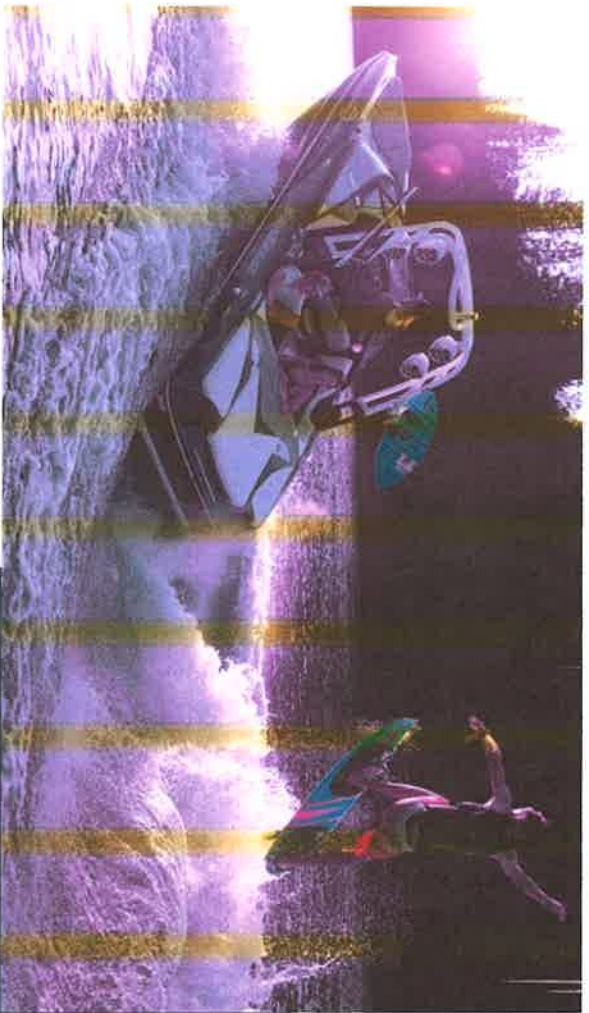


House Transportation Policy Committee

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

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

My name is Stan Halle. I've lived on or near the Upper Willamette River since 2001. I support these two bills and wish to briefly focus on the impact on other River users and Public Safety.



***Big Wake Behind a Boat
for Wake Surfing***



Impact on River Activities

Based on a recent survey of riverfront homeowners:

- 70% find the River less enjoyable due to large waves/wakes.
- 27% no longer participate in certain activities.
- 76% have experienced specific safety incident(s) or user conflict on the Willamette River



OREGON RECREATIONAL BOATING ACCIDENT STATISTICS – 2016

The following statistics were taken from boating accident reports received by the State Marine Board for 2015. Accidents involving death, injury, or property damage exceeding \$1,000 must be reported.

Comments on the year....

In 2016 we had 19 people die in recreational boating accidents in Oregon. This is more than three more than in 2015. Our oldest victim was 70, our youngest victim was 23.

Only 7 of the 19 victims were wearing their life jackets. One of those 7 persons had a heart attack, another person's PFD got tangled on a branch, two had inflatable belt packs that were not deployed, one victim was trapped in rocks and water hydraulics, one died in the surf before he could be rescued, and the last body has not been found, but his wife says he always wore a PFD. Of the 19 fatalities it is reasonable to assume that, had the other 12 victims worn their life jackets, they would probably have survived their accidents.

7 of the 19 victims were in an open motor boat, 1 was on a PWC, 9 were in non-motorized boats, 1 was on a paddle board, and 1 was on a cabin motor boat.

12 of the 19 victims were 50 years old or older. In 15 of the 19 fatalities the victim was the operator. In 8 of the 19 fatalities the victim was the operator and sole occupant.

The number one cause of fatal accidents this year was a 3-way tie of *Force of Wave/Wake, Hazardous Waters and Operator Inexperience/Error*.

Year	Registered Boats	Accidents*	Oregon Fatalities	Fatality Rate Oregon**	U.S. Fatality Rate**	Fatalities U.S.
2006	186,497	66	20	1.07	.56	710
2007	184,147	66	9	.49	.53	665
2008	180,063	60	13	.72	.56	709
2009	180,552	65	13	.72	.58	736
2010	177,634	64	12	.67	.54	672
2011	171,983	66	10	.52	.62	758
2012	169,198	74	19	.89	.54	651
2013	166,664	67	10	.60	.47	590
2014	161,093	69	7	.42	.52	610
2015	166,124	69	16	.95	.53	626
2016	Est. 156,000	86	19	Est. .82	*	*

(*) Figures not yet from USCG
 ** It is estimated that only 10 to 15% of reportable accidents are actually reported.
 ** Rate per 10,000 registered boats.
 (These statistics reflect recreational boaters only)

- Oregon State Marine Board's ("OSMB") 2016 Recreational Boating Accident Statistics indicate:**
- 19 fatalities, 4 of which were due to "Force of Waves/Wake";
 - 86 total accidents reported, the highest in 11 yrs of reporting
 - OSMB estimates that only 10-15% of reportable accidents were actually reported.

Public Safety Concerns:

- *“Wake surfing inside of buoys or close to docks endangering swimmers. Disturbing people sitting on the dock. Knocking down standing adults.”*
- *“Large wakes slammed our friend’s kids up against the dock. We had fearful, crying kids we had to take out of the water. I’ve been knocked off my paddle board. The boat has slammed against the dock and almost pinned my husband between the boat and the dock while he tried to keep the boat from slamming into the dock.”*
- *“We frequently have large wakes flowing over the top of our dock. The worst incident was about 12” of water going over while our son, his wife and 3 small children were on it and nearly swept off.”*
- *“The wakes have caused water skiers to fall. I have observed wake boats and canoeists get into an argument about wakes and proximity to canoes.”*
- *“A wake-surfer has come onto an owners dock in response to the owner telling him he was too close to his dock. The wake-surfer then spent weeks in the vicinity using crude and slanderous language over a speaker from his boat towards the land owner. I have seen children become scared of swimming due to the large wakes.”*
- *“Our neighbors were on their dock swimming with their grandkids last summer, when a wake-surfer boat came by very close to the dock. Their response to being told to stay away, was to stand in front of the kids and urinate.”*



***The Upper Willamette
River is a precious
resource for everyone to
enjoy. Safety, Property
Rights and Traffic
Congestion are key
elements that the Marine
Board must put into
better balance.***

***HB 4099 (as amended)
and HB 4138 are
important steps to help
do this.***

Thank you!

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

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

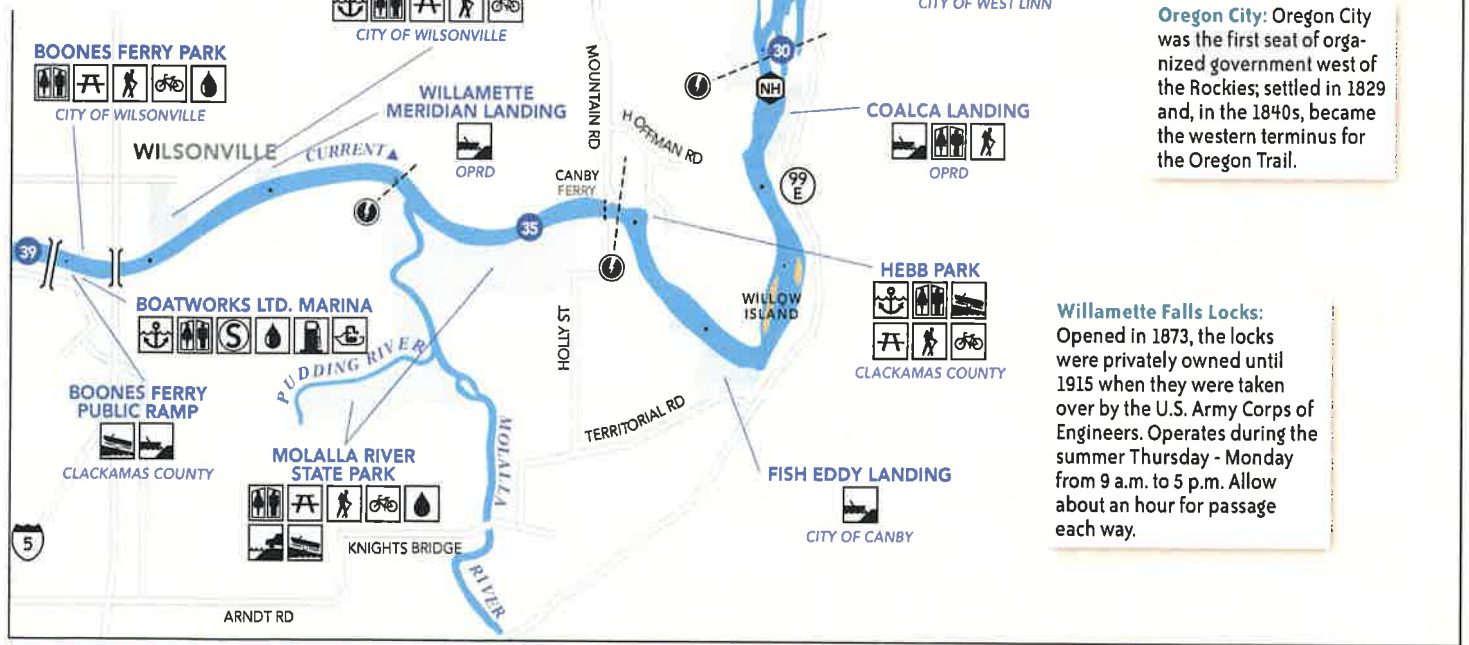
RM 39 to 17



LEGEND

NAVIGATION HAZARDS

- 18** Rock shoals: Opposite Milwaukie, left side, very dangerous reef downriver from Elk Rock Island; marked by three unlighted buoys (numbers 8, 10 and 10-A).
- 23** Rock shoals: Right side of channel, opposite Cedar Island.
- 27** Willamette Falls: Inpassable 41-foot-high falls; beware of shallows downriver; use locks (left side) for passage.
- 30** Rock shoals: Multiple rocky shoals and ledges, both sides vicinity of Rock Island.



Tualatin River: Canoes and kayaks can navigate up the Tualatin until reaching low-head dam about one mile upriver.

Canby Ferry: Operates daily year-round, except in very high water. Hours are 6:30 a.m. to 9:00 p.m. Vehicles are \$1.25; pedestrians and bicycles are free.

Oregon City: Oregon City was the first seat of organized government west of the Rockies; settled in 1829 and, in the 1840s, became the western terminus for the Oregon Trail.

Willamette Falls Locks: Opened in 1873, the locks were privately owned until 1915 when they were taken over by the U.S. Army Corps of Engineers. Operates during the summer Thursday - Monday from 9 a.m. to 5 p.m. Allow about an hour for passage each way.

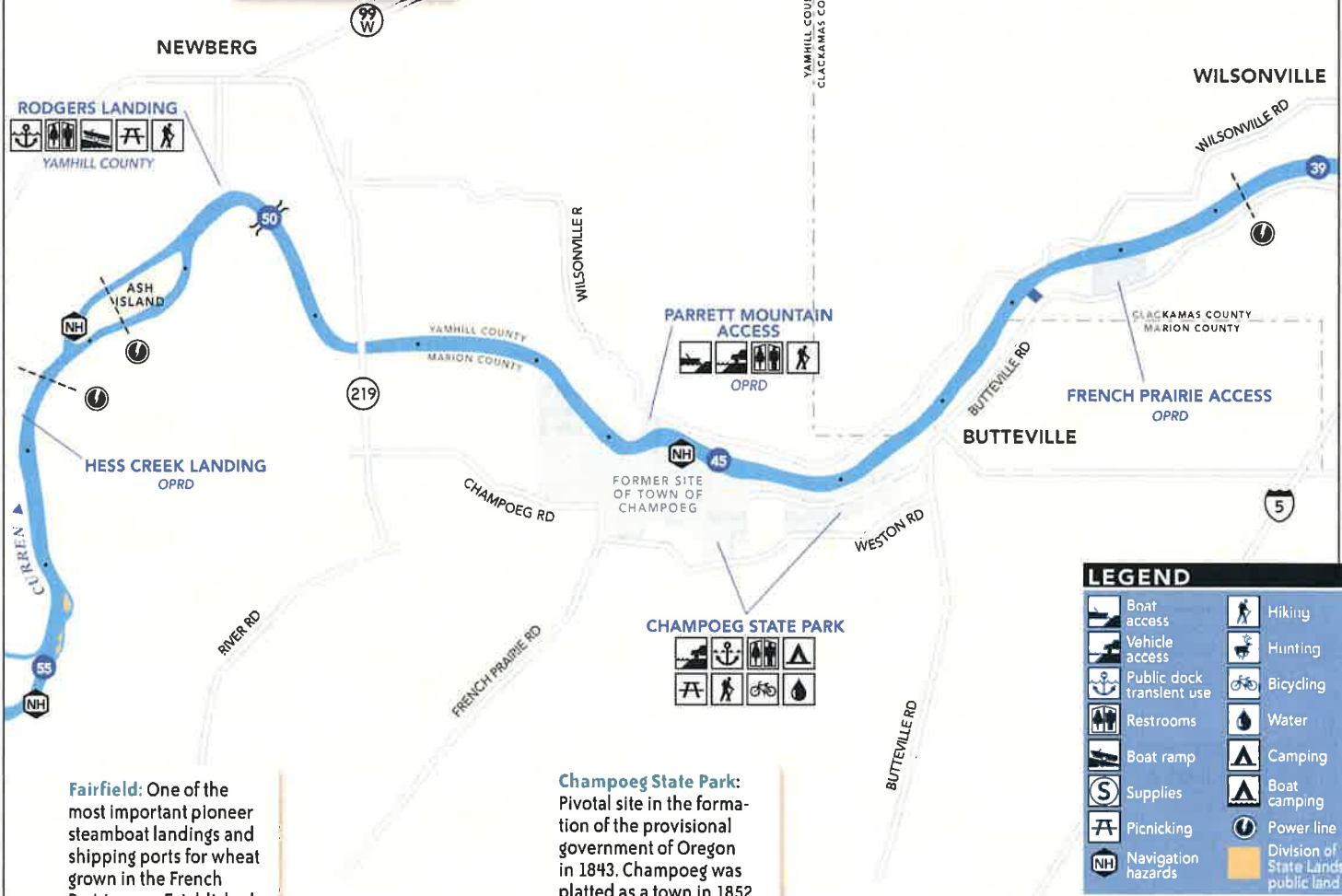
Maps are generally accurate, but do not display all navigational hazards, including impassable channels, in-water obstructions or rapids. Boaters beware: river conditions change frequently.

RM 55 to 39



Ash Island: Ash Island is used for farming. A private ferry is visible from the main (R) channel. Bass fishing is popular on left channel. Caution: The entrance to the left channel is hazardous because of water dam at channel entrance.

Butteville: A marker along the river denotes the location of an old landing founded in 1845 to compete with nearby Champoeg. The area between the Pudding River, which enters the Molalla River at Molalla River State Park, and the Willamette was originally settled by French-Canadian retirees from the Hudson's Bay Company. Hence, the area is sometimes called "French Prairie".



Fairfield: One of the most important pioneer steamboat landings and shipping ports for wheat grown in the French Prairie area. Established in 1851 along what is now the Salem-St. Paul road. Only vague traces remain of Fairfield today.

Champoeg State Park: Pivotal site in the formation of the provisional government of Oregon in 1843. Champoeg was platted as a town in 1852, but a disastrous flood in 1861 virtually wiped it out. A flood in 1890 finished the job. Now a state park, Champoeg was the site of the last upriver steamboat visit—by the "Claire"—sponsored by the Veteran Steamboatmen's Association in 1952.

LEGEND

	Boat access		Hiking
	Vehicle access		Hunting
	Public dock transient use		Bicycling
	Restrooms		Water
	Boat ramp		Camping
	Supplies		Boat camping
	Picnicking		Power line
	Navigation hazards		Division of State Lands public land

NAVIGATION HAZARDS

- 45** Underwater rock ledge: Right side across from Parrett Access; downriver from Champoeg tie-up.
- 52** Wing dam: Upriver end of Ash Island at entrance to left channel; occasionally submerged.
- 55** Rock ledge: Rock bench along right side for about 150 yards upriver from Yamhill River confluence.

Maps are generally accurate, but do not display all navigational hazards, including impassable channels, in-water obstructions or rapids. **Boaters beware: river conditions change frequently.**