

October 1, 1976

Colonial Beach, Virginia

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

OFFICERS: Robert M. Norris, Jr., Executive Secretary; Kirby A.  
Carpenter, Assistant Executive Secretary; J. Owen Wise,  
Legal Officer.

VISITORS: Major Paul Wentzell and Capt. Harvey C. Cook, Maryland  
Natural Resources Police; Supervisor C. E. Thomas, Jr.,  
Virginia Marine Police; Howard S. Hudnall, VRMC; Bill  
Seiling, DNR; Dr. Jackson Davis and Dexter Haven, VIMS;  
Klaus Drobeck, CBL; Tom Wieland, Maryland Watermen's  
Assoc.; Delegate Calvin Sanford, Virginia General Assembly;  
James W. Dutton, Tucker Brown, Robert T. Brown, John L.  
Trossback, Joseph E. Goddard, Paul Goddard, George Poe,  
J. Harvey Knott, Lumpkins Seafood, Joe Goddard, Ronald  
Evans, Alva Watson, Alvin Haynie, Francis E. Faunce,  
Charles Davis, John Morris, Diller Harding, Irving Daiger,  
George M. Dean, Weston Conley, William Iiells, Cort Herbert,  
Jesse Chatham, Richard Chatham, James R. Barton, Steve  
Purcell, Newbill Conley, Jr., Charles Reed, Jr., Gregory  
Chatham, Phil Clark, Charles E. Squire, Ivan Evans, Robert  
McKenney, D. Carter Arnest, Goerge B. Verlander, Jr., Joseph  
M. Moss, Kirkwood B. Hall, Mickey Johnson, George Hundley,  
Thomas Lee Arnest, Louis M. Jenkins, Richard Wade Chatham,  
John C. Vanlandingham, Bobby Lewis, Bill Dixon, Stanley  
Dixon, plus about 20 others, including David Sayre, Pres.  
St. Mary's Co. Watermen's Association.

PRESS: Rusty Dennis, Westmoreland News; Joe Gatins, Richmond  
Times-Dispatch; Isabel Gough, Richmond News Leader; Mike  
Kleinbeck, St. Mary's Beacon; Jack Kershaw, The Enterprise;  
Cindy Young, Fredericksburg Free-Lance Star.

The meeting was called to order at 10:05 a.m. by Chairman James E. Douglas, Jr., who announced that the order of items for consideration listed on the agendum would be altered somewhat. He then called for consideration of the Minutes of the last meeting, stating that mimeographed copies had been previously submitted to each Commissioner. The following motion was made and seconded:

"That the Minutes of the August 13, 1976 meeting held in Leonardtown, Maryland be approved as submitted.: The motion was approved.

discussion of the proposed Plans For The Management Of The Fisheries Of The Potomac River was postponed until later in the meeting.

Mr. Douglas said that assurances have been received from both Maryland and Virginia that our request for a \$25,000 increase in appropriations has been approved and payment will be forthcoming, making the total appropriation from each state \$100,000 for FY '76-77. These additional funds are more than those anticipated from proposed changes in license fees, and because of the nearness of the new licensing year, changes in license fees, before that date would be difficult. The following Motion was made and seconded:

"That changes in the license fees be considered as part of the Management Plan and that these be considered in 1977." The motion was approved.

Mr. Douglas said he had received a letter from the Maryland Watermen's Association protesting the manner in which the PRFC contracts for seed and shell planting operations. Mr. Tom Wieland, Business Manager for that association, stated that the association felt that the PRFC should advertise the work to be done, so that all interested persons would have an equal opportunity to bid on the work. He also suggested that the PRFC advertise in the Watermen's Gazette, which is published monthly and distributed to people in the seafood business all over Maryland and in Virginia. Mr. Norris outlined the procedure followed in previous years, stating that generally the PRFC has less work to be done than the state of Maryland, and as the programs are concurrent that in most years Maryland boats are unavailable to the PRFC. The following motion was made and seconded:

"That it be the policy of this Commission to advertise seed transplanting work to be done prior to contracting the work, and that the staff prepare a policy statement and specifications on this matter to be considered by the PRFC to use in advertising for bids for annual seed transplanting programs." The motion was approved.

At 10:20 a.m. Mr. Douglas said that the floor would now be open for discussion on the request of a group of Maryland and Virginia oystermen and oyster packers that hand scraping for oysters be regulated as soon as possible. He reviewed the history of legislation granting the PRFC the authority to regulate hand scraping and outlined the regulation adoption procedure, which must be followed in the event the Commission agrees to regulate hand scraping. Mr. Douglas said the Commission had received a letter from Mr. Elgin A. Dunnington, CBL, who was unable to attend today's meeting, stating his opposition to the use of hand scrapes in the Potomac, because of the low oyster population.

At this point, a lengthy and varied discussion of the pros and cons of approving and regulating hand scraping in the Potomac ensued. Questions and answers were parried among the oyster tongers, fishermen, scientists and Commissioners with substantial spread of participation among those present. At the end, Mr. Douglas summarized the discussion by stating that it appears the the scientists and the Charles County watermen agree that the oyster population is too low to withstand the use of the increased harvesting efficiency of hand scraping, but that the St. Mary's County watermen agree with the Virginia oystermen and packers that they are willing to accept that risk. (Notes of statements by individuals on this subject are on file in records of PRFC)

Mr. Parran made the following motion:

"That it is the sense of the Commission to prepare and present to the watermen some form of regulations which will allow the use of hand scrapes by licensed watermen on an experimental basis." The motion was seconded and passed unanimously.

Modernization of the oyster fishery had been mentioned by several proponents of dredging, and Mr. Douglas stated that accurate records are essential to any modern operation, and the Commission would insist on complete and accurate catch records. Also, with the suggestions and comments heard today and at previous meetings, he saw no need for any more committees to be appointed; rather that the Commission will prepare the regulations for a public hearing.

At 12:05 a recess was declared during which a majority of visitors left the meeting. At 12:10 p.m. the meeting was recalled to order.

A report on the amount of federal funds received following Tropical Storm AGNES for repletion work and how that money was used showed that \$618,000 in federal grants had been received, and that those funds plus the PRFC's own funds were used to plant 3,884,341 bushels of shells and 161,266 bushels of seed at a total cost of \$975,530.71.

Disbursements for the months of August and September 1976, itemized lists of which had been circulated to the Commissioners, were considered. August totaled \$72,066.48, which included \$66,000 in the transfer of funds to interest bearing C/D's; and September totaled \$14,282.92, of which \$8,000 was for seed transplanting. The following motion was made and seconded:

"That the disbursements as listed and itemized totaling \$86,349.40 for the months of August and September 1976 be approved." The motion was approved.

A statement of funds, as of September 29, 1976, was presented. It showed \$13,380.38 in checking in the Bank of Westmoreland, Inc. plus \$120,000 in C/D's equally divided among the Peoples Bank of Montross, the Maryland Bank and Trust Company, and the Bank of Southern Maryland, totaling \$133,380.38 cash on hand and in the banks. Mr. Norris said the additional \$25,000 from each state is not included in above totals having not yet been received. Mr. Douglas stated that the additional funds were for this (FY '76-77) year only but efforts would be made to have the appropriation continued at the \$100,000 level next year.

Discussion of the Management Plan was postponed until the next meeting.

Mr. Norris reported that the 1976 Repletion Program has been completed. A total of 61,600 bushels of seed has been transplanted from Jones Shore to the mid-river bars. Ragged Point received 20,800 bu.; Red Bar 8,000 bu.; Sheepshead 16,800 bu.; Heron Island 9,600 bu.; and Huggins Point 6,400 bushels. The cost was 50¢ per bushel or \$30,800 total.

Mr. Drobeck presented the Commission a printed report on the September 1976 Survey of Potomac River Oyster Bars conducted on the R/V Aquarius by Elgin A. Dunnington, Dexter Haven and Paul Kendall, copies of which are on file. The report notes the long tows with a dredge necessary to get a sample on some sparsely populated bottoms; there are fewer algal blooms; the salinity is higher than in the past few years, but is still 2 to 3 ppt lower than the long term averages. On the midriver and lower river bars meat conditions are fairly good, with decreasing quality toward greater depth and down stream. The almost total lack of 1976 reproduction, river wide, is very disappointing. In addition Mr. Drobeck presented notes by Elgin Dunnington on the survey for Rangia clams authorized at the last meeting. Copies were placed on file.

Mr. Wise was asked to investigate if a legal basis exists for instituting a limited entry system in fisheries.

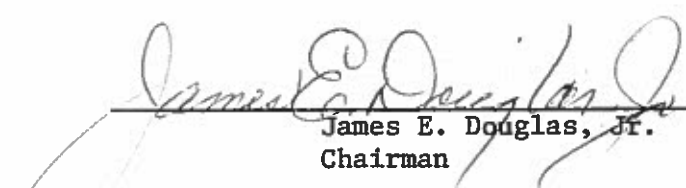
Some of the problems associated with the neglect or refusal by a few individuals to provide accurate catch reports, as required by regulation, was brought to the attention of the Commission. After full discussion of the problems, the Chairman stated that it was the policy of the Commission that all regulations be complied with and enforced equitably. He, therefore, directed the staff to proceed with whatever action, upon advice of the legal officer, is necessary to obtain any delinquent reports or verify the accuracy of those reports.

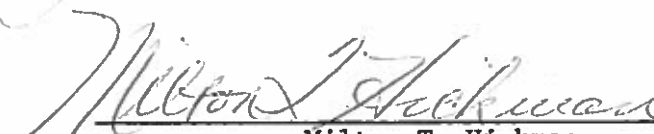
The following motion was made and seconded:

"That the hours for tonging in the Potomac River will be from sunrise to 4:00 p.m. EDT (or 3:00 p.m. EST) daily Monday through Friday, and that the cull boards shall be cleared 15 minutes thereafter, and further, that this order of the Commission shall remain in effect until further notice." The motion was approved.

The date of the next meeting was set for Wednesday, December 15, 1976 at 10:00 a.m. at Colonial Beach, Virginia.

A motion to adjourn was made, seconded and approved at 12:40 p. m.

  
James E. Douglas, Jr.  
Chairman

  
Milton T. Hickman  
Secretary