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**HOUSE JOINT RESOLUTION NO. 164**  
**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee on Rules  
on February 25, 2002)

(Patron Prior to Substitute—Delegate Pollard)

*Proclaiming support for the revitalization of the Virginia oyster industry.*

WHEREAS, diseases of MSX and dermo have devastated the landings of oysters in Virginia; and

WHEREAS, in 1995 the General Assembly through House Joint Resolution No. 450 directed the Virginia Institute of Marine Sciences to begin research on nonnative oyster species for possible use in the Chesapeake Bay; and

WHEREAS, the Virginia Institute of Marine Sciences, by following the international protocol for the introduction of nonnative species, has learned that *Crassostrea ariakensis* is a fast-growing, disease-resistant oyster with significant market potential; and

WHEREAS, prior to the 1980's, annual oyster harvests averaged nearly one million bushels per year, and since 1990 the average annual oyster harvest has been less than 50,000 bushels and in steady decline as evidenced by a total harvest of only 20,000 bushels in 2001; and

WHEREAS, in 1985 the oyster industry's dockside value was \$7,141,000; and

WHEREAS, in 1994 the oyster industry's dockside value was only \$812,387; and

WHEREAS, Virginia's oyster industry is the only national oyster industry without a ready-stock of available oysters; and

WHEREAS, restoration efforts of *Crassostrea virginica* are being attempted, but it will likely be many years, if ever, before a disease-resistant strain of Virginia's native oyster can be successfully grown for commercial markets; and

WHEREAS, Virginia's oyster industry will likely not survive without some Virginia-grown stock for market use; and

WHEREAS, the genetic breeding of triploid strains has proven to be a highly effective control against normal reproductive function when applied to oysters; and

WHEREAS, other protocols to prevent reproduction can further substantially lessen the degree of non-intended introduction of breeding stock so that the risk of such introduction is extremely low; and

WHEREAS, the Virginia Seafood Council has specifically endorsed the responsible use of genetically sterile *Crassostrea ariakensis* with proper aquaculture protocol developed by the Virginia Institute of Marine Sciences; and

WHEREAS, the Virginia Institute of Marine Sciences, on November 28, 2001, released a statement indicating that development of a protocol for the commercial aquaculture of triploid strains of *Crassostrea ariakensis* can be accomplished with proper partnering of scientific evaluation; and

WHEREAS, any adult oyster, whether native or nonnative, filters more than fifty gallons of water per day and therefore is ecologically beneficial; and

WHEREAS, the counties of Accomack, Essex, Lancaster, Mathews, Middlesex, Northampton, Northumberland, Richmond and Westmoreland, respectively, have all adopted resolutions in support of the introduction of *Crassostrea ariakensis*; and now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly proclaim its support for the revitalization of the Virginia oyster industry.

RESOLVED FURTHER That the General Assembly proclaim its support for the continuation of efforts to establish commercial aquaculture production of genetically sterile *Crassostrea ariakensis* within the guidelines and parameters called for or established by the Virginia Institute of Marine Sciences and the Virginia Marine Resources Commission; and, be it

RESOLVED FURTHER That the General Assembly proclaim its support for the Virginia Institute of Marine Sciences, the Chesapeake Bay Foundation, and other qualified scientific bodies performing the research necessary to assess the ecological risks of introducing the *Crassostrea ariakensis* into Virginia's public waters; and that if such research fails to prove, within three years, that the *Crassostrea ariakensis* will be clearly harmful to the public waters of the Commonwealth, then the General Assembly requests the introduction of the reproductive disease-resistant *Crassostrea ariakensis* into the public waters of the Commonwealth pursuant to guidelines and parameters established by the Virginia Institute of Marine Sciences and the Virginia Marine Resources Commission; and be it

RESOLVED FINALLY, That the General Assembly renew Virginia's commitment to increase the native oyster by ten-fold by 2010 as outlined in the Chesapeake 2000 Agreement and encourage the continued and expanded federal-state cooperative efforts and the efforts of private organizations in this endeavor.

SENATE SUBSTITUTE

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