

My name is Don Fuchs. I have lived along the upper Willamette River in Newberg, OR for more than 10 years and have direct knowledge of the impacts that wakeboats are having within the Newberg Pool.

I am here to vehemently ask you to [support SB 1589](#) for the following reasons:

- Soft sandy loam soil and wake energy = erosion. The bigger the wakes the bigger the erosion. Although this seems self-evident the wakeboating industry disingenuously won't acknowledge that their large wakes are causing very real and permanent damage to private property, public property and to this natural resource. All you have to do is take a boat ride during boating season to see the significant shelves that are being carved out of the foot of the bank along the river. It is self-evident and it is significant and it is permanent damage. I have been documenting this for the past few years along my own property. This has been studied by Oregon State University Scientists as well as scientists from other respected institutions within Oregon and in other jurisdictions. There is no question that the large wake activity of wakeboats are causing significant damage. The wakeboating industry does not want to acknowledge the facts—their wake activity is causing significant and permanent damage to people, to the public and to this beautiful river.
- TO BE CLEAR WE ARE NOT PREVENTING BOATING NOR ARE WE PREVENTING WAKEBOARDING OR WAKESURFING. WE ARE SIMPLY ASKING OPERATORS OF THE VERY LARGE HEAVY BOATS TO USE THOSE BOATS FOR TOWED WATERSPORTS ELSEWHERE. Boaters using boats that weigh less than 5,000 pounds will be able to enjoy all watersports in the upper Willamette. This is being mischaracterized by the opponents of this bill.
- As a property owner I am frustrated and angry that the marine board has not addressed this issue before which is why we are here. My shoreline has been damaged every year in significant ways and I suffered a large erosion event that cost me more than \$100,000 to remediate. Now, I have a wall along part of my bank where I used to have a beautiful bank with natural indigenous vegetation because the foot of my bank eroded to the point that the remainder of it fell into the water. The number of slides along the river has increased significantly over the past 2-3 years as a direct result of this wake activity—not as a result of homeowner mismanagement. How long do

we have to wait to protect the river and how many more remediation walls do we have to construct before we take action to prevent this damage from occurring. Will we wait until the full length of the river is walled so that the river begins to look like a canal?

- The damage caused to the foot of the banks by wakeboats cannot be attributed to homeowners clearing the natural vegetation from their banks. That is a disingenuous “red herring” that is being purported by the opponents of this bill to try to remove attention from their activities. The river is protected by the Willamette Greenway Zoning rules which “Maintain the integrity of the Willamette River by minimizing erosion, promoting bank stability, and maintaining and enhancing water quality and fish and wildlife habitats.” This means that homeowners must adhere to very strict requirements before making any changes to their property along the river. This includes prohibiting us from taking protective or remediation action to try to protect our properties from this activity. So we are in a very difficult place because we have to literally watch our banks being eroded by each large wake that crashes into our banks like ocean waves, knowing that we are losing our valuable property and will continue to do so.
- There is also significant impact of these wakeboats on other users of the river which include paddlers, swimmers, and fishermen who are frequently disrupted and capsized by the large wakes that plow into their watercraft. These boats are the BULLIES OF THE RIVER and disrupt almost every other class of users within the waterway.
- This bill will help to reduce large wakes by removing the larger boats that are causing the largest wakes and are simply not suitable for the narrow waterway and soft soil of the upper Willamette River. These larger vessels should be operated in other locations that can absorb the impact of the large wakes. But this bill DOES NOT PREVENT BOATING OR TOWED WATERSPORTS IN THE NEWBERG POOL. It simply prevents the heavy boats above 5,000 pounds from engaging in towed sports (they can still boat in the river, just not towing anything). This bill is a fair restriction against activity that clearly is causing significant and irreparable damage to the sensitive shoreline and to private property.
- Also—there is not evidence that this bill will have any impact on local business. These heavy boats have other more appropriate options if they

want to wakesurf or wakeboard. Likewise, other boats that are compliant will continue to use the Willamette River and other local bodies of water. This bill does not stop boating in the Willamette River. It simply redirects the heavier boats to alternative locations. Boat dealers will continue to sell boats. Lake Oswego, which has more restrictive regulations, still has many new boats running around it. These boat dealers have benefited from growing revenue over the past few years and will continue to do so.

- PLEASE VOTE FOR SB 1589 AND PROTECT OUR NATURAL RESOURCES AS WELL AS PREVENTING DAMAGE TO PRIVATE PROPERTY ALONG THE SHORELINE.