

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

I am a 8 year Willamette float home resident at the Portland Rowing Club. The Club is on the east bank of the Willamette River, just south of the Sellwood bridge. I am also a member of the Calm Water Coalition.

I am writing to ask for your support of HB2351. ORSPA, the Oregon Safety and Preservation Alliance statement below, shows the importance and need for this legislation. As a river dweller and user of the river, I can confirm from personal experience that we now have a significant safety problem occurring everywhere on the river caused by boats that are designed to create large wakes.

Our house has received structural and decorative damage along with damage to personal possessions (The Club has had to repair water and sewage leaks caused by wake action. Roof gutters are flattened against pilings, doors don't close, sheetrock nails pop all over the house, pictures and ornaments have been broken. This worsens on a weekly basis during the season.).

OSMB needs to be given the responsibility and powers to look at and regulate all aspects of boating and boating's impact on the complete river environment. There is no community (or river) benefit in making regulations about boats if those boats can then damage the river environment. Personal safety, environmental protection, Oregon Greenway statutes and other legislation must be considered as a whole, not in a fragmented or compartmentalised fashion.

There needs to be regulation and segregation of use areas, to ensure the protection of the river environment and safe use of the river for all users and those who live along the river. We don't want to wait for a death or environmental disaster to show us the way.

Please give OSMB the tools to undertake this very necessary job of river and river environment safety comprehensively. Grateful for your consideration and action in this matter.

Robert Meyer
100 SE Harney #11
Portland, OR 97202

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.*

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