

Submitter: Michael Rogers

On Behalf Of:

Committee: Senate Committee On Energy and Environment

Measure: SB1589

My name is Michael Rogers, a citizen of Oregon and I am strongly opposed to Senate Bill 1589 (the "Bill"). This Bill will further restrict a great family activity, particularly during the days of this pandemic when activities have been limited.

First, this Bill appears to put the cart before the horse. Why would legislation be proposed that calls for unfunded study to be completed to determine if there is any impact. Section 4 of the Bill states that the Marine Board (OMB) may study to determine if weight "is likely to have a) have an adverse impact on waters, beds, and b) banks, aquatic, nearshore and shoreline habitats, fish and wildlife ...". This Bill, in and of itself, acknowledges that the restriction have yet been determined to have an impact on any of the things it is trying to protect.

Not only that, the OMB stated in their testimony on February 9, 2022 that in order to fund this study, they would have to cut other services including policing. Additionally, limiting boats over 5,000 pounds also limits the ability to perform such a study.

The boundaries are clearly marked on the river, away from any houses or other structures, and surfing is only allowed in less 3 miles of river in the approximately 25 mile long stretch of Newberg Pool. These "surf zones" are away from any houses or other structures and have not seen significant signs of erosion as was testified to yesterday.

Additionally, this Bill not only impacts surfing but it also precludes boats over 5,000 pounds to do any towed sports on the entire 25 mile stretch of the river. To put this in context, my 22' cross-over ski boat comes in at approximate 4,000 pounds and can carry 2,300 lbs which includes the weight of gear, passengers and any ballast. Not only can I not surf, but I also cannot even tow my kids on a tube in the entire Newberg pool.

Under existing rules, boat weights are already limited on this section of the river. Additionally, boat owners and drivers are required to obtain special safety training which is regulated through a license program with the OMB.

In summary, this Bill is just bad legislation which is not based on any proven study to date. The Bill itself acknowledges that it is unknown if weight has any impact on the river, its shoreline or the habitat of the river. Passing legislation that further limits activities on the river before any impact assessment has been undertaken is unwarranted. If there are concerns, I request the state study the impact before

passing restrictive legislation on our ability to use these waterways.

For these reasons, I am strongly opposed this Bill. Thank you for considering my testimony.