

POTOMAC RIVER FISHERIES COMMISSION  
September 15, 1972  
Colonial Beach, Virginia

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PRESENT: MEMBERS: Commissioners Richard E. Lankford, J. Clifford Hutt, John T. Parran, Jr., James E. Douglas, Jr., Roy E. Julie, Jr., James L. Sisson, Jr.

OFFICERS: K. Thomas Everngam, Legal Officer; Robert M. Norris, Jr., Executive Secretary.

VISITORS: Mr. Dexter Haven, of Virginia Institute of Marine Science; Roy W. Rafter, Superintendent of Maryland Natural Resources Police; Thomas H. White, Auditor Maryland Department of Natural Resources; Harvey C. Cook, Maryland Marine Police; E. Ralph Dameron, Virginia Marine Police; Howard S. Hudnall, Marine Resources Commission of Virginia; F. F. Churchill and C. P. Hontgas, of Naval Weapons Laboratory, Dahlgren, Virginia; Atty. Ammon G. Dunton, Sr., John Deihl and D. L. Sullivan, of Haynie Products, Inc.; James W. Dutton, President of Charles County Watermen's Association; David L. Sayre, President of St. Mary's County Watermen's Association; William G. Lloyd, Jr., Ernest F. Haines, George T. Lee, Irving Daiger, Diller Harding, George M. Dean, Lewis F. Davis, Richard Chatcham, Cort Herbert, Alfred Rest, Chester Jenkins, Jr., Calvin Allen, James O. Saunders, Willard W. Elliott, Willard L. Elliott, Clarence M. Thompson, Wayne M. Balderson, Warren McKenney, James McNeal.

PRESS: Miss Linda Evans and Mr. Jerry Lazarus.

The meeting was called to order at 9:35 a.m. by Chairman J. Clifford Hutt, in the Colonial Beach Fire House.

Mr. Hutt brought to the attention of the Commission that certain pound net structures had not been properly maintained according to PRFC Regulations during the summer of 1972; that many stakes and/or poles were unsound, broken and adrift from June 20th to August 2, 1972, according to testimony of Marine Police and evidenced by pictures of locations taken during this period. The Commission listened to Mr. Ammon G. Dunton, Sr., attorney for Haynie Products, Inc., who stated they propose to begin taking up nets around 10th of June; and in any event, all nets will be taken up prior to June 30th. All stakes or poles (and stubbles) will be removed by July 31st, except for a marker pole bearing identification to be left to relocate each fish stand next fishing season. Mr. Norris told the Commission that this date of July 31st for removal or proper maintaining of all stakes, poles and stubbles did not conform to having the river completely cleared of hazardous fish net poles during the summer recreational and sports fishing period.

Mr. Hutt said he knew the interest of the audience was concerned with the closing of "dead" oyster bars during rehabilitation and repletion programs, and restricting hours, days or length of tonging season on remaining live bars for the coming oyster season in the Potomac River. He said that the great influx of fresh water from the tropical storm AGNES, which occurred on June 21st, had caused substantial loss of oysters in the river. Mr. Hutt asked Mr. Dexter Haven, of the Virginia Institute of Marine Science, for the results of the sampling surveys of oyster bars in the Potomac River.

Mr. Haven reported that personnel of the Chesapeake Biological Laboratory and the Virginia Institute of Marine Science had been monitoring the river for three (3) months and the latest survey of the oyster bars was on August 28 and 29. It was found that there had been a total kill of oysters on all upriver bars extending from Cobb Island, Maryland and Popes Creek, Virginia upriver - below that the oysters seem to be in good shape.

Mr. Hutt asked for statements regarding this subject of oyster mortality; what should be done and why, for repletion programs because oyster tonging season is at hand.

Mr. James W. Dutton, President of the Charles County Watermen's Association, said that members of his association propose that since all the oysters are dead in the upper river, that that part of the river should be closed all year to oyster tonging, and the remaining part of the river be open October 1st to January 1st to save the living oyster beds from depletion.

Mr. David F. Sayre, President of the St. Mary's County Watermen's Association, said the watermen of his association concur with same proposal above, and that after closing river January 1st would be the time to participate in rehabilitation programs. Mr. Sayre suggested that after January 1st the watermen would go into fishing.

The consensus of oyster tongs, packers and dealers from Virginia was to keep the river open for entire oyster season - that enforcement of the cull law alone would protect the oysters from depletion.

The watermen expressed their desire to participate with the Commission in rehabilitation and repletion programs - they would be glad to go along and help when the planting of seed oysters and shells is done.

There were no further statements from the visitors; Mr. Hutt said that this would conclude the discussion on pound net stakes and rehabilitation of the oyster populations in the Potomac and that all statements, opinions and recommendations would be taken into consideration later in the meeting. He invited all in the audience to stay, if they so desired.

After a very brief recess, the Chairman continued the agenda of the meeting at 12:45 p.m.

Mr. Hutt introduced the new Commission member, Mr. James L. Sisson, Jr., of Virginia Beach, Virginia. Mr. Sisson succeeded Mr. William P. Hunt.

Motion was made, seconded and approved as follows:

"That the Minutes of the meeting of the Potomac River Fisheries Commission held on July 14, 1972 at Solomons, Maryland be approved as circulated."

Motion was made and seconded as follows:

"That it is the policy of the Potomac River Fisheries Commission with respect to pound (trap) net structures that it expects and requires said structures to be maintained in good condition at all times; that if any fishing structure, stakes or poles, are not maintained according to Reg. I, Sec. 2, sub-section (n) that the Marine Police personnel are to advise us, and the PRFC will notify the owner by phone, if possible, and confirm by letter; and if owner does not promptly correct hazardous condition(s) of fishing structure, stakes or poles, that action will be instituted to enforce the Potomac River Fisheries Commission Regulations governing the maintenance and/or licensing of such fishing stands." Motion approved unanimously.

Mr. Hutt called on Mr. Dexter Haven, of VIMS, for a report on the experimental hatchery reared seed planting at Morgantown. Mr. Haven said that approximately 1/2 of the experimental 1971 seed died during the tropical storm AGNES. He reported that the 3 million hatchery seed from the Windmill Point Oyster Co., Urbanna, Virginia, were going to be planted during the first week of October on two 2-acre plots off Cedar Point - 1 million seed to be planted on one plot and 2 million seed on other plot. After these seed are planted on the bottom, the bottom will be examined by divers through October, November and December, and again in the spring of '73 to see how they have survived and grown.

A status report on plans for office building was presented by Committee. Three available sites had been viewed by Commissioners:

(1) 45' x 150' lot located on corner of Wilder & Taylor Avenue, 2 blocks from presnet office building and 1 block off river. Purchase price \$14,000.00

(2) 50' x 125' lot fronting on river near Hawthorne Street. Purchase price \$17,000.00

(3) 50' x 100' lot on Washington Avenue and Wilder Street and four blocks off river. Tentative price \$10,000.00

In the discussion of the matter, Mr. Hutt abstained for the reason that one of the lots was owned by three people, was the subject of a chancery suit for partition, and he represented one of the said owners.

A motion was made and seconded as follows:

"That the Executive Secretary be authorized to sign contract for the purchase, at \$14,000.00, of corner lot at Wilder Avenue & Taylor Street for the purpose of erecting thereon an office building for the Commission." Motion carried by a vote of 5 to 0 with Mr. Hutt abstaining.

It was further decided that the construction of the new office building should be advertised for public bids in several county papers. A motion was made, seconded and approved as follows:

"That the Commission publish one time one week "An Invitation To Bid" for construction of a one story office building in Colonial Beach, Virginia; plans and specifications on file at PRFC office; bid bond of 10% required; time limit for submitting bid two (2) weeks from date of advertisement."

Items (e) and (f) on the Agenda (standards for effluent disposal, and, application form for permits to conduct scientific surveys in river by individuals or firms, were deferred until next meeting.

The proposal to arrange with several commercial fishermen a test using various dimension stretched mesh in gill nets to determine if mesh size will satisfactorily eliminate catching oversize striped bass was considered. Opinions and comments from the watermen indicated that it will not work and would not be a fair test. They proposed that the size of the thread would have to be changed also. The Commission decided, as it appears that the test would not gain the desired results, it would be best to table the proposal. This was done.

A motion was made, seconded and approved as follows:

"That the disbursements for the month of July 1972 being \$60,604.67 (with \$32,836.64 for shell planting); and for the month of August 1972 being \$51,085.29 (including transfer of funds to C/D's - \$22,000 Bk. of Southern Md.; \$10,000 Bk. of Westmoreland; \$15,000 Md. Bank & Trust Co.) be approved."

The Executive Secretary reminded the Commission that Potomac Electric & Power Company proposes to build a 2200 megawatt nuclear power plant at Douglas Point and said that he had been informed by Dr. Lear, a member of our Advisory Committee, that he is considering opposing this location; partly because it is a nursery area for striped bass. Commission was asked for comments, but no consensus was reached.

Copies of the "Summer 1972 Potomac River Oyster Bar Survey" by Elgin A. Dunnington, Jr., of Chesapeake Biological Laboratory, Ref. No. 72-87 dated September 14, 1972 were distributed to the Commissioners. Mr. Dexter Haven, of Virginia Institute of Marine Science, said their laboratory concurred with the report on condition of oyster bars due to fresh water mortality and in the recommendations for rehabilitation presented herein. Mr. Hutt announced that the results of this survey indicated that the most extensive damage to any Chesapeake tributary has been the Potomac River, where oyster losses exceed 70%, and all oysters on the bars from Cobb Bar on the north side of the river and Old Farm on the south side of river have been killed. The report further indicated that salinities have now gradually increased but are still below normal; fresh water killed other organism associated with oysters, and that with less than 30% of oyster stocks remaining, heavy harvesting pressure could cause serious further depletion of oyster populations in the river. The report concluded that if dead and seriously damaged bars can be protected during rehabilitation, and if several years of favorable natural conditions ensue, Potomac oyster beds can eventually be restored to a good level of productivity.

Mr. Dexter Haven recommended that north of the line from Cobb Bar, Maryland across to Popes Creek, Virginia be closed to oyster tonging - south of that line be open with limit on catch. (Maximum catch measured in bushels was not suggested.)

A motion was made as follows:

"That the oyster season in the Potomac River be open October 2, 1972 with limit of catch as suggested by Mr. Haven, and with later evaluation on restricting daily catch or possibly closing entire bars of downriver bars from the two State laboratories and Marine Police personnel on the Potomac."

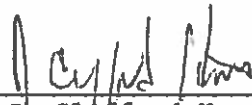
Above motion was amended, and a motion was made, seconded and unanimously approved as follows:

"The Potomac River, above a line drawn from lower end of Cobb Island, Maryland to Popes Creek, Virginia is closed for the taking or catching of oysters for any purpose for the season of October 2, 1972 to March 31, 1973. It shall be lawful to take or catch oysters in the Potomac River downriver from a line drawn from lower end of Cobb Island, Maryland to Popes Creek, Virginia commencing October 2, 1972 for five (5) days a week Monday through Friday between the hours of sunrise and 3 p.m. until further order of this Commission but in no event later than March 31, 1973. All culling boards must be cleared by 3:15 p.m. Attention is called to the fact that the Commission intends to close the river to the taking or catching of oysters when, in the opinion of the Commission, the further taking of oysters will deplete the bars involved; such closure will be in accordance with the Regulations of the Potomac River Fisheries Commission."

The Commission, in answer to a question raised, decided that the policy on culling oysters be same as previous years; i.e., one (1) spat if attached to a market size oyster so firmly that it cannot be removed without killing said spat will be allowed to pass culling board.

A motion was made, seconded and duly adopted that the attached resolution of appreciation for the services of Mr. William P. Hunt be approved and that a copy be spread upon the Minutes of this Commission and a copy be sent to Mr. William P. Hunt. (Copy of resolution attached.)

Meeting was adjourned at 1:20 p.m.



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J. Clifford Hutt  
Chairman



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John T. Parran, Jr.  
Secretary

RESOLUTION OF APPRECIATION FOR THE SERVICES OF  
WILLIAM P. HUNT  
AS COMMISSIONER OF POTOMAC RIVER FISHERIES COMMISSION  
July 1968 - June 1972

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WHEREAS, the Honorable William P. Hunt, of Hampton, Virginia served diligently as a member of the Potomac River Fisheries Commission for four years; and

WHEREAS, Mr. William P. Hunt has always been an active practicing waterman and entrepreneur in the seafood business; and

WHEREAS, Mr. Hunt has always been a strong advocate for conservation, repletion, protection and advancement of seafood resources of the Atlantic Ocean, the Chesapeake Bay and its tributaries, including the Potomac River; and

WHEREAS, the sound advice, guidance and judgment of Mr. Hunt based on his extensive experience and knowledge of fisheries and the seafood industry made him a most valuable and esteemed member of the Potomac River Fisheries Commission.

NOW THEREFORE BE IT RESOLVED that the members of the Potomac River Fisheries Commission individually and as a Commission do hereby express their deep appreciation for his sage advice and guidance, their pleasure in the fellowship of his company during the years of his membership, and their regret in the loss of such to them and the Commission.

BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the Minutes of this Commission and a copy be sent to Mr. William P. Hunt.

Adopted September 15, 1972

*James E. Douglas, Jr.*  
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