

MINUTES OF THE MEETING  
POTOMAC RIVER FISHERIES COMMISSION  
COLONIAL BEACH, VA.  
MAY 4, 1979

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

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

Visitors: Paul C. Wentzell, Chief, Maryland Marine Police; Supervisor C. E. Thomas, Virginia Marine Police; Janet Van Tassel, Philip R. Hohler, Bill Sieling and Pam Lunsford, Maryland DNR; Dr. Herbert Austin, VIMS; Elgin A. Dunnington, U of M, CBL; Howard S. Hudnall, VMRC; Thomas L. Crowder, Robert T. Brown, St. Mary's Watermen's Association; Douglas Jenkins, Virginia Watermen's Association; James W. Dutton, Charles Co. Watermen's Association; B. J. Ferrell; Percy H. Fines; Milton F. Wright; Jon Yagla, W. M. Moscrip and John M. Hunter, King George Environmental Association; Robert Picardat, E. G. Hughes and Richard R. Nageotte, DANO Resource Recovery.

Press: Isabel Gough, Richmond News Leader; Rusty Dennen, Free Lance-Star; Bradley B. Cavedo, Richmond Times-Dispatch

The meeting was called to order at 9:30 a.m. by Chairman John T. Parran, Jr. Mr. Parran asked for consideration of the Minutes of the January 26, 1979 meeting saying that mimeographed copies had been previously circulated to each Commissioner. The following motion was made and seconded:

"That the Minutes of the January 26, 1979 meeting be approved as written." The motion was approved.

#### CATCH REPORTS

Mr. Wise, the appointed Hearing Officer, reported on a Hearing held on April 11, 1979 for fifty-eight (58) individuals who were delinquent in filing fish and oyster reports. Each individual was sent the required notice of hearing and afterwards a notice by certified return receipt mail of the Hearing Officer's recommendations and also stating that the Commission would hear each case at today's meeting. Mr. Wise distributed a list of the 58 individuals showing type of license, Hearing Officer's report and his recommendations to the Commission. The Chairman called each name and asked if any wished to make a statement. Only a Mr. Dickerson and a Mr. Mack present among others made statements. Mr. Wise generally recommended that no new licenses be issued until all delinquent reports are filed or one (1) year probation on those who filed late.

A motion was made to adopt the Hearing Officer's recommendation plus one year probation on all licenses, except that of Mr. Arnest. The motion did not receive a second.

The following motion was then made and seconded: "That Mr. Thomas Lee Arnest, currently on probation for non-reporting of crab pot operations, have his three (3) gill net licenses for 1979 suspended for the balance of 1979 and that he be placed on probation for one year on all licenses." The motion was approved.

The following motion was made and seconded: "That the Hearing Officer's recommendation for the other fifty-seven (57) watermen delinquent in filing catch reports be adopted plus placing said persons on probation for one year." The motion was approved.

The following motion was made and seconded: "That it be the policy of the Commission that probation be defined as "upon failure to timely file any future report, an immediate hearing can be scheduled on the suspension or revocation of any or all of your licenses." The motion was approved.

Mr. Arnest arrived late for the meeting. Mr. Parran told Mr. Arnest the Commission had already acted on his case and asked if he wished to make a statement. Mr. Arnest indicated he failed to file because of negligence. Mr. Parran then informed him of the action taken earlier by the Commission, and asked if he understood the Commission's action. Mr. Arnest said he understood.

SLUDGE COMPOSTING

Mr. Parran said that after our last meeting, he had received a request from DANO to meet with the Commission. He had asked DANO to meet with or supply detailed information on their proposed sewage sludge composting plant in King George County, Virginia to the staff of PRFC and scientists for review prior to today's meeting. He then asked Mr. Norris for the staff report. Mr. Norris said that the information from DANO had been promised several times but never delivered, therefore, the staff had nothing to report other than what they presented at the last meeting. The Chairman at this point asked Mr. Norris to inform DANO that the Commission would not consider or discuss the DANO proposal even though DANO representatives were Present until the staff has received and reviewed the requested information (See Sludge Composting later in minutes.)

OYSTER PRODUCTION REPORT

A report by Mr. Carpenter on the oyster harvest for October 1, 1978 thru March 31, 1979 was reviewed and compared with the previous season as follows:

	<u>'78-79</u>	<u>'77-78</u>
Bushels by Tongers	142,154	
Bushels by Hand Scrapers	33,146	
Total Bushels	175,300	164,055
Total Tax Paid	\$43,930.35	\$40,708.94
Tongers Licenses	324	503
Tong Boat Operators	412	547
Hand Scrape - Personal	198	89
Hand Scrape - Vessel	87	43
Buyers - Licensed	7	16
Unlicensed	55	32

He also reported the three most productive tonging bars were Jones Shore, Sheepshead and Great Neck. Great Neck was also the most production hand scraping bar and with the combined harvest, it was the most production bar this season.

STRIPED BASS HATCHERY

Mr. Dunnington reported that as requested at the last meeting the advisory committee had met and discussed what if any role the PRFC could or should have in a striped bass hatchery. He reviewed the written committee report and suggested that a sentence be added explaining that the ability to produce fingerlings is related to the amount of money invested but not necessarily related to survival of the fingerlings. He also disagreed with the recommendation to give "moral" support to the Maryland watermen's Association project at the Elkton hatchery. The other recommendations were: 1) give moral support to Dr. Krantz's efforts to obtain funding for his project at UMCEES, Horn Point; 2) try to determine if "non-migratory striped bass from Santee-Cooper Reservoir in South Carolina will stay in the Potomac or join the native migratory fish; and 3) that the Commission give serious consideration to establishing a finfish rehabilitation fund, being separate and non-competitive with shellfish monies.

The following motion was made and seconded: "That the latter three recommendations of the advisory committee be adopted and that the staff proceed with the necessary arrangements to accomplish them and report their progress at the next meeting." The motion was approved.

SUMMER GILL NET

The Advisory Committee recommended that anchored gill nets, only, without using any poles be allowed during June, July and August from sunset Sunday until sunset Friday and provided the Commission with a suggested regulation change to accomplish the recommendation. A general discussion on gill netting and the proposal was ended by the following motion:

"That any action on the above proposal be tabled until the next meeting and if such action is taken, it will be effective during 1980." The motion was seconded and approved.

REGULATION CHANGES

The staff presented three proposed regulation changes designed to correct or clarify the current regulations. A motion was made and seconded:

"That all proposed regulations be considered at the next meeting." The motion was approved.

DISBURSEMENTS AND CASH ON HAND

A report on the disbursements totaling \$23,422.11 for the January 1- March 31, 1979 quarter by budget item was presented. The following motion was made and seconded:

"That the disbursements report for the third quarter of FY 79 be accepted and approved." The motion was approved.

A statement of cash on hand as of 5/2/79 was presented as follows:

Bank of Westmoreland - Checking	\$10,635.09
- C/D's	65,000.00
- Statement Savings	69,000.00
Peoples Bank of Montross - C/D	40,000.00
Bank of Southern Maryland - C/D	50,000.00
Maryland Bank and Trust - C/D	50,000.00
Maryland National Bank - C/D	25,000.00
- Savings	10,456.93
	<u>\$320,092.02</u>

BUDGET

Mr. Hickman, Chairman of the Budget Committee, presented a budget for fiscal year 1979-80 totaling \$363,900.00. Other than normal adjustments, the only major change was for other contractual services to cover the expected cost of replacing jurisdictional line markers destroyed by ice last winter. He said the June 30, 1979 estimated unexpended cash balance will necessarily be adjusted with a corresponding adjustment in development and repletion expenses as of that date. The following motion was made and seconded:

"That the budget as presented for fiscal year July 1, 1979 thru June 30, 1980, be adopted with the proper correction adjustments in two (2) items--"Unexpended Cash Brought Forward" and "Development & Repletion Expense"--to be inserted as of June 30, 1979, and a copy attached hereto and made part of these minutes." The motion was approved.

OYSTER REPLETION PROGRAM

Mr. Norris presented a proposed oyster repletion program for 1979. He explained that two surveys of the Jones Shore seed area showed that the 1978 spat set was very light--the highest count was only 150 seed per tub.

The proposed program was developed by the advisory committee and outlined as follows:

Jones Shore	50 acres	400,000 bu. shell
ST. George's Island	15 acres	120,000 bu. shell
Lynch Point	12½ acres	100,000 bu. shell
Lower Bank	25 acres	200,000 bu. shell
Cornfield	12½ acres	100,000 bu. shell
Kitts Point	12½ acres	100,000 bu. shell

All of these areas, except Jones Shore, would be set and grow areas. Lynch Point, Lower Bank and Kitts Point are areas that have not received repletion work before. The estimated cost of this year's program is \$290,000.00

Mr. Brown, Mr. Jenkins and Mr. Dutton all asked that the Commission transplant seed oysters to the upriver areas in need of seed. They suggested that the total count of oysters is probably much higher than the surveys indicate.

The following motion was made and seconded:

"That up to 20% of the repletion funds (\$58,000) be used for seed transplanting if an average count of 300 total oysters per tub can be maintained, and further that Mr. Norris is authorized to stop the operation when the count falls below 300." The motion was approved.

SURPLUS EQUIPMENT

A motion was made, seconded and approved declaring one (1) A. B. Dick Model 416 P Mimeograph, Serial #531867 surplus.

JURISDICTIONAL MARKERS

The following motion was made and seconded and approved.

"That the PRFC temporarily discontinue the jurisdictional markers upriver from a line between Hallowing Point and Pomonkey Point, except marker PRM33 and that any remaining piles will be removed and further that prior to replacement of said markers the U. S. Coast Guard is to be notified."

REGULATION CHANGES

Mr. Dutton said he had several proposed changes in the regulations he wished to discuss with the Commission. Chairman Parran said that since we already have several changes to be discussed at the next meeting, he suggested Mr. Dutton put his proposals before the Advisory Committee for consideration.

SLUDGE COMPOSTING

Mr. Nageotte, DANO's attorney, apologized for not having submitted the requested information earlier, the reason being they have had problems with sub-contractors furnishing the needed data. He then asked the Commission for guidance in establishing some type of guarantee that the operation would not interfere with local fishermen's nets or other gear. Mr. Hickman suggested DANO meet with the Watermen's Associations to resolve that type of question.

FUTURE MEETINGS

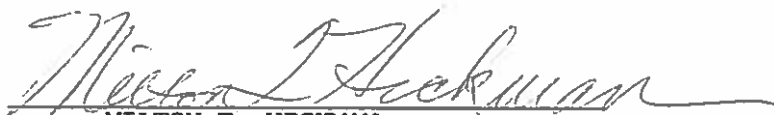
The date of the next meeting was set for August 31, 1979 at 9:30 a.m. at Colonial Beach, Virginia.

A motion to adjourn was made, seconded and approved at 11:30 a.m.



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JOHN T. PARRAN, JR.  
CHAIRMAN



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MILTON T. HICKMAN  
SECRETARY

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BUDGET  
POTOMAC RIVER FISHERIES COMMISSION  
STATEMENT OF PROJECTED EXPENDITURES  
FISCAL YEAR JULY 1, 1979 THRU JUNE 30, 1980

<u>PERSONAL SERVICE</u>	<u>1979-1980</u>
101 Compensation of: Commissioners	1,500.00
102 Executive Secretary	21,400.00
103 Legal Officer	6,600.00
104 Asst. Exec. Secretary	15,500.00
108 Secretary	9,400.00
Bookkeeper	8,000.00
109 Part time Help	500.00
112 Commissions to Clerks, license sales	400.00
199 Other personal services (Janitorial)	350.00
	<u>\$63,650.00</u>
 <u>CONTRACTURAL SERVICES:</u>	
201 Advertising	2,000.00
204 Postage	2,000.00
205 Telephone	2,500.00
203 Electric Current	500.00
212 Lease of Equipment	120.00
214 Membership dues & Subscriptions	450.00
216 Printing Regulations	1,000.00
220 Travel Expense	5,000.00
221 Water Service	155.00
224 Photographic Services - Charts	300.00
270 Repairs to equipment	600.00
280 Interest Expense	300.00
299 Other contractual Services	15,000.00
301 Automotive Expense	2,000.00
309 Fuel for Heat	600.00
313 Office Supplies	1,500.00
330 Household Furnishings & Supplies	150.00
332 Licenses, tags, report books	3,000.00
	<u>\$37,175.00</u>
 <u>CURRENT CHARGES &amp; OBLIGATIONS:</u>	
240 Insurance - surety bonds, fire EC, auto liability, workmen's compensation, etc.	\$ 2,300.00
 <u>PENSION AND OTHER CONTRIBUTIONS:</u>	
510 Retirement	2,873.75
511 Group Insurance	118.08
513 Employer's O.A.S.I. contributions	3,708.65
	<u>\$ 6,700.48</u>
 <u>CAPITAL OUTLAYS:</u>	
801 Office & other equipment	600.00
802 Furniture and fixtures	350.00
803 Auto	5,000.00
805 Improvements to Building	500.00
	<u>\$ 6,450.00</u>
 <u>DEVELOPMENT &amp; REPLETION EXPENSES:</u>	
331 & 333 Seed oysters and/or shells	\$230,037.39
EST. UNEXPENDED BALANCE AS OF 6/30/80:	20,000.00
TOTAL BUDGET	<u><u>\$366,312.87</u></u>

BUDGET

POTOMAC RIVER FISHERIES COMMISSION

STATEMENT OF PROJECTED REVENUES  
FISCAL YEAR JULY 1, 1979 THRU JUNE 30, 1980

	<u>'79-'80</u>
UNEXPENDED CASH BALANCE BROUGHT FORWARD: (As of 7/1/79)	\$22,812.87
SALE OF LICENSES:	
Fish	\$ 30,000.00
Oyster	45,000.00
Crab	20,000.00
Clam	-
OYSTER BUSHEL INSPECTION TAX:	\$ 37,500.00
APPROPRIATIONS BY STATE:	
Maryland	\$100,000.00
Virginia	100,000.00
INTEREST ON SAVINGS: (C/D's)	10,000.00
MISCELLANEOUS: Confiscated Property & Sale of tags, etc.	1,000.00
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TOTAL	\$366,312.87