

MINUTES OF THE MEETING OF THE  
POTOMAC RIVER FISHERIES COMMISSION  
COLONIAL BEACH, VIRGINIA  
AUGUST 31, 1979

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

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

Visitors: Dexter Haven, VIMS; Elgin Dunnington, U of M CBL; W. P. Jensen, Md. Tidewater Administration; Pam Lunsford, Janet Van Tassel and Philip Mohler, Md. DNR; Howard S. Hudnall, VMRC; Supervisor C. E. Thomas, Va. Marine Police; Paul C. Wentzell, Chief, Md. Marine Police; Douglas Jenkins, Va. Watermen's Association; Thomas L. Crowder, James W. Dutton

Press: Isabel Gough, Richmond News Leader; Richard Polk, The Enterprise; Joseph Morris, WKIK Radio; Dick Myers, The Maryland Independent; Rusty Dennen, Free Lance-Star; Stephen K. Badzik, Westmoreland News

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 May 4, 1979 meeting stating that mimeographed copies had been previously circulated to each Commissioner. The following motion was made and seconded:

"That the Minutes of the May 4, 1979 Meeting be approved as written."  
The motion was approved.

#### CATCH REPORTS

Mr. Wise, the appointed Hearing Officer, reported on a Hearing held on July 30, 1979 for thirty-two (32) individuals who were delinquent in filing fish, oyster and crab catch reports. Each of these persons was sent the required Notice of Hearing and following the Hearing was sent a notice by certified mail with receipt requested of the Hearing Officer's recommendation. The notice stated that the Commission would hear each case at today's meeting. Then Mr. Wise distributed a list of twenty-two (22) individuals for whom some action is suggested. He recommended probation for one year for individuals with no prior record, and no renewal license for one year for those currently on probation or who offered no explanation and still have not filed the reports. Mr. Parran asked if anyone notified of today's Hearing was present who might wish to make a statement, but no one responded. The following motion was made and seconded as follows:

"That Harry P. Davis, III and Kenneth S. Dent be placed on probation for one year and that the recommendation of the Hearing Officer for the other twenty (20) watermen delinquent in filing seafood catch reports be adopted." The motion was approved.

#### STRIPED BASS HATCHERY

Mr. Elgin Dunnington gave an oral report for the Committee investigating hatchery-produced striped bass for release in the Potomac estuary. He said that on August 2 a meeting was held with Dr. Jack Bayless, Chief, Dennis Wildlife Center Bonneau, South Carolina, to discuss the feasibility of obtaining striped bass fingerlings or fry from the South Carolina Hatchery. Dr. Bayless said only fry would be available to the PRFC but a consensus was that the mechanics of such an operation are possible with the cooperation of the U. S. Fish & Wildlife Hatchery and cooperation of Dr. Krantz using the Horn Point pond facilities. However, Dr. Bayless strongly recommended against the use of South Carolina fish because he felt that our native striped bass is best suited to the Chesapeake Bay environment so any rehabilitation efforts should center around native stocks; fish from another area should be used only if all else fails. Concerning introduction of the hybrid white bass to the Potomac, Dr. Bayless thinks that not enough is known at the present to risk introduction of this fish into the Potomac estuary; even though considered sterile they might go wild and could be a serious problem. The Committee therefore recommends that we work with the Horn Point Laboratory on native striped bass. The Chairman asked that the Committee continue work with native stocks and report on their progress.

Mr. Robert Brown informed the Commission that the St. Mary's County Watermen's Association is looking for a site in Southern Maryland for a hatchery in an effort to duplicate the work by watermen at Elkton, Maryland.

#### REGULATION CHANGES

Copies of the proposed regulation changes were distributed to those present. The Chairman then proceeded to discuss each Regulation separately. Regulation I, Section 2 (h) (2): The purpose of the change is to allow the use of anchor gill nets--no stake nets--during June, July and August (purportedly only to take spot), except on weekends. A motion was made, seconded and approved to advertise Regulation I, Section 2 (h) (2) for public hearing.

Regulation I, Section 2 (m): The purpose of the change is to define "fish or eel pots, when placed in a series", defining "when placed in a series" which has been misunderstood heretofore. A motion was made, seconded and approved to advertise Regulation I, Section 2 (m) for public hearing.

Regulation I, Section 2 (n): The purpose of the change is to clearly state the time or deadline for renewing license of previously assigned fixed fishing device to prevent forfeiture of location. A motion was made, seconded and approved to advertise Regulation I, Section 2 (n) for public hearing.

Regulation II, Section 2 (e): The purpose of the change is to prohibit the use of a winch, spool, winder, etc. on oyster boats only--not all vessels. Mr. Robert Brown objected to the permit requirement for patent tong boats and suggested eliminating the entire section. Chief Wentzell said requiring a permit is reasonable as it is a deterrent to illegal activity and the requirement should be maintained. A motion was made, seconded and approved to advertise Regulation II, Section 2 (e) for public hearing. The Chairman asked the staff, police and watermen to study the permit system and report at the next meeting.

Regulation III, Section 13 - The purpose is to add a new section which gives a method for computation of time for performance of an act which is required by regulations. A motion was made, seconded and approved to advertise Regulation III, Section 13 for public hearing.

All of the above regulation changes approved for advertising were done so over a "no" vote on each by Commissioner Rubelmann. Mr. Rubelmann then explained that he harbored no objection to the changes per se and that his vote was only to express objection to the constant changing of regulations for basically minor reasons. He said he felt they could wait until such time as major changes are needed.

#### REPLETION PROGRAM

The 1979 oyster repletion program report was presented and summarized below:

Shell Planting	6 areas - 149 acres	1,045,134 bu.	\$290,255
Seed Transplanting	1 area - 9 acres	7,175 bu.	4,605
		Total Cost	<u>\$294,860</u>

There being no other old business, new business was declared in order.

#### DISBURSEMENTS & CASH ON HAND

A report on the disbursements totaling \$84,636.89 for the April 1 thru June 30, 1979 calendar quarter by budget item was presented as well as a total by budget item for the entire FY 79 year. The following motion was made and seconded:

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

A statement of cash on hand as of 8/29/79 was presented as follows:

Bank of Westmoreland: Checking	\$ 8,836.24
Statement Savings	6,123.92
C/D's	40,000.00
Peoples Bank of Montross: C/D's	50,000.00
Maryland Bank & Trust Co.: C/D's	30,000.00
Maryland Nationa Bank: Savings	2,214.04
C/D's	80,000.00
	<u>\$217,174.20</u>

The above cash on hand represents receipt of the appropriation for FY 1980 of \$100,000 from each state.

EXPENSE ACCOUNTS

Mr. Rubelmann reported that Maryland is currently paying 16¢ per mile for private auto use. The Federal government is paying 18.5¢, Virginia 15¢ and PRFC 15¢. The following motion was made and seconded:

"That the PRFC set the reimbursement for private auto use on official business of PRFC to take effect as of this meeting at 17¢ per mile." The motion was approved.

HAND SCRAPING

Larry Crowder said that the St. Mary's County Watermen's Association had met and voted to request that Jones Shore be opened for hand scraping during the month of March. Agreeing that there are many marketable oysters which are not taken by tongers, Elgin Dunnington said that it is necessary to maintain brood stocks throughout the entire river, but they are especially critical and needed in a seed area. The Commission took no action on the request.

OYSTER BAR SURVEY

Dexter Haven reported on a two-day survey made in late August using a work boat to assess the conditions of the oyster stocks in the river. He said it is still too soon to identify the extent of the 1979 spat set, but a very early light set was observed at Piney Point and Jones Shore. He reported as follows: oysters seem to be spawned out in all areas except Bluff Point, Gum Bar and Ragged Point; the growth ranged from fair to moderate in all areas; mussels are very heavy above a line extending from King Copsico to Heron Island; the occurrence of small oysters was very low up river to a moderate number on Jones Shore; mortalities appeared normal everywhere except Great Neck, St. George's Island, King Copsico and Bluff Point and these areas will receive further investigation and the meat quality is average for the time of year.

SLUDGE COMPOSTING

Mr. Dutton asked for a status report on Dano. Mr. Norris said Dano has not been in contact with the PRFC since the last meeting and we still have not received any information from them. Stephen Badzik, Westmoreland News, stated Dano has been given an extension on their contract by the D. C. Government until November to start operations. Mr. Parran said that in the absence of the requested information from Dano that there was no point in pursuing the subject.

HOUSING/INDUSTRIAL DEVELOPMENTS

Mr. Carpenter reported that the planned U. S. Steel Swann Point Housing Development is again being actively discussed. They have applied for a sewage discharge permit into Cuckold Creek, a tributary of the Potomac. Mr. Rubelmann suggested we invite Mr. Tom Andrews, Maryland Water Resources Administration to our next meeting to explain the U. S. Steel proposal.

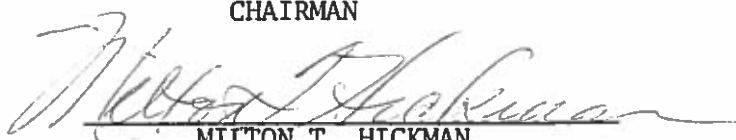
FUTURE MEETINGS

The date of the next meeting was set for Friday, November 9, 1979 at 9:30 a.m. in Colonial Beach. The Public Hearing on regulation changes will be a part of that meeting.

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



JOHN T. PARRAN, JR.  
CHAIRMAN



MILTON T. HICKMAN  
SECRETARY