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**Fisheries, Ecology & Parks  
Committee**

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**HB 2710**

**Brief Description:** Regulating underwater noise.

**Sponsors:** Representatives Kagi, Chase, Cooper, Morris, Sullivan, Linville, McIntire and Rockefeller.

**Brief Summary of Bill**

- Requires persons performing activities from a vessel in marine waters that generate significant underwater noise to first obtain a permit from the Department of Ecology.

**Hearing Date:** 1/30/04

**Staff:** Jeff Olsen (786-7157).

**Background:**

Oil and gas companies may engage in seismic surveys in the process of exploring for offshore resources. Under current law, a person engaging in oil or gas exploratory activities from a vessel in marine water must obtain a permit from the Department of Ecology. Exploratory activity is defined as reconnaissance or survey work related to gathering information about geologic features and formations underlying or adjacent to marine waters. The permit will be issued if Ecology determines that the activity will not interfere with public use of the water, injure marine biota, create a public nuisance, or violate water quality standards. The permits do not apply to activities conducted by United States or Washington state governmental agencies.

A Joint Report was issued by the United States Department of Commerce and the Secretary of the Navy in December 2001, to study a stranding of 17 cetaceans discovered in the Bahamas in March 2000. The cetaceans experienced an acoustic or impulse trauma, and the report determined that tactical mid-range frequency sonars aboard United States Navy ships used during a sonar exercise were the most plausible source of the acoustic trauma. According to the report, ships involved in the training were operating sonar devices that generated 235 decibels at source levels.

The National Oceanic and Atmospheric Administration Fisheries Office for Law Enforcement opened an investigation regarding reports of several dead porpoises that occurred last summer in Puget Sound. The purpose of the examination is to provide scientific data on the causes of the deaths and to investigate whether the evidence could link the stranding events to the use of navy sonar.

**Summary of Bill:**

Persons performing activities from a vessel in marine waters that generate significant underwater noise must first obtain a permit from the Department of Ecology. Significant underwater noise is defined as underwater sound levels of 180 decibels or more from vessels, sonar devices, acoustic surveys, and other devices that have the potential to harm marine life. A permit is not required by agencies of the United States military during times of war.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.