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SENATE JOINT RESOLUTION NO. 411

Offered February 4, 2009

Encouraging the U.S. Army Corps of Engineers to approve the responsible introduction of sterile non-native oysters as part of its management scheme.

Patrons—Stuart, Blevins, Colgan, Cuccinelli, Hurt, Locke, Lucas, Martin, McDougale, Miller, J.C., Newman, Norment, Obenshain, Petersen, Puller, Quayle, Ruff, Saslaw, Smith, Stolle, Stosch, Ticer, Vogel, Wagner and Wampler

Unanimous consent to introduce

Referred to Committee on Rules

WHEREAS, for more than 200 years, the United States Army Corps of Engineers has supported the nation's river-based commerce, protected population centers, provided disaster response, and constructed military facilities to protect America's shores; and

WHEREAS, the Norfolk District of the U.S. Army Corps of Engineers is involved in three ongoing initiatives relating to the health of oysters in the Chesapeake Bay; and

WHEREAS, restoring the Chesapeake Bay's oyster population is key to improving the bay's environmental health, as well as the local economies of waterfront communities; and

WHEREAS, the Norfolk District of the U.S. Army Corps of Engineers has designed construction projects to establish sustainable breeding populations of native oysters in sanctuaries in Virginia; and

WHEREAS, the Norfolk District of the U.S. Army Corps of Engineers has created a joint Norfolk District-Baltimore District Chesapeake Bay Oyster Restoration Master Plan to outline a long-term plan for native oyster restoration; and

WHEREAS, the Norfolk District of the U.S. Army Corps of Engineers has prepared an Oyster Environmental Impact Statement (OEIS) that evaluates ongoing native restoration efforts and the possible introduction of a non-native oyster species; and

WHEREAS, the OEIS was drafted to assist in identifying the best oyster restoration strategy or combination of strategies for re-establishing a self-sustaining oyster population in the Chesapeake Bay comparable to levels during the period from 1920 to 1970; and

WHEREAS, the federal OEIS does not define an acceptable level of risk if triploid non-native oysters are placed in Virginia waters; and

WHEREAS, the triploid non-native oyster (*Crassostrea ariakensis*), grown in commercial projects sponsored by the Virginia Seafood Council from 2003 through 2008, has shown full resistance to the MSX and Dermo diseases, and has shown no evidence of any other diseases; and

WHEREAS, this oyster has grown to market size in less than one year and has found acceptance in the marketplace as a shucked product; and

WHEREAS, this oyster has proven its ability to filter Chesapeake Bay water as effectively as the native oyster; and

WHEREAS, the introduction of a genetically sterilized *Crassostrea ariakensis* population with proper controls would minimize any potential risk of a reproducing population while enhancing the economic and environmental benefits that would result from a significantly increased Chesapeake Bay oyster population; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the U.S. Army Corps of Engineers be encouraged to support the responsible cultivation of sterile non-native oysters as part of its management scheme; and, be it

RESOLVED FURTHER, That the Clerk of the Senate transmit a copy of this resolution to the Commander of the Norfolk District of the U.S. Army Corps of Engineers, and to members of Virginia's Congressional delegation so that they may be apprised of the sense of the General Assembly of Virginia in this matter.

INTRODUCED

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