

From: [Donald Fuchs](#)
To: [Exhibits HNR](#)
Subject: In Support of HB2351
Date: Wednesday, February 13, 2019 4:06:07 PM

Dear Chair Witt and Committee Members,

I am a boater, fisherman, paddler and own property along the upper Willamette River. I actively use the river all year and have for many years.

I am writing in support of HB 2351 that incorporates the Oregon State Marine Board into the state of Oregon's established Willamette Greenway regulations. This legislation is very important to help ensure that we are able to protect the upper Willamette River from boating activities that impact the river and shoreline from the water side.

Currently, the Willamette Greenway is in place to protect the river and Greenway from man-made activity that will negatively impact the Willamette River and shoreline or detract from the goal of the Greenway regulations (which are to preserve the banks, shoreline and health of the river and Greenway). The zoning regulations are strictly enforced from the land side and county governments and agencies can step in when there is man-made activity along the banks of the river that are inconsistent with the goals of the Greenway Zone. This same level of oversight and protection is missing from activities that are conducted by boaters in the water because the Oregon Marine Board does not consider erosion or impact to the shoreline or Greenway in its authority when regulating boating activity in the Willamette River. This represents a significant policy gap that is preventing any agency in Oregon from fully protecting and implementing policy and regulations to ensure that boating activity in the river does not create damage or harm to the shoreline, ecosystem or the Willamette Greenway itself. It would be unfortunate if any on the water activities caused harm to the Greenway that we have worked so hard to prevent from the land side. HB 2351 will fill the current policy gap by empowering the Oregon State Marine Board to consider the goals of the Willamette Greenway zone in its responsibility and mission to regulate the activities of recreational boaters, fishermen, property owners, and other users of the river.

Although opponents of this bill will argue that boating does not impact erosion, the shoreline or the Greenway there is no dispute that we have a policy gap in place that would make it difficult if not impossible for the marine board or any other agency to place limitations or restrictions on boating activity that is damaging the environment. The goal of this legislation is simply to eliminate this policy gap, not to determine whether there is boating activity that is damaging the shoreline of the Willamette River. If the Marine Board determines that certain activities are inconsistent with the goals of the Greenway it would be able to implement common sense restrictions to prevent the damage that it has determined is occurring. If the opponents to this bill take the position that boating activities in the Willamette River do not damage the shores or cause erosion along the upper Willamette River they should not oppose this bill because it simply directs the Marine Board to consider whether a boating activity is causing damage to the shoreline and the Greenway. If they are not causing any damage along the river they should not have any concerns. I have yet to hear any sound policy reasoning from opponents to this bill except for a general fear that their "rights" to use the public waterway might be infringed upon by the government. The reality is that the marine board already regulates their use of the river-- this bill just permits the marine board to consider the goals and purpose of the Willamette Greenway determination what is proper activity within the upper Willamette River.

I encourage you to pass HB 2351 so that our agencies can work together in a coordinated fashion to protect the Willamette River for generations to come. We all love the Willamette River and I believe all of us want this resource to continue in its pristine condition for future generations. By passing this bill you will be allowing our state agencies the opportunity to work together as necessary to protect this resource by regulating harmful activity occurring on the water in addition to their current ability to regulate it from the land.

Thank you for your consideration.

Best Regards,

Don Fuchs
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