

December 15, 1976

Colonial Beach, Virginia

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

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

VISITORS: Dexter S. Haven and Dr. Jackson Davis, VIMS; Elgin A. Dunnington, CBL; Walter E. Raum, St. Mary's County Health Department; Harvey C. Cook, Henry C. Batchelor and Paul C. Wentzell, Maryland Natural Resources Police; Howard S. Hudnall, VMRC; C. E. Thomas, Virginia Marine Police; Bill Sieling, DNR; Don Webster and Norm Bender, University of Maryland Sea Grant; Charles Frisbie and Harold Davis, DNR; Tom Wieland, Maryland Watermen's Association; James W. Dutton, President Charles County Watermen's Association; William L. Bowie, Sr., Tucker Brown, Robert T. Brown, Bill Trossbach, Jack Russell, Francis Russell, Harry S. Huseman, George W. Robertson, Mike Woodall, James Green, Richard Chatham, Jesse Chatham, Gene O. Hundley, Charles Reed, Garnett Reamy, Horace W. Hundley, Coleman Carey, Wade Chatham, Alan Hundley, George Herbert, Jr., James Hundley, Donald Clark, Gregory Chatham, Alfred Chatham, Thomas Lee Arnest, Albert Hundley, William E. Ashburn.

PRESS: Joe Gatins, The Times-Dispatch; Rusty Dennis, The Westmoreland News; Cyndi Young, Free Lance-Star; Jack Kershaw, The Enterprise; Isabel Gough, News Leader.

The meeting was called to order at 9:30 a.m. by Chairman James E. Douglas, Jr., who announced that the meeting was being started a few minutes early, therefore "housekeeping" items would be considered first allowing time for late arrivals and proficing more time for discussion of items, such as proposed regulations, later in the meeting. 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 meeting held October 1, 1976 be approved as submitted". The motion was approved.

Disbursements for the months of October and November 1976, itemized lists of which had been circulated to the Commissioners, were considered. October totaled \$47,930.73, which included a \$40,000 transfer of funds to interest bearing C/D's; November totaled \$6,369.72. The following motion was made and seconded:

"That the itemized disbursements for October and November 1976 totaling \$54,300.45 as listed be approved." The motion was approved.

A statement of funds on hand, as of December 13, 1976 was presented. It showed \$17,288.05 in checking and a \$10,000 C/D with the Bank of Westmoreland, Inc., plus \$150,000 in C/D's equally divided among the Bank of Southern Maryland, Maryland Bank and Trust Co and the Peoples Bank of Montross, totaling \$177,288.05 cash on hand and in banks.

A report on oyster production between October 1st and December 4th revealed 8,618 bushels harvested, as compared with 12,726 bushels for the same period last year. The corresponding inspection taxes collected were \$2,155 and \$3,244. Although the number of licenses sold increased from 215 last year to 309 this year, the number of boat days worked dropped from 949 in 1975 to 803 in same period of 1976. The number of buyers also dropped reflecting a reduced harvest effort.

Mr. Norris requested the Commission to approve the destruction of:

- 1) 1971-72 and 1972-73 Oyster Buyers and Tax Remittance Books
- 2) 1971-72 and 1972-73 Oyster Buyers and Tax Remittance Reports
- 3) 1972-73 Fish, Crab and Oyster License Applications with First Carbon Copy of License
- 4) 1972-73 Seafood Catch Reports
- 5) Obsolete Unissued Oyster Buyers and Tax Remittance Books

He stated that the Maryland and Virginia State Auditors had approved these records for destruction on November 5, 1976, and that all pertinent information contained in these reports is available in summary form in PRFC files and ledgers. The following motion was made and seconded:

"That the staff is authorized to destroy the records as listed by the Maryland and Virginia Auditors on November 5, 1976, and that a copy of that list be attached to and made part of the Minutes of this meeting." The motion was approved.

Mr. Norris reported that the additional \$25,000 appropriation for FY '76-77 from each state had been received. Mr. Douglas said that efforts were being made to have the FY '77-78 appropriation maintained at \$100,000 from each State. He stated that the Commissioners are each supporting these efforts in their respective states, and the staff is authorized to assist in obtaining these funds.

Chairman Douglas asked Mr. Lankford and Mr. Hunt to serve as a Nominating Committee and to report a slate of nominations for Officers for 1977 at the next meeting.

Mr. Norris suggested a modification of the Permit for Transportation of Patent Tongs and Related Equipment eliminating the requirement for an escort by a Maryland or Virginia police boat. He explained that when the permit form was adopted several years ago, it was the practice of the patent tongers to leave the Potomac tributaries at the beginning of the season and harbor elsewhere, returning only for repairs or at the end of the season. Now, however, several Potomac River boats are patent tonging in the Chesapeake Bay and traveling daily to and from the Bay, and these numbers make the escort provision unworkable. Captain Cook gave assurances that if the change was made, adequate enforcement could still be maintained. The following motion was made and seconded:

"That the provision requiring an escort by a police boat be dropped from the Permit for the Transportation of Patent Tongs and Related Equipment."

During the discussion of the motion, Mr. "Tucker" Brown requested that the patent tongers be allowed to leave one (1) hour before sunrise because of the long distance from harbor some of the patent tong boats must travel. The following motion was then made and seconded:

"That the previous motion be amended to include a provision allowing patent tongers to travel on the Potomac one (1) hour before sunrise." The motion was approved. A vote was then taken on the original motion as amended, which was approved.

Mr. Douglas reviewed the action taken at the last meeting regarding taking oysters by hand scrapes. He then stated that as late as this morning, some of the proposed regulations had been revised or modified and that copies are not available for public distribution at this time. He listed the key elements in the proposed regulations as follows:

- 1) Area to be opened: downstream from Herring Creek on the Maryland side and Bonum Creek on the Virginia side, with the exception of Jones Shore and Cornfield Harbor.
- 2) Months: during February, March, November and December 1977 and November and December each year thereafter.
- 3) Days: Monday, Wednesday and Friday.
- 4) Times: between 9:00 a.m. and 12:00 noon, with a provision including one (1) hour before and one (1) hour after these times during which the possession of a hand scrape would be lawful only for the purpose of transporting same to and from the hand scraping areas.
- 5) Size of hand scrape: a maximum of 22' inside measurement of the catching bar.
- 6) Gear: no hand tongs, no power or hand operated winches, winders or spools will be allowed on board.
- 7) License: \$100 per boat plus \$100 for each person on board.
- 8) Only one hand scrape per boat.
- 9) General provisions currently in effect give the Commission the authority to close any or all of this area upon proper notice.

Mr. Douglas then said the floor was open for discussion of the proposal.

Mr. J. F. (Tucker) Brown, Jr., noted that the upper line used to close Jones Shore to hand scraping would cut Kitts Point Bar in half, and suggested that this line be moved so that this oyster bar would not be split. He questioned why no bushel catch limit was imposed, and was answered that since this was an experiment to determine the feasibility of hand scraping, that imposing a catch limit might interfere with the evaluation of the program. Mr. Brown asked Mr. Rubelmann if a hand scraper could land in Maryland more than twenty-five (25) bushels of oysters taken from the Potomac River. Mr. Rubelmann answered "yes". Mr. Brown said that the one (1) hour possession after noon would not allow sufficient time to unload and then return home, therefore he requested the PRFC to allow two (2) hours after noon instead of one (1) hour for possession of a hand scrape. He asked for a larger hand scraping area and questioned the closure of Jones Shore and Cornfield Harbor and was told that these areas were the only seed areas in the Potomac River and would remain closed to hand scraping.

Mr. Robert Brown said the area was too small and should be larger. Mr. Douglas noted that the area contained "deep water" and areas where distribution of oysters was too thin to be tonged, both types of areas the watermen favoring hand-scrapes had said would be a good test of hand scraping. He also felt the area was large enough for an experimental program.

Mr. Bill Trossbach stated that not all of Jones Shore and Cornfield Harbor are being used as seed areas, and therefore felt that the outside edges should be opened to hand scraping. He also wanted longer hours and a larger area and asked that Kitts Point not be split.

Mr. James W. Dutton said the area has varied types of bottom and is large enough for the advocates of hand scraping to prove its merits.

There being no further comments, the following motion was made and seconded:

"That approval of proposed hand scraping regulations for advertising be delayed until proper consideration can be given to the comments and suggestions made today, and that the regulations as prepared and adjusted by the staff be approved for advertising and a public hearing after a telephone poll of the Commissioners." The motion was approved.

Discussion of the Management Plans for the Fisheries of the Potomac River were postponed until the next meeting.

Mr. Douglas read the suggested policy of the PRFC on oyster seed transplanting and repletion program as follows:

"WHEREAS, the POTOMAC RIVER FISHERIES COMMISSION (PRFC) operates an oyster repletion and rehabilitation program by transplanting seed and/or shell, and,

WHEREAS, the PRFC recognizing that its primary obligation is the establishment and maintenance of a program to conserve and improve the fishery resources of the Potomac Estuary and that to achieve this objective it must administer its limited financial resources in a responsible manner, now

THEREFORE, BE IT RESOLVED that it be the policy of the PRFC to assess in so far as possible the extent, scope, time of, and amount of funds available to conduct such program and then give reasonable notice by news releases and legal ads to the general public that the PRFC will accept sealed bids for such work and that bid (contract) forms and specifications are available upon request at the PRFC office, and,

THEREFORE, BE IT FURTHER RESOLVED that the PRFC will award contracts to the lowest responsible bidder (and/or bidders) for each such contract but reserves the right to negotiate or to refuse any or all bids."

The following motion was made and seconded:

"That the above statement be the approved policy of this Commission regarding oyster seed transplanting and repletion program." The motion was approved.

The following motion was made and seconded:

"That the Executive Secretary be authorized to sign contracts for repletion projects under the above policy." The motion was approved.

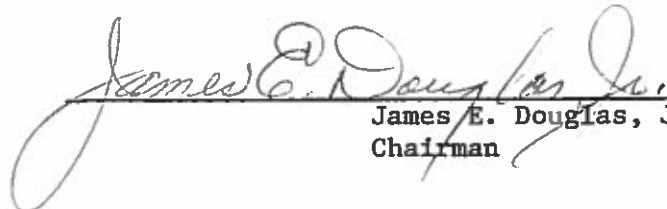
Mr. Dutton asked if the Commission had any information on the oil spill which occurred on December 13, 1976 near Moss Point, Maryland, and if the lights on the new power line piers had any bearing on the accident. Major Wentzell explained that the barge was owned by the Interstate Towing Company and Coast Guard officials were on the scene with emergency equipment within six (6) hours, and that the amount of oil spilled was very small, because as soon as the compartment rupture was discovered, the oil was transferred to any empty compartment on the barge. Major Wentzell had no information regarding any connection between the power line crossing and the accident.

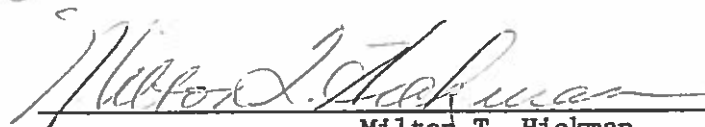
The following motion was made and seconded:

"That the staff be authorized to investigate the accident, and if it is determined that the lights on the power line crossing or the resultant "new channel" were in any way contributing factors in causing the accident, then the Coast Guard and PEPCO should be asked to take corrective actions to prevent another accident in the future." The motion was approved.

The next meeting will be held in La Plata, Maryland and the date, time and place will be announced by the Chairman.

A motion to adjourn was made, seconded and approved at 11:15 a.m.


James E. Douglas, Jr.
Chairman


Milton T. Hickman
Secretary

COMMISSIONERS

JAMES E. DOUGLAS, JR. (VA.)
CHAIRMAN
ROBERT J. RUEBELMANN (MD.)
VICE-CHAIRMAN
MILTON T. HICKMAN (VA.)
JOHN T. PARRAN, JR. (MD.)
RICHARD E. LANKFORD (MD.)
WILLIAM P. HUNT (VA.)

MARYLAND-VIRGINIA COMPACT 1923



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222 TAYLOR STREET
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(804) 224-2923

OFFICERS

ROBERT M. NORRIS, JR.
EXECUTIVE SECRETARY
KIRBY A. CARPENTER
ASST. EXEC. SECRETARY
MRS. KATHRYN P. HOPKINS
OFFICE MANAGER

J. Owen Wise
Legal Officer

List of certain obsolete records to be destroyed per audit verification
on November 5, 1976

1971-72 Oyster Buyers and Tax Remittance Books:

<u>From</u>	<u>Through</u>	<u>From</u>	<u>Through</u>
818		942	943
824		948	
835	836	961	963
840	849	965	967
895	899	969	974
903	904	979	
910	914	984	988
919	920	990	995
922	928	998	1000
933	936		

1972-73 Oyster Buyers and Tax Remittance Books:

<u>From</u>	<u>Through</u>	<u>From</u>	<u>Through</u>
850		980	982
921		1001	
929		1003	1025
931	932	1031	1035
937	938	1039	
968		1041	
975	976	1046	

1971-72 Oyster Buyers and Tax Remittance Reports.

1972-73 Oyster Buyers and Tax Remittance Reports.

1972-73 Fish, Crab and Oyster License Applications with First Carbon
Copy of License.

1972-73 Seafood Catch Reports.

I have this day verified the accuracy of the old records and
forms listed above.

[Signature] Auditor - MD.

[Signature] Auditor - VA.

Kathryn P. Hopkins PREC

November 5, 1976

Oyster Buyers Books with Inspection Tax Forms to be destroyed. (Obsolete - New books printed)

818	968	1027	1086	1145
824	969	1028	1088	1147
835	970	1029	1089	1148
836	971	1030	1090	1149
840	972	1031	1091	1150
841	973	1032	1092	1151
842	974	1033	1094	1152
843	975	1034	1095	1153
844	976	1035	1096	1154
845	977	1036	1097	1155
846	978	1037	1098	1156
847	979	1038	1099	1157
848	980	1039	1100	1158
849	981	1040	1101	1159
850	982	1041	1102	1160
895	983	1042	1103	1161
896	984	1043	1104	1162
897	985	1044	1105	1163
898	986	1045	1106	1164
899	987	1046	1107	1165
903	988	1047	1108	1166
904	990	1048	1109	1167
910	991	1049	1110	1168
911	992	1050	1111	1169
912	993	1051	1112	1170
913	994	1052	1113	1171
914	995	1053	1114	1172
919	997	1054	1115	1173
920	998	1055	1116	1174
921	999	1056	1117	1175
922	1000	1057	1118	1176
923	1001	1058	1119	1177
924	1002	1059	1120	1178
925	1003	1060	1121	1179
926	1004	1061	1122	1180
927	1005	1062	1123	1181
928	1006	1063	1124	1182
929	1007	1065	1125	1183
931	1008	1066	1126	1184
932	1009	1067	1127	1185
933	1010	1068	1128	1186
934	1011	1069	1129	1187
935	1012	1070	1130	1188
936	1013	1071	1131	1189
937	1014	1072	1132	1190
938	1015	1073	1133	1191
942	1016	1074	1134	1192
943	1017	1075	1135	1193
948	1018	1076	1136	1194
958	1019	1077	1137	1195
961	1020	1078	1138	1196
962	1021	1079	1139	1197
963	1022	1080	1140	1198
964	1023	1081	1141	1199
965	1024	1082	1142	1200
966	1025	1083	1143	
967	1026	1085	1144	