

MINUTES OF THE MEETING
POTOMAC RIVER FISHEIRES COMMISSION
COLONIAL BEACH, VIRGINIA
SEPTEMBER 11, 1987

COMMISSIONERS: Francis J. Russell, R. Wayne Browning, John T. Parran, William Pruitt and Verna E. Harrison.

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

PRESS: Isobel Gough, The Richmond News Leader; Paul Sullivan, The Free Lance Star and Lawrence Latane, The Times Dispatch.

GUESTS: Dr. George Krantz and Mrs. Janet Van Tassel, MDDNR; Donald O'Bier, Robert Markland, Lee Vickers and Jack Travelstead, VMRC; Gene Marshall and John Mattingly, MD Natrual Resources Police, William L. Rice, Charles County Tongers Committee; Robert T. Brown, James M. Banagan and Butch Cornelius, St. Mary's County Waterman's Association; Chester Kuchman, Virginia Cooperative Extension; Eugene Marshall, Billy Sutton, Richard Daiger, Gene Hundley, John W. Allen, F.D Chatham, Rodger Hill, James W. Dutton, Thomas Shymansky, L.L. Curley, R.A. Lee and several others who did not sign the register.

The meeting was called to order at 10:10 by Chairman Francis J. Russell noting last weeks meeting had been continued to today pending Maryland's regulations for this season.

REVIEW OF MD-VA 87/88 REGULATIONS

Mr. Russell called on Mrs. Verna Harrison for information on the Maryland Oyster White Paper Committee's recommendations and Maryland's regulations for the season. She reported the opening date was set for October 1st. state wide. Harvest will be allowed Monday thru Friday sunrise to 3:00 p.m., Saturday sunrise to 12 Noon with a daily 15 bu/man, 30 bu/boat maximum catch limit, and some areas were designated as sanctuaries. All actions will be re-evaluated on November 1st.

Mr. Russell asked Mr. Carpenter if the new rainfall closures will effect the Potomac River. Mr. Carpenter stated the Maryland Department of Enviornment's preliminary review shows no closures within our jurisdiction. However the Maryland tributaries to the Potomac will be adversely affected by an estimated three to five day closure in some instances. This could result in additional harvest effort in the Potomac when those tributaries are closed.

Jack TRavelstead, Deputy Commissioner for the VMRC, said that the James River will be closed starting this Monday due to flooding and that the period of closure is indefinite at this point. Otherwise, Virginia will open October 1st, Monday thourgh Friday, sunrise to sunset and no catch limits. Virginia will also be monitoring the situation and reviewing its regulations as needed.

OYSTER TRANSPLANTING

Mr. Carpenter noted that at the last meeting the scientists advised moving the diseased oysters to lower salinity areas. He recommended allowing harvest of the markets on Jones Shore starting Oct. 1st with both hand tongs and hand scrapes, then transplanting the remainder to the upper river. There are both risks and advantages to moving the oysters, the idea is to thin the population on Jones Shore to reduce the impact of MSX and DERMO and to increase the survival of the transplanted oysters by putting them in lower salinities. Dr. George Krantz, MDDNR, agreed with moving the oysters off Jones Shore to other areas of the river. He also asked the Commission to consider providing a sanctuary that would permit the "fittest" of the oysters to flourish and possibly produce a disease resistant stock. Dr. Krantz said that the whole seed area would not be needed for the sanctuary just an area large enough, perhaps 20 to 25 acres, to produce brood stock. Maryland will set up three to four areas throughout the state for this same effort. Mr. Carpenter asked Dr. Krantz about the prevalence of the disease in the lower river. Dr. Krantz replied that Cornfield and Chickencock, the oyster bars on either side of Jones Shore, have shown a 40 to 50% prevalence of both MSX and DERMO. Ragged Point and Herron Island show light cases of DERMO and no MSX. He explained that DERMO takes

COLONIAL BEACH, VA

September 11, 1987

three years to kill the infected oyster and MSX takes five to six weeks, however the mortality ratio is about the same for both.

Mr. Robert T. Brown suggested that instead of moving the oysters now, wait until Spring. That would kill less spat and lower the incidence of transferring the disease. Mr. Carpenter said that we have successfully moved seed in the past during the fall months, in fact up through December. One of the problems with moving in the spring is that the salinity differences are greater between the upper and lower river. He suggested not moving the seed from the '87 shell planting area this fall and concentrate on the remainder of the area. Mr. Russell questioned moving seed in November and whether this would jeopardize funding for moving the seed next spring. He agreed with the idea of allowing waterman to reap the available oysters on Jones Shore before stripping the area. Mr. Dutton said that if you wait until spring the salinity is high and moving them in November will give the oysters a chance to condition themselves. Bill Feldman suggested letting the local waterman have a chance to move the seed. Mr. John Allen suggested moving the young strike as well as the other oysters from the area to safe areas in the upper river. Dr. Krantz said that last year some spat died before they were a year old. The disease is changing the way it expresses itself and that it may be better to move it as soon as possible. Mr. Feldman asked if moving the oysters from Jones Shore up river will infect that area. Mr. Carpenter said that DERMO is not new to Jones Shore and we have been moving seed from that area for twenty years with no problems. An isolated instance is possible, but he felt that it would not be a major problem. Mr. Dutton suggested putting seed on Beacon Bar to help flush spat down river. Mr. Russell said that the Commission is beset with difficult problems and that all areas should be explored.

PROPOSED REGULATIONS FOR THE POTOMAC

Mr. Russell asked Mr. Carpenter to outline the proposals for this season. Mr. Carpenter summarized the recommendations from the September 2nd meeting and the watermen's recommendations at that time. He presented a three part proposal as follows: 1) Within the hand scrape area, including Jones Shore, allow hand tonging Monday thru Friday, sunrise to 3:00 p.m. (EST) or 4:00 p.m. (EDT); allow hand scraping Mondays, Wednesdays and Fridays, 8:00 a.m. to 12 noon and allow spat less than 1" when attached to markets on Jones Shore to be exempted from the cull; 2) The area above the hand scrape line allow hand tonging Monday thru Thursday, sunrise to 12 noon with the existing 3" cull law; and 3) During the month of November transplant as many oysters as possible from Jones Shore to the upper river areas, primarily above Cobb Island. Mr. Carpenter said that the proposed harvest restrictions would be in effect October 1st thru November 15, 1987.

Mr. Parran asked Mr. Carpenter why he proposed Mon/Wed/Fri handscraping versus five days per week. Mr. Carpenter said that the persons licensed in previous years say five days a week would be too strenuous, in fact, they say that during March by Thursday most men are ready to quit anyway. Mr. Russell asked how to deal with the Mon/Wed/Fri handscraping and shaft tonging on the Jones Shore area. Mr. Carpenter said that type of gear conflict occur every year in the rest of the hand scrape area. The October 1st hand scrape starting date should help to harvest the markets from Jones Shore before the transplanting begins. Mrs. Harrison asked the law enforcement officials whether it will be difficult to enforce a Noon and 3:00 p.m. time limit in two different areas. Mr. Donald O'Bier said that he didn't foresee any problems, but that he may need more staff in the affected areas. Mr. Pruitt asked who opposed the staff proposal and invited the public to respond.

Mr. Robert T. Brown noted that the Commission was suggesting that Virginia impose more restrictions than Maryland. Mrs. Harrison said that more conservation measures are seen in Maryland due to the rain fall closures along with a bushel limit. Mr. Pruitt asked Mr. Brown for his feelings on the staff's proposal. Mr. Brown said that he didn't agree with the proposed upper river restrictions because that meant giving up 20 hours of work per week. He suggested sunrise to 12 noon five days per week.

Mr. Parran moved "TO ADOPT THAT PORTION OF DRAFT ORDER 87-3 DEALING WITH THE HAND SCRAPE AREA AND THE CULL LAW FOR JONES SHORE". Mr. Parran so amended his motion, Mrs. Harrison seconded. The motion was approved unanimously.

COLONIAL BEACH, VA

September 11, 1987

Mr. Pruitt asked Dr. Krantz to comment on the four or five day limit in the upper river. Dr. Krantz replied it was a socioeconomic decision since the noon cut off and weather conditions should provide adequate conservation. Mr. Pruitt moved:

"TO AMEND DRAFT ORDER 87-3 SO AS TO ALLOW HAND TONGING IN THE UPPER RIVER MONDAY THROUGH FRIDAY AND TO ADOPT ORDER 87-3 AS PRESENTED AND AMENDED BY THIS AND THE PREVIOUS MOTION." Mrs. Harrison seconded the motion and the motion was approved unanimously.

Mr. Carpenter was asked about the cost of transplanting seed as proposed. He estimated \$70,000.00 per month would be a maximum figure based on last years cost and seed availability; but in all likelihood it would be less. Mr. Russell asked if bids will be requested for this work. Mr. Carpenter said he would follow the usual complete bid process with some modifications on the specifications to allow smaller boats to bid. Mr. Rice asked if the moving of seed at this time of year will detract from the funding normally used to move the shells next spring. Mr. Carpenter said the Commission budget estimated \$210,000 for next spring. Mr. Carpenter said the Commission budget estimated \$210,000 for repletion work this year and that money is divided between seed and shell plantings. Mr. Russell asked how funds were normally divided between shell and seed. Mr. Carpenter said there was no "normal" or percentage division, it's based on each year's need, availability and cost of seed and/or shell and it is a year to year decision of the Commission based on the recommendations of the Repletion Committee. Mrs. Harrison made the following motion, seconded by Mr. Pruitt:

"THE COMMISSION AUTHORIZE THE EXECUTIVE SECRETARY TO BEGIN ON OR ABOUT NOVEMBER 1ST TO TRANSPLANT OYSTERS FROM JONES SHORE (EXCEPT FROM WITHIN THE ESTABLISHED SANCTUARY) TO THE UPPER RIVER AREAS WHERE THE THREAT OF DISEASE IS LOWER. THE REPLETION COMMITTEE MEMBERS ARE ASKED TO ASSIST IN SELECTING AND BOUYING THE AREAS TO BE PLANTED. THE TRANSPLANTING WILL CONTINUE THROUGH NOVEMBER OR UNTIL THE COUNT FALLS BELOW 300 OYSTERS PER TUB OR \$70,000 IS EXPENDED." The motion was approved.

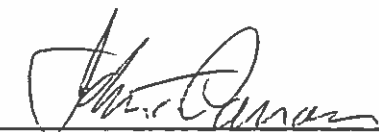
NEXT MEETING

The next meeting will be held November 6, 1987 at the office of the Commission.

ADJOURN

A motion was made, seconded and approved to adjourn at 11:37 a.m.


Francis J. Russell, Chairman


John T. Parran, Secretary