

SB 857 A STAFF MEASURE SUMMARY**Carrier:** Sen. Kennemer**Senate Committee On Rules****Action Date:** 06/15/21**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 4-1-1-0**Yeas:** 4 - Burdick, Girod, President Courtney, Wagner**Nays:** 1 - Thatcher**Exc:** 1 - Manning Jr**Fiscal:** Fiscal impact issued**Revenue:** No revenue impact**Prepared By:** Leslie Porter, LPRO Analyst**Meeting Dates:** 6/1, 6/15**WHAT THE MEASURE DOES:**

Provides that maximum loading weight of motorboat must be less than 5,000 pounds to obtain towed watersports motorboat certificate (Certificate). Expands Newberg Pool Congested Zone. Requires Certificate decal to be displayed in certain area and in accordance with Oregon State Marine Board (OSMB) rules. Provides that person shall carry towed watersports endorsement if engaged in any towed watersports within Newberg Pool Congested Zone. Specifies that definition of "towed watersports" is meaning given by OSMB, but does not include wake surfing. Defines "wake surfing" as "the activity of propelling an individual forward on equipment like a surfboard, using a boat's wake wherein the person may be holding a rope or free riding." Adds equipment used in wake surfing to include wake surf boards, wake boards, stand up paddleboards, and hydrofoils. Prohibits person from using devices or individuals to increase wakes or engaging in wake surfing within Newberg Pool Congested Zone. Authorizes OSMB to conduct study related to increasing or decreasing prescribed maximum loading weight and prescribes guidance for study. Applies to Certificates issued, renewed, or replaced on or after effective date. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Clean Water Act standards, turbidity levels, and potential causes of erosion
- Permit process
- River restoration management
- Potential causes of erosion and whether evidenced by science
- Need for maintaining native vegetation

EFFECT OF AMENDMENT:

Increases maximum loading weight of motorboat from 4,000 pounds to 5,000 pounds. Expands Newberg Pool Congested Zone from "the portion of the Willamette River beginning at river mile 30 and ending at river mile 50" to "the portion of the Willamette River beginning at Willamette Falls, river mile 26.6 and ending at the mouth of the Yamhill River, river mile 55." Specifies that the definition of "towed watersports" is the meaning given by the State Marine Board, but does not include wake surfing. Defines "wake surfing" as "the activity of propelling an individual forward on equipment like a surfboard, using a boat's wake wherein the person may be holding a rope or free riding." Adds equipment used in wake surfing to include wake surf boards, wake boards, stand up paddleboards, and hydrofoils. Prohibits person from using devices or individuals to increase wakes or engaging in wake surfing within Newberg Pool Congested Zone. Authorizes Oregon State Marine Board to conduct study related to increasing or decreasing prescribed maximum loading weight and prescribes guidance for study.

BACKGROUND:

SB 857 A STAFF MEASURE SUMMARY

The Willamette River Greenway was first proposed in 1967 by Oregon Governor Tom McCall to enhance the scenic, recreational, historic, natural, and agricultural qualities along the Willamette River. In 2019, the Oregon legislature authorized the Oregon State Marine Board (OSMB) to adopt special regulations to manage boat wake energy within the Willamette River Greenway. In addition, the towed watersports safety education program was created in OSMB that required motorboat operators to hold a towed watersports endorsement and motorboat owners to hold a certificate decal when engaged in towed watersports in specified congested waters.

Senate Bill 857 A establishes the maximum loading weight of a motorboat as less than 5,000 pounds to obtain a towed watersports motorboat certificate and requires a person to carry a towed watersport endorsement if engaged in any towed watersports. It authorizes OSMB to conduct a study on increasing or decreasing the maximum loading weight and requires that the study make determinations and recommendations to interim committees of the Legislative Assembly based on objective, peer reviewed scientific research and after consultation with the Oregon Department of State Lands, Oregon Department of Fish and Wildlife, and Department of Environmental Quality.