



February 23, 2022

Representative Pam Marsh, Chair  
Representative Zach Hudson, Vice-Chair  
Representative David Brock Smith, Vice-Chair  
House Committee on Environment and Natural Resources

Re: Trout Unlimited Supports Senate Bill 1589 without “-7” Amendment

Dear Chair Marsh, Vice-Chairs Hudson and Brock Smith, and Members of the Committee,

Trout Unlimited (“TU”) is a non-profit organization dedicated to the conservation of cold-water fish (such as trout, salmon, and steelhead) and their habitats. The organization has more than 350,000 members and supporters nationwide, including many members in Oregon. TU and its members are committed to caring for Oregon rivers and streams so future generations can experience the joy of wild and native trout and salmon. TU also supports recreational boating opportunity consistent with that paramount conservation goal.

**TU supports SB 1589 without the proposed “-7” amendment.**

SB 1589 will take measures to protect water quality in the Willamette River, and thus, the habitat for native fish that inhabit and migrate through it (both downstream to the ocean as juveniles, and upstream to spawn in its tributaries as adults).

As recreational boats get larger and heavier, there is increasing evidence that the fish habitat in the Willamette River is suffering. The increasing number of large ballast capacity motorboats on the Willamette is creating erosion and water quality concerns in the Newberg Pool Congested Zone of the Willamette River (the “Newberg Pool”). Because the Willamette River is home to numerous runs of anadromous fish — many of which are struggling — water quality issues in the Newberg Pool affect native fish populations throughout the Willamette River basin.

To address this problem, the legislature enacted HB 2351 and HB 2352 in 2019 in effort to minimize the effects of artificial wave energy caused by boat wakes in the Willamette River. Thereafter, the Oregon State Marine Board established a 10,000 pound weight limit for motorboats (based on ramp capacity) in the Newberg Pool.

SB 1589 will reduce the maximum loading weight limit for motorboats that engage in towed watersports in the Newberg Pool to 5,000 pounds, and prohibit wake surfing in the Newberg Pool from a boat that uses methods to increase wake sizes. TU expects these changes to reduce wave energy in the Newberg Pool that damages the shoreline and riverbanks, and thereby reduce the ongoing erosion and related water quality issues.

Many native fish in the Willamette River basin depend on water quality in the Newberg Pool at some point in their life cycles. As examples only, wild spring chinook from the McKenzie River, and wild winter steelhead from the Molalla and Santiam River basins, migrate through this river corridor twice in

their respective life cycles, and require sufficiently high water quality throughout their migration corridors to ensure they return to their home streams as adults. Similarly, the wild coho salmon, winter steelhead, and spring chinook in the Clackamas River (which enters the Willamette about 1.5 miles downriver of the Newberg Pool, as the “Newberg Pool Congested Zone” would be redefined by Section 2 of SB 1589) need high water quality from upstream portions of the Willamette during their respective migrations. TU expects enactment of SB 1589 to improve the water quality these fish experience by reducing streambank erosion in the Newberg Pool.

Salmon are present in the Newberg Pool during the summer boating season. For the Committee’s reference, I have attached a spreadsheet showing upstream fish passage data collected at Willamette Falls and reported on the Oregon Department of Fish & Wildlife’s [website](#). This information – which I’ve included for 2021 only – shows that adult salmon migrate upstream into the Newberg Pool (as it would be redefined in SB 1589) in every month of the summer boating season. In 2021, this included: 8,812 adult chinook in June; 2,479 adult chinook in July; 1,182 adult chinook in August; and 9,602 adult coho and 1,932 adult chinook in September. Those figures do not include “jack” sub-adult size salmon. Further, juvenile salmon and steelhead out-migrate though the reach (typically very close to the shoreline where they are vulnerable to the effects of large ballast boats), and lamprey may also be present seasonally in the Newberg Pool. Juvenile salmon and steelhead, resident trout, and lamprey are not included in the attached fish count spreadsheet. Accordingly, the presence of native and migratory species in the Newberg Pool (as it would be redefined by this bill) is greater than what is reflected in Exhibit A alone.

### Conclusion

TU supports passage of SB 1589. Thank you for this opportunity to provide comments on the bill, and please let me know if you have any questions.

Sincerely,

James Fraser  
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Trout Unlimited  
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Exhibit A

2021 Upstream Fish Passage Numbers – Willamette Falls

*(Attached.)*