

MINUTES OF THE MEETING
POTOMAC RIVER FISHERIES COMMISSION
LA PLATA, MARYLAND
AUGUST 9, 1985

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PRESENT: COMMISSIONERS - John T. Parran, William A. Pruitt, Lee E. Zeni, R. Wayne Browning, Francis J. Russell (Henry S. Braithwaite, absent)

OFFICERS - Kirby A. Carpenter, Executive Secretary and J. Clifford Hutt, Legal Officer

VISITORS - Marland Deen, Charles County Commissioner; Elgin A. Dunnington, CBL; Charles Frisbie, Janet Van Tassel, DNR; Henry C. Batchelor, Harvey C. Cook, DNR Police; Willard Dutton, Sheldon Russell, Martin Poe, Azro Corey, and several others who did not sign the register.

PRESS - Larry Evans, The Free Lance-Star; John Gatski Maryland Independent; Mary Mertz, The King George Journal; Joseph Norris, The Enterprise

The meeting was called to order at 9:07 a.m. by Chairman Parran. Mr. Carpenter presented the Chairman with a new gavel which had been crafted by Mr. Donald O'Bier, Supervisor of the Virginia Marine Resources Police. The meeting was then "officially" called to order. Mr. Marland Deen, Chairman of the Charles County Commissioners welcomed the Commissioners to Charles County and wished them good luck. Mr. Parran requested consideration of the Minutes of the May 24 and June 17, 1985 meetings, copies of which had previously been sent to each Commissioner. The following motion was made by Mr. Zeni and seconded by Mr. Russell:

THAT THE MINUTES OF THE MAY 24 AND JUNE 17 MEETINGS BE APPROVED AS WRITTEN AND DISTRIBUTED. The motion was approved.

It was announced that the public hearing on the proposed increase in the oyster inspection tax would be delayed until later in the meeting to allow for any late arrivals.

OYSTER REPLETION PROGRAM

The shell planting portion of the oyster repletion program has been completed. There were 396,530 bushels of fresh shells purchased from Virginia packing houses and 162,480 bushels of reef shells through the State of Maryland. Kitt's Point received both fresh shell and reef shell and Cornfield Harbor received only reef shell. The cost of the shell planting was \$190,751.28 and the seed planting cost was \$105,203.00 making a total of \$295,954.28 for the 1985 Oyster Repletion Program. Preliminary indications from the shell strings placed in the river are that there has been some light set on Jones Shore and Cornfield Harbor. Mr. Zeni said that they have determined in Maryland that a program that returns fresh shell overboard within 48 hours, would result in a substantial number of small oysters being returned live to the bay.

At this point in the meeting Chairman Parran introduced the Commissioners and staff for the benefit of attendees who had not met them.

DISBURSEMENTS AND CASH ON HAND

Disbursements for the fourth quarter of 84-85 (Apr-Jun) were presented by budget item which totaled \$231,755.00. Mr. Carpenter called attention to the cash balances in banks which represent the fact that we have received the appropriations from both states and we are very appreciative of their promptness.

A statement of cash balances as of August 7, 1985 was presented as follows:

First VA Bank - Northern Neck:

Checking (includes \$200.00 petty cash)	\$ 67,879.86
Certificate of Deposit	50,000.00

Maryland National Bank:

Savings: (Maryland office)	9,274.08
Certificate of Deposit	50,000.00

Maryland Bank and Trust:

Certificate of Deposit	100,000.00
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Peoples Bank of Montross:

Certificate of Deposit	<u>100,000.00</u>
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Grand Total in Banks	\$377,153.94
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The following motion was made by Mr. Pruitt and seconded by Mr. Russell:

THAT THE FY 84-85 FOURTH QUARTER DISBURSEMENTS OF \$231,755.00 BE APPROVED AS PRESENTED. The motion was approved.

ROCK FISH REGULATIONS

Mr. Carpenter reported that there have been numerous inquiries received concerning the current rock fish regulations. He briefly reviewed the current regulations regarding size, limit, season, etc. He also said there seems to be some confusion as to the legality of landing rock fish in Maryland. Mr. Zeni explained that with only a harvester's license, a person may not land or possess rock fish in Maryland. A seafood dealer's license allows for possession and sale (outside of Maryland) of the fish and anyone may buy a dealer's license. Mr. Dutton asked that this information be put in writing and Mr. Parran suggested a news release summarizing the current regulations be prepared and disseminated. He asked Mr. Carpenter to prepare this information for publication.

SPORTS FISHING LICENSE COMMITTEE

Mr. Zeni reported that a committee meeting, which was attended by about a dozen persons, was held on July 25, 1985 to study the need and/or appropriateness of a sports fishing license for the Potomac. He did not believe there was overwhelming support for or opposition to this license at that meeting. The committee has since discussed the issue and recommends the formulation of a license structure to be evaluated by the full Commission to determine if a public hearing would be appropriate. The state of Maryland has received close to \$1,000,000.00 in revenue from its license and the money will be spent for the sports fishing industry. Mr. Parran requested the committee to prepare various license proposals and present them at the next meeting. Mr. Carpenter said the committee had formally requested CBL and VIMS to evaluate different methods to gather the statistical information needed from this segment of the fishing industry.

STRIPED BASS MANAGEMENT

Mr. Zeni reviewed correspondence between Honorable Paul S. Sarbanes and Dr. Torrey C. Brown regarding the inclusion of the District of Columbia and the Potomac River Fisheries Commission in the Atlantic Striped Bass Conservation Act (Studds Bill) if reauthorized.

NEXT MEETING

The next meeting will be held in Colonial Beach, Virginia on November 8, 1985 at 9:30 a.m.

CATCH REPORT DELINQUENTS

The hearing officer's recommendations for 18 licensees delinquent in filing seafood catch reports were reviewed. Mr. Parran asked if any of the 18 persons were present. There was no response. The following motion was made by Mr. Zeni and seconded by Mr. Browning:

TO ACCEPT THE RECOMMENDATIONS MADE BY THE HEARING OFFICER. The motion was approved.

P U B L I C H E A R I N G O P E N

The public hearing regarding the proposed increase in the oyster inspection tax opened at 9:35 a.m.

Mr. Carpenter reviewed the proposed change in the regulation which would increase the oyster inspection tax from 25¢ to 50¢. This change also includes some technical changes. Mr. Carpenter asked the Legal Officer whether he believed it was necessary to include a dollar amount in Reg. IV, Sec. 2. If the dollar amount could be eliminated from this section, it would avoid additional cost for advertising this portion when the inspection tax is changed in the future. Mr. Hutt recommended leaving this section as it had been advertised. Maj. Cook questioned whether the portion "tonging and buy boat" should be changed to read "vessel". Mr. Hutt recommended leaving this phrase intact.

Mr. Parran asked if there were any comments from the Commissioners. There were none and he then asked for comments from the visitors.

Mr. Dutton said he believed that everyone was aware that this inspection tax would be increased and most everyone finds it acceptable. Mr. Carpenter said that both Maryland and Virginia legislatures had approved amendments in the Compact allowing the Commission to increase the oyster inspection tax. However, both bills called for a gubernatorial proclamation being issued to provide an effective date and that neither Governor had as yet issued such proclamation but both were expected to do so very soon. Therefore, if this increase is approved, it would have to be contingent on the proclamation being issued. The following motion was made by Mr. Browning and seconded by Mr. Zeni:


THAT THE OYSTER INSPECTION TAX BE INCREASED TO 50¢ PER BUSHEL, EFFECTIVE OCTOBER 1, 1985, CONTINGENT ON THE ISSUANCE OF THE NECESSARY PROCLAMATION BY BOTH THE GOVERNOR OF THE STATE OF MARYLAND AND THE COMMONWEALTH OF VIRGINIA. The motion was approved.


The public hearing was closed at 9:45 a.m.

P U B L I C H E A R I N G C L O S E D

At 9:50 a.m. the following motion was made by Mr. Pruitt and seconded by Mr. Russell:

THAT THE MEETING ADJOURN. The motion was approved.



John T. Parran
Chairman

Lee E. Zeni
Secretary