



www.NMMA.org/government/

**Recreational Boating Industry Applauds Introduction of the
Clean Boating Act of 2008**
*Bill Will Restore Nationwide, Commonsense Exemption, Protect Waterways for
Recreational Boaters*

WASHINGTON, DC March 13, 2008 – The National Marine Manufacturers Association (NMMA) today applauded legislation introduced by Senate Environment and Public Works Chairwoman Barbara Boxer (D-Calif.) and Sen. Bill Nelson (D-Fla.), ensuring recreational boaters and anglers will not need a federal permit to operate their boats. The Clean Boating Act of 2008 fully and permanently restores a longstanding, commonsense regulation that excludes recreational boaters and anglers from the federal and state permitting requirements under the Clean Water Act designed for land-based industrial facilities and ocean-going commercial ships.

“On behalf of America’s recreational boat, engine and marine accessory manufacturers, their hundreds of thousands of employees and the nation’s 73 million boaters, NMMA offers its thanks to Senators Boxer and Nelson for working toward honoring their pledge to protect recreational boating,” said Scott Gudes, vice president of government relations for NMMA. “This issue has been a cloud hanging over our industry and, as promised, Senators Boxer and Nelson have worked to address it. We call on Congress to swiftly adopt this bill well in advance of the September 2008 permitting deadline.”

The Clean Boating Act of 2008 restores a 35-year old Environmental Protection Agency (EPA) exemption for water-based, non-polluting incidental discharges that occur in the normal operation of a recreational boat, such as weather deck run-off and engine coolant water. The legislation recognizes that discharges from recreational boats, which are operated on average 31 days a year, are completely distinct from commercial ship discharges. To help protect the health of the nation’s waterways on which recreational boaters and anglers depend, the bill also pursues whether reasonable best management practices need to be put into place for some recreational boat discharges.

Recreational boats are currently heavily regulated under the Clean Water Act, the Clean Vessel Act, the Oil Pollution Act, and other federal and state laws.

“There is no need for federal or state permits for water-based discharges from recreational boats,” Gudes said. “This legislation takes a balanced approach which protects the American marine manufacturing sector, boaters and anglers, and the nation’s aquatic resources.”

The issue of new federal permits stems from a September 2006 U.S. District Court ruling that ordered the EPA to regulate ballast water discharges, and mandated a deadline of

September 2008 to put it in place. Although the litigation was aimed at ocean-going vessels, the court's ruling struck down an exemption instituted in 1973 that applied to the incidental discharges from all vessels, including recreational boats. Large ocean-going ships use ballast water for stability and routinely discharge that water, introducing pollutants and invasive species in U.S. waters in the process.

“Unfortunately, the court's decision to overturn the entire exemption unintentionally tossed recreational boats into the same category as commercial ships,” said Thom Dammrich, president of the NMMA. “While minimizing the exchange of ballast water from one international port to another is very important in reducing the spread of aquatic invasive species, it is equally important not to sweep small recreational boats into the same regulatory scheme. It was clearly never the intention of the law, or the EPA, to treat your everyday boater the same as these large ocean-going ships, and doing so would have a devastating effect on recreational boating in America.”

“Without legislative relief soon, everyday boaters would be required by federal law to apply for the same expensive permits as ocean-going commercial vessels and land-based industrial facilities,” Gudes said. “We are pleased that Senators Boxer and Nelson recognize the economic, social and cultural significance of the recreational marine industry and recreational boating and are moving to enact this crucial piece of legislation.”

“NMMA has been working with a broad coalition of stakeholders, including BoatU.S., to resolve this problem in advance of the permitting deadline,” Gudes added. “And it's important to note that we are heavily indebted to the strong bipartisan efforts over the last year to provide relief for recreational boaters and anglers, including the leadership of Sen. Mel Martinez (R-Fla.), Representatives Gene Taylor (D-Miss.) and Candice Miller (R-Mich.), who have also introduced legislation to address this matter. Congress must now enact this legislation before the clock runs out on America's recreational boaters.”

National Marine Manufacturers Association (NMMA) is the leading association representing the recreational boating industry. NMMA member companies produce more than 80 percent of the boats, engines, trailers, accessories and gear used by boaters in the United States. The association is dedicated to industry growth through programs in public policy, market research and data, product quality assurance and marketing communications. For more information, please visit www.nmma.org.

###