

SENATE BILL REPORT

SB 6610

As Reported By Senate Committee On:
International Trade & Economic Development, January 31, 2006

Title: An act relating to promoting underwater viewing.

Brief Description: Promoting underwater viewing.

Sponsors: Senators Oke, Rockefeller, Shin, Pflug and Sheldon.

Brief History:

Committee Activity: International Trade & Economic Development: 1/25/06, 1/31/06 [DPS-WM].

SENATE COMMITTEE ON INTERNATIONAL TRADE & ECONOMIC DEVELOPMENT

Majority Report: That Substitute Senate Bill No. 6610 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Shin, Chair; Sheldon, Vice Chair; Pflug, Ranking Minority Member; Doumit, Eide, Roach and Zarelli.

Staff: William Bridges (786-7424)

Background: Underwater Parks. Designated salt water bedlands that are used for scuba diving or other underwater recreation are generally known as "underwater parks." In the 1970s, the State Parks and Recreation Commission (State Parks) established nine underwater parks in Puget Sound and adjacent waters.

Scuba Diving Attractions. Man-made structures are sometimes used to enhance recreational fishing and scuba-diving opportunities in coastal waters. In 1993, the Legislature authorized State Parks to construct artificial reefs and other underwater features to enhance marine life and recreational diving opportunities. Saltwater State Park and Fort Casey State Park were subsequently identified as possible locations for rock-based artificial reefs; however, lack of funding prevented their construction.

Nature-Based and Wildlife-Viewing Tourism. In 2003, the Legislature directed the Department of Community, Trade, and Economic Development (CTED) to promote nature-based and wildlife viewing tourism in Washington. The Legislature also required the Departments of Fish and Wildlife (Fish & Wildlife) and CTED to host a conference on wildlife-viewing tourism and to draft a strategic plan promoting this activity in Washington. The plan was released in March 2004.

Summary of Substitute Bill: Promoting Underwater Viewing. The promotion or support of underwater viewing tourism is added to the mission statements of four state agencies: CTED, Fish & Wildlife, DNR, and State Parks.

Requiring a Work Group on the Use of Ships as Diving Attractions. Fish & Wildlife, DNR, State Parks, the Department of Ecology, and CTED must establish the work group. To the extent funds are available, Fish & Wildlife may commission an independent study on this subject. Among other things, the work group must assess the appropriate locations in Puget Sound for using ships as dive attractions. The assessment should consider various environmental concerns, such as the impact on sensitive areas and water quality. The agencies must work with interested local governments, tribes, the hospitality industry, and others. The work group must submit its recommendations to the appropriate committees of the Legislature no later than December 15, 2007.

Findings. Among other things, the Legislature finds that Washington waters contain marine life and other natural attractions that are of interest to divers and others. The Legislature also finds that underwater viewing tourism in the state will enhance efforts to protect Puget Sound.

Substitute Bill Compared to Original Bill: The substitute bill clarifies that "underwater viewing tourism" is included in CTED's current mission to promote "wildlife viewing tourism;" removes proposed references to "wildlife and underwater viewing tourism" in the mission statement for the Interagency Committee for Outdoor Recreation; removes the working conference on underwater viewing tourism to be led by CTED; refers to underwater ships as "dive attractions," not "artificial reefs;" excludes "sensitive areas" as appropriate locations for using ships as dive attractions; changes the lead agency for the work group on the use of ships as dive attractions from CTED to Fish & Wildlife; and changes the study criteria for using ships as dive attractions to emphasize DNR's concerns about possible environmental effects.

Appropriation: None.

Fiscal Note: Available on original bill.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This is part of a ten-year effort to encourage out-of-state tourists to visit Washington's interesting waters. Canada has been very successful luring scuba enthusiasts with sunken ships and a Boeing 737. Sunken ships are not only great dive attractions but they also provide great habitat for sea life. This bill connects the environment with economic development. Diving in Puget Sound is an untapped resource for economic development; for example, one charter company estimates that 70 percent of its customers are from out of state. By increasing scuba diving in Puget Sound, the State will help create a national constituency for the protection of the Sound. The more people see what is underwater, the more they become informed about the management of this great resource. Economic development studies of San Diego and Key Largo demonstrate the economic benefit of scuba diving attractions. The bill requires a careful and prudent study of the costs and benefits of using underwater vessels in Puget Sound as scuba diving attractions. Concerns about lead agencies, funding, and the use of ships as "artificial reefs" will be addressed in a substitute bill.

Testimony Against: None.

Testimony Other: Sunken vessels degrade and leave deposits in sediments, which can spread. The U.S. Corp of Engineers requires a public entity to assume liability over sunken ships used as diving attractions. Sinking ships in enclosed waters with slow circulation raises environmental concerns. Other alternatives to sunken ships should be examined. CTED markets Washington as a whole and concerns have been raised about emphasizing one particular activity.

Who Testified: PRO: Sen. Oke, prime sponsor; Sen. Rockefeller, co-sponsor; Morris Barker, Dept. of Fish & Wildlife; Bruce Justinen, Seasoft Scuba; Jim King, Citizens for Parks & Recreation; Don Larson, Kitsap Diving Assn.; Larry Lee; Richard Myers, Bandito Charters, Inc.; Jeoff Pentz, Sound Dive Center; Michael Racine, Pacific NW Aquatic Assn.; John Williams, Wash. Scuba Alliance; Bruce Wishart, People for Puget Sound.

OTHER: Fran McNair, DNR; Marie Sullivan, CTED.