

Remarks Presented by
Frances W. Porter to
U. S. House of Representatives
Committee on Government Reform
Friday, August 20, 2004

I am Frances Porter, Executive Director, Virginia Seafood Council. VSC is a trade association, non-profit and incorporated, which represents the interests of the commercial fishing industry in Virginia. Membership includes packers, processors, shippers, harvesters, and aquaculturists of Virginia seafood; it includes both Bay and ocean fisheries.

A member of the commercial fishing industry in Virginia will speak to you today and will tell you that the health of the Chesapeake Bay is negatively impacting his livelihood. Pollution in the Bay is believed to be a strong contributor to the decline in the fish, crab and oyster populations. Fish, crabs and oysters are, of course, vital parts of the food chain in the Bay. If an oyster packer were here he would give you an impassioned speech on the critical situation in the oyster industry and document with these facts: in Virginia we harvested less than 15,000 bushels of oysters in 2003, down from 1,000,000 bushels 18-years ago in 1985.

It is important for members of this committee to understand that commercial fishing contributes \$450,000,000 annually to the economy of Virginia. Thirty counties and 8 cities have some level of economic dependence on the seafood industry and about 17,000 persons are employed in the industry and industry related jobs.

I believe that we can all agree that development in the watershed is a major problem for the health of the Bay. There are more cars, people, houses, lawns and far less timberland. Are sewage treatment plants sufficiently regulated and routinely monitored regarding their discharge? Has the rate of development along the shoreline been slowed? Is there measurable restoration of watershed? Are farmers adhering to best management practices in cultivating and fertilizing their crops? Those are

questions to be answered by scientists, regulators and environmentalists, but they are important issues for the fishing industry.

Through the national press, local press, trade journals and magazines, I read weekly about the health of the Bay,

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with conflicting reports about measurable progress versus reports of slow to no progress. Scientifically, VSC is not qualified to judge the progress of the clean up efforts, but practically, we see the steady decline in resource. Living resources are an excellent measure of the health of the Bay.

In my limited time, it is best that I talk about the Council's efforts to restore one living resource, the oyster, to the Bay. The oyster has great economic value to the Commonwealth of Virginia. Far greater is its ecological value to the Bay. A healthy oyster resource is reported to have the capability to filter the entire Bay in a day! Imagine a consistently healthy, constantly growing oyster resource pumping the nutrients through its gills, purging the Bay day after day after day!

The Council has been on a parallel track to restore the native oyster and introduce a non-native oyster. To renew the native oyster, we continue to plant shells, move seeds

and work existing beds; we have developed huge reefs and have supported moratoriums. Since 1990 private oyster growers and the State of Virginia have spent millions and millions of dollars in restoration efforts. There is some marginal progress in the native efforts, but for the most part, restoration is stalled and the oyster industry is dying.

Since 1995, the Council has been engaged in a project to introduce a non-native oyster to the Chesapeake Bay. In conjunction with Virginia Institute of Marine Science and with the approval of Virginia Marine Resources Commission, we have worked meticulously, in conformance with state, federal and international laws and protocols, to conduct in-water testing of a non-native oyster. We have had tremendous success in finding an oyster that grows rapidly, resists diseases, and tastes like the Virginia oyster. To date, we have no evidence that it will introduce any known pathogens to the Bay and no evidence that it will damage the food chain in any way.

However, our project has been met with intense scrutiny by numerous federal agencies including the Army

Corps of Engineers, the EPA Chesapeake Bay Program, U. S. Fish and Wildlife Service, and NOAA/National Marine Fisheries Service. An extension of our existing permit was an intense five-month negotiating process between federal agencies, the Council and our advisors at VIMS. The extension requires new risk mitigation strategies and numerous additional conditions to the original permit. This is a clear indication that these agencies are striving to prevent any further damage to the Bay by this introduction.

The entire non-native oyster permitting process is

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about risks and benefits. The emphasis belongs on the ecological benefit that a renewed oyster population will bring to the Bay. Let me reiterate that a healthy oyster population will filter the Bay daily and contribute to cleaner water.

While we are moving steadily toward a renewed oyster resource with the *Crassostrea ariakensis*, we are not moving rapidly. We are waiting for the completion of an Environmental Impact Statement. Economically, we feel that time is running out to restore an industry. Ecologically, the sooner we have a natural, filtered feeder resource in the Bay, the better.

I believe the federal agencies, who have worked with us on this project, also understand the value of the oyster resource. I hope they will expedite all the processes in order to allow the oyster in the Bay next year.