

Colonial Beach, Virginia

May 29, 1964

Chairman Jones called the meeting to order at 9:37 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 and Supervising Inspector Paul C. Wentzell, of Maryland; (Mr. John C. Widener, Engineer, entered at 9:55 A.M.); Law Enforcement Chief J. William Ryland and Inspector Ralph Dameron, of Virginia. Press representatives: Dallas Long, John Frye, Mrs. Agnes Cooke, Miss Evelyn Gough and Mrs. Turner. In addition was Mr. Winston Leonard, Special Field Editor of Fish Boat Magazine. Visitors present: Mr. George Heller Harrison, Executive Secretary of Chesapeake Bay Seafood Industries, plus Mr. Walther B. Fidler, Attorney, representing and accompanied by Messrs. Walter Allen, John Allen, Douglas Jenkins and Lester Barnes, of Coles Point. (Mr. Herman W. Dixon, of St. Mary's County entered at 10:20 A. M.)

Commissioner Valliant offered motion, seconded by Commissioner Hickman, that reading of Minutes of meeting May 1, 1964 be dispensed with, as mimeographed copies had previously been circulated to Commissioners, and that the Minutes be adopted as presented. Motion carried.

Commissioner Byrd offered motion, seconded by Commissioner Valliant, that action on Proposed Clamming Regulations be deferred until after Maryland Tidewater Fisheries Commission meets this afternoon. Motion carried. Chairman Jones requested that Executive Secretary be advised of Maryland Fisheries Commission's action this afternoon.

Chairman recognized Mr. Fidler, who spoke on behalf of the group of crab potters, requesting that soft shell clamming in the Potomac River be closed during the months of May, June, July and August to allow crabbers to work on the same areas that the clambers would work. This would automatically set the clamming season from September 1st through April 30th.

At this point, the Chairman recognized Mr. Widener, who reported on proposed marking of jurisdictional lines of Potomac River above Route 301 bridge. Mr. Widener reported that he and Mr. George H. Badger, Jr., Engineer of the Commission of Fisheries of Virginia, concur that Maryland Department of Tidewater Fisheries Engineering Department locate and set the initial markers, at a cost of approximately \$1,376.00 for the survey work; the department to be reimbursed by this Commission for actual cost. Mr. Widener stated that Mr. Manning has agreed that Mr. Widener's department do this work. Installation cost of permanent markers is estimated by the contractor who placed markers last year at \$4,000. In summary, Mr. Widener reported that it appears that the work can be done for \$5,000 to \$5,500.

Commissioner Valliant offered motion, seconded by Commissioner Hickman, that we accept the joint report made by the Engineering Departments of Maryland and Virginia, as presented by Mr. Widener, with thanks, and that the offer by Maryland Department of Tidewater Fisheries to do the survey work be accepted. Motion carried.

Commissioner Ball offered motion, seconded by Commissioner Valliant, that invitations to bid on labor and material for installing permanent markers, number of points determined by the surveyors, go out with requests that bids be submitted in time for consideration at the next meeting of this Commission. Motion carried.

Commissioner Hickman offered motion, seconded by Commissioner Ball, that regulation be prepared to enact a twenty-five cent (25¢) per bushel tax on oysters to be spent on rehabilitation of oyster rocks. Vote taken and recorded as three (3) for and three (3) against. Chairman announced that the motion had failed.

Commissioner Hickman offered motion, seconded by

Commissioner Ball, that regulation be prepared to enact a twenty cent (20¢) per bushel tax on oysters to be spent on rehabilitation of oyster rocks. Vote taken and recorded as Five (5) in favor of motion, with Commissioner Byrd dissenting. Chairman declared the motion carried.

Chairman asked Mr. Everngam, Legal Officer, to prepare regulations on oyster tax for consideration at next meeting, at which time date of public hearing will be set.

Executive Secretary reported that as of Tuesday, May 26th, 89,736 bushels of shells had been planted on St. George's Island, by C. J. Langenfelder & Son, and that 241,359 bushels of shells had been planted on Jones' Shore by Radcliff Materials, Inc. It appeared that the planting would continue on the areas as selected until a million bushels of shells had been seeded in the Potomac River, as the Virginia Commission of Fisheries is delaying shell-planting operation in Virginia until the Potomac River Fisheries Commission can be supplied with the above quota.

Chairman requested that the invoice from Langenfelder & Son, in the amount of \$12,563.06 be proved and brought up for consideration at next meeting.

There was discussion on whether the Commission wishes enforcement of the five percent (5%) cull law, as per the Regulations, or Maryland's policy of issuing a warning for first offense each year, if undersized oysters and shell amount to more than six percent (6%) and less than nine percent (9%) of the catch. Chairman Jones requested Chief Rafter and Chief Ruland, Inspectors Wentzell and Dameron to confer and report at next meeting with recommendation, and that they also recommend how to implement the exchange of information between law enforcement agencies of each state and this Commission.


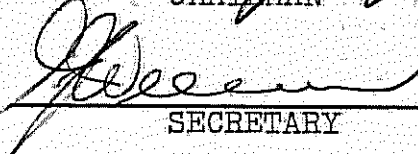
Chairman Jones approved Commissioner Byrd's request that the Legal Officer outline, at the next meeting, the mechanics of setting up a commission appointed by the Governors to consider changes in the Maryland-Virginia Compact of 1958.

Commissioner Hickman offered motion, seconded by Commissioner Valliant, that the Commission authorize the Chairman to enter into an agreement with the Secretary of Health, Education and Welfare on behalf of this Commission, qualifying this Commission for Social Security coverage as provided by Title II of the Social Security Act. The reason being that this Commission, as a political subdivision, must make reports and payments direct to the Secretary of Health, Education and Welfare rather than through the Internal Revenue Service. Motion was approved.

Executive Secretary was instructed to include on the agenda for the next meeting the question of the Commission qualifying for membership in a retirement system of either Maryland or Virginia. Also, that Proposed Clamming Regulations will be presented at next meeting.

Next meeting of the Commission to be held Friday, June 19, 1964 at 9:00 A. M. (DST) at Colonial Beach, Virginia. The Chairman requested that Commissioners gather the evening before to brief themselves on proposed regulations and other questions.

The meeting adjourned at 11:22 A.M., Eastern Standard Time.


CHAIRMAN

SECRETARY