereafter opened; and

BE IT THEREFORE RESOLVED, that the counsel for the POTOMAC RIVER FISHERIES COMMISSION be authorized to meet with the DIRECTOR OF THE TIDEWATER FISHERIES COMMISSION OF MARYLAND and such other persons as may be advisable to work out regulations to govern the development of the resource known as "soft clams" and to make regulations to protect this resource."

Commissioner Valliant seconded the motion. Motion carried.

Mr. Manning suggested that a limit be put on the conveyor length; that they are now being built 65 feet long to work in 40 foot depth of water. It is not known how important for improving stock clam population in deep water may be. He and Dr. Cronin feel very strongly that a limit of 40 feet on the conveyor be sufficient. Chairman suggested that Mr. Manning and Mr. Everngam work up what would be considered ideal working regulations and conditions for clamming, since as Commissioner Byrd says, "This is the golden opportunity to do so, there being no regulations at present".

Chairman Jones called for reports on seed and shells in the Potomac River. Commissioner Byrd reported that the decision of the Tidewater Fisheries of Maryland was that we get bids from both C. J. Langenfelder & Son, Inc. and Radcliff Materials, Inc., who are dredging shell stocks in Maryland and Virginia respectively, to determine the prices on which they would be willing to deliver dredged shells overboard in the Potomac River. There is no current price proposal from Langenfelder & Son, Inc. Commissioner Hickman reports that Radcliff has a firm price for delivery at 15¢ per Va. bushel (14¢ per Md. bushel). Commissioner Byrd said that Mr. Ralph Hammer, of Langenfelder & Son, Inc., plans to investigate the extent of shell deposits above the Potomac River Bridge for future availability of shell cultch for use in the Potomac River.

Chairman Jones reminded the Commission that he had been authorized at the last meeting to purchase seed or shells at a cost not to exceed \$132,000. Chairman Jones said he would work with Radcliff to determine the latest date at which they should be notified, in time to give Langenfelder & Son, Inc. opportunity to quote on shells from the upper Chesapeake Bay or from beds (if available) in the Potomac River. Mr. Manning suggested that due to the scarcity and high price of seed, it appeared to be almost mandatory that we plant as many shells as possible - to try to develop our own seed beds. Commissioner Hickman recommended that in addition to the \$132,000 available immediately, that purchases be made to be paid for out of the appropriation due from each State, as of July 1st.

Commissioner Byrd offered motion that \$150,000 be appropriated for the purpose of a million bushels of shells, at 15¢ per bushel, to be planted in the River, and that the \$132,000 appropriation be included in this \$150,000 figure. Also, that Mr. Fred Sieling, of the Tidewater Fisheries of Maryland, be authorized to supervise this planting, and that Mr. Sieling refer to Dr. Beaven's last recommendations and plan as to where these shells should be planted. Commissioner Ball seconded the motion. Motion carried.

At twenty minutes past ten, Mr. George H. Badger, Jr., Engineer of the Virginia Commission of Fisheries, entered.

Mr. Manning said that the clam catch for the first two weeks in April in the Potomac River was over 10,000 bushels, and suggested that a \$25.00 license fee is pitifully small; that the license fee should be much more than that. In reply to Commissioner's Hickman question, Mr. Manning said that he thinks that a reasonable oyster tax, to help rehabilitate the River, would be 25¢ per bushel. Commissioner Valliant referred to the provision of the Compact and quoted how it specifies the tax is to be paid and collected and asked if it would create any complications within the Tidewater Fisheries Commission. Mr. Manning said that the buyers' reports should show origin of the verification of the amount of tax due. Mr. Manning further stated that he does not think that the collection of the tax is an insurmountable problem. Before retiring from the meeting at 10:32 A. M., Mr. Manning made the statement that he is very anxious to see informity between Maryland and the Potomac River Fisheries Commission on clamming.

Commissioner Byrd offered motion, seconded by Commissioner Weems, that an appropriate resolution be adopted in reference to Mr. Beaven and his services; a copy sent to his family, a copy to the department where he worked and a copy spread upon the Minutes of this meeting. Therefore, it was unanimously

"RESOLVED, that whereas, G. Francis Beaven was head of the Invertebrate Division of the Chesapeake Biological Laboratory and in that position was able to and did most competently and cordially accord the Potomac River Fisheries Commission the benefit of his knowledge, time and talent by aiding, advising and guiding most cooperatively in the establishment of a program for the conservation and rehabilitation of the oyster resource under our jurisdiction; and

WHEREAS, the Commissioners feel a deep sense of loss personally; and

WHEREAS, this Commission and the citizens of the State of Maryland and the Commonwealth of Virginia have suffered immeasurably in the untimely departure from this life of the dedicated and able G. Francis Beaven; and

WHEREAS, this Commission wishes to extend its sympathies to his family and to the Department where he worked; now therefore

BE IT RESOLVED, that the Potomac River Fisheries Commission hereby extends to the family of Mr. G. Francis Beaven, in their personal bereavement, its deep sympathies and to the Chesapeake Biological Laboratory a heart-felt sense of loss, and that a copy of this resolution be sent to the family, a copy sent to the Chesapeake Biological Laboratory and a copy spread on the Minutes of this Commission."

Copies of the report of the disbursements from March 1, 1964 through April 30, 1964 showing itemized amounts paid during that period, totaling \$5,093.52, were distributed to the Commissioners. The statement indicated receipts in this period to be \$734.00 from sale of licenses, plus \$25,000 balance due from Maryland for the 1963-64 appropriation. Motion was offered, seconded and duly approved that the report, as presented, be accepted.

Chairman Jones stated that the Compact requires submission of budget to the Governors of Maryland and Virginia, and that he is appointing Commissioner Weems and Commissioner Ball to work with the Executive Secretary to formulate such a budget for the next fiscal year to be submitted at the next meeting.

Chairman Jones stated that at our next meeting regulations on clams will be the main item on the agenda; also, that oyster tax will not be decided now but discussed at the next meeting, and requested that the Minutes show that oyster tax consideration be delayed until next meeting.

Commissioner Valliant offered motion, seconded by Commissioner Ball, that the Clerks of the Courts of the following Maryland Counties be hereby designated as agents of this Commission to handle and forward applications for commercial fishing, oystering and crabbing licenses in the Potomac River, using forms same suggested and approved by State Auditing Department of Maryland, Comptroller's Office of Maryland and the State Auditing Department of Virginia, and to issue combination prenumbered receipt and 15-day temporary licenses: Prince George, Anne Arundel, Talbot, Dorchester, Queen Anne, Somerset, Calvert and Wicomico; in addition to Charles and St. Mary's Counties approved at the March meeting. Motion approved unanimously.

Commissioner Weems offered motion, seconded by Commissioner Valliant, that \$5,000 be transferred from Savings Account to Checking Account. Motion carried unanimously.

Commissioner Valliant suggested that as a matter of

policy, when we submit request for the annual \$50,000 appropriation, that the request be submitted through the Department of Tidewater Fisheries of Maryland.

The administration was authorized by the Commission to send out notice with each fishing structure license (new or renewal) to the effect that the U. S. Army Corps of Engineers requires name and address printed on a board to be attached to outside stake of each fishing stand. This action to be effective for this year only.

Chairman Jones outlined Mr. Cort Herbert's recommendation that oyster lumps, rocks and bars be located in Potomac River in the area from Machodoc Creek to Maddox Creek by use of depth finder and soundings and testing with small dredge - those areas which show good cultch be dragged thoroughly with a heavy rake bar, without a bag, to turn the shells and other cultch to wash the same. This, it is felt by Mr. Herbert and others, will provide natural cultch without the expense of planting same for surfaces for oyster larvae to attach to for a set. Commissioner Valliant said that this is what he has been advocating for many years.

Executive Secretary was authorized to determine what kind of contract can be effected to do this work, and report further to the Commission.

Mr. John Widener, speaking for his committee including Mr. Badger, Chief Rafter and Chief Ryland, reported their suggestion for marking the jurisdictional lines above Route 301 Bridge to the District of Columbia. They would dispense with the intricate surveys as made below the Bridge; points can be run with the surveys and maps already existing. The engineering departments can also set the initial stakes. He suggests that the two Commissions be reimbursed their part for this work. Mr. Widener and Mr. Badger said that they would report on the cost of the proposal at the next meeting.

Change of oyster season back to September 15th, as requested by several watermen, was proposed. Commissioner Byrd suggested that it be taken up at the same time oyster tax is discussed.

Chairman Jones requested Legal Officer Everngam to confer with Mr. Manning to give him the date of next meeting and for them to work up the proposed clamming regulations. Chairman asked that Mr. Widener and Mr. Badger be notified of the date of next meeting. Mr. Everngam, in answer to Law Enforcement Officers' question said that there is no closed season on shad or herring.

Date of next meeting will be the 29th of May, 9:00 A. M., Eastern Standard Time, at Colonial Beach, Virginia.

Meeting adjourned at 11:10 A. M. (EST).


CHAIRMAN


SECRETARY