Supplemental Testimony of Travis Williams of Willamette Riverkeeper to the House Committee on Environment and Natural Resources
<u>We Support SB 1589!</u>

February 23, 2022

RE: Support - SB 1589 Without Amendments

Dear Chair Marsh, Vice-Chair Hudson, Vice Chair Brock Smith, and members Goodwin, Helm, Moore-Green, Owens, Pham, Valderrama, and Wilde:

I ask that you pay careful attention to the proposed amendments to this bill proposed by Representative Brock Smith. In our view, these proposed amendments only seek to delay real action on this issue until such time as the political climate might swing in their favor to put an end to this discussion.

a) ***Accurately Defining the Newberg Pool*** - One aspect of the bill, accurately defining the definition geography of the Newberg Pool from the Falls to the Yamhill River, is the right thing to do, yet one of the proposed amendments seeks to strip that out of the bill. For generations the Newberg Pool has been known as the stretch of river from the Yamhill, to Willamette Falls. Further, the stretch of river from Rogers Landing to the Yamhill is highly problematic at times from May through September. It has zero regulation at this time due to the mistake made several years ago. The intent is to fix that mistake. **In our view the most important stretch to include is the stretch from Rogers Landing at RM 50, to the Yamhill River, at RM 55.**

b) ***Fish Presence*** - The firm hired by the wake boat industry to conduct a literature review regarding impacts to ESA listed fish missed a few important things. One need simply to look at the fish counts at Willamette Falls conducted by ODFW to see there are many listed spring chinook and winter steelhead in the Newberg Pool. Dr. Stan Gregory provided supplemental testimony this morning on this including a graph that shows the months of May and June with significant numbers of these species, and well into July. The data are from the past 19 years, and are an official account by the State of Oregon, and the US Geological Survey. Further, they are present in large numbers. As Dr. Gregory's letter submitted today states, *"Existing scientific evidence clearly demonstrates that ESA-listed juvenile salmonids are present in the reach below Newberg during periods when large-wake-producing boats are using the Willamette River. Studies also demonstrate that shallow margin habitats the Willamette River are critical habitats for juvenile Chinook salmon and steelhead."*

c) ***c) Wake Boat Use*** - Some in the wake surfing community also seek to diminish when these craft are used on the Willamette River. Over the past several years, these craft are routinely used from ***May through September, and even into October.***

To reiterate, wake boats impact the river's environment, but they also affect private property, and other river users. That is why this is a very real issue that is being seen in multiple states. People are simply fed up, and the efforts by this industry to dodge any real accountability are astounding.

It has been interesting to me that, after denying the concerns of a great many people, and having seen some of the conclusions by well-regarded scientists denied by the wake boat industry, that suddenly the wake boat industry is all about science.

The simple fact is that these boats, that have the sole purpose of creating large, artificial wakes. There are other more appropriate water bodies in Oregon for these craft to use. The Newberg Pool stretch (nor anywhere upstream) of the Willamette River is simply not appropriate.

Willamette Riverkeeper's mission is to protect and restore the Willamette River's water quality and habitat. I believe most of you share this goal as well.

I urge you to support SB 1589 without amendments. Thank you for your consideration.

Sincerely,

Travis Williams
Riverkeeper & Executive Director
Willamette Riverkeeper