

POTOMAC RIVER FISHERIES COMMISSION
COLONIAL BEACH, VIRGINIA
November 11, 1977

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

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

VISITORS: Major Paul C. Wentzell, Maryland Marine Police; Supervisor C. E. Thomas, Jr., Virginia Marine Police; H. S. Hudnall, VMRC; H. C. Batchelor, Maryland Marine Police; Elgin A. Dunnington, CBL; Dexter S. Haven and Herb Austin, VIMS; Royden P. Dyson, Delegate, Charles and St. Mary's Counties; Bill Sieling, DNR; Thomas Shymansky, William Bowie, Sr. Ricky Pilkerton, Neal Smith, Alan Hundley, Thomas C. Winstead, John R. Fowler, Claude Eclim, George Bealy, Alfred Chatham, Lewis Tayloe Dameron, Jr., Robert J. Shymansky, Warren Yates, Harry T. Stine, Harvey J. Stine, Sr., Warren Yates, Jr., James Jones, Tommy Swann, Frank Clunlaey, Dick Chatham, Lee Arnest, Wade Chatham, James Saunders, Robert Collins, William E. Simms, John A. Jenkins, LeMerle Trader, Cleveland Curry, Charles Beckett, Kenneth Lielks, Moss Smith, Carroll C. Hogge, Richy W. Owens, Rainie D. Owens, Joseph Burch, Harvey Stine, Jr., Joseph Donley, L. L. Curley, W. D. Swann, Marion Lee West, E. R. West, John Osakowicz, Billy Rice, L. C. Worrell, Robert Wise, Steve Purcell, George C. Hundley, Pat C. Hundley, Morris Owens, Jr., James Marshall, Buddy Forrest, B. H. Culver, William E. Crewe, Denzal Chatham, J. C. West, Jr. Jimmy Oliver, David Oliver, Mitchell Hillard, Carey Green, Robert Holloway, Jr., Bryon Zasimowich, Charles C. Edilin, Walter Burroughs, John B. Hill, Jerome Watson, SR., Joseph Hatton, Mile Hill, Charles Fowler, C. C. Rollins, James Mack, Phillip Burch, Selvin D. Roy, plus about 40 others (names unknown).

PRESS: Lawrence Latane, Westmoreland News; Ann Hazard, Richmond Times-Dispatch; Rusty Dennen, Free Lance-Star; Isabel Gough, Richmond News Leader.

The meeting was called to order by Chairman Robert J. Rubelmann at 10:05 a.m. He stated that this meeting was called for the purpose of considering opening the upper River for hand tonging of oysters and that no other business would be considered. Mr. Rubelmann explained that "upper river" refers to Swann Point, Lower Cedar Point, Old Farms, Gum Bar, Bluff Point, on which brood stock was planted following the 100% kill by Tropical Storm AGNES, and other denuded bars further upriver, all of which are completely bare of any native set of oysters. He then asked for the report and recommendations of the scientific advisors, who had conducted a survey on November 1st and 2nd.

Mr. Elgin Dunnington, CBL, said that there had been no oyster reproduction in the upper river since Tropical Storm AGNES in 1972. The only live oysters in that portion of the river were the brood stock reserve planted by the Commission in 1974 and 1975, plus a few seed planted on Old Farm this past spring. The salinity had returned to "normal" levels for the first time since October 1971 due mainly to the very low rain fall in the basin this past year. He was unable to predict when the next "set" would occur. A review of the Jones Shore seed area shows some low count 1977 seed set, which should be available for transplanting next spring, plus some residue of several previous year classes, all of which may add up to a total count of seed which may be economically feasible to transplant.

Mr. Dunnington recommended that this upper river remain closed until such time as there is evidence of natural reproduction in this area. He supported this recommendation stating that:

- 1) The surviving oysters on the brood reserves have undergone a natural selection, thus these planted oysters would provide a better adapted gene pool for the area than would freshly introduced stocks.

- 2) Setting oyster larvae are attracted to live oysters and thinning these planted areas by harvesting would reduce the effectiveness of this phenomenon.
- 3) A "put and take" system will not favor the establishment of indigenous natural populations adapted to that area.
- 4) More dispersed natural populations would be better able to withstand harvest pressure and at the same time maintain a continuous reserve of suitable brood stocks. If these bars are ever to support naturally produced oysters again, there must be live oysters on them covering as much area as possible.
- 5) PRFC resources in the foreseeable future are too small for it to be able to manage both mid and upriver bars from Jones Shore seed production for transplantation upriver.

Dr. Herb Austin, VIMS, said that he concurred with the results of the survey as presented by Mr. Dunnington. However, VIMS's recommendations were not in accordance with those of CBL. VIMS feels the river must be managed in its entirety, and the upper reaches, with its static populations, should not be "managed" by closure on the chance that a strike may occur. Management of the upper reaches should be consistent with policy and operations exercised on the lower stretch of the river. As such, they recommend opening the upper river, followed by a 1 to 1 replacement replation program.

Mr. Rubelmann stated that if the upper river was opened a 1 to 1 replation program should be used. He then opened the floor for discussion. The following people spoke in favor of opening the upper river:

Mr. James W. Dutton, Thomas Eron, Mr. Young, Harry Stine, Thomas Winstead, Douglas Jenkins, Delegate Roy Dyson, Thomas Shymansky, James E. Young, Allen Hundley and Steve Norris.


Mr. Rubelmann asked if any of the visitors were opposed to opening the river. No one responded.


The following motion was made and seconded:

"That the portions of the River closed following Tropical Storm AGNES be opened on a temporary basis through December 2, 1977, at which time the Commission would re-evaluate this opening based on a careful monitoring of the harvest effort and catches."

Mr. Wise noted that this motion, as stated, would require positive action by the Commission for the river to remain open after the 2nd of December 2, 1977, at which time the Commission would re-evaluate this opening based on careful monitoring of the harvest effort and catches." The motion was unanimously approved.

A motion to adjourn was made, seconded and approved at 11:00 a.m.


Robert J. Rubelmann
Chairman


John T. Parran, Jr.
Secretary