

## Watts Remy

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**From:** Kaspar Murer <kasparmurer@comcast.net>  
**Sent:** Tuesday, April 23, 2019 4:16 PM  
**To:** SENR Exhibits  
**Subject:** In Support of HB 2351 - Protecting Willamette River Shoreline, and Preventing Capsizing Rowers and Paddlers

From: Kaspar Murer, Immediate Past President, Wasabi Paddling Club – a dragon boat and outrigger canoe club with 350 members, located on the east shore of the Willamette River, just south of the Hawthorne Bridge.

April 23, 2019

Senate Committee on Environment and Natural Resources  
Senator Michael Dembrow, Chair  
Senator Alan Olsen, Co-Chair  
Committee Members  
In Support of: HB 2351A

Dear Chair Dembrow, Vice-Chair Olsen, and Members of the Committee:

I am writing in support of HB 2351A which authorizes the State Marine Board to adopt special regulations to protect shoreline in the Willamette River Greenway. Please also read a chronology of Boat Swamping and Capsizing incidents with pictures further down.

I have been a dragon boat and outrigger canoe paddler for close to 15 years in the City of Portland. I am the Immediate Past President of Wasabi Paddling Club, and Board member of the Portland Boathouse, which includes about 1,000 paddlers and rowers, and Willamette Riverkeeper. We are also aligned with the Calm Water Coalition (CWC) which represents 500 members, including recreational users, residents, marinas, and businesses between Sellwood and the Columbia North Harbor.

We are very concerned about the protection of our shoreline, the riparian zones which are so important to our wildlife, fish, birds, insects, the environmental and recreational benefits to streams, groundwater and downstream land areas, the people who live along the shore and in floating homes, and the growing number of paddlers, rowers, swimmers, runners, walkers, bicyclers and others who enjoy the healthy environment in, on and along the shores of our rivers.

This legislation would authorize the Oregon Marine Board to adopt special regulations to protect the shoreline on the Willamette Greenway, and potentially alleviate the dramatic wake impact on river banks and structures. It could reduce the tens of thousands of dollars property owners have spent in the past two years on dock, deck and marina repairs from repetitive artificially-induced waves. And it could, and prevent the multiple boat swamping and capsizing, which our rowers and paddlers have personally experienced multiple times this last year (more detailed information further down). It would be a big step in preventing on-water tragedy, and make the river safer for human powered craft, rowers, kayakers, paddlers, dragon boats, outrigger canoes and sailing.

This legislation is an opportunity for cooperation and better management of the river for all users. With the issues facing the Willamette River today, we request your support of HB 2351A to protect the shoreline, public and private property, and river habitats in the Willamette Greenway Plan.

Thank you for your consideration, and for the opportunity to testify today,  
Kaspar Murer, Immediate Past President, Wasabi Paddling Club - [KasparMurer@comcast.net](mailto:KasparMurer@comcast.net), 503-896-8065

## 2018 Incidents on the Portland Section of the Willamette River

In the spring and summer of 2018, on the Willamette River in Portland, wake boats have created dangerous conditions for small, human powered boats: Rowing Shells, Dragon Boats, Outrigger Canoes, and more. Wake Boats are fun. They create three to four fast moving wakes, parallel and very close to each other, with deep troughs in between. It is fun riding the wakes on a wake board. It's a feeling like skiing the moguls on Mt. Hood. Except moguls are stationary. These wakes move rapidly across the river, without losing much of their size and power, causing problems and potential damage to anything they encounter.

There is a very similar, natural wake formation on the Great Lakes. It is called the Three Sisters, created by strong winds. It is said the Three Sisters sunk the Edmund Fitzgerald in a Lake Superior storm on November 10, 1975.

Last year, in the weeks leading up to the 2018 Portland Rose Festival Dragon Boat Race, we recorded six incidents of boat swamping caused by wake boats, including two Rose Festival Kaohsiung boats, four regular dragon boats, a four person rowing shell (pictures and report below), and ...

... capsizing of Wasabi Team VIP (Visually Impaired Paddlers). This incident dropped eighteen paddlers into the Willamette River. Two of the blind paddlers were trapped under the boat. VIP Coach Jim Hinsvark helped them out from under there.

Sue Fischer, a very experienced coach and steers person was steering the VIP dragon boat. She approached the wakes at a 45 degree angle, the safest way to cross a wake. Sue reports that the first wake lifted the boat and dropped it into the deep trough, the second wake swamped the boat, and pushed it sideways into the next through, where the third wake capsized the boat.

VIP Coach Jim Hinsvark says: It is nice to paddle in the No Wake Zone at the upper end of the Holgate Channel, but getting there takes half the practice time, and in the summer getting there is very dangerous. This last summer we have noticed a big increase in human powered boats making their way to the calmer waters in the upper Holgate Channel, including kids' sailing classes from Willamette Sailing Club.

### Below: Photographs of a Capsized Four Person Rowing Shell on June 12, 2018

**From:** Dale Ritter [<mailto:dale.ritter@icloud.com>] & Ingrid Olson <[iolsonbro@comcast.net](mailto:iolsonbro@comcast.net)>  
**Subject:** Rescuing rowers



Above are pictures of a capsized four person rowing shell south of the Tillicum Bridge. Caused by two wake boats. A Wasabi Grand Masters dragon boat crew saw the incident and paddled over to help. The rowers are in the river, bailing water from their shell.

**Report on Boat Capsizing from Nicole Burdette, Coach of Wasabi Grand Masters Dragon Boat Team:**

> From: Nicole Burdette [<mailto:nburdette@colton.com>]  
> Sent: Friday, June 15, 2018 3:03 PM  
> To: Kaspar Murer <[kasparmurer@comcast.net](mailto:kasparmurer@comcast.net)>; Cindy <[cin\\_hickman@hotmail.com](mailto:cin_hickman@hotmail.com)>

> I took some video and reported to Coast Guard and Sherriff's River Patrol and gave them the video. The Coast Guard intends to issue a ticket, at the very least for non-assistance. The River Patrol intends to pull the boats over for a heart -to-heart about sharing the water. River Patrol isn't happy with the wake boats either as their big wakes have damaged their docks.

> From: Nicole Burdette [<mailto:nburdette@colton.com>]  
> Sent: Wednesday, June 13, 2018 8:06 AM  
> To: Kaspar Murer <[kasparmurer@comcast.net](mailto:kasparmurer@comcast.net)>; [cin\\_hickman@hotmail.com](mailto:cin_hickman@hotmail.com)  
> Subject: Incident

> Just to update: I have talked to the coastguard and Multnomah county river patrol and have sent video of last night's incident. It was very disturbing to me that after causing the skull to capsize, both boats stopped to watch the recovery but neither offered an apology or offered to help the rowers in the water. I hope someone from the club will represent us at the meeting July 18 to help alleviate the problem. Nicole

> From: Nicole Burdette [<mailto:nburdette@colton.com>]  
> Sent: Tuesday, June 12, 2018 8:54 PM  
> To: Kaspar Murer <[kasparmurer@comcast.net](mailto:kasparmurer@comcast.net)>; [cin\\_hickman@hotmail.com](mailto:cin_hickman@hotmail.com)  
> Subject: Incident

> Hi. I want to let you both know of an incident at GMM practice tonight.

> We had 24 people so took two boats. Gary and Luahna steered while Ingrid and I called.

> There were two wake boats together that repeatedly came too close to our boats, causing big waves. We took on water but did not swamp. However, a rowing skull capsized so we went to try to help them. We took two of rowers in our boats, and after bailing, two of the rowers took the skull back to the dock with us following.

> I was able to get some video of the boats and water on my phone. The wake-boats did not offer assistance to the people in the water and as soon as they saw I was taking pictures took off with more wake.

> I was pleased with our crew. Everyone stayed calm and alert and followed directions so we could assist the rowers. We helped them empty their boat at the dock and took their oars up for them.

> I think the wake-boats knew they were causing problems for us. The chase boat said they have been harassing the rowers for two weeks. I intend to call the coastguard and give them the video and hopefully tickets will be issued. I also hope to find someone who is going to the marine board meeting July 18 to discuss the issue.

> I hope I did a good job of being " in charge " but I haven't done this before so it's hard to tell.

> Nicole

## Below: 2 Reports to Oregon State Marine Board, Multnomah County Sherriff's Office, US Coast Guard and Portland Fire Station 21

I would like to point out that all Government representatives have responded quickly and

positively to our reports. We appreciate the work they do, the concern they have shown, the help they have offered and how they have worked with us – Kaspar Murer

**From:** Kaspar Murer [mailto:kasparmurer@comcast.net]

**Sent:** Monday, July 30, 2018 8:24 PM

**To:** 'WARREN Larry \* OSMB' <Larry.WARREN@oregon.gov>; 'scott.mcdowell@mcso.us' <scott.mcdowell@mcso.us>; 'Anthony.I.Solares@uscg.MIL' <Anthony.I.Solares@uscg.MIL>; 'Chris.Barney@PortlandOregon.gov' <Chris.Barney@PortlandOregon.gov>

**Cc:** 'Nicholas Haley' <nickhaley@comcast.net>

**Subject:** Wakes, Swamping's, Capsizing's, Wasabi Paddling Club and Portland Boathouse

Greetings Larry, Scott, Tony and Chris – Thank you all for getting back to me, when I reported these issues, and Larry for coming to Portland to meet with Nick Haley of Rose City Rowing Club, and manager of the Portland Boathouse, Sue Fischer and Jim Hinsvark of our Wasabi VIP, Visually Impaired Paddlers, team, and myself. Nick is in the Czech Republic right now with Team USA, for the rowing world championships.

We appreciate all the help we can get, to resolve these issues, keeping in mind other river users wants and need. Hoping that everyone can enjoy the Willamette river in their own way, without putting other people at risk of swamping, capsizing, get hurt or become a casualty. In our discussions with Larry it became apparent, that the wake issues need to be dealt with on a location basis. Issues in the Portland area are different form issues in the Newberg Pool, i.e. above Willamette Falls.

On the issue of user's fees for all river users: the Portland Boathouse is in favor of such fees. We don't mind paying a fee, that pays for expenses to provide facilities, and to provide official oversight on the river.

As the number of river users, and types of watercraft keep growing and evolving, we feel that the following things are important:

- improved boater education about the impact they have on other water users; So far vessels causing boat swamping and capsizing have tended to just move on, or watch from a distance, rather than help people bailing swamped boats, or who have been tossed into the water
- boaters cards and licensing differentiated to type and size of water craft,
- a regular presence of official oversight, to curb incidents of ignorance and plain law breaking on our river. This is especially important during the hot weather months, June through September; We notice boats causing big wakes in the Ross Island Lagoon every day. Typically we see them between 7:30 and 8 pm, the times we get that far north, before we turn around to get back to our docks. The Ross Island Lagoon is a no wake zone.
- The numbering system needs to be improved. It is very difficult to read the numbers on many boats.
- Finally, we should also keep in mind the growing number of swimmers on the river, and the folks participating in the Big Float. There are regular weekly swim events by the River Huggers Swim Team, and it appears there were about 3,000 people floating at the Big Float this year.

To make sure, I understand where your organizations fit into the overall river governance: OSMB assesses needs, provides licensing and "rules of the road" for river users. The Sherriff's River Patrol and the US Coast Guard provide oversight on the river and enforce the rules. Fire Station 21 is the first responder for emergencies. Do I have this correct?

Thank you all for your help in providing safe and enjoyable access for all river users.  
Kaspar Murer, President, Wasabi Paddling Club, and Board Member of the Portland Boathouse

**From:** Kaspar Murer [mailto:kasparmurer@comcast.net]

**Sent:** Saturday, August 18, 2018 3:44 PM

**To:** 'WARREN Larry \* OSMB' <Larry.WARREN@oregon.gov>; 'LETARTE June \* OSMB' <June.LETARTE@oregon.gov>



**Subject:** OAR 250-010-0026

Dear Oregon State Marine Board,

After having this year experienced and seen reports of a four person rowing shell, and an 18 person dragon boat flipped by huge wakeboard wakes, at least six severe dragon boat swampings, several lesser swampings and other dangerous situations caused by reckless motorboat maneuvers, I appreciate all the work you are putting into crafting rules that will provide a safe environment for all river users. On our portion of the Willamette in Portland, the number of nonmotorized river users is growing dramatically. Rowing shells, canoes, stand up boards, kayaks, dragon boats, outrigger canoes and swimmers in larger numbers are flocking to the river to enjoy it. It makes sense to provide a safe river environment for all of them. I think it also makes sense to levy a charge on river users for the cost of resources needed to make that happen.

A steersperson on an outrigger canoe or dragon boat typically will look to meet a wake at a 45 degree angle. What we see with wakeboard boat wakes, are three to four very high, fast moving wakes, very close together, with deep troughs in between. Unlike normal wakes, wakeboard boat wakes tend to curl towards an oncoming boat, which makes it difficult to meet them at the correct angle. In addition to the wakes, these boats create heavy churn over a large patch of the river. That gets magnified, when there is more than one of these boats operating in the vicinity, which some seem to like to do just above the Hawthorne bridge, for the benefit of jet skis.

In the case of the flipped dragon boat, the second or third through pushed the dragon boat sideways, which caused it to flip sideways over the next wake. That is a very dangerous situation. 14 of the 18 paddlers in the boat are visually impaired. They all wore personal flotation devices. Four of them got caught in an air bubble under the boat, and were guided out from under there by their coach. We are glad nobody got seriously hurt. It was a very scary situation. They are back on the water for their regular three practices a week, but there is considerable anxiety, when they encounter churning water. At the upper end of the Holgate Channel is a no-wake zone.

Unfortunately getting there from just south of the Hawthorne bridge, where all dragon boats are moored, has become quite a bit more dangerous, than it used to be.

For these reasons, I believe 100 feet distance from non-motorized boats is better than nothing, but it is not very much. 200 feet would allow a little more time to prepare to meet these big wakes.

Also, the rules won't help much, unless there is more education, and enforcement on the river. Reckless driving on the river and not following the duty to help people in distress happens more often than you would think. Just this week, my wife was paddling with a six person crew in an outrigger canoe. She reported, while they were heading towards the Ross Island bridge in the Holgate channel, a motorboat drove straight towards them, and only turned away at the last moment. They were scared, but the people on the motor boat were laughing.

In the case of the flipped rowing shell, with four rowers in the water, the two wake board boats who had caused the accident stopped a distance away and watched. They did not approach and offer to help the people in the water. Thankfully one of our Wasabi dragon boats was nearby. They assisted the rowers in the water.

There are many well behaved motorized boaters on the river. They follow the rules and take care not to put anyone else in danger. The jet boat operators have become very good at doing their curlicues at a safe distance from non-motorized boat watercraft. But there are motorized boaters who seem to get carried away with the power of their boats. Maybe they don't understand, or don't care about the impact they have on other river users, and the danger they put them in.

A few more points:

- Boat numbers on many boats are difficult to see and read.
- Big wakes stay big until they hit the shore, and wash it out.
- I wonder what the churning and turbidity caused by these boats does to salmon habitat and marine life? How does it affect shore property owners?
- We support the Marine Board's effort to charge a yearly fee on non-motorized watercraft. We are river users, like all others. We appreciate having facilities, a safe river, and are willing to pay our fair share.
- We would like a portion of these new fees to go towards increased and visible presence of law enforcement on the river.

In general, I am in support of OAR 250-010-0026 and the new rules. I recommend to increase the distance from non-motorized craft to at least 200 feet, and strongly encourage improved boater

education, and visible law enforcement presence on the Willamette River in Portland. Our rivers are a wonderful asset to have, for all people in our very diverse river communities, and property owners along the shores, to enjoy.

Thank you for all the work you do to preserve a safe river for all of us, including people with impairments and special needs.

Kaspar Murer, President, Wasabi Paddling Club