

Chair Witt and Members of the Committee,

I am writing you to express my ardent opposition to House Bills HB2725, HB2555 and HB2734. I live on Butteville Road right in the middle of what is known as the Newberg Pool. I work from home and wish to share another perspective for your consideration. If you are not familiar with this body of water, you would think from some of the testimony that this river is an absolute mix of chaos and mayhem 100% of the summer with wild "ocean like waves and chop" everywhere! I can tell you that most of the time, 3-4 hours will pass on a weekday in June/July/August without ever seeing a boat go by. Aside from Holiday weekends and the few Saturdays and Sundays in the peak of summer; the river is as you see it in my first two pictures below. The quality of life we experience on the river is unmatched and I am grateful for the opportunity to live here and share this with my family and friends.

I waited 3 hours for an opportunity to have 1 minute to share my testimony on March 9<sup>th</sup> while watching a 20-minute slide show and Q&A session representing one person's opinion (Joanne) as to what is happening on her shoreline. Joanne suggested that "only 1% of the registered boats would be effected by these House Bills". Are we all to believe that 1% of the boats are causing 100% of the damage to docks and shoreline? However, Travis from Willamette Riverkeepers, flipped off another gentleman while he was providing his testimony and Travis was permitted to speak and be heard.

If I may clarify; most of the testimony that was shared yesterday in support of these House Bills suggested that these wake sports (primarily wake surfing) are causing most of the damage to docks and shoreline. It is a bit misleading if you do not look at the map and recognize that these boats are only permitted to perform wake surfing activities in 2 specific zones; each where there are no existing docks or homes. Those wishing to participate in these activities have an Oregon state boaters license; participated in an additional educational course to gain a Towed Water Sports certificate and paid additional fees to acquire it. These are currently the most educated and financially invested private boater on the river today. The Oregon State Marine Board earns more money off of this class of boater than any other boater in the state; yet these bills seek to ban, impose additional taxes, and restrict ONLY this class of boater.

I listened to Representative Meek, the Chief Sponsor of HB2555, open his presentation in support of his House Bill and the -2 Amendment which Chair Witt clearly stated would not be addressed in this session. Rep. Meek essentially stated that the primary reason to remove the public's right to responsibly boat on a public waterway is so that the OSMB can then conduct a study "to provide science" that determines whether these boats are the causing damage to the waterway. "Once that data has been collected, then implement the proper solution based upon those facts". I see how the House Bill as written started at an arbitrary 4000lb limit and then amends that weight to 6000lbs until the study "provides science" of what effects these boats have if any in the larger picture; there currently is no evidence to support any specific weight limit.

Regarding those in support of these House Bills concerned for the fish habitat; Representative Meek shared data that apparently "the salmon habitat had been destroyed 150 years ago"? Some would have you believe that these wake sports are the concern for disrupting the fish habitat.

The current surf zones and wake sport rules that exist on the upper Willamette in the Newberg pool have only been in effect for 2 years and have not been given the opportunity to be put to test. Last year (2020) the boat ramps were closed for a significant part of the Spring and early Summer because of Covid-19. Then just a short while after the opening of the public launch ramps we were struck by statewide wildfires.

In a time where boating may be one of the safest family outdoor activities and "escape" from some of the travesties happening in the world today; these House Bills are working to tax, regulate and remove the right to responsibly recreate with family and friends. I find this very disheartening.

The economic impact and distress these House Bills will have is far reaching and extremely damaging to our small businesses, our state economy, private individuals right to provide for their families and private individuals rights as landowners. This borders on the line of being unethical. The river is a public waterway that should be open for all to responsibly enjoy.

July 2020 – Upper Willamette River – Newberg Pool – Butteville Road NE Aurora, OR



September 2020 – Upper Willamette – Newberg Pool - Butteville Road NE Aurora, OR



January 2021 – Upper Willamette – Newberg Pool - Butteville Road NE Aurora, OR



It can be difficult to recognize from these photos that I have a sharp drop off on my bank. In the first two photos you can see the “twin trees” just to the aft (right) of my dock; those trees are up on the bank and the water level in the summer is approximately 10’ below the base of the trees.

In the January photo you can see that the base of the trees are approximately 4’-5’ below the waterline. This is a common occurrence throughout the winter months. I have been told by a few professionals that I have consulted, including PLi (a bank stabilization and remediation expert) that the rapid fluctuation of water levels is the primary cause of bank slides. This is the natural environment for the river, but when the water recedes too quickly, the weight of the saturated bank soil left unsupported is the cause of the slide. What exacerbates the situation is improper or poor lot drainage. Many homes have down spouts that terminate on the bank which further saturates and adds to the weight of the soil. This is the supporting argument for the use of rip rap and/or having proper plantings on the bank; to support the soil from moving once the high water recedes.

In addition, when the water levels extend up the bank, significant amounts of debris and dead trees are floated off the riverbank and into the current and flow of the river. The swift moving waters and powerful current then drive this debris into docks which are far more exposed when water levels are up, and the area of water between the bank and dock are “expanded”. Trees getting lodged under our floating docks can cause significant amounts of damage if not attended to. In my personal observations, often the debris is not removed for weeks or even months.

Every year in the spring I see a variety of docks that are twisted, damaged and/or broken because of a log being lodged underneath the dock during a high-water cycle and then remained stuck under the dock after the water has receded. There are many examples of this occurrence, every year. This is yet another responsibility of the homeowner to properly maintain their dock and can often be overlooked and unattended to if the homeowner is not frequently using the dock.

The following is an example of a personal friends dock that had a log wedged under their dock in the Spring of 2020 once the water had receded. In this case the log was removed without incident, but at an expense to the homeowner.



I felt the need to share this information for those that have not had the luxury of experiencing the volatility of the river in the winter months. In addition, when you hear those in opposition to wake sports suggest that there can be a “mud line 20’ from the bank where the water is getting stirred up from wake boats”; **perspective of what this river looks like in its natural state 6 months out of the year is valuable.**

I respectfully request that the committee oppose House Bills HB2725, HB2555 and HB2734. Thank you for your consideration.

Randy Harris

Riverfront Homeowner – Upper Willamette River