

1995 SESSION

ENROLLED

HOUSE JOINT RESOLUTION NO. 448

Requesting the Department of Health to study the effect of boat discharge on the waters of the Commonwealth and the feasibility of establishing no-discharge zones for boats.

Agreed to by the House of Delegates, February 23, 1995

Agreed to by the Senate, February 21, 1995

WHEREAS, the shellfish resources of the Commonwealth are important to the economy of Virginia and the ecology of the Chesapeake Bay; and

WHEREAS, many sources of pollution have contributed to the general decline of water quality in the Chesapeake Bay watershed, sometimes resulting in the closure of productive shellfish areas to direct harvest; and

WHEREAS, one threat to local water quality conditions and resident shellfish resources is the discharge of human waste from boats; and

WHEREAS, the discharge of human waste poses the greatest threat in areas heavily used by the boating public including marinas, boat ramps and areas where boats congregate which are often located in quiet, protected waters and which are common locations for shellfish grounds; and

WHEREAS, the 1987 Chesapeake Bay Agreement included as one of its objectives "to eliminate pollutant discharges from recreational boats"; and

WHEREAS, a 1991 report authorized by the Chesapeake Executive Council recommended, among other things, the designation of "no-discharge zones" in sensitive waters and the establishment of a program to provide additional and adequate pump-out facilities for boats with sewage holding tanks; and

WHEREAS, the result of improved management of human waste from boats could reduce the closing of shellfish beds as well as protect the health of those who consume shellfish; and

WHEREAS, Water Control Board Regulation VR 680-14-05 includes a requirement for mandatory use of holding tanks in shellfish areas that is only effective following the establishment of no-discharge zones by the Commonwealth pursuant to U.S. Environmental Protection Agency requirements; and

WHEREAS, Department of Health regulations require that adequate onshore sanitary facilities, a dump station for portable toilets, and pump-out facilities be provided at each marina or other place where boats are moored; and

WHEREAS, a recent analysis of boat pump-out facilities in Virginia's portion of the Chesapeake Bay estimated that facilities are operational at half of those locations required to have them; and

WHEREAS, the federal Clean Vessel Act provides grant moneys to states for pump-out facility installation, maintenance and education programs, and the Commonwealth has garnered about \$390,000 of those moneys for its 750 marinas; and

WHEREAS, prior to determining whether it is in the interest of the Commonwealth to apply to the U.S. Environmental Protection Agency for the establishment of no-discharge zones, it is necessary to determine where the Commonwealth stands with respect to the availability of boat pump-out facilities and the vulnerability of sensitive waters; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Department of Health be requested to study the effect of boat discharge on the waters of the Commonwealth and the ability of the Commonwealth to meet current U.S. EPA standards for the establishment of no-discharge zones by examining data regarding the extent of pollution loadings, the sensitivity of affected waters with particular attention to the existence of productive or potentially productive shellfish areas, and the availability of operational pump-out facilities. The Department shall also evaluate compliance with existing regulations and the feasibility of requesting additional federal moneys through the Clean Vessel Act. All agencies of the Commonwealth shall provide assistance to the Department, upon request.

The Department shall complete its work in time to submit its findings to the Governor and the 1996 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

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