House Transportation Policy Committee

Hearing on HB 4099 (as Amended) & HB 4138 – February 12, 2018

Chair McLain, Vice-Chairs Meek & Vial, Members of the House Committee on Transportation Policy:

My Name is Daniel Godfrey – and I'm here to Support passage of both HB 4099 (as Amended) and HB 4138.

As a Native Oregonian growing up in Sherwood, I have spent countless hours enjoying all sorts of water activities on the Upper Willamette River. In fact one of my best memories was learning to water ski on this particular stretch of the river.

Through a lot of hard work I was able to realize a personal dream and purchase a home on the Upper Willamette.

Unfortunately this same body of water I once enjoyed growing up as a youth has changed. I've seen firsthand the irreversible ecological damage to the rivers shoreline, the personal property damage to docks, and the growing safety issues and concerns for individuals wanting to recreate on this great scenic stretch of the Upper Willamette.

These issues in my opinion are directly related to the size and type of boats being used for wake ~~sports~~ SURFING. Simply put, due to new technology, these boats are no longer compatible with narrow waterways such as the Upper Willamette River.

Over the last 5 years the weight capacity of boats designed specifically for wake ~~sports~~ SURFING has increased significantly and the dry weight of these boats has more than doubled. The ballast system these boats are equipped with today can carry almost 5000 lbs. of water, creating wakes or waves over 4 feet tall. For example the Malibu A24 Axis Wake Boat has a dry weight of 5200 lbs., and a ballast capacity of 4,870 lbs. In addition these boats are now being designed with a hull that acts like an underwater plow. This hull design allows the boat to sit deeper in the water at slower speeds, helping create more water displacement for a bigger wake at all boarding speeds.

Based on these advancements within the boating industry, one could easily argue that wake boats are being over engineered. Yet the manufacturers of these boats continue to build boats that produce larger wakes, despite significant damage to the environment, increased safety concerns, and damage to personal property.

I'm not against the use of any of these technologies provided the waterbody is large enough to support and safely manage the risk. I believe HB 4099 will improve boater compliance with OSMB policies and Oregon Laws designed to protect safety, shoreline, and property within the Willamette Greenway.

Chair McLain and Members of the Committee, I ask that you adopt the HB Amendment 4099 as presented.

I thank you for your support.

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Nautique Boat Model Specifications Char

The information in this chart was obtained from a combination of the Owner's Manuals and the Brochures from the years in question. Occasionally these two s
All information contained in this chart should be verified with Nautique Boat Company if an exact specificatio

Year	Boat Model	Dry Weight	Draft	Beam	Length	Length with Platform	Fuel Capacity (Gallons)	Weight Capacity	Max Factory Ballast	
2017	Ski Nautique 200 - Open Bow	2850	22"	95"	20'	21' 10"	27	9 People / 1,450	N/A	409 HP (41(
2017	Ski Nautique 200 - Closed Bow	2850	22"	95"	20'	21' 10"	27	7 People / 1,450	N/A	409 HP (41(
2017	Super Air Nautique GS20	4500	27"	100"	20'	22' 1"	39	12 People / 1,850	1,850	
2017	Super Air Nautique 210	4200	28"	98"	21'	23' 3.5"	37	12 People / 1,850	1,750	409 HP (41(
2017	Super Air Nautique 230	4650	29"	100.5"	23' 1.5"	25' 4.5"	47	15 People / 2,300	2,100	409 HP (41(
2017	Super Air Nautique G21	5550	25"	102"	21' 6"	23' 9"	46.5	14 People / 2,200	2,850	355 HP (40
2017	Super Air Nautique G23	5900	25"	102"	23'	25' 3"	65	16 People / 2,500	2,850	355 HP (40
2017	Super Air Nautique G25	6400	25"	102"	25'	27' 3"	83	19 People / 2,800	2,850	355 HP (40
2016	Ski Nautique 200 - Open Bow	2850	22"	95"	20'	21' 10"	27	9 People / 1,450	N/A	343 HP (37(
2016	Ski Nautique 200 - Closed Bow	2850	22"	95"	20'	21' 10"	27	7 People / 1,450	N/A	343 HP (37(
2016	Sport Nautique 200	3250	23.5"	95"	20'	21' 10"	28	10 People / 1,600	736	
2016	Super Air Nautique 210	4200	28"	98"	21'	23' 3.5"	37	12 People / 1,850	1,750	343 HP (37(
2016	Super Air Nautique 230	4650	29"	100.5"	23' 1.5"	25' 4.5"	47	15 People / 2,300	2,100	343 HP (37(
2016	Super Air Nautique G21	5550	25"	102"	21' 6"	23' 9"	46.5	14 People / 2,200	2,850	355 HP (40
2016	Super Air Nautique G23	5900	25"	102"	23'	25' 3"	65	16 People / 2,500	2,850	355 HP (40
2016	Super Air Nautique G25	6400	25"	102"	25'	27' 3"	83	19 People / 2,800	2,850	355 HP (40
2015	Ski Nautique 200 - Open Bow	2,850	22"	95"	20'	21' 10"	27	9 People / 1,450	N/A	343 H
2015	Ski Nautique 200 - Closed Bow	2,850	22"	95"	20'	21' 10"	27	7 People / 1,450	N/A	343 H
2015	Sport Nautique 200	3,250	23.5"	95"	20'	21' 10"	28	10 People / 1,600	736	
2015	Super Air Nautique 210	4,200	28"	98"	21'	23' 3.5"	37	12 People / 1,850	1,750	343 HP (37(
2015	Super Air Nautique 230	4,650	29"	100.5"	23' 1.5"	25' 4.5"	47	15 People / 2,300	2,100	343 HP (37(
2015	Super Air Nautique G21	5,200	25"	102"	21' 6"	23' 9"	46.5	14 People / 2,200	2,850	343 HP (370 Torque) / 4
2015	Super Air Nautique G23	5,400	25"	102"	23'	25' 3"	65	16 People / 2,500	2,850	409 HP (41(
2015	Super Air Nautique G25	5,900	25"	102"	25'	27' 3"	83	19 People / 2,800	2,850	409 HP (41(
2014	Ski Nautique 200 - Open Bow	2,800	22"	95"	20'	21' 10"	27	9 People / 1,450	N/A	
2014	Ski Nautique 200 - Closed Bow	2,800	22"	95"	20'	21' 10"	27	7 People / 1,450	N/A	
2014	Sport Nautique 200	3,200	23.5	95"	20'	21' 10"	28	10 People / 1,600	736	
2014	Super Air Nautique 210	4,200	28"	98"	21'	23' 3.5"	37	12 People / 1,850	1,750	
2014	Super Air Nautique 230	4,650	29"	100.5"	23' 1.5"	25' 4.5"	47	15 People / 2,300	2,100	
2014	Super Air Nautique G21	5,200	25"	102"	21' 6"	23' 9"	46.5	14 People / 2,200	2,850	
2014	Super Air Nautique G23	5,400	25"	102"	23'	25' 3"	65	16 People / 2,500	2,850	
2014	Super Air Nautique G25	5,900	25"	102"	25'	27' 3"	83	19 People / 2,800	2,850	
2013	Ski Nautique 200 - Open Bow	2,800	22"	95"	20'	21' 10"	27	9 People / 1,450	N/A	
2013	Ski Nautique 200 - Closed Bow	2,800	22"	95"	20'	21' 10"	27	7 People / 1,450	N/A	
2013	Sport Nautique 200	3,200	23.5	95"	20'	21' 10"	28	10 People / 1,600	736	
2013	Sport Nautique 226	4,100	31"	98"	22' 7"	24' 10"	52	15 People / 2,150	1,020	
2013	Super Air Nautique 210	4,100	28"	98"	21'	23' 3.5"	37	12 People / 1,850	906	
2013	Super Air Nautique 230	4,300	29"	100.5"	23' 1.5"	25' 4.5"	47	16 People / 2,300	791	
2013	Super Air Nautique G23	5,400	25"	102"	23'	25' 3"	65	16 People / 2,500	2,850	
2013	Super Air Nautique G25	5,900	25"	102"	25'	27' 3"	83	19 People / 2,800	2,850	
2012	Ski Nautique 200 - Open Bow	2,800	22"	95"	20'	21' 10"	27	9 People / 1,450	N/A	
2012	Ski Nautique 200 - Closed Bow	2,800	22"	95"	20'	21' 10"	27	7 People / 1,450	N/A	
2012	Sport Nautique 200	3,200	23.5	95"	20'	21' 10"	30	10 People / 1,600	736	
2012	Sport Nautique 226	4,100	31"	98"	22' 7"	24' 10"	56	15 People / 2,150	1,020	
2012	Super Air Nautique 210	3,800	28"	98"	21'	23' 3.5"	40	12 People / 1,850	906	
2012	Super Air Nautique 230	4,300	29"	100.5"	23' 1.5"	25' 4.5"	51	16 People / 2,300	791	
2011	Ski Nautique 200 - Open Bow	2,800	22"	95"	20'	21' 10"	29	9 People / 1,450	N/A	
2011	Ski Nautique 200 - Closed Bow	2,800	22"	95"	20'	21' 10"	29	7 People / 1,450	N/A	
2011	Sport Nautique 200	3,200	23.5	95"	20'	21' 10"	30	10 People / 1,600	736	
2011	Sport Nautique 216V	3,900	29"	95"	20' 11"	23' 1"	46	12 People / 1,800	770	
2011	Sport Nautique 226	4,100	31"	98"	22' 7"	24' 10"	56	15 People / 2,150	1,020	
2011	Super Air Nautique 210	3,800	28"	98"	21'	23' 3.5"	40	12 People / 1,850	906	
2011	Super Air Nautique 230	4,300	29"	100.5"	23' 1.5"	25' 4.5"	51	16 People / 2,300	791	

2010	Ski Nautique 200 - Open Bow	2,800	22"	95"	20'	21' 10"	29	10 People / 1,450	N/A	
2010	Ski Nautique 200 - Closed Bow	2,800	22"	95"	20'	21' 10"	29	7 People / 1,450	N/A	
2010	Ski Nautique 216	2,990	24"	91"	21' 6.5"	23' 3.5"	29	10 People / 1,325	308	
2010	Sport Nautique 211	3,500	28"	93"	20' 9"	23' 1"	38	10 People / 1,350	625	
2010	Sport Nautique 216V	3,900	29"	95"	20' 11"	23' 1"	46	12 People / 1,800	770	
2010	Sport Nautique 226	4,100	31"	98"	22' 7"	24' 10"	56	15 People / 2,150	1,020	
2010	Super Air Nautique 210	3,800	28"	98"	21'	23' 3.5"	40	12 People / 1,850	906	
2010	Super Air Nautique 230	4,300	29"	100.5"	23' 1.5"	25' 4.5"	51	16 People / 2,300	791	
2009	Ski Nautique 196	2,640	22"	90.25"	19' 5.25"	21' 3.75"	29	6 People / 1,210	N/A	
2009	Ski Nautique 206	2,830	24"	89.75"	20' 6.75"	22' 6.5"	29	9 People / 1,210	N/A	
2009	Ski Nautique 216	2,990	24"	91"	21' 6.5"	23' 3.5"	29	10 People / 1,325	308	
2009	Super Air Nautique 210	3,800	28"	98"	21'	23' 3.5"	40	12 People / 1,850	906	
2009	Sport Nautique 211	3,500	28"	93"	20' 9"	23' 1"	38	10 People / 1,350	625	
2009	Super Air Nautique 220	4,070	29"	96"	22' 1"	24' 3"	51	14 People / 2,050	849	
2009	Super Air Nautique 230	4,300	29"	100.5"	23' 1.5"	25' 4.5"	51	16 People / 2,300	791	
2009	Sport Nautique 236	4,300	29"	100.5"	23' 1.5"	25' 4.5"	51	16 People / 2,300	791	
2008	Ski Nautique 196	2,640	22"	90"	19' 5"	21' 4"	29	6 People / 1,210	N/A	
2008	Ski Nautique 206	2,830	24"	90"	20' 5"	22' 7"	29	9 People / 1,210	N/A	
2008	Ski Nautique 216	2,990	24"	91"	21' 7.5"	23' 5.5"	29	10 People / 1,325	308	
2008	Sport Nautique 211	3,350	28"	93"	20' 9"	23' 1"	38	9 People / 1,350	625	
2008	Sport Nautique 226	3,860	31"	96.5"	22' 6.5"	24' 9.5"	50	12 People / 2,000		
2008	Sport Nautique 236	4,300	29"	100.5"	23' 1.5"	25' 4.5"	51	14 People / 2,200	791	
2008	Super Air Nautique 210	3,800	28"	98"	21'	23' 3.5"	39	10 People / 1,450	906	
2008	Super Air Nautique 220	4,070	29"	96"	22' 1"	24' 3"	50	12 People / 2,050	849	
2008	Super Air Nautique 230	4,300	29"	100.5"	23' 1.5"	25' 4.5"	51	14 People / 2,200	791	
2007	Ski Nautique 196	2,640	22"	90"	19' 5"	21' 4"	29	6 People / 1,210	N/A	
2007	Ski Nautique 206	2,830	24"	90"	20' 5"	22' 7"	29	9 People / 1,210	N/A	
2007	Ski Nautique 216	2,990	24"	91"	21' 7.5"	23' 5.5"	29	10 People / 1,325	308	
2007	Sport Nautique 211	3,350	28"	93"	20' 9"	23' 1"	38	9 People / 1,350	625	
2007	Sport Nautique 226	3,860	31"	96.5"	22' 6.5"	24' 9.5"	50	12 People / 2,000		
2007	Sport Nautique 236	4,300	29"	100.5"	23' 1.5"	25' 4.5"	51	14 People / 2,200	791	
2007	Super Air Nautique 210	3,800	28"	98"	21'	23' 3.5"	39	10 People / 1,450	906	
2007	Super Air Nautique 220	4,070	29"	96"	22' 1"	24' 3"	50	12 People / 2,050	849	
2006	Ski Nautique 196	2,570	22"	91"	19' 6"	21' 2"	29	6 People / 1,210	N/A	
2006	Ski Nautique 206	2,975	24"	91"	20' 7.5"	22' 4"	29	9 People / 1,210	N/A	
2006	Sport/Air Nautique 216	3,050	24"	91"	21' 7.5"	23' 5.5"	29	10 People / 1,325	308	
2006	Sport/Air SV-211	3,830	28"	93"	20' 9"	23' 1"	38	9 People / 1,350	730	
2006	Sport/Air Nautique 210	3,190	28"	91"	21' 2"	22' 8"	39	10 People / 1,450	850	
2006	Sport/Air Nautique 226	3,900	31"	96.5"	22' 6.5"	24' 9.5"	50	12 People / 2,000	900	
2006	Super Air Nautique 220	4,070	29"	96"	22' 1"	24' 3"	50	12 People / 2,050	849	
2005	Ski Nautique 196	2,570	22"	91"	19' 6"	21' 2"	29	6 People / 1,210	N/A	
2005	Ski/Air Nautique 206	2,975	24"	91"	20' 7.5"	22' 4"	29	9 People / 1,210	200	
2005	Sport/Air Nautique 216	3,050	24"	91"	21' 7.5"	23' 5.5"	30	10 People / 1,325	400	
2005	Sport/Air SV-211	3,830	28"	93"	20' 9"	23' 1"	38	9 People / 1,350	730	
2005	Sport/Air Nautique 210	3,190	28"	91"	21' 2"	22' 8"	39	10 People / 1,450	850	
2005	Sport/Air Nautique 226	3,900	31"	96.5"	22' 6.5"	24' 9.5"	50	12 People / 2,000	900	
2004	Ski Nautique 196	2,570	22"	91"	19' 6"	21' 2"	29	6 People / 1,210	N/A	
2004	Ski/Air Nautique 206	2,975	24"	91"	20' 7.5"	22' 4"	29	9 People / 1,210	200	
2004	Sport/Air Nautique 216	3,050	24"	91"	21' 7.5"	23' 5.5"	30	10 People / 1,325	400	
2004	Sport/Air SV-211	3,830	28"	93"	20' 9"	23' 1"	38	9 People / 1,350	730	
2004	Sport/Air Nautique 210	3,190	28"	91"	21' 2"	22' 8"	39	10 People / 1,450	850	
2004	Sport/Air Nautique 226	3,900	31"	96.5"	22' 6.5"	24' 9.5"	50	12 People / 2,000	900	
2003	Ski Nautique 196	2,570	22"	91"	19' 6"	22' 7"	29	6 People / 1,210	N/A	
2003	Ski Nautique 206	2,975	24"	91.5"	20' 7.5"	22' 4"	29	9 People / 1,210	200	
2003	Sport/Air Nautique 216	3,280	24"	91"	21' 7.5"	23' 5.5"	30	10 People / 1,325	400	
2003	Super Sport / Super Air Nautique 210	3,190	28"	91"	21' 2"	22' 6"	39	10 People / 1,450	850	
2003	Nautique 226	3,900	31"	96.5"	22' 6.5"	24' 9.5"	50	12 People / 2,000	900	
2002	Ski Nautique 196	2,570	22"	91"	19' 6"	21' 2"	29	6 People / 1,210	N/A	
2002	Ski Nautique Open Bow	2,730	24"	91"	19' 6"	20' 11"	35	8 People / 1,210	N/A	
2002	Air Nautique 196	2,730	24"	91"	19' 6"	20' 11"	35	8 People / 1,210		
2002	Sport/Air/Pro Air Nautique	2,890	24"	91"	21' 2"	22' 7"	30	9 People / 1,325		
2002	Super Sport / Super Air Nautique 210	3,190	28"	91"	21' 2"	22' 8"	39	10 People / 1,450		
2001	Ski Nautique 196	2,570	22"	91"	19' 6"	20' 8.75"	35	6 People / 1,110	N/A	
2001	Sport/Air/Pro Air Nautique	2,890	24"	91"	21' 1.75"	22' 6.75"	30	9 People / 1,250		
2001	Super Sport / Super Air Nautique 210	3,190	28"	91"	21' 1.25"	22' 6"	39	9 People / 1,250		
2000	Ski Nautique	2,340	24"	91"	19' 6"	20' 8.75"	32	1,110	N/A	
2000	Ski Nautique Open Bow	2,420	24"	91"	19' 6"	20' 8.75"	32		N/A	
2000	Sport/Air/Pro Air Nautique	2,700	24"	91"	21' 1.25"	22' 6"	34	1,250		
2000	Super Sport / Super Air Nautique 210	2,900	28"	91"	21' 1.25"	22' 6"	34	1,250		
1999	Ski Nautique	2,340	24"	91"	19' 6"	21' 2.5"	35		N/A	12
1999	Ski Nautique Open Bow	2,420	24"	91"	19' 6"	21' 2.5"	32		N/A	2

HB 4138

According to the Oregon State Marine Board (OSMB): *"Boats specifically designed to produce large wakes for wake-surfing and wakeboarding are already present in significant numbers... Given industry research that wake-surfing is continuing to grow in popularity, the number of new boats with integrated wake enhancing devices will continue to grow in the future"*

According to the OSMB: *"Hydrologists estimate that a wake 5 inches high produces limited damage to the shoreline, but a 10-inch wake is 5 times more destructive, a 25-inch wake is 30 times more destructive, and so on".*

Modern Wake Boats are capable of producing wake/waves >4' in height

"The literature review indicates an unequivocal connection between boat wake energy and shoreline erosion, sediment resuspension and nearshore turbidity" - (STAC Publication 17-002):

- Recreational vessels within 500' of the shoreline can produce waves large enough to result in significant erosion
- Steep banks are the most susceptible – waves undercut the bank foundation which leads to the loss of shoreline

Banks Undercut from Wake/Wave Action – Upper Willamette Greenway

According to a Water Sports Industry Association Study (WSIA): *"Wakeboard and wake-surf **wakes/waves dissipate more slowly in deep water (greater than 15ft)**. **Operating at least 250ft from shore** can reduce the effects of deep water wakes"*

- From River Mile 30 to River Mile 50, the Willamette has steep, soft-sediment banks, is 400-600' wide and averages greater than 15' deep

Shoreline Loss – Upper Willamette Greenway

While natural erosion (flooding, wind, river regulation, etc) is certainly to be expected, **Wake-Induced erosion is controllable.** According to Stoel Rives LLC: *"With only minor exceptions, the environmental impacts of recreation activities are mostly unregulated"* within the Willamette Greenway.

Oregon needs improved inter-agency collaboration to protect shoreline within the Greenway – HB 4138 does this

House Transportation Policy Committee
Hearing on HB 4099 (as Amended) & HB 4138 – Feb 12, 2018

Chair McLain, Vice-Chairs Meek & Vial, Members of the House Committee on Transportation Policy:

My name is Berniece Godfrey. My family & I have lived on the Upper Willamette River for 3 years. I support the passage of both the HB 4099 (as Amended) and HB 4138. I wish to speak about **Shoreline Erosion and Personal Property Damage.**

1. In a recent Survey of riverfront homeowners:
   - 78% experienced bank erosion AND dock damage in past 2-10 years, all of whom indicated that erosion/damage has increased during that time period. Cost incurred to mitigate the damage:
     - $2-10k – 44%
     - $10-50k – 43%
     - $50-250k – 13%
   - COMMENTS re Erosion:
     - *"We have suffered significant dock damage to the pylon brackets, several dock supports, and to our boat lift. All of this damage has been linked to the large wakes caused by wake-enhancing devices (WEDs) on the river;"*
     - *"Severe loss of riverbank; all piers from our ramp down to the river were floating in air; lost over 800 sq.-ft. of our yard;"*
     - *"Multiple trees have fallen over due to erosion. They have fallen on my ramp to boat dock doing significant damage. Ultimately, I had to get a certified arborist to declare a few remaining trees hazardous and paid to have them permitted to be removed and cut down. These were 60-foot cottonwood trees;"*
2. Tree loss and dock damage have been confirmed by both an Arborist and Dock Repair Company as having significantly increased over the last several years.
3. In conclusion, I wish to relay a message from Beth Biggs, who served on the OSMB Boat Advisory Team, *"Boater congestion, concerns for swimmers and public safety, inter-user compatibility, and protection of private and public lands were all primary considerations in the establishing of the WED ban zone in 2010. Those considerations remain relevant today."*