

Ladies and Gentlemen,

I am blessed to live on this area of the Willamette River referred to as “the zone” and grew up in a boating family. I have a 14 year old son that loves the water and all activities associated with it. The family memories and quality of life we experience here on the Willamette are precious to us and currently at risk. As I’m sure you also can appreciate, we pay a premium to live on the water and enjoy this luxury. In addition, I’m a licensed real estate broker specializing in waterfront properties. Many people are deeply concerned in regard to the recent Bills that have been proposed to restrict power boating use on the Upper Willamette. Many believe their home values will be negatively influenced and based upon my experience I believe they’re right to have concerns. Most of my clients shopping for waterfront properties already own power boats and have a desire to move to the river for the same reasons my family did. If you were to boat down the Willamette in the 20 mile section referenced in 4138; you would find that conservatively 70% of the boats parked at these \$1M+ waterfront homes are the exact types of boats that are targeted to restrict. The majority of these boaters are citizens that are recreating responsibly with their families and friends.

I have participated in the efforts to come to a resolution on this heated topic for over a year now. I was originally inspired to get involved when a petition was filed to extend the existing no WED ordinance in the fall of 2016. There was a passionate response by recreational boaters ***in opposition*** to this petition that also then fueled the question of why the existing ordinance which places people’s lives at risk still remained in place? The OSMB then decided to assemble a 10 person Advisory board to address these concerns, get a better understanding of the legitimacy of the ordinance in today’s conditions and whether it had outlived its purpose.

After 4 months of meetings and discussion; 9 out of the 10 board members (including the gentleman that submitted the petition to extend the no WED zone and the Clackamas county marine patrol) supported a proposal to ***eliminate*** the ordinance and implement some intuitive/common sense rules to support safe boating practices around private docks and permit all to coexist on the waterway. This was not a quick decision; everyone at the table had different perspectives and interests in the way they used the waterway. When it all boiled down to a recommendation, it was about keeping people safe by opening up the full length of the river and letting the boats naturally disperse, and implement some rules to maintain safe distances from docks and structures. There was a clear recognition that the current ordinance had outlived its usefulness and was now in fact creating some grave circumstances for boaters in the “approved WED zone”. It also forced a significant amount of boaters with WED’s to boat in front of a group of homes in Newberg (such as Rollin who participated on the advisory board) and homes in Milwaukie (such as Rep. Kennemer). Without this ordinance in place most would choose to boat in more boater friendly areas of the river where the river is wider, there are fewer underwater hazards and less congestion.

While the advisory board worked to create a proposal to put in front of the OSMB, there was a concerted effort to keep the laws consistent with USCG and Oregon boating laws. The Clackamas County Marine Patrol officer that participated on the advisory board advocated to keep the laws consistent for ease of enforcement and boater compliance. 1 person seemed to “go along” with the proposal over months of meetings without raising strong concerns up until the final meeting where the advisory board would give final approval. At that meeting, this person gave their absolute objection to the proposal and was unable to present a reasonable alternative solution. I can tell you that several people left the table very frustrated at the investment of time, effort and energy to come to what all but

1 believed to be a great solution to the concern for 1 person to “drop this bomb” in the 9<sup>th</sup> hour without presenting her concerns for discussion months before.

As a result of the advisory board not reaching 100% agreement to the proposal, the proposal was not presented to the OSMB as a solution to the issues at hand. In an official report from the OSMB this sounds like “the advisory board was unable to come to a consensus view”. I find that statement misleading to those that don’t know the time, effort and support that the advisory board worked together to present. People that were on opposite ends of the issue on day 1 were aligned in support of the proposal after working together over this 4 month period; to include Rollin who submitted the petition to originally extend the no WED zone. In the end, 1 member was unwilling to work toward a compromise to improve the conditions for everyone.

The way the ordinance is currently written it is placing families in grave danger. Rachel Graham of the OSMB admitted that at the time the ordinance was passed nearly 9 years ago, they (the OSMB) understood that there was potential for unforeseen consequences. Since the ordinance was put in place the water sports industry has grown significantly in various types of wake sports and ski boat sales have diminished significantly. As a result, a dangerous number of boats are being forced into a restricted area to perform these sports. I believe that if marine patrol officers are not as strict in enforcing the current ordinance, it’s because they’ve placed the safety of families over the proposed concern of dock wear and tear. For that I’m thankful. When given the option, boaters would naturally disperse along the river and separate themselves from other boat traffic.

As I’ve stated, I live on the Willamette River in “the zone” that is directly affected by this existing ordinance and the proposed HB 4138. I **DO NOT** support 4138 and respectfully request your support in helping my family, friends and neighbors (and all Oregonians trailering boats) to be permitted to boat responsibly on this amazing public waterway and not discriminate against people performing wake sports.

Thank you for your consideration.

Best Regards,

*Randy Harris*

Licensed Real Estate Broker



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