

Submitter: Zee Searles Mazzacano

On Behalf Of:

Committee: Senate Committee On Energy and Environment

Measure, Appointment or Topic: SB301

Senate Committee on Energy and Environment
Oregon State Legislature
900 Court Street NE
Salem, OR 97301

RE: Opposition to SB 301 – Protect Public Safety and Habitat in the Newberg Pool and the greater Willamette River

Dear Chair, Senator Sollman ; Vice-Chair, Senator Findley ; Member, Senator Golden ; Member, Senator Hayden ; Member, Senator Lieber:

My name is Zee Searles Mazzacano. I am a resident of Portland, OR and an active user of the Willamette River. I kayak, paddleboard, and swim in the Willamette, and I am also an entomologist and invertebrate ecologist who does biomonitoring and freshwater mussel surveys in the river and its tributaries.

I am writing to express my strong opposition to SB 301 and its proposed amendment to remove ballast weight from vessel weight regulations in the Newberg Pool. I am deeply concerned that this bill and its amendment would undermine the progress made under SB 1589 (2022), which has significantly improved public safety and ecological health in this unique section of the Willamette River.

The Newberg Pool doesn't exist solely for rich people with wake boats. It receives steady recreational use from paddlers, swimmers, anglers, and other low-impact users who rely on calm waters. Including ballast weight in boat restrictions under SB 1589 was essential to reducing unsafe wakes and conflicts between river users. Removing this ballast weight consideration will reintroduce the same enforcement challenges that plagued the area for over a decade and undo the progress that was done.

In addition, this change will have deleterious ecological consequences. The Newberg Pool is critical habitat for federally protected Upper Willamette River Chinook salmon and steelhead. Those fish don't exist in isolation; they rely on a multitude of aquatic macroinvertebrates including the mayflies, caddisflies, snails, scuds, and aquatic bugs and beetles that provide an essential food base for juvenile and adult fish.

Larger wakes from heavily ballasted boats accelerate shoreline erosion, degrade spawning habitat, increase sedimentation and disturbance in the spaces where aquatic invertebrates live, and threaten populations of vertebrate and invertebrate wildlife that are already at risk.

The core recommendations of the Water Sports Industry Association regarding wake surfing include staying at least 200 ft from the shoreline, dock, and other structures; and to minimize repetitive passes on any one portion of the shoreline. A recent peer-reviewed publication by Macfarlane (River Research and Applications, <https://onlinelibrary.wiley.com/doi/full/10.1002/rra.4438?campaign=wolearlyview>) affirms the validity of these restrictions, and notes a “stark difference” between the highest waves generated by wake boats at wake surfing speeds, and those from ski boats at waterskiing speeds. Larger wake-generating boats require significantly more buffer space from shorelines (500 feet or more), a condition the Newberg Pool cannot meet.

There is no logical rationale for this amendment, as it would benefit only a small number of large wake boat operators at the expense of the wider community and the health of the river. SB 1589 is working. It restored balance to the Newberg Pool, created safer conditions, and reduced habitat degradation. There are ample alternative locations on the Willamette River where large wake-generating boats can safely operate, but Newberg Pool is not one of them. SB 301 and its amendment represent a step backward that I urge you to reject.

Please stand up for river safety, environmental stewardship, and the interests of the majority who cherish and recreate in this unique waterway. I respectfully request that you vote NO on SB 301 and its proposed -1 amendment.

?

Thank you for your time and consideration.

Sincerely,

Zee Searles Mazzacano, Ph.D.