

From: akavlock@gmail.com
To: [Exhibits_HNR](#)
Subject: Fwd: HB2351
Date: Monday, February 11, 2019 5:45:49 PM
Attachments: [page2image63523840.png](#)

Chair Witt, Vice Chair Gorsek, Members of the Committee,

My name is Arlene Kavlock, and I am a 13 year resident and member of the Portland Rowing Club, located on the east bank of the Willamette River, just south of the Sellwood bridge. I am also a member of the Calm Water Coalition.

My purpose in writing is to ask for your support of HB2351. The following statement from ORSPA, the Oregon Safety and Preservation Alliance, speaks to the important need for this legislation. As a river dweller and user of the river, I can attest that we now have a significant safety problem occurring on the river with boats that are designed to create large wakes. There needs to be regulation to insure the protection and safe use of the river for all users and those who live along the river.

Thank you for your consideration and support for this bill.

Arlene Kavlock
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ORSPA STATEMENT:

"HB2351 proposes to incorporate the Oregon State Marine Board (OSMB) into the inter-agency effort that protects the Willamette River under Oregon's Willamette Greenway statutes. This will ensure that all agencies operate within the same set of guidelines.

Including the OSMB has become increasingly more important as recreational demand from the Portland Metropolitan area continues to grow. Presently, there is no policy which gives OSMB specific authority to enact rules which will support what other state agencies and local governments have been tasked to accomplish with respect to the protecting shoreline along the Willamette River. This would help the OSMB manage boating in a manner that aligns with state law and policies intended to protect the Willamette River Greenway.

Oregon agencies tasked with the responsibility of protecting the Willamette River Greenway are not authorized to regulate boating. The Oregon State Marine Board does not have the authority to support Willamette River Greenway planning goals. This legislation would correct this and allow for coordinated planning between Oregon Parks and Recreation, the Department of Land Conservation and Development and the Oregon State Marine Board. In a nutshell, this would help Oregon agencies better align to plan, protect and manage the Willamette River under existing Greenway regulations.

While the State has directed the OSMB "to promote the safety for persons and property in and connected with the use of...boats" (ORS 830.100), there is a lack of alignment between OSMB policies intended to "promote" boating (OAR 250-001-0050) and state law and policies intended to protect shoreline.

OSMB clearly understands that shoreline damage can result from excessive boat wake/wave energy. Historically,

their publications have educated boaters about the issue. Despite this awareness, the agency has taken the position about their authorities to enact rules to protect shoreline do not exist, for example:

- “...The board cannot address erosion issues, as they are not under the Board's statutory authority” - *Chair Val Early, Jan 10, 2018, OSMB Meeting Minutes*
- “...staff believes that the Board would be reluctant to take rulemaking action unless there were enforceable policies, rules, or laws adopted by other agencies that addressed the management of shoreline structures, the management of shoreline vegetation, proper soil management practices, and the management of flow regimes” - *Rachael Graham, Environmental & Policy Program Manager, Aug 24, 2018.*

HB2351 will address this oversight and give the OSMB clear direction to operate within Greenway regulation