

Hello Oregon State Senators,

My name is Monibert Gaba, and I live in Sherwood, OR. I am a proud father and avid recreational boater using many of Oregon's beautiful waterways.

I'm writing to request your support for SB 301 as it is a reasonable modification to SB1589's restrictive language that treats all boat users in the deep waters of the Newberg Pool equally.

I testified remotely during the Senate committee meeting, but I also wanted to submit written testimony to include additional points I was not able to cover during our shortened allotted time. Many of those who spoke against the proposed bill yesterday missed the point of the bill entirely! We should be clear:

- SB301 is not asking to raise the existing weight limit on boats partaking in towed water sports in the Newberg Pool.
- SB301 does not allow ballast to be used.
- SB301 does not allow wakesurfing activity to resume.

It simply removes the "max factory ballast" language from the calculation of boat weight allowing many boats, like ours, to be used once again to tow our kids and their friends on tubes, waterskiing, and wakeboarding as other boaters are currently allowed to do.

When the original towed watersports education requirement was implemented in 2021, my wife and I took the course, understood the concerns of property owners and other river users, as well as being responsible for our boat wake. We followed all the rules, including surfing only in the wakesurf zones at the time. Our boat weighs 5400lbs, and with 4500lbs of factory ballast, its potential "total" weight is 9900lbs. With the passage of SB1589, our boat was made illegal for allowed towed water sports activities overnight. I feel SB1589 presumes guilt rather than innocence. What the current regulation implies is just because boaters have the ability to use ballast, they will. If this is the case, why make cars capable of exceeding speed limits? Why not mandate GPS built-in limiters on all vehicles so drivers can never exceed the speed limit anywhere? That's what SB1589 is imposing on tow boats in the Newberg Pool. It's presumptively unfair and unreasonable.

The physical and mental health benefits our family experienced using the Newberg Pool during the COVID lockdown period is immeasurable. Since 2022's passage of HB1589, I've noticed our family not going boating as much, I've noticed the negative change in our kids attitudes when I ask if they want to go boating because we are now forced to go to the lower Willamette, which takes longer to get to, more crowded, and frankly, more unsafe, that we have reduced our once beloved outdoor family activity by over 75%. By supporting SB301, we will once again be able to enjoy the Newberg Pool and the physical and mental health benefits it provides us.

I urge you to support SB301 for our family and many other families in the same predicament and who would benefit from its passage.

Kind Regards,

Monibert Gaba