

March 5, 1976

Colonial Beach, Virginia

PRESENT - MEMBERS: John T. Parran, Jr., Chairman, Robert J. Rubelmann, James E. Douglas, Jr., Milton T. Hickman, William P. Hunt. (Absent: Richard E. Lankford)

OFFICERS: Robert M. Norris, Jr., Executive Secretary;
Kirby A. Carpenter, Assistant Executive Secretary.

VISITORS: Elgin A. Dunnington, CBL; C. E. Thomas, Jr., Supervisor Virginia Marine Police; Capt. Harvey C. Cook, Maryland Marine Police; Marshall Cook, DNR Engineer; W. P. Hicks, Coles Point Marina; Michael W. Paparella, CEES, Chrisfield Lab.; John M. Dennis, Essex Farms; Richard A. Layman; Donald Kilmon; Diller Harding, Harding Seafood, Inc.; Earl D. Brown, James W. Dutton, W. F. Dence.

PRESS: Miss Isabel Gough, Richmond News Leader; Cyndi Young, Free-Lance Star; Jack Kershaw, The Enterprise.

The meeting was called to order at 9:30 a.m. by Chairman John T. Parran, Jr. He asked for consideration of the Minutes of the meeting held December 5, 1975 in La Plata, Maryland, saying that mimeographed copies had previously been submitted to each Commissioner. The following motion was made and seconded:

"That the Minutes of the December 5, 1975 meeting, as submitted, be approved." The motion was approved.

Old business was declared in order.

A joint progress report on a proposed Management Program for the Potomac River Fishery being developed by Chesapeake Biological Laboratory and Virginia Institute of Marine Science was given by Mr. Dunnington, who said that the Committee for today's report centered its attention on the finfish and crab fishery as follows: (1) management of anadromous fish species is very difficult because these fish are subject to pressures beyond the PRFC's control; (2) attempts at long term management of such species should be accomplished through the Atlantic States Marine Fisheries Commission; (3) short term management of anadromous fish regarding size limits, seasons, net sizes, etc. - appear adequate; (4) resident finfish species in the Potomac have a relatively short life span making long term management impractical and short term techniques currently being practiced are sufficient, (5) an understanding of the life cycle of the blue crab is essential to its management: (a) crabs reproduce in the lower Chesapeake Bay, outside PRFC jurisdiction, (b) fluctuations in population appear to be controlled more by nature than by man's activity, (c) it was felt that management of crab stocks in the Potomac would consist of wise utilization of those crabs which have found their way into the Potomac, (d) since peeler and soft crabs are about four (4) times more valuable on a per pound basis than hard crabs and the market effectively limits the size, no size limit need be set, (e) the females will only spawn once and will not grow larger after becoming sexually mature (average size 3½" to 4½"), therefore reduction of size limit on mature female crabs may be advisable.

Mr. Dunnington summarized a report of the oyster survey conducted by Mr. Harold Davis, of the Maryland Department of Natural Resources (DNR). This report showed: a general scarcity of oysters in the Potomac, especially young oysters; the seed planted as brood stock on the upriver bars killed by AGNES are surviving well; no set in upriver areas; and general light sets in the middle and lower river. It also showed that the '74 Jones Shore shell planting, having received '74 and '75 spat sets, appears adequate for transplanting this spring.

Mr. Parran reported that he, Mr. Norris and Mr. Carpenter had met with the Honorable John Hanson Briscoe and Senator Jim Simpson and discussed having \$25,000 added to the \$75,000 annual appropriation - but he thought the outlook for favorable action was not good. Mr. Douglas reported that favorable action on a bill introduced in the Virginia General Assembly requesting the increase did not appear evident.

Mr. Norris reported that attempts to obtain federal funds from the Emergency Disaster Administration (EDA) of the U. S. Department of Commerce in the amount of \$250,000 for continued oyster repletion work were continuing. At the present time he is working through the office of Congressman Gilbert Gude on this. Mr. Norris said that current funding would cover the 1976 Budget but would not allow any repletion program, such as planting shell cultch, unless additional funds are found. He recommended that \$50,000 of the 1977 appropriation be anticipated and spent in moving shell strike from the lower river seed areas to oyster bars farther up river. This matter was deferred for the moment. There being no other old business, new business was declared in order.

Itemized disbursement for the months of December 1975, January and February 1976, which had been circulated to the Commissioners several days prior to the meeting, were considered. December totaled \$6,667.45, January \$7,264.93 and February \$4,304.38. The following motion was made and seconded:

"That the disbursements as listed and itemized totaling \$18,236.76 for the months of December 1975, January and February 1976 be approved." The motion was approved.

A statement of funds, as of March 4, 1976, was presented, which showed \$13,341.43 in checking account in the Bank of Westmoreland, plus a \$10,000 C/D in the Bank of Southern Maryland and a \$14,000 C/D each in the Maryland Bank and Trust Company and The Peoples Bank of Montross, for a total of \$51,341.43 cash on hand and in banks.

Mr. Carpenter reported oyster production from Oct. 1, 1975 through February 27, 1976 to be 17,524 bushels compared with 48,165 bushels in the same period of '74-75 with a corresponding drop in inspection tax, \$4,385 vs. \$12,052. The number of tonging licenses sold fell from 303 last year to 223 this year. He assigned several reasons for the lower catch this season: (1) general scarcity of oysters lending to less harvest effort; (2) better harvest results in other areas of both Maryland and Virginia; (3) many windy days, sometimes as many as 4 and 5 in one week; and (4) on Jones Shore a culling problem because of spat and juvenile oysters on the larger shellstock.

Mr. Parran said it had been a pleasure serving as Chairman of the Commission during the past year and following some additional gracious remarks, called for the report of the Nominating Committee for officers for 1976. Mr. Hunt, speaking for the Committee, nominated Mr. James E. Douglas, Jr. for Chairman, Mr. Robert J. Rubelmann as Vice-Chairman and Mr. Milton T. Hickman as Secretary. There being no other nominations, a motion was made, seconded and approved that the above slate of officers be elected.

Mr. Parran congratulated the newly elected officers and then turned the Chair over to Mr. Douglas, who continued the meeting.

Mr. Rubelmann asked for discussion on opening the river for soft-shell clamming, stating that he did not know of any areas containing harvestable populations, but he thought that opening the river to clamming would allow the watermen to search for marketable clam populations. It was agreed that only those areas open for clamming in 1972 prior to closure would be considered. The following motion was made and seconded:

"That the subject of opening the Potomac River for the harvest of soft-shell clams be placed on the agenda for the next meeting." The motion was approved. Mr. Douglas requested the Executive Secretary to provide adequate public notification of this item.

In light of the reports presented earlier regarding the finances of the Commission, Mr. Rubelmann offered the following motion:

"That the Chairman appoint a Committee to study the finances and funding of this Commission including but not limited to license fees, inspection tax and annual appropriations." The motion was approved. Mr. Douglas said that he would appoint the Committee later.

Mr. Norris read a letter from the Interstate Commission on the Potomac River Basin stating that their federal appropriation of \$58,000 had been cut from the Fiscal Year 1977 Federal Budget by the Office of Management and Budget and asking if the PRFC felt that the informational and educational work of the ICPRB in trying to have the water quality of the upper Potomac River improved merited the PRFC's support in having these funds restored. The following motion was made and seconded:

"That the Executive Secretary notify the proper person(s) in general terms that the PRFC supports the work, past and present, of the ICPRB." The motion was approved.

Mr. Norris told the Commission that the Bank of Westmoreland has indicated that they would make a loan to the PRFC at a favorable rate of interest if the Commission would officially authorize a request for a loan supported by a resolution. The following resolution was presented and by a motion made and seconded was duly approved. Said resolution follows:

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"BE IT RESOLVED, that the Chairman and/or Vice-Chairman, and the Executive Secretary, of the Potomac River Fisheries Commission be hereby authorized to borrow up to but not exceeding Fifty Thousand & no/100 Dollars (\$50,000) during the spring or summer of 1976 for the purpose of transplanting shell plants in the Potomac River for part of the annual oyster repletion program; said loan(s) to be repaid from Maryland-Virginia annual appropriations for fiscal year beginning July 1, 1976, or from whatever other general funds are available."

The following motion was made and seconded:

"That the repletion committee named at the last meeting be authorized to spend \$50,000 for an oyster repletion program for 1976 plus any other general funds that may become available for such a program." The motion was approved.

Mr. Diller Harding, a Virginia oyster planter, brought the proposed Pond-A-River Marina expansion project to the attention of the Commission. This marina is on the Virginia shore just below Ragged Point Oyster Bar. He said this project, if approved, increasing the marina's boat slips to a total of 168 would cause automatic condemnation and closure of adjoining Virginia shellfish waters by the Virginia Health Department within a radius of one-half (1/2) mile and would possibly affect portions, if not all, of Red Bar and Ragged Point Bar in the Potomac River depending on the policy and action of the Maryland Health Department. Mr. Harding read a letter from Mr. Cloyde Wiley, Director of the Bureau of Shellfish Sanitation of the Virginia Health Department, confirming the above Virginia condemnation policy. After discussion regarding the implications of the proposed project, the following motion was made and seconded:

"That the Potomac River Fisheries Commission opposes any expansion of the Pond-A- River Marina in Frog Pond, Westmoreland County, Virginia, which will result in the establishment of a buffer zone and/or condemnation and closure by the Maryland Health Department of any shellfish growing areas, namely Ragged Point Bar and/or Red Bar oyster rocks, or portions thereof, in the Potomac River and that letters conveying this action be sent to the U. S. Corps of Engineers and the Health Departments of Maryland and Virginia." The motion was approved.

Mr. Jojn M. Dennis, Jr. from Essex Farms, Royal Oak, Maryland, stated that he has developed a process to market the Rangia Clam and would like to work with this Commission in developing that resource in the Potomac. Mr. Douglas said that he was in favor of utilizing a resource such as the Rangia, if at all possible. He also asked for clarification of some of the "ifs, ands, & buts" regarding health department regulations, PRFC regulations, determination of areas involved and other such questions. Mr. Douglas invited Mr. Dennis to work through the PRFC and hopefully the necessary steps could be taken to allow harvest of this resource.

In response to a request for the names of possible participants in the "Potomac River Trip II", a week long trip down the Potomac late this summer or early fall, the Chairman suggested that each Commissioner and a representative from CBL and VIMS be extended an invitation to participate.

The following motion was made and seconded:

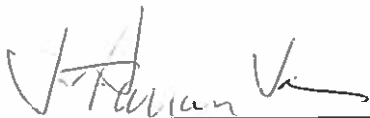
"That the Annual Audit Report for FY ending June 30, 1975 by the Maryland and Virginia State Auditors be accepted and approved." The motion was approved.

Mr. Douglas felt it was appropriate to note that the annual audits of this Commission have always reported all PRFC business accounted for properly. He extended his congratulations to the Commissioners and staff.

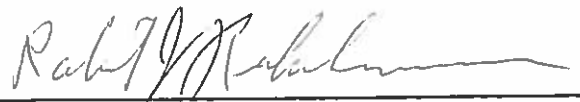
Mr. Norris presented a list of the types and prices of automobiles available through Maryland and Virginia purchasing departments. The following motion was made and seconded:

"That the Executive Secretary be authorized to purchase at the State Fleet Cost a Dodge Coronet 4-door automobile to replace the present 1969 car, and that upon delivery of the new auto, the 1969 Plymouth will become surplus and be disposed of." The motion was approved.

The date of the next meeting was set for Friday, June 4, 1976 at 9:30 a.m. in Colonial Beach, Virginia. At 11:00 a.m. a motion to adjourn was made, seconded and approved.



John T. Parran, Jr., Chairman



Robert J. Rubelmann, Secretary