

Submitter: Edward Howell

On Behalf Of:

Committee: House Committee On Environment and Natural Resources

Measure: SB1589

My name is Tyler Howell, and I am a resident of West Linn. I vehemently oppose SB 1589 for the following reasons. The fundamental question the legislature needs to contemplate when voting on these bills is why are these laws necessary? There are use restrictions in place that already ban wake surfing in most of the Newberg Pool. The 5,000lb weight limit is unnecessary, and overbroad.

1. The 5,000 lbs weight limit is unnecessary and overbroad.

The current use restrictions in the Newberg Pool prevent boats of any size from wake surfing in most of this section of the river. Wake surfing has already been relegated to two areas: the water in front of the abandoned Hollywood video mansion[1], and the area in front of Bernert Landing.

The legislature needs to understand the nature and capability of a wake surf boat. Most wake surf boats (mine included) are made so that you can adjust the wake to the size that you want, including producing almost no wake. I can slalom behind my boat with a factory weight of 5,000 lbs with little to no wake. However, the law as written, would prevent me from towing anything, regardless of whether I am producing a wake or not.

In this way, the law is overbroad, preventing any use of my boat, even though it can be operated without a wake. Accordingly, I strongly advocate that the legislature opt to leave the use restrictions in place, rather than changing to the overbroad, arbitrary, and capricious 5,000 lbs weight limit.

2. The river from Bernert Landing to the Willamette Falls should not be restricted.

The river in front of Bernert Landing is fundamentally different from the rest of the Newberg Pool. The river is substantially wider in this area, and the shores are far less susceptible to erosion because much of the shoreline is already steep, and rocky. Wake surfing in this area is safe because of the width of the river, and because the wake surf community is generally responsible, and considerate.

The legislature needs to give the wake surf community a place to go. If it doesn't, what you are likely to see is people disregarding the law entirely, and surfing wherever they want. No amount of law enforcement presence will be sufficient to enforce the law.

3. My family and I boat 2-3 days per week during the summer.

Wake surfing is a way of life for my family. My kids talk about it all winter, and discuss how they hope to get better this year, and the new things that they are going to try. For my five year old son, he has been saying for six months that this is the year he is going to surf. Just this morning, my 3 year old daughter told me that she is going to surf with me this summer. This is what we do.

The river is where my kids learn responsibility, it's where they challenge themselves to get outside their comfort zone, set goals and achieve them. Boating on the river teaches my children respect for others. But most of all, the river is where we bond as a family.

Please do the right thing. Leave the current use restrictions in place rather than opting for the unnecessary, and overbroad weight limit restrictions. I can operate my boat with no wake, and I should be able to do that, regardless of the weight. Finally, you cannot restrict wake surfing in front of Bernert Landing. It is unnecessary based on the physical aspects of the river, and it is the only place we have to go.

Thank you for your time and consideration.

Tyler Howell

[1] By designating this as the "wake surfing" zone, it is clear that the legislation has nothing to do with the environmental conditions of the river. Half of this designated area is very shallow (to the point that it is unusable) making it more susceptible to damage that may be caused by wake surfing. Nevertheless, this is an area where there are few docks and homes. It is very clear that the Representatives supporting this bill are motivated by protecting wealthy river land owners.