

## SB 1589 -7, -10, -11, -12, -13, -14 STAFF MEASURE SUMMARY

### House Committee On Environment and Natural Resources

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**Prepared By:** Erin Pischke, LPRO Analyst

**Meeting Dates:** 2/21, 2/23

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#### WHAT THE MEASURE DOES:

Prohibits person from using devices or individuals to increase wakes and engage in wake surfing within Newberg Pool Congested Zone. Provides that maximum loading weight of motorboat must be less than 5,000 pounds to obtain towed watersports motorboat certificate (Certificate) and requires Certificate decal to be displayed in certain areas and in accordance with Oregon State Marine Board (OSMB) rules. Modifies Newberg Pool Congested Zone. Provides that person shall carry towed watersports endorsement if engaged in any towed watersports within Newberg Pool Congested Zone. Specifies that definition of "towed watersports" is meaning given by OSMB by rule, but does not include wake surfing. Defines "wake surfing" as "the activity of propelling an individual forward on equipment like a surfboard, using a boat's wake wherein the person may be holding a rope or free riding." Adds equipment used in wake surfing to include wake surf boards, wake boards, stand up paddleboards, and hydrofoils. Authorizes OSMB to conduct study related to increasing or decreasing prescribed maximum loading weight and prescribes guidance for study. Applies to Certificates issued, renewed, or replaced on or after effective date. Declares emergency, effective on passage.

- Ayes, 22; Nays, 1--Thatcher; Absent, 1--Heard; Excused, 6--Boquist, Linthicum, Manning Jr, Robinson, Steiner Hayward, Thomsen.
- Fiscal: Fiscal impact issued.
- Revenue: No revenue impact.

#### ISSUES DISCUSSED:

- Potential causes of erosion
- Recreational uses of Willamette River
- Signage and enforcement of current regulations

#### EFFECT OF AMENDMENT:

-7 Requires Oregon State Marine Board (OSMB) to conduct a study on altering the maximum loading weight for motorboats as established by the board **by rule**. Requires OSMB to determine, on the basis of objective, peer-reviewed scientific research, the **maximum loading weight OSMB may establish** before the weight: 1) has an adverse effect on the waters, beds, and banks in Oregon; 2) has an adverse effect on aquatic, nearshore, and shoreline habitats, fish, and wildlife habitats and salmonid habitats; or 3) exceeds or violates state or federal turbidity limits. No later than November 1, 2022, requires OSMB to report to the interim committees of the Legislative Assembly related to the environment, on the board's research, findings, determinations, and recommendations, including recommendations for legislative changes, if any. Repeals study, consultation, and reporting requirements on January 2, 2023.

-10 Requires Oregon State Marine Board (OSMB) to conduct a study on altering the maximum loading weight for motorboats as established by the board. Requires OSMB to determine, on the basis of objective, peer-reviewed scientific research, the **maximum loading weight motorboat** may have before the weight: 1) has an adverse effect on the waters, beds, and banks in Oregon; 2) has an adverse effect on aquatic, nearshore, and shoreline habitats, fish, and wildlife habitats and salmonid habitats; or 3) exceeds or violates state or federal turbidity limits. Requires OSMB to report to the interim committees of the Legislative Assembly related to the environment, on the board's research, findings, determinations, and recommendations, including recommendations for legislative

changes, if any, no later than November 1, 2022.

-11 Removes “towed watersports” and “wake surfing” definitions. Removes “towed watersports” from towed watersports endorsement individuals must carry within Newberg Pool Congested Zone. Removes prohibition of individuals from using devices or individuals to increase wakes and engage in wake surfing within Newberg Pool Congested Zone.

-12 Removes prohibition of individuals from using devices or individuals to increase wakes and engage in wake surfing within Newberg Pool Congested Zone. Removes modification of Newberg Pool Congested Zone.

-13 Removes modification of Newberg Pool Congested Zone.

-14 Provides that maximum loading weight of motorboat must be less than **7,000** pounds to obtain towed watersports motorboat certificate. Removes modification of Newberg Pool Congested Zone.

**BACKGROUND:**

The Willamette River Greenway was first proposed in 1967 by Oregon Governor Tom McCall to enhance the scenic, recreational, historic, natural, and agricultural qualities along the Willamette River. In 2019, the Oregon legislature authorized the Oregon State Marine Board (OSMB) to adopt special regulations to manage boat wake energy within the Willamette River Greenway. In addition, the towed watersports safety education program was created in OSMB that required motorboat operators to hold a towed watersports endorsement and motorboat owners to hold a certificate decal when engaged in towed watersports in specified congested waters.

Senate Bill 1589 establishes the maximum loading weight of a motorboat as less than 5,000 pounds to obtain a towed watersports motorboat certificate. The Act prohibits a person from using a device or individuals to increase wakes and engage in wake surfing within Newberg Pool Congested Zone.