

Members of the committee, thank you for your time to consider this bill.

SB857 is not new legislation. The issue was vetted in the 2019 session, in which a bi-partisan group of lawmakers recognized the need to protect the Willamette River Greenway and voted to support legislation requiring the Oregon State Marine Board to consider the Willamette River Greenway in its rule making process, HB2351. A companion bill was passed to create a towed watersports program, allowing the OSMB to choose a maximum loading weight, HB2352.

Rather than considering the Greenway, staff presented data on late model wake boats available for sale, late model wake boats within 45 miles of the Newberg Pool, and the weight capacity of boat loading ramps. With an average loading weight of just over 5,000 pounds, the board chose to move forward with staff's recommendation of 10,000 pounds, although only 30-ish boats weighed between 9,000 and 10,000 pounds within 45 miles of the Newberg Pool, the majority of public testimony was against 10,000 pounds, and the greenway damages were occurring when boat weights were an average of 5,000 pounds. Not once was HB2351, the Greenway or Goal 15 discussed in the rule making process.

This bill honors the previous work done by lawmakers and the hours of science, testimony, and citizen input that has been given. Much work has been done globally to understand, study, and ultimately, attempt to regulate the destructive nature of high energy wakes. As you saw in Senator Kennemer's presentation, many states are fighting industry in order to protect their own natural resources. Scientists, not only from Oregon State University, but across the globe, have concluded that wake boat wakes cause accelerated erosion and damage nearshore habitat.

Another study is currently in the peer review stage in Minnesota. Another study was just completed in South Carolina. Studies have occurred on Lake Tahoe, Lake Oswego, Canada, Australia and even in the Newberg Pool. None of those studies were presented to the board when in rule making. Several times during the meeting, the board asked for science. Several times they asked about the correlation between loading weight and wake energy. Several times they were told any weight they chose would be arbitrary. Studies have determined a range of, most conservatively 400 feet and up to 1900 feet are required for wakes to dissipate. Given the Newberg Pool is only 580 feet wide on average, it seems the only option is to lower the weight of boats, as we cannot widen the river. The only other option is a ban on all boats, which nobody wants.

With the damages we're seeing, especially after the high traffic last summer, drastic changes are necessary to reverse course.

This discussion should not be about sides, it should be about what is best for the waterway and the habitat that call it home.

Property owners and members of ORSPA have not come at this issue suddenly or lightly. There have been conferences, seminars, meetings with biologists, geologists, river tours, meeting with city councils, county commissioners, geomorphologists, lab tours, participation in OSMB, work groups and rules advisory councils, and finally, legislation because ultimately, the OSMB is faced with a no win situation.

The longer the agency has failed to address the issue, the larger and more difficult it becomes for the agency, each Director, and each board member. As technology evolves and boat wakes continue to increase with the specific purpose of creating larger wakes, the more difficult the decisions become.

Finally, we have landed on a place where industry's might has been focused on fighting regulations, which are pending across the country. They have come at Oregon lawmakers full force, full of misinformation, creating chaos and confusion. The issue that remains behind the smoke and mirrors is the protection of the environmentally fragile Newberg Pool. I urge you to vote yes on SB857. Thank you