

FINAL BILL REPORT

HJM 4031

Synopsis as Enacted

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

Sponsors: By 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.

House Committee on Natural Resources, Ecology & Parks
Senate Committee on Natural Resources, Ocean & Recreation

Background:

The U.S. 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 species should not be permitted to fall below sustainable population levels.

Section 5 of the Marine Mammal Protection Act contains findings that the navigable waters in the 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 the Puget Sound. After October 18, 1977, Section 5 also restricted the federal government from approving permits for any facility in the Puget Sound east of Port Angeles that would 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 Section 5 of the Marine Mammal Protection Act.

Summary:

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 the Puget Sound by limiting tanker traffic. The joint memorial includes the following findings:

- the 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 the Puget Sound; and
- Senator Warren Magnuson declared that the waters of the Puget Sound ought to be protected and that there should not be an expansion of tanker traffic.

Votes on Final Passage:

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| House | 86 | 12 |
| Senate | 37 | 8 |