

2SHB 1488 - S AMD 461

By Senators Spanel, Poulsen, Swecker

ADOPTED 04/12/2007

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that the state's
4 oil spill prevention and response programs perform essential services
5 in protecting the environment and natural resource economy of
6 Washington. Due to increased demand for services, the legislature
7 finds that these programs have been expanded several times in the
8 twenty years since the funding mechanisms for these programs were
9 authorized, but the funding mechanisms for these programs have remained
10 unchanged. Without additional funding, these programs face a
11 structural funding deficit beginning in the 2007-2009 biennium. The
12 legislature further finds that the current source of funding for these
13 programs is derived from only one segment of activities that present
14 oil spill risks in the state, and that there is a need for a
15 comprehensive assessment of the sources of oil spill risks and
16 potential funding mechanisms by which all sectors that are a source of
17 oil spill risks may contribute to ensuring adequate funding for
18 programs that prevent as well as prepare for and respond to oil spills.

19 (2) The legislature finds that the Strait of Juan de Fuca is a
20 significant international avenue of waterborne commerce. Over five
21 thousand transits by vessels greater than three hundred gross tons
22 occur in the Strait each year. Reliable, safe vessel transits are
23 vitally important to Washington state, the United States, and Canada.
24 The legislature finds that comprehensive measures to prevent oil spills
25 must be implemented in the Strait. The legislature further finds that
26 stationing a response tug at the west entrance to the Strait is a
27 critical component of such comprehensive measures, evidenced by the
28 fact that the seasonal tug stationed at Neah Bay has conducted more
29 than thirty assists since 1999. Because of the national significance
30 of this waterway and the national interest in preventing oil spills

1 there, the federal government should undertake to ensure that a year-
2 round response tug is stationed at the west entrance to the Strait,
3 either by providing sufficient federal funding for this purpose or to
4 require through federal regulation that the commercial shipping
5 interests benefiting from this service provide for a stationed tug.
6 The legislature therefore directs the department of ecology to request
7 that federal agencies with jurisdiction seek to require or fund the
8 stationing of a response tug at such location, and seek reimbursement
9 for the funding provided by the state for this purpose commencing with
10 the fiscal year 2008 costs to the state.

11 NEW SECTION. **Sec. 2.** By September 1, 2008, the joint legislative
12 audit and review committee shall examine the funding mechanism for the
13 oil spill prevention and response programs. This study shall evaluate
14 the state's oil spill prevention, preparedness, and response programs
15 to compare the sources of oil spill risk with the funding mechanism.
16 The study shall include:

17 (1) A review of existing oil spill risk evaluations and qualitative
18 models, including:

19 (a) Evaluations or models for a risk evaluation framework,
20 considering such factors as volume of oil, time at sea, proximity to
21 water, organizational readiness, and damage done; and

22 (b) Evaluations or models for risk allocation, assessing how much
23 of the risk goes with the product and how much with where and how the
24 product is handled and who is handling it;

25 (2) A review of empirical data related to actual spill numbers,
26 spill volumes, spill locations, and other circumstances related to
27 individual spills;

28 (3) Comparisons of the risk allocation to the actual funding
29 contributed by sector; and

30 (4) Options to allocate the state's costs to the major risk
31 categories, by sector."

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1 On page 1, line 2 of the title, after "program;" strike the
2 remainder of the title and insert "and creating new sections."

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