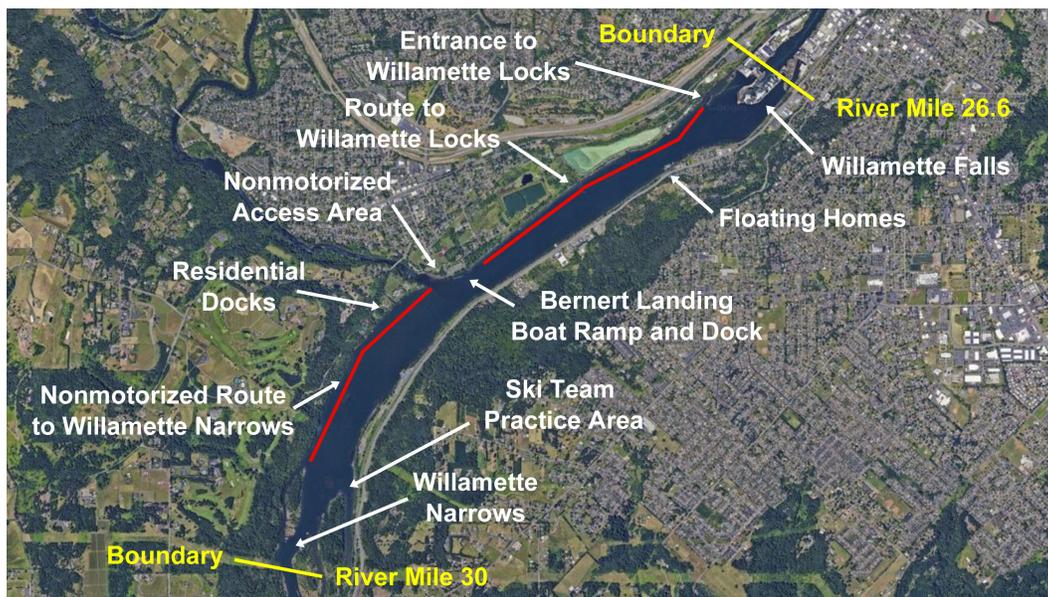


Testimony of Bert Krages
Regarding the -1 Amendments to SB 1590

I have submitted written testimony about the introduced version of the bill which is incorporated by reference. This testimony pertains to the -1 amendment filed on February 12, 2024.

What the amendment will do.

- The amendment would create an unrestricted wakesurfing zone from Willamette Falls to river mile 30. This is a busy part of the river for many kinds of boats and encompasses the narrowest stretch of the Newberg Pool (i.e., the main channel at RM 30 is less than 300 feet wide). The multitude of wakesurfing boats that would undoubtedly use this stretch would expose the public boating facilities at Bernert Landing, the routes to the Willamette Narrows and Willamette Locks (which is due to reopen in a few years), numerous other shoreline structures, and the ski team practice area to disruptive and damaging wakes.



- The amendment would reopen the entire Newberg Pool to wakesurfing and wakeboarding by any boat under 10,000 pounds dry weight and ballast capacity. This would permit all but the heaviest wake boats to recreate the problems that existed before SB 1589. It would also permit wake boats to use ballast and other wake-enhancing devices.
- The amendment would remove the ability of the Oregon State Marine Board to change the weight limit on boats and would remove the requirements that the Board rely on objective science and consider: (1) adverse effects on the waters, beds, and sediments of the Newberg Pool; (2) adverse effects on aquatic, nearshore, and shoreline habitat areas; (3) whether a change would cause state or federal turbidity limits to be violated; (4) and the views of the Department of State Lands, the Department of Fish and Wildlife, and the Department of Environmental Quality.

What is the current status of the Newberg Pool?

- Environmental conditions have improved markedly since SB 1589, although the recovery of the Newberg Pool is being hampered by blatant noncompliance by wake boat dealers and owners.
- Towing remains a popular activity on the Newberg Pool and there are many kinds of boats that qualify for a decal pursuant to SB 1589. There were over 1000 towed watersports decals in effect during the 2023 boating season that the Oregon State Marine Board had issued to boats that were lawfully entitled to them.
- Following the enactment of SB 1589 in 2022, parts of the Newberg Pool that were previously almost devoid of paddlecraft have since seen significant increased use by paddlers.
- Willful noncompliance with the provisions of SB 1589 by wake boat dealers and owners are on the rise. The wake boat dealers have even posted videos on their social media showing them violating the provisions of SB 1589.

How does SB 1589 affect wake boat dealers.

- The wake boat dealers are not suffering economically because of SB 1589. The reason fewer boats are being sold is that wake boat sales have dropped nationwide due to factors such as decreased demand after COVID, increased interest rates, and consumer uncertainty about the economy.
- The claim that wake boat dealers need to demonstrate boats in the Newberg Pool is false. Neither Active Water Sports nor Northwest Boat Sports are located directly on the Newberg Pool and both dealers have locations in Portland near waters where wakesurfing is permitted.

Other Thoughts.

- The Oregon State Marine Board incurred substantial expenses in 2022 to implement SB 1589. It is unreasonable and wasteful to require the Marine Board to have to address changes in wake boat laws every year. The Marine Board has already prepared its budget for the next biennium and it is unfair to the Marine Board to impose additional legislative requirements at this stage.
- The wake boat problem is a national one. Citizen groups in over forty states have organized to protect their water bodies from wake sports.