



Oregon

Tina Kotek, Governor

State Marine Board

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Senate Committee on Natural Resources and Wildfire

Chair Golden
Vice-Chair Girod
Senator Prozanski
Senator Brock Smith
Senator Taylor

Dear Chair Golden, Vice-Chair Girod, and Members:

This testimony is provided for SB 1590 which relates to towed watersports within the Newberg Pool Congested Zone on the Willamette River.

The current laws for the Newberg Pool Congested Zone were established in 2022 with the passing of SB 1589 by the Oregon Legislature. The law defined the Newberg Pool Congested Zone as the stretch of river between Willamette Falls (river mile 26.6) and the mouth of the Yamhill River (river mile 55) and created regulations that prohibit wake surfing as defined within the zone, required towed watersports education endorsement for all boat operators engaged in towed watersports as defined, established a maximum loading weight of 5,500 pounds weight limit for motorboats engaged in towed watersports as defined and prohibited the use of devices to increase wake size. The current law does not place restrictions on any boat engaged in activities other than towed watersports or restrict boats over the loading weight of 5,500 pounds for purposes other than towed watersports.

The current law is a result of over a decade of Marine Board rulemaking and legislation. As far back as 2010, the Marine Board adopted administrative rules which restricted the use of wake enhancing devices (WEDs) throughout the Newberg Pool (river miles 30 to 50) of the Willamette River. Because of a loss of efficacy and enforcement challenges of the WED ban, the Board adopted new rules in 2019 that restricted wake surfing in approximately half of the Newberg Pool and restricted wakeboarding within close proximity to docks.

Legislation passed during the 2019 session of the Oregon State Legislature put additional requirements on those participating in wake sports in the Newberg Pool, but also endorsed the concept that there were appropriate locations for these activities within the Pool. Beginning in 2020, those engaging in wake surfing and wakeboarding in the allowed areas in this stretch of river were required to complete an education course and maintain the Towed Watersports Education Endorsement.

As a result of the 2019 legislation, the Board revisited Newberg Pool rules in the winter of 2019-2020 and passed more restrictive regulations for wake surfing for the 2020 boating season. The legislation required the Marine Board to establish a maximum loading weight for boats engaged

in wake surfing and wakeboarding. The Board established that weight at 10,000 pounds while further limiting the area wake surfing could occur to two small sections in which there were no residential docks and cumulatively were 3 miles long.

SB 1590 would repeal the current laws created in SB 1589 by the Oregon Legislature in 2022 and create a requirement for the minimum standards for boating safety education to include expanded towed watersports education. With the passage of SB 1589 in 2022, the Marine Board had to repeal previous rules related to the Newberg Pool Congested Zone to comply with the new law. If SB1590 passes, there would not be any Towed Watersports regulations for this zone.

The Marine Board could implement the legislation as written without additional resources. Expanding the education requirement to the general boating safety education program would increase awareness of towed watersports across the state.

If you need additional information, or clarification, I can be reached at (503) 378-2617.

Sincerely,

A handwritten signature in black ink, appearing to read 'L Warren', written in a cursive style.

Larry Warren
Director, Oregon State Marine Board