

013672736

**HOUSE JOINT RESOLUTION NO. 765****AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Chesapeake and Its Tributaries  
on January 29, 2001)

(Patron Prior to Substitute—Delegate Drake)

*Requesting the Virginia Institute of Marine Science, in consultation with the Virginia Marine Resources Commission, the Department of Environmental Quality, the Chesapeake Bay Local Assistance Department, other appropriate state and federal agencies, local governments, and interested stakeholders, to prepare a management plan for shallow water areas in the Chesapeake Bay and the tidal portion of its tributaries.*

WHEREAS, submerged aquatic vegetation (SAV) is one of the most important living resources in the Chesapeake Bay; and

WHEREAS, SAV is perhaps the most important habitat for juvenile fish and blue crabs; and

WHEREAS, pursuant to HJR 283 (1998), HJR 660 (1999), and HJR 79 (2000), the Virginia Delegation to the Chesapeake Bay Commission has conducted studies related to the protection of SAV and issued a series of recommendations; and

WHEREAS, many of the recommendations issued by the Virginia Delegation have been adopted as state policy; and

WHEREAS, through the Chesapeake Bay Program, Virginia has committed to the protection and restoration of SAV through the adoption of a restoration goal; and

WHEREAS, since 1999, the Virginia Coastal Resources Management Program, a network of state agencies and local governments led by the Department of Environmental Quality, has directed substantial effort and committed significant funding toward the management of use conflicts in shallow water and is preparing to commit additional funds over the next two years; and

WHEREAS, SAV thrives in shallow areas of water less than two meters in depth with water quality sufficient to allow light to reach the plants; and

WHEREAS, such shallow areas of water can be affected by human activity, including but not limited to intensive aquaculture, riparian land use, dredging, and marina development; and

WHEREAS, intensive shellfish aquaculture is an important and growing industry which also uses shallow areas of water less than two meters in depth; and

WHEREAS, the Commonwealth's commitments to SAV restoration and other marine uses, including economic development, will only be met through wise management of shallow areas of water; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia Institute of Marine Science, in consultation with the Virginia Coastal Management Program's policy team, which includes the Virginia Economic Development Partnership, the Virginia Marine Resources Commission, the Department of Environmental Quality, and the Chesapeake Bay Local Assistance Department, other appropriate state and federal agencies, local governments, and interested stakeholders, including but not limited to, representatives of the intensive aquaculture industry, be requested to prepare a management plan for shallow water areas in the Chesapeake Bay and the tidal portions of its tributaries; and be it

RESOLVED FURTHER, that the management plan prepared by the Institute address: i) the likelihood of restoration of SAV in specific geographic areas that will advance Virginia's restoration goals; ii) the potential impact of adjacent riparian land areas on SAV and other living resources dependent upon good water quality; iii) the feasibility of using geographic-based habitat suitability models for assessing appropriate use of state-owned bottomland and designating areas for preferred uses; iv) possible conflicts between potentially competing uses of shallow areas, including dredging and marina development, fishing, aquaculture, and SAV restoration; v) the protection of existing SAV; vi) the continued growth and development of aquaculture and the need for access to shallow waters; and vii) any other significant issues identified by the Institute, and that such plan include policy options for the Commonwealth.

The Institute is also requested to present a draft plan in 2002 and a final plan in 2003 to the Virginia Coastal Resources Management Program, the Virginia Marine Resources Commission, the Chesapeake Bay Commission, the Governor, and the 2002 and 2003 Sessions of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents; and, be it

RESOLVED FINALLY, that the Clerk of the House of Delegates transmit copies of this resolution to the Secretary of Natural Resources and the Director of the Virginia Institute of Marine Science so that they may be apprised of the sense of the General Assembly on this important matter.