

POTOMAC RIVER FISHERIES COMMISSION  
Colonial Beach, Virginia  
August 24, 1973

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

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

VISITORS: Honorable Fred L. Wineland, Secretary of State of Maryland; Honorable Maurice B. Rowe, Secretary of Commerce and Resources, Commonwealth of Virginia; Honorable James B. Coulter, Secretary of Maryland Department of Natural Resources; Captain R. B. Meeks, Jr., Cmdr. Naval Weapons Laboratory, Dahlgren, Virginia; Mr. Cloyde Wiley, of Virginia Health Department; Cmdr. Roy Rafter, of Natural Resources Police; Elgin A. Dunnington, Jr. and Dr. Ted Koo, of Chesapeake Biological Laboratory; Dr. Donald W. Lear, of Environmental Protection Agency; Drs. William J. Hargis, Jr. and Jackson Davis, of Virginia Institute of Marine Science; Chief Robert V. Hancock, Repletion Officer Howard H. Hudnall and Supervisor E. Ralph Dameron, of Marine Resources Commission of Virginia; Mr. James W. Dutton, President of Charles County Watermen's Association; and 27 others on attached list.

PRESS: Mrs. Agnes Cooke, Miss Isabel Gough, Miss Carol Miller, Messrs. John Frye, James Henderson, Jeremy Lazarus and Frank Delano.

At 9:20 a.m. (EDT) the meeting was called to order by Mr. John T. Parran, Jr., Chairman.

The following motion was made and seconded:

"That the Minutes of the meeting held May 11, 1973 be approved." A mimeographed copy of the Minutes had previously been sent to each Commissioner. The motion was approved.

Mr. Parran reported that Kirby A. Carpenter had been employed as the Assistant Executive Secretary. Mr. Parran introduced and welcomed Mr. Carpenter and asked him to say a few words. Mr. Carpenter stated he was pleased to accept the position and looked forward to this new work as a challenge.

Mr. Hutt reported that the new building was substantially complete. The \$3,000 balance due on the basic contract had been paid, but \$1,125.03 was still due for extras to basic contract. Work still to be done includes a concrete drain in the rear of the building, a second layer of blue-chip stone in the parking lot, and replacement of the fence behind the building.

Mr. Norris reported on the 1973 oyster repletion program. He stated that a total of 707,782 bushels of shells were planted at a cost of \$146,494.76 - \$2,034.40 of which was for tally and control men. In addition, eight (8) acres of shells at Swan Point and six (6) acres at Lower Cedar Point were cleaned. Following this operation, approximately 400 bushels of oysters from middle river were planted adjacent to each site. Mr. Elgin Dunnington noted that our oyster seeding program was cut short by lack of seed oyster supply.

Concerning the matter of experimental planting of hatchery-produced seed oysters in the Potomac River, the following motion was made and seconded:

"That a committee be appointed to formulate a draft of a contract, which would contain guide lines for experimental hatchery planting, specifying contractual relationship between CBL-VIMS and PRFC, and also CBL-VIMS and 'any interested party', who might wish to experiment with cultured seed in the Potomac, and after review by each Commissioner, submit both drafts to the Attorney-General of each state for review and comment."

The motion was approved unanimously. The Chairman appointed Mr. Hutt, Mr. Lankford, Mr. Everngam and a representative each from CBL and VIMS to make up this committee and asked that they follow up on the motion.

Mr. Everngam reported that through his contact with VEPCO, he had been able to obtain the state rate of two cents (2¢) per kilowatt-hour for electric current. This rate is to be retroactive to May 16, 1972. A motion was made and seconded as follows:

"That the Commission approve this agreement as stated by Mr. Everngam, and that a contract with VEPCO be signed." The motion was approved.

Mr. Carpenter reported that the Commission had received five (5) proposals for radio communication equipment, but because of the differences in specifications and costs in each proposal, asked that the committee be allowed to consult further with experts more knowledgeable in this field. A motion was made and seconded as follows:

"That a committee, consisting of Mr. Norris, Mr. Carpenter and a representative from each state Marine Police communications department, be authorized to purchase the unit which would best suit the Commission's needs." The motion was approved.

Regarding insurance coverages discussed at last meeting, Mr. Norris reported that the Commission now has a "Comprehensive General Liability Policy", a "Workmen's Compensation Insurance" Policy, and has increased the general liability coverage and automobile liability insurance to \$500,000; and that these policies are now in effect.

Mr. Everngam recommended that the Commission adopt a "General Policy" concerning the discharge of effluent into the Potomac River. Mr. Hutt disqualified himself from this discussion for reasons of possible conflict of interest. Mr. Lankford stated that we have no power to regulate or control these matters, but that we can and should make recommendations to the authorities responsible for such regulations. Mr. Douglas said that he would see that the PRFC is placed on the mailing list of all Virginia State agencies which have authority in such matters. Mr. Norris was to do likewise for the Maryland agencies. After full discussion of the matter, the following motion was made and seconded:

"That without closing its eyes to all uses of the river, the Potomac River Fisheries Commission requests that its legal officer, Mr. Everngam, prepare a general policy statement including: (1) its disapproval of discharge into the river or tributaries which would degrade water quality, (2) thus would allow for other possible uses of the river, (3) would express the Commission's protective attitude toward the seafood industry, and (4) that the statement review and possibly include any former policy positions taken by the Commission." The motion was approved.

A motion was made and seconded as follows:

"That the itemized disbursements as presented to the Commission be approved for the months of: May totaling \$8,975.25 (\$4,193.33 of which was for seed oysters); June totaling \$35,986.86 (\$26,552.68 of which was for shells); and July totaling \$124,765.24 (\$79,011.03 of which was for fresh shells and \$38,889.93 of which was for reef shells)." The motion was approved.

A motion was made, seconded and unanimously approved that the following Resolutions be written in the Minutes of the Potomac River Fisheries Commission's meeting held August 24, 1973 in Colonial Beach, Virginia and a copy furnished the Bank of Westmoreland, Inc., Colonial Beach, Virginia:

"BE IT RESOLVED, the Bank of Westmoreland be, and it is hereby designated a depository of the Potomac River Fisheries 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 Two Thousand Dollars (\$2,000.00) shall be signed by any one of the following officers and/or employees of the Commission, to wit:

CHAIRMAN  
VICE-CHAIRMAN  
EXECUTIVE SECRETARY  
OFFICE MANAGER

All checks, drafts, notes, or orders of the Commission in an amount exceeding Two Thousand Dollars (\$2,000.00) shall be signed by either the Executive Secretary or Office Manager and countersigned by either the Chairman or Vice-Chairman of the Commission.

THAT THIS RESOLUTION supercede any and all previous resolutions."

Mr. Norris reported that he, Mr. Carpenter, Lt. Paul Wentzell and Supervisor E. Ralph Dameron had met with representatives of the Watermen's Association to discuss possible modifications in the regulations that had been suggested during the past two years. Without the full Legislative Committee having met, Mr. Norris reported the following recommendations:

1. That Regulation III, Section 10 be modified to decrease the minimum size of stretched mesh in pound nets from 2" to 1½", leaving the size of stretched mesh in haul seine at 2½" and fyke or hoop nets 2" allowing a reasonable tolerance for shrinkage for the above-mentioned nets; minimum size of stretched mesh for gill nets to remain 2" but providing and adding that the maximum size of stretched mesh for gill nets be 6". Also provide that the fishermen be allowed to keep all striped bass (Rock) over 15 lb. caught in the above size stretched mesh gill net. This proposal would remove the restriction against the use of monofilament webbing material in nets.
2. That crab potters be allowed to use White Perch, regardless of size, for crab pot bait.
3. That no change be made in the regulation requiring lights on nets.
4. That the regulations be changed to allow four (4) undersize hard crabs per bushel and ten (10) undersize hard crabs per barrel, as presently allowed by Maryland law.

The above recommendations were discussed at some length by the Commissioners, law enforcement personnel, scientific advisors and watermen attending the meeting.

A motion was made and seconded as follows:

"That Regulation III, Section 10 be prepared by the legal officer incorporating the above modifications applicable to that section to be advertised for a public hearing." The motion was approved.

A motion was made and seconded as follows:

"That the legal officer prepare a regulation to allow crabbers to use any size White Perch as bait in crab pots to be advertised for a public hearing." The motion was approved.

A motion was made and seconded as follows:

"That the legal officer prepare a regulation allowing four (4) undersize hard crabs per bushel and ten (10) undersize hard crabs per barrel to be advertised for a public hearing, and that until such a regulation can be adopted and become effective, the aforementioned shall be a matter of policy effective immediately." The motion was approved.

Following some discussion by those in attendance, the Commissioners were advised that the U. S. Army Corps of Engineers are currently studying some of their regulations and seeking opinions of interested parties. Chairman Parran asked Mr. Norris to contact the Corps of Engineers and set up a meeting with their representative, Mr. J. W. Dutton, Paul Wentzell, Ralph Dameron and any other interested persons concerning the regulation requiring lights on nets.

A motion was made and seconded as follows:

"That the staff arrange for the annual luncheon meeting of the Maryland and Virginia Marine Police on the Potomac for the purpose of discussing any policy or regulation changes and other pertinent matters." The motion was approved.

Discussion regarding special regulations for Striped Bass spawning areas was deferred until a later date.

Following a request by Mr. Irving Daiger and Mr. J. W. Allen, Jr., Mr. Parran requested Mr. Norris, Mr. Carpenter and a representative each from CBL and VIMS to meet with watermen to discuss moving oysters from deep water to areas on shallow bars after the close of each oyster season. Mr. Dunnington and Mr. Norris said that a survey of such "alleged" deep water oysters would be made, and a report be given at next meeting.

Mr. Norris reported that he had written a letter objecting to Steuart Investment Company's proposal for enlarging their unloading dock at Piney Point, Maryland. Mr. Norris said he based this letter on the previous policy adopted by the Commission on September 10, 1968 regarding any enlargement of the facilities at Piney Point. The Commissioners approved the action taken by Mr. Norris.

Mr. Norris also reported that he had contacted Mr. Carlos White, of the Commonwealth of Virginia Office of the Governor, Office of Emergency Services, in reference to applying for additional federal funds to replace the seed oysters lost because of AGNES. Mr. Norris was to continue work in this area.

The Commission tentatively set September 14, 1973 at 9:30 a.m. for the date of the next meeting.

The meeting was recessed at 11:50 a.m. At 12 noon the Dedication of the new Maryland-Virginia Office Building was begun. The welcoming address was presented by the Honorable John Thomas Parran, Jr., Chairman. The guest speakers included Captain R. B. Meeks, Jr., Cmdr. Naval Weapons Laboratory, Dahlgren, Virginia; the Honorable Maurice B. Rowe, Secretary of Commerce and Resources, Commonwealth of Virginia, representing Governor Linwood Holton of Virginia; the Honorable James B. Coulter, Secretary of the Maryland Department of Natural Resources; and the Honorable Fred L. Wineland, Secretary of State of Maryland, both representing Governor Marvin Mandel of Maryland. The dedication included the presentation of State Flags by each State. The Maryland State Flag was presented by Cmdr. Roy Rafter, Supt. of Maryland Natural Resources Police, and it was accepted and raised by Commissioner James L. Sisson, Jr. The Virginia State Flag was presented by Chief Robert V. Hancock, of Virginia Marine Police, and it was accepted and raised by Commissioner John Thomas Parran, Jr., Chairman. The presentation of the building was made by Honorable Bernard E. Denson, Mayor of Colonial Beach, Virginia, and the key was accepted by Commissioner James L. Sisson, Jr., Vice-Chairman.

Following the Benediction, the meeting was adjourned at 1:15 p.m., and the Commission was host to invited guests at luncheon. Following luncheon, many of the guests enjoyed a short cruise aboard the Maryland Flagship, "The Maryland Lady", which had been made available to the Commission for the occasion.



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John T. Parran, Jr., Chairman

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J. Clifford Hutt, Secretary

Guests attending Dedication of new office building on August 24, 1973:

Former Commissioners of PRFC

Mr. Jeremiah Valliant  
Mr. Neville G. Ball  
Mr. William P. Hunt  
Dr. George J. Weems

From Naval WEapons Laboratory, DAhlgren, Virginia

Capt. C. J. Tetrick  
Mr. Frank Churchill  
Mr. James Colvard  
Mr. Harold M. Gouldman, Sr.

Mayor and Town Council of Colonial Beach, Va.

Mayor Bernard F. Denson  
Mrs. Eleanor Sydnor  
Mr. Ernest Fenwick  
Mr. Jesse Davis  
Mr. T. S. Salenger  
Col. Leroy Barnard, Town Attorney

Other guests

Reverend Clyde S. Angel  
Mr. Marshall Cook M. Cook, Engineer Md. Dept. of Natural REsources  
Mr. Philip R. Mohler, Regional Extension Agent, Md. Dept. of Natural Resources  
Mrs. Kathryn P. Hopkins, Office Manager PRFC  
Mr. F. K. Carpenter  
Mrs. Kirby A. Carpenter  
Lt. Harvey C. Cook, Maryland Marine Police  
Mr. George E. Hoerichs, Md. Dept. of Natural Resources  
Mr. J. William Ryland, Former Chief of Law Enforcement of Virginia  
Mr. George English, Westmoreland Co. Board of Supervisors  
Mr. Sewell Headley, Oyster Packer  
Mr. John W. Allen, Jr., Oyster Packer  
Mr. Irving Daiger, Oyster Packer