

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

Attn: Chair, Senator Sollman; Vice-Chair, Senator Smith ; Member, Senator Golden ; Member, Senator Pham ; Member, Senator Robinson,

My name is Clay Downing, and I am writing today as a resident of Newberg in Yamhill County and a user of the Willamette River to express my strong opposition to SB 301 and its -1 Amendment.

This legislation directly threatens public safety, water quality, and critical fish and wildlife habitat in the Newberg Pool section of the Willamette River. The proposed amendment would eliminate ballast weight from how vessel compliance is determined under existing law (SB 1589, passed in 2022), which will undo the progress made to protect this highly sensitive stretch of river.

The Newberg Pool is a narrow section of the Willamette that has become safer and more accessible for paddlers, swimmers, anglers, and families since SB 1589 was enacted. The law has helped reduce dangerous wakes caused by heavily ballasted wake boats, which have historically caused significant erosion and habitat degradation.

Removing ballast weight from the weight calculation is a loophole that will allow oversized wake boats to re-enter this fragile area despite their fully loaded operational weight far exceeding the current 5,500-pound cap. This is not a minor adjustment—it's a full-scale rollback of hard-won protections supported by peer-reviewed science, law enforcement, and thousands of river users.

Specifically, SB 301 and the -1 Amendment will:

● Endanger Public Safety

Reintroduces large wakes in a narrow river corridor, creating dangerous conditions for paddlers, anglers, swimmers, and other small craft users.

● Harm Critical Habitat

Threatens ESA-listed Upper Willamette River Chinook salmon and steelhead by degrading key migration and spawning habitat in the Newberg Pool.

● **Accelerate Shoreline Erosion**

Large, artificial wakes will destabilize banks and destroy riparian vegetation—just as Dr. David Poor’s 2022 expert testimony confirmed.

● **Undermine Enforcement**

Returns Oregon to a failed “ballast-only ban” that enforcement officials and the Oregon State Marine Board have long said is unenforceable.

I urge the Committee to reject SB 301 and the -1 Amendment to ensure that Oregon continues to protect this vital section of the Willamette River for both ecological health and community safety.

Please uphold the public interest—not corporate or industry influence—and help us keep the Newberg Pool a safe and balanced space for all.

Thank you for your consideration.

Respectfully,

Clay Downing
Newberg Resident