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## SENATE JOINT RESOLUTION NO. 50

Offered January 9, 2008

Prefiled January 7, 2008

*Directing the Joint Legislative Audit and Review Commission to study the Craney Island Dredged Materials Management Area. Report.*

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Patron—Lucas

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Referred to Committee on Rules

WHEREAS, for several years the Craney Island Study Commission appointed by the Portsmouth City Council has monitored the Craney Island Dredged Materials Management Area to determine if the operations cause an adverse impact on the environment; and

WHEREAS, results of laboratory studies conducted by the Department of Environmental Quality and the Army Corps of Engineers show changes in sediment and benthic life on the river bottom appearing west of the Craney Island Dredged Materials Management Area; and

WHEREAS, based on these reports, the Craney Island Study Commission opposes the vertical expansion of the Craney Island Dredged Materials Management Area beyond its current elevation, which has already exceeded 40 feet in some areas according to the project manager for the Army Corps of Engineers; and

WHEREAS, greater elevations would limit practical future uses of the four-square-mile area and pose a greater risk of hurricane drainage damage, threatening the harbor and the proposed \$2.7 billion port development; and

WHEREAS, in September 2006, Tropical Storm Ernesto caused significant erosion of the western levee and roadway, closing the Army Corps of Engineers project office due to the extensive repairs required for the levee and roadway; and

WHEREAS, the Army Corps of Engineers expects to continue the disposal of dredging materials at Craney Island for 30 years and, if lower height limits are not enforced, elevations may exceed 57 feet, creating an unusable and potentially dangerous mountain on the shoreline; and

WHEREAS, the Commonwealth and the Virginia Port Authority were authorized to expend state funds for a feasibility study related to the potential expansion of Craney Island to the east for an additional marine terminal; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Joint Legislative Audit and Review Commission be directed to study the impact of greater elevations at the Craney Island Dredged Materials Management Area.

In conducting its study, the Joint Legislative Audit and Review Commission shall identify and evaluate the risks created by storing dredged materials at increasingly greater elevations and conduct an environmental assessment on the continuing and planned activity by the Army Corps of Engineers. The study should include, but not be limited to, the efficiencies of ocean dumping compared to continued dumping on Craney Island; the stability of the dredged materials during and after a natural disaster; the risks of dike breaches; impacts on the harbor infrastructure and the environment; and reduced utility of the area after dredging has ceased.

All agencies of the Commonwealth shall provide assistance to the Joint Legislative Audit and Review Commission for this study, upon request.

The Joint Legislative Audit and Review Commission shall complete its meetings by November 30, 2008, and shall submit to the Governor and the General Assembly an executive summary and a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than the first day of the 2009 Regular Session of the General Assembly and shall be posted on the General Assembly's website.

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