

SENATE BILL REPORT

HJM 4031

As Reported By Senate Committee On:
Natural Resources, Ocean & Recreation, February 23, 2006

Brief Description: Preserving section 5 of the Marine Mammal Protection Act to protect Puget Sound.

Sponsors: Representatives Appleton, B. Sullivan, Green, Takko, McCoy, Hunt, Darneille, Flannigan, Kessler, Chase, Eickmeyer, Morris, McIntire, Murray, Woods, O'Brien, Ericks, Pettigrew, Moeller, Dunshee, Lantz, Schual-Berke, Lovick, Morrell, Kenney, Clibborn, Sommers, Walsh, Strow, Haler, Talcott, Jarrett, Wallace, Dickerson, Conway, P. Sullivan, Hasegawa, Upthegrove, Rodne, Hankins, Williams, Springer, Cody, McDermott, Sells, Miloscia, Kagi, Campbell, Simpson, Roberts and Kilmer.

Brief History: Passed House: 2/13/06, 86-12.

Committee Activity: Natural Resources, Ocean & Recreation: 2/22/06, 2/23/06 [DP].

SENATE COMMITTEE ON NATURAL RESOURCES, OCEAN & RECREATION

Majority Report: Do pass.

Signed by Senators Jacobsen, Chair; Doumit, Vice Chair; Oke, Ranking Minority Member; Fraser, Hargrove, Morton, Spanel, Stevens and Swecker.

Staff: Curt Gavigan (786-7437)

Background: Congress enacted the Marine Mammal Protection Act in 1972 in response to concerns that some marine mammal species may be in danger of extinction as a result of human activities, and that those species should not be permitted to fall below sustainable population levels.

A provision known as the "Magnuson Amendment to the Marine Mammal Protection Act," enacted in 1977, contains findings that the navigable waters in Puget Sound are a fragile and important national asset. It further finds that increased oil tanker traffic is a threat to those waters and shorelines, and tanker traffic restrictions are necessary to protect Puget Sound. After October 18, 1977, this provision restricted the federal government from approving permits for any facility in Puget Sound east of Port Angeles that will or may result in any increase in crude oil being handled at that facility. The restriction allows for increases in oil that is refined for consumption in Washington.

On November 8, 2005, S.1977 was introduced in the Senate of the United States that would repeal the 1977 Magnuson Amendment.

Summary of Bill: The President of the United States, Congress, and the Secretary of the U. S. Department of Commerce are petitioned to preserve Section 5 of the Marine Mammal Protection Act to continue protecting Puget Sound by limiting tanker traffic. The joint memorial includes the following findings: Puget Sound provides significant economic and

natural resource benefits; 40 species, including orcas and salmon, are listed on state and federal threatened, endangered, or candidate species lists; approximately 600 tankers per year enter Washington waters, and additional tanker traffic would significantly increase the likelihood of oil spills in Puget Sound; and Senator Warren Magnuson declared that the waters of Puget Sound ought to be protected and that there should not be an expansion of tanker traffic.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Testimony For: The goal of this bill is to prevent the increase of oil tanker traffic in Puget Sound, which would increase the risk of oil spills. Because a major oil spill would cripple shipping in Puget Sound, keeping the Magnuson Amendment in place is of great benefit.

Testimony Against: None.

Who Testified: PRO: Rep. Appleton.