



Oregon State Marine Board
Marine Board Meeting Minutes
January 25, 2023
Salem, Oregon

For the complete recording of the January 25, 2023 Board Meeting, please contact Jennifer Cooper, Jennifer.cooper@boat.oregon.gov, or visit [Oregon State Marine Board : Board and Public Meetings : Agency Info : State of Oregon](#)

0:00:16 – Chair Laura Jackson called the January 25, 2023, meeting of the Oregon State Marine Board (OSMB) to order at 8:31 am.

Board Members: Val Early, Laura Jackson, Colleen Moran, and Craig Withee, were present.
Jorge Guzman was absent.

Staff: Larry Warren, Director; Janine Belleque, Josh Mulhollem, Brian Paulsen, and Jennifer Cooper were present.

Approval of Minutes - 0:00:40

Chair Jackson asked for review and approval of minutes for October 26, 2022.

0:01:00 – Member Early made a motion to approve the minutes from the October meeting. Member Withee seconded the motion. Motion passed unanimously.

Public Comment - 0:01:21

Chair Jackson provided a few reminders regarding the public comment process.

0:02:25 – Jeff Wilmarth, Pacific Pond Charters, spoke about his experience with the current Guide complaint process. Mr. Wilmarth asked that a complaint policy and process be followed for Guide issues to make sure that all issues are dealt with in a fair and equitable way.

Board Agenda:

Item A: Director's Agency Report - 0:04:23

Director Larry Warren provided a brief update on the Governor's Office staff changes, Agency Director expectations, Wasco County Sherriff's Office contract, and Board appointments.

0:11:32 – Member Early recommended that the GAC look at the Guide professional and ethical standards and update them to include social media. Member Early also recommended that the complaint process be reviewed.

0:14:21 – The Board Members engaged in discussion with Director Warren regarding Marine Law Enforcement budget adjustments, regular follow ups on boating fatalities, the Columbia Slough Watershed Council, Board participation in the Marine Law Enforcement Academy, social media posts and boating obstruction reporting.

Item B: Grant 1717 – State Parks, Mayer State Park - 0:30:45

Janine Belleque, Boating Facilities Program Manager, and Darrell Monk, OPRD Senior Project Manager, provided an overview of the project and the grant request.

0:42:14 – Member Withee made a motion to approve Grant 1717 in the amount of \$342,000 in Boating Facility Grant funds. Member Moran seconded the motion. The motion passed unanimously.

Item C: Grant 1718 – Port of Bandon, Marina and Boat Launch - 0:43:23

Ms. Belleque and Jeff Griffin, Port of Bandon Port Manager, provided an overview of the project and grant request.

0:55:30 – Member Early made a motion to approve, subject to legislative approval of the agency’s 2023-25 budget, \$1,020,899.31 in Boating Facility Grant funds, \$145,100.59 in Waterway Access Grant funds, \$762,283.00 in Federal Boating Infrastructure Grant funds and \$61,827.00 in Clean Vessel Act funds for a total of \$1,990,109.90 from the 2023-25 Boating Facility Grant funding to match \$7,397,389.10 of cash and administrative match for a total project for grant 1718 for the Port of Bandon. Member Withee seconded the motion. The motion passed unanimously.

Item D: Updated Rules Language - 0:58:10

Josh Mulhollem, Environmental and Policy Program Manager, provided an overview of the updated language and changes that were made to the rules in OAR Chapter 250 Division 20.

1:10:09 – Member Withee made a motion that the Board approve item D, local rule reorganization and standardization of language, as proposed by staff. Member Moran seconded the motion. The motion passed unanimously.

Item E: Board Meeting Timelines - 1:10:57

Director Warren shared the timelines and agenda items for upcoming Board Meetings and asked the Board to share any topics they would like to see on future agendas.

1:16:41 – The meeting adjourned at 9:47 am.

Respectfully submitted,
Jennifer Cooper

Item A: Executive Session ORS 192.660(2)(h)

01. The Board will meet in executive session pursuant to ORS 192.660(2)(h)

Item B: Agency Director's Report

Agency Overview

01. The 2023 Legislative Session has passed the halfway point. The OSMB budget presentation went well. Chair Jackson attended the presentation and was able to personalize the implementation of the Waterway Access Program.

With some key session deadlines already passed, the amount of bills has been reduced from approximately 2,900 to roughly 1,600 active bills. OSMB is actively tracking 43 bills. They range in scope from wake surfing to public procurement.

02. Agency staff did an excellent job representing the agency at the Portland Sportsman Show. Of note was how many questions staff received about boating education. With no recent changes to boating education laws, the interest was surprising. This anomaly seemed to correlate to the growing number of new nonmotorized boaters and people becoming first time powerboat owners.

Administration

01. Director Warren has focused on ensuring the agency meets the Governor's expectations she established for all agencies. The agency meets nine of the 12 expectations. Of those not being met, two are waiting on Department of Administrative Services contractors and guidance and one is in process with an anticipated completion date of April 30, 2023. None of the three expectations are past the due date established by the Governor.

Boating Safety Program

Waterway Program

01. The agency has completed a contract with NRC Environmental Services Inc. to install and maintain Slow No Wake (SNW) buoys in the North Portland Harbor and St. Helens – Sand Island area of the Multnomah Channel. The contractor will be installing ten SNW buoys with attached solar lights in specific locations delineating the existing SNW boundaries. Four of the ten buoys will be placed in the vicinity of Sand Island on the Multnomah Channel and the remaining six will be placed in North Portland harbor. Installation of the new buoys is to be completed no later than June 1, 2023.
02. The agency funded a new raft fully outfitted with trailer for Curry County Aquatic Safety. The agency contracts with Curry County Aquatic Safety for Boating Safety Advocate specific education and outreach work. Boating Safety Advocate Luke Martinez will be utilizing this raft for education and outreach on the south coast of Oregon. The south coast is home to many popular rivers that are recreated year-round. This raft will provide a safe platform to better serve boaters for educational outreach. OSMB contributed \$13,919 for this equipment purchase which is set to arrive in early July 2023.
03. The law enforcement boat program is currently overseeing three builds in varying stages of construction. The law enforcement specific boat builds include two center console T-top for Marion and Klamath County Sheriff's Office. The third is a forward helm walk through window, inboard jet for Malheur County Sheriff's Office. These boats are scheduled to be completed and delivered by June 2023. This will complete all five boat builds for this biennium under the Standard Platform Specifications adopted by the Law Enforcement Advisory Group. The agency directly contributed \$619,258 towards new law enforcement boat builds, boat repowers, drift boat, raft, personal watercraft, and additional equipment purchases for marine law enforcement.

Outfitter Guide Program

01. Agency staff created a formal Outfitter & Guide – Complaint Policy & Procedures at the direction of the board:

Outfitter Guide Program – Complaint Policy & Procedures

“Purpose

The purpose of this policy is to establish a procedure in which public complaints are addressed. This policy is intended to assist the agency in carrying out a fair and consistent complaint review process.

Complaints Defined

For the purpose of this policy a complaint is defined as a written document that describes a violation of laws, rules, or ethical and professional standards.

Policy

All complaints of a criminal nature shall be forwarded to the appropriate law enforcement agency. Non-criminal complaints shall be addressed by the agency designees.

Criminal Complaint Process

- a. Criminal complaints shall be date stamped when received and a copy of the complaint shall be placed into the guide’s file.
- b. The original document shall be sent to the appropriate law enforcement agency. A notation is to be entered into the guide’s file with the date and agency the complaint was sent to.
- c. Complaints are considered confidential and should not be discussed with the public until final disposition.
- d. The investigating agency shall make a determination as to the validity of the complaint and if formal action is required.

Formal Actions (may include):

- i. No Action (Unfounded and Unsubstantiated)
 - ii. No Action (Warning)
 - iii. Legal Action (Citation of Formal Complaint)
 - iv. Recommendation for Civil Penalties
 - v. Recommendation for Written Reprimand
- e. Completed cases resulting in enforcement action will be reviewed for possible guide registration sanctions. Any sanctions shall be in accordance with the adverse actions sanctions policy and procedures.

- f. Upon completion of the investigation:
 - i. A copy of the investigation report is to be added to the guide's file.
 - ii. The guide's file will note the disposition of the case.
 - iii. In cases where law enforcement issues a warning, the warning shall be in writing.
 - iv. Copies of citation and any court disposition shall be added to the file.

Non-Criminal Complaints Process

- a. Non-criminal complaints shall be date stamped when received and copy of the complaint shall be placed into the guide's file.
- b. The agency will follow up on the available information and determine if the complaint can be substantiated or unsubstantiated.
- c. The guide will be advised of any complaints that are added to the guide's file.
- d. The results of the complaint review shall be noted and attached to the complaint.
- e. Upon completion of the non-criminal complaint review:

Unsubstantiated Findings

- i. In cases that the complaint cannot be substantiated the guide will be advised of the findings and the file shall have a copy of the findings attached to the complaint.

Substantiated Findings

- i. Any substantiated findings shall be shared with the guide, and the guide will be allowed to submit a written rebuttal. The written rebuttal shall be attached to the complaint.
 - ii. Substantiated findings can result in civil penalties, adverse actions or sanctions. The sanctions shall be carried out as outlined in the adverse actions sanctions policy and procedures.
 - iii. No written rebuttal will be allowed in complaints resulting in sanctions, stipulated agreements, administrative hearings, or final orders.
 - iv. Disposition of the complaint shall be noted in the guide's file."
02. The agency currently has 1,142 actively registered Outfitter Guides in which 62 of these are new to the program this year. There are currently 68 pending registrations needing additional documents, and 53 in the queue to be processed.
 03. The agency is conducting a survey of those currently enrolled in the Outfitter Guide Non-Resident Hunt Tag Program for feedback on all aspects of the program including Oregon State Police and Oregon Department of Fish and Wildlife roles. The survey was designed to gather broad input needed to help pilot discussions for possible modifications or updates to the program.
 04. The agency has formalized the Outfitter and Guide Adverse Actions Sanctions Policy and Procedures that have been utilized for the past 5 years.

Law Enforcement Advisory Group

01. The Law Enforcement Advisory Group met March 16, 2023, virtually. There were 40 individuals with representation from 23 law enforcement agencies and OSMB staff members present for the meeting.
02. Agenda items included training updates, electronic boat examination report updates, fiscal and contracts updates, allocation formula survey review, performance reports, and marine event permits.

Law Enforcement Program

01. Registration for the annual Oregon State Marine Board Marine Law Enforcement Academy (MLEA) opened March 1st and is now at capacity. Attendees will consist of approximately 40 students from 16 different agencies, 38 instructors and 4 volunteers. Week one of the MLEA will begin on Monday, April 24th and run through Friday, April 28th. Week two will begin on Tuesday, May 2nd and run through Friday, May 5th. All meetings and classroom sessions will take place in the lower-level conference room at the Inn at Cross Keys Station located in Madras, Jefferson County. All on the water training will take place on Lake Billy Chinook. With the larger student attendance, we're anticipating over 38 boats will be utilized for the on the water training portion during this year's academy.
02. Agency staff continuing to advance the Electronic Boat Examination Report (EBER) system by utilizing the ArcGIS applications Survey 123 and Field Maps. These apps are designed to gather data including real time GIS data which can then be viewed on a dashboard. This information can be used for a variety of purposes such as public accountability, seeking patterns for passing and failing BERs and overall enhancing boating safety. The agency been utilizing a advisory group of "Super Users" consisting of specific law enforcement partners who have been field testing the applications. In doing so, they can share problems, concerns, successes, and ideas to enhance the EBER experience for marine law enforcement across the state. Staff have integrated Field Maps into EBER's, in which Field Maps is an enhanced version of Survey 123 when conducting a BER. Field Maps has more functionality, searchability, capability for more layers and essentially acts as a data collection tool for all BERs entered through either Survey 123 or Field Maps. All marine law enforcement and agency staff will have access to a dashboard which will allow boater contacts, citations, warnings and extract specific data that was entered through the EBER applications to be reviewed and analyzed. The goal is to introduce this new, upgraded technology during the 2023 MLEA to all marine law enforcement partners, with the expectation they will use it from then on.

Education & Outreach Program

01. Staff is representing Oregon on the national Education Policy Sections project. This project entails providing education course approval training to state reviewers and evaluating the current process which the boating education assessment questions are weighted to ensure they are aligned with the U.S. Coast Guard Incident (Accident) Reports. When necessary, advise on course submissions to determine compliance with NASBLA interactive course requirements.
02. Staff is representing Oregon on the Enhanced Recreational Boating Certificate. This project entails establishing an enhanced boating certificate that would encourage boaters to take existing knowledge and hands-on skill-based boating education courses. Establish guidelines for issuing an Enhanced Recreational Boating Certificate (ERBC) based on completion of an existing NASBLA Approved Knowledge Course and an existing Verified On-Water Skills-based course. Work with NASBLA staff to draft a comprehensive process

boaters would be required to use to obtain an ERBC. Identify potential vendors that could be used to administer the ERBC program. Approximate the cost of issuing an ERBC to boaters. Identify any industry partners that would have an interest in participating in or utilizing an ERBC program.

03. Staff attended the 31st Annual Umpqua Fish Enhancement Derby during the kid's day in February. The kid's day involves approximately 80 fifth grade students from Eastwood Elementary School going to Cooper Creek Reservoir. Many Oregon outfitter and guides volunteer their time and boat to take the kids fishing. Before going on the water, each child is fitted with a life jacket that they then can take home. Staff assisted with fitting the life jackets and talking boating safety to attendees.

Boating Incidents & Fatalities

01. Oregon has had 3 reported recreational boating fatalities for the first quarter of 2023, which is 3 more than the first quarter of 2022. The oldest victim was 52 and the youngest was 38 years of age; and two men and one woman.
02. In the first quarter of 2023, there has been a total of six reported incidents, in which two were fatal.
03. There was a double fatality incident in which the cause of death was possibly Carbon Monoxide poisoning with an anchored cabin cruiser boat on the Columbia River.
04. The cause of death for one victim was drowning when the sole operator in a small inflatable raft capsized, no life jacket was worn, the incident occurred on the Netarts Bay.

Business Services Program

Budget and Finance

01. We are currently 87.5% of the way through the 2021-23 biennium and agency revenues are currently at 81% of budgeted revenues. When filtering out the fuel tax (which is only collected annually in July/August) agency revenues are at 88% of budgeted revenues, which is slightly above the target for the biennium. This is mostly due to the success in Waterway Access permits, which have already surpassed its revenue target, as well as other smaller agency revenue items (Guides & Outfitters, Education Cards, TWS, Floating Homes and other Misc. revenues) that have also exceeded their targets.
02. Registration & Titling revenues are still behind target as we've continued to see decreases in the number of boat registrations each year. Thus far the agency has collected 84% of budgeted revenues from registration & titling and we've also seen an overall decrease in registration renewals during the renewal season compared to a biennium ago. Last biennium (2019-21) the Marine Board collected \$6.9 million in registration revenue from the two renewal seasons (November-January). This biennium the agency collected just \$6 million during the same renewal months, representing a 13% decrease.
03. Thus far the agency has spent 64% of its allocated expenditures for the 2021-23 biennium. While this is below the percentage of how far we're into the biennium it's normal for the agency to be around 3-6 months behind because a large majority of agency funds are spent as special payments towards governments/organizations and are usually paid out on a reimbursement basis. Examples of this are our law enforcement partners, grant recipients and our partnership with ODFW on the AIS program. The agency will have until December 2023 to spend its limitations towards each of its contracts and grants.

04. Business Services has updated some of its projections as we start to turn towards the new biennium that begins July 1st, 2023. Fuel tax revenues are expected to increase to \$10.4 million which is up from the budgeted \$8.58 million that was in the 2021-23 LAB (21% increase). Waterway Access Permit revenues are expected to increase from \$2.03 million to \$2.67 million (31% increase). Registration & Titling revenues are expected to decrease from \$17.4 million to \$17.1 million (2% decrease) which will also have a negative impact on AIS revenue from registrations.
05. The overall impact from these revenue projections points towards a \$1.5 million surplus in the budget which will increase the agency's cash balance to an estimated \$13.6 million to begin the 2023-25 biennium.

GIS and Planning Coordinator

01. Working with the Boating Safety Program and a focus group consisting of Marine Patrol Officers to redesign and further develop the Electronic Boater Examination Reports (eBER). This includes an updated survey tool that provides for all the typical boating citations or warnings issued, a field maps application that provides Marine Patrol with a spatially accurate pocket rule guide and other relevant reference data, and a dashboard to view the eBERs on an interactive map with charts, infographics, and data tables. This will reduce the time it takes for Marine Patrol and OSMB to report on BERs and allow OSMB to perform further GIS analysis to explore local or regional boating trends.
02. Developing a way to update boating maps with information from the opportunities and access report (OAR) so that information is shared with boaters through the map to show access closures and restrictions and to provide a way to record the history and track patterns of closures and restrictions to boating at recreational boating facilities.
03. Developed a GIS Project Tracker for internal use at OSMB to better inform Agency Staff about the various GIS projects and GIS needs in the Agency.

Procurement

01. Oregon Buys was an eProcurement System implemented in 2021. The second phase of procure-to-pay functionality will be implemented on May 2nd. Procurement and accounting staff have been attending trainings, testing scenarios and training agency staff so the go-live date will go smoothly.

Business Services Communications

Date	Title
03/17/2023	Marine Board Seeks Public Comments on Cycle One Grant Applications
01/26/2023	Marine Board Conditionally Approves Grants, Administrative Rules Housekeeping
01/19/2023	Recreational Boating Fatalities Down in 2022 but Remain High
01/13/2023	Marine Board Meeting in Salem January 25
01/04/2023	Marine Board Seeks Public Comments for Mayer State Park and Port of Bandon Cycle One Grant Applications

Media Monitoring

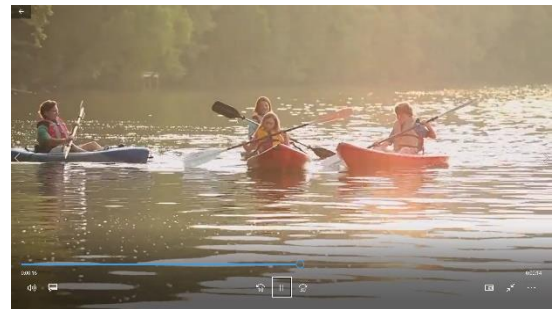
01. The agency's *Your News* media monitoring service captured agency media stories via traditional radio, television and print using Boolean search terms for relevant results.

02. The following analytics include January through April 5, 2023. Total story count = 47. Total audience reached = 428,425 (statewide). Total calculated ad value = \$15,827. Publicity value = \$47,478.
03. Stories included topics included recreational boating fatality and incidents for 2022, boating facility grants, navigation obstruction on the McKenzie River, funding for abandoned derelict vessels in the Portland area, boating safety education courses, former Marine Board member Court Boice being selected to serve as state representative for House District I and boater(s) appearing to intentionally run over sea lion pods near Hayden Island.
04. The PIO participated in an in-depth radio interview with Captain Bob's No Wake Zone radio program from Michigan about the positive outcomes of boating safety education with a deep dive into the annual statistics. The segments were linked on the station's web page.



Media Outreach

01. Business Services is entering into another purchase order with Univision and the bilingual (English/Spanish) life jacket wear campaign. The digital email list originally contained 116,940 emails from people who have done business with the agency from a September import from email addresses in the agency's BOATS system.
02. The campaign will run from July 1 through the first week of September, similar to 2022. The campaign will include :30 and :60 second public service announcements on the importance of wearing a life jacket whenever people are in and around the water. The :60 second segment includes narration by Dr. David Cardona, a highly respected member of the Spanish-speaking community.
03. Additionally, the campaign includes a digital ad on Univision and KUNP's social media sites and website.
04. Univision is also able to target and amplify bilingual messaging to the BIPOC community, which is a growing market share and demographic.



Direct Email Communication

01. The [Opportunities and Access Report](#) (OAR) continues to receive subscriptions daily. As of April 5, the list contained 1,741 subscribers with an open rate of 62.65% and click rate of 5.45%. After a seasonal hiatus, the OAR will continue in March as facilities begin to open for the spring.
02. In September 2022, Business Services migrated to a list service once used for issuing news releases called Mailman. This service was once provided by the State Library and is now managed by the Department of Administrative Services. The Mailman service sender (From address) in direct emails is Boat_Oregon_Newsletter@omls.oregon.gov. This service is now used for direct email of the Boat Oregon Newsletter.

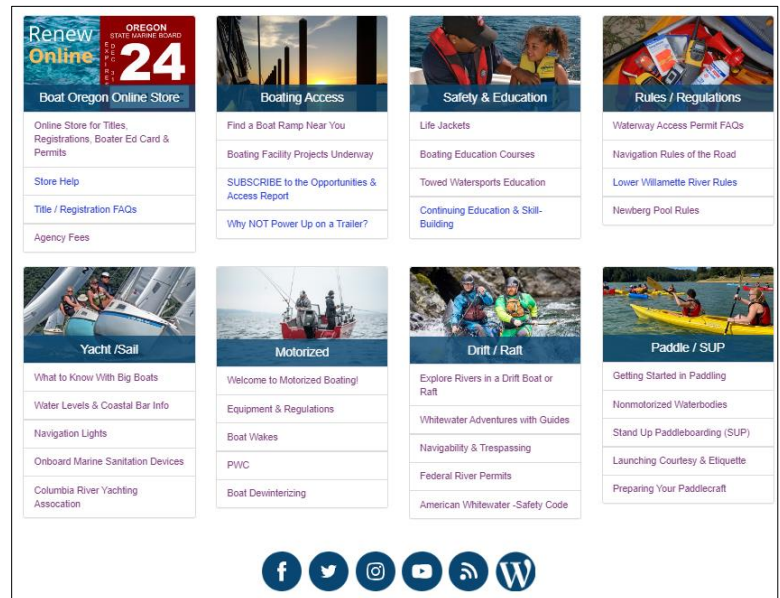


The Mailman service is no cost to the agency, however; detailed analytics are unavailable. The newsletter HTML is created in MailerLite then copy/pasted into an email to the Mailman portal. If people opt to unsubscribe, their emails are automatically removed from the newsletter list in Mailman.

03. ODFW provided email data which was imported to the Boat Oregon Newsletter list and contained 32,835 waterway access permit email addresses.
04. The [newsletter](#) is also accessible, along with past editions, on the agency's website from the top navigation bar drop-down under the Agency Info tab.
05. The spring edition was distributed on April 3, 2023. By April 5, the Boat Oregon Newsletter List contained 149,562 emails with two dozen individuals who unsubscribed. Subscriptions to the OAR and BON had a net increase of 91 in a two-day period.

Website Reorganization

01. Website back-end reorganization continues. In January, an Agency Communications Advisory Group (ACAG) was convened to assist the Public Information Officer serve as a focus group on website content for the reorganization.
02. Members represent each section of the agency and as well as existing website contributors.
03. A charter was developed to help define the scope and objectives of the group.
04. The ACAG helped define the headings, topics, and images of four new task boxes for the home page based on propulsion types. New landing pages were created with tailored content for each propulsion type, and pages are streamlined with a consistent look and feel. Content is now more refined and nested within accordions for easier viewing on digital devices.
05. Originally, the ACAG was charged to help develop questions for external usability testing and recruiting their audiences to participate. After further consultation with subject matter experts in the ACAG, this goal was modified for usability testing only for the Boating Facilities content. The Boating Facilities subsite content, framework and navigation are new and unique, and would benefit from usability testing by specific target audiences. Card sorting exercises and usability testing are only required by the E-Governance Program (Department of Administrative Services) when a website is being redesigned. The Public Information Officer will work with the Boating Facilities Manager to develop user tasks and identify a user pool independently of launching the newly reorganized site content.
06. The goal is to have the reorganized content go live by mid to late April before the traditional start of the boating season in May.



Oregon State Marine Board

Operation Results for the 2021-23 Biennium

As of March 31, 2023*
Dollars in Thousands



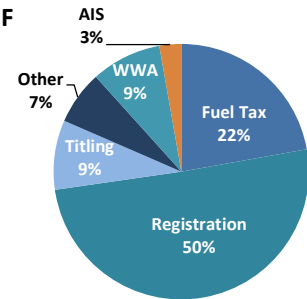
Other Funds

Revenue	Budget	Actuals	% of	Projected
	2021-23	3/31/2023	Budget	2021-23
Fuel Tax	\$ 8,580	\$ 5,448	63%	\$10,486
Registration	14,383	12,413	86%	14,240
Titling	3,006	2,157	72%	2,863
Waterway Access	2,030	2,184	108%	2,671
Aquatic Invasive Species	909	681	75%	791
Guides & Outfitters	656	680	104%	656
Mandatory Education	277	376	136%	277
Towed Watersports	11	36	322%	11
Floating Homes	47	52	109%	47
Other - Charters, Penalty, Interest, Misc.	374	528	141%	374
Total	30,273	24,555	81%	32,415

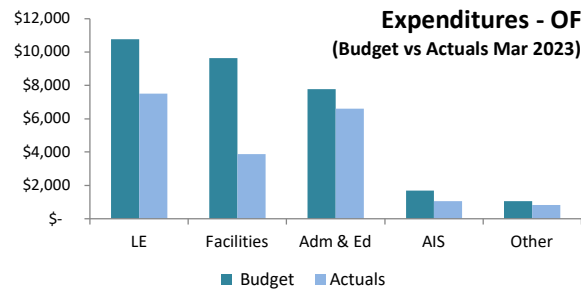
Expenditures	Budget	Actuals	% of	Projected
	2021-23	3/31/2023	Budget	2021-23
Law Enforcement	\$ 10,770	\$ 7,504	70%	\$10,770
Facilities	9,625	3,872	40%	9,625
Administration & Education	7,776	6,609	85%	7,776
Aquatic Invasive Species	1,701	1,062	62%	1,701
Guides & Outfitters	840	666	79%	840
Towed Watersports	50	9	17%	50
Abandoned Derelict Vessels	150	153	102%	150
Total	30,912	19,875	64%	30,912

Surplus (Deficit) in the Period	Budget	Actuals	Projected
	\$ (639)	\$ 4,680	\$ 1,503

Sources of Revenue - OF (Actuals Mar 2023)



Expenditures - OF (Budget vs Actuals Mar 2023)



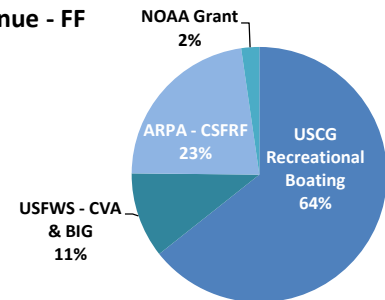
Federal Funds

Revenue	Budget	Actuals	% of	Projected
	2021-23	3/31/2023	Budget	2021-23
USCG Recreational Boating	\$ 4,428	\$ 2,844	64%	\$ 4,428
USFWS - CVA & BIG	2,070	477	23%	2,070
ARPA - CSFRF	1,000	1,000	100%	1,000
US Bureau of Reclamation	63	-	0%	-
NOAA Grant	100	100	100%	100
Total	7,660	4,421	58%	7,597

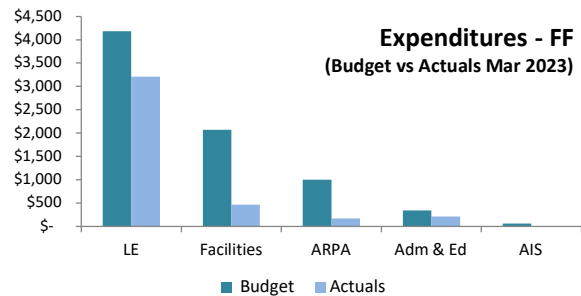
Expenditures	Budget	Actuals	% of	Projected
	2021-23	3/31/2023	Budget	2021-23
Law Enforcement	\$ 4,183	\$ 3,207	77%	\$ 4,183
Facilities	2,070	467	23%	\$ 2,070
ARPA - CSFRF	1,000	173	17%	\$ 1,000
Administration & Education	344	212	61%	\$ 344
Aquatic Invasive Species	63	-	0%	-
Total	7,660	4,059	53%	7,597

Deficit in the Period	Budget	Actuals	Projected
	\$ -	\$ 363	\$ -

Sources of Revenue - FF (Actuals Mar 2023)



Expenditures - FF (Budget vs Actuals Mar 2023)



Cash Balance

Beginning Cash Balance	\$ 5,512	\$ 12,122	\$12,122
Total Surplus (Deficit) in the Period	(639)	5,042	1,503
Transfers and Other Adjustments	337	(242)	-
Ending Balance	\$ 5,211	\$ 16,922	\$13,625

* Since month-end closing is scheduled on 03/14/23, March's figures are preliminary.

Boating Facilities Program

01. On February 16, Ann Fleckner joined the Facilities Program as our Administrative Assistant. She is learning about our grant processes through Cycle 1, Maintenance Assistance renewal and Small Grant applications as well as closing out existing grants. The technical skills and experience she brings from the private sector will benefit the Program. Shawn Priddle joined the Facilities Program on April 10 as our new Environmental Permitting Coordinator. Shawn previously worked for Douglas County in their wastewater program. Shawn will be assisting grant applicants through the complex permitting process, doing wetland delineations and jurisdictional determinations. We are very excited to have Ann and Shawn join our Team and be fully staffed.
02. Staff recently completed Archaeology Awareness training hosted by State Historic Preservation Office and State Parks. The week-long training included information about state and federal laws, inadvertent discovery plans, notification processes and field work.
03. Non-grant boating access site updates:
 - a. The Klamath Dam Removal project is moving forward with the drawdown initiated in March. Removal is anticipated in 2024. Staff is working with KRRC and committee on the two recreational boating sites the Board toured in October (Moonshine Falls and Pioneer West) that will be created and improved when the J.C. Boyle dam is removed. Staff are meeting KRRC, the consultant and outfitter and guides on April 24 to discuss site design for Moonshine Falls.
 - b. Staff completed five tours of Willamette River facilities including some on the Middle and Coast Forks with members of the Willamette Valley Tourism Studio. Tours were completed from Milwaukie Riverfront Park to Island Park on the mainstem, Clearwater Landing to Middle Fork boat ramp on the middle fork and Howard Buford Park on the coast fork. Participants included Willamette Riverkeepers, State Parks, Willamette Valley Tourism, Mt. Hood Tourism and several local governments within the reaches. This has been mutually beneficial for all parties, learning from each other and looking for opportunities to improve access and on-water enjoyment for all recreational boaters.
 - c. Staff met with City of Sheridan and numerous individuals about improving access to the South Yamhill River. This included looking at user made and very limited existing access sites from Confederated Tribes of Grand Ronde properties, City of Willamina, Polk and Yamhill Counties and City of Sheridan. There is also interest in other small communities along the river to improve access. Staff anticipates these preliminary discussions will transition into a community engagement process similar to the Clackamas River studio project.
 - d. Floating restrooms are a popular sanitation system on many reservoirs throughout the state. Over the last couple of years some restrooms were unable to be installed because of the low water levels. Staff is having discussions with facility owners about potential alternative locations during low water years. If suitable locations can be identified, staff will assist facility owners with obtaining permits and approvals to temporarily locate a restroom. Staff anticipates the cost of anchoring and transportation to fit within the limits of the Small Grant program.
 - e. Previously the City of Siletz applied for a grant to replace the boat ramp, add sanitation and expand parking into the middle property tier at Old Mill Park. Geotechnical boring is being completed to inform design decisions for the expansion of the parking area. The hydraulic analysis has been completed for the boat ramp. Staff will be developing design

concepts once the geotechnical report is completed and work with the City on a public comment process.



- f. Staff will be meeting with the new Linn County Parks Director Stacey Whaley to introduce the Facilities Program and discuss boating access improvements at Green Peter Reservoir, McCartney Park on the Willamette River and Clear Lake Resort. Green Peter Reservoir water flow operation is dramatically changing. Staff is looking at potential ways to improve access during the peak and shoulder seasons. McCartney Park is an old plank boat ramp with rebar hook and eye connections that is being undermined. Staff have requested consultation for hydraulics and permitting options. Clear Lake Resort has some custom-made accessible boats but the marina access to the boats and approach to the gravel boat ramp need to be improved for accessibility.
- g. Staff are working on design modifications for the self-adjusting docking system to improve dock performance going up when there is an increase in the water level. The design concept is shared with facility owner maintenance staff for comments and ideas. Once the concept has been vetted and modified, staff will work with a facility owner to pilot the design.
- h. Over the next eight months staff will be gathering Six-Year Plan data through boater and facility owner surveys, public engagement meetings and site assessments. The Plan is used to inform grant funding recommendations and priorities.
- i. Ten grant applications were received for Cycle 1 requesting \$5.4 million in funds with a total project cost of \$9.6 million. The applications are currently out for public comment and staff are beginning their internal review. The applications will be shared with the Board after the April meeting.

04. Updates on approved 2021-23 grants:


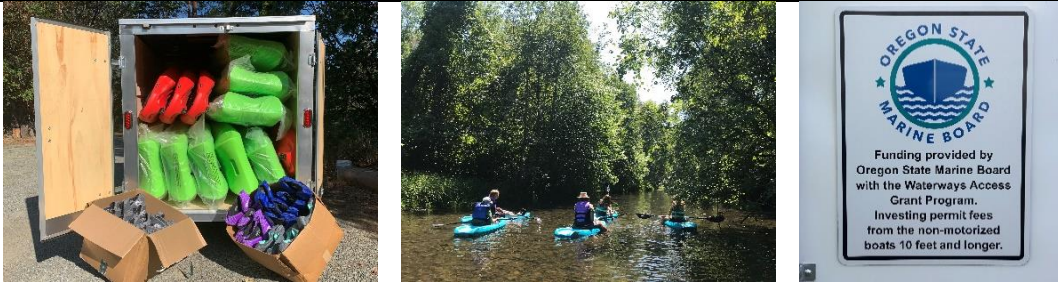
2021-23 Grant and Project Construction Status		
1672	Westport: Clatsop County, construction, replacement of ramp, boarding docks. Add vault toilet, short term tie-up, kayak launch, asphalt parking	Final reimbursement completed. Reference April and July 2022 Board Report for photos.
1674	Amacher Park: Douglas County, replace parking, add nonmotorized ready area at ramp	This project is completed. There are seven parking stencils and one four-foot section that have delaminated. The County is going to monitor the remaining striping and stencils and have correction actions taken next summer or early fall prior to cold and wet weather events.
		

1675	Boardman Marina: Boardman Parks and Recreation District, consultant services	Consultant has completed the biological assessment and will be submitting permits soon.
1676	Morgan Lake: City of LaGrande, install vault toilet, develop educational messaging.	The project is completed, and final reimbursement made.
		
1677	Cook Park: City of Tigard, consultant services	Archaeological work completed and consultant is preparing to submit permits.
1678	Buena Vista: Polk County, replace ramp, parking, add vault toilet, boarding docks and kayak staging area	The County has a new contractor under contract, materials have been ordered and contractor is waiting for the summer in-water work construction window.
1679	Scappoose Bay Marina: Port of Columbia County consultant services	Consultant under contract. Staff have provided comments to the Port. The consultant is preparing the permit applications.
1680	Eastside and Empire Boat Ramps: City of Coos Bay, replace boarding docks	The docks are installed. Waiting for final reimbursement request.
		
1681	Sandy Beach: OPRD, repair short term tie-up dock and debris boom	Repairs are completed and waiting for final reimbursement to be submitted.
1682	Wyeth: US Forest Service, replace ramp, repair road and parking area	Final reimbursement has been processed.
		
1683	Tualatin River Equitable Public Access campaign: Tualatin Riverkeepers	The final report is pending. See above for community forum meeting.

1684	Butteville Landing: Marion County, install piling, gangway and nonmotorized boat dock system	The County has withdrawn the application because the rule modification was taking longer than expected and the project cannot be completed by June 30, 2023. The County anticipates reapplying once the land use issues are resolved.
1686	Howard Buford Recreational Area: Lane County, consultant services	Consultant has completed public conceptual design and is waiting for the archaeological report to move the design into permitting.
1687	Luckiamute State Park: OPRD, consultant services	Consultant under contract. Staff have reviewed concepts and provided comments to OPRD.
1688	Baker Park: City of Grants Pass, overlay existing asphalt parking area	Project is complete and final reimbursement made.
		
1691	Hood River Marina: Port of Hood River, replace boarding docks	The boarding docks are installed and abutment modification complete. The Port is waiting for the asphalt plants to reopen so a small patch can be finished and the final reimbursement submitted.
		
1696	Upper Regional Rogue Park: Jackson County, Archaeologic and Hydro Survey and reports, wetland delineation.	Hydraulic report, wetland delineation and archaeological survey are completed. The conceptual design is being modified based on public comment.
1697	Howard Prairie Resort: Jackson County, replace and relocate marina, short term tie-up docks and gangways	County in the process of buying materials for construction phase. Installation anticipated late spring 2023.

1699	Hewitt Park, Low Water Ramp: Baker County, add vault toilet	The toilet has been installed with finish work happening beginning of April. Final reimbursement anticipated by May.
1701	Depoe Bay Harbor: City of Depoe Bay, replace boarding docks	The docks were delivered in early April. Final reimbursement is pending.
1703	Cedar oak: City of West Linn, parking improvements	The City is finalizing the design and obtaining city department permissions.
1704	McKay, Miller's Landing Columbia Parks: Bend Park and Recreation District. Nonmotorized access site feasibility study	Bend Park & Rec. District completed the public comment process on the design concepts. The concepts were presented to their Board and they are finalizing the feasibility. Final reimbursement is pending.
1705	Pickett Park: Douglas County, vault toilet and parking improvement	The County has prepared the base for the new toilet to be installed. The installation should be completed by mid-April. Bids are pending for the parking improvement.
		
1706	Tenmile County Park: Coos County, curbing, sidewalks and curb cut improvements	The contractor is completing work in sections and working with weather forecasts. The work is anticipated to be completed by end of May.
		
1707	Willamette Riverkeepers: River Discovery Paddle Program	WRK has previously provided interim reports and is scheduling events through the end of the biennium.

			
1708	Maupin Park: City of Maupin, consultant services	The City is completing work.	
1709	Lower Columbia Estuary Partnership: paddle access on Columbia and Willamette Rivers	18 trips were completed serving 321 people. The majority of participants were first time paddlers or had less than five previous experiences. The final report and reimbursement have been completed. The final report is an attachment to the Board report.	
			
1710	Yellowjacket Lake: Oregon Dept. of Fish and Wildlife, nonmotorized dock, accessible routes and parking.	The contract is awarded and the materials are being ordered.	
1712	Boones Ferry Ramp: Clackamas County, replace boarding docks	County has awarded a contract and docks are being fabricated.	
1713	Adventures Without Limits: Paddle access project and site videos	50 paddling trips have been completed, serving 749 people. An interim report has been completed and is attached to the Board report.	
1714	Lakeshore access: City of Estacada, consultant services	The consultant is finalizing design and engineering.	
1715	Columbia Slough Watershed Council: Equitable access to the outdoors program	CSWC has completed interim reports and is scheduling events and training through the end of the biennium.	
			

1716	Bandon Launch, Port of Bandon, boarding dock replacement	Docks are being fabricated.
P-39	McCuddy's Marina: McMarine, LLC, replace pumpout and dump station	Equipment is ordered.
2021-23 Small Grants Project Construction Status		
2122-01	Port of Toledo: Airport Ramp, repair boarding docks and crack seal, restripe parking area	Project completed; final reimbursement processed. Reference April 7, 2022, Board Report for photos
2122-02	Port of The Dalles: Port restroom, replace sewer line between restroom and city collection line	Project completed; final reimbursement processed.
2122-03	Nehalem Bay State Park: OPRD. Re-roof flush restroom nearest the ramp	Project complete. Final reimbursement processed. Reference April 7, 2022, Board Report for photos
2122-04	One Source Serenity, Veterans Healing on the Water. Opportunity for veterans to experience nonmotorized boating on Diamond Lake, North Umpqua River and Winchester Bay.	Final reimbursement is complete.
		
2122-05	Coyote Creek: ODFW, Archaeological survey and report for nonmotorized boating access future improvements.	The archaeological report has been received and final reimbursement is complete.
2122-06	Detroit Lake Marina: Replacement of sewer line from pumpout to holding tank damaged in fire September 2020.	Project completed. Final reimbursement issued. The Marina sent a video of the pumpout working instead of photos.
2122-07	Port of Garibaldi: replace transportation trailer used for floating restroom in Tillamook Bay.	Fabricator selected. Trailer to be completed fall 2022.
2122-08	Pacifica: A Garden in the Siskiyou. Provide kayaks, paddles, life jackets and an equipment trailer for outdoor school and youth camp participants to experience nonmotorized boating on Heron Pond.	Final reimbursement complete
		

2122-09	Campbell Park: Benton County, replace vault toilet	Project completed. Final reimbursement complete.
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Before:



After:



2122-10	Salmonberry Park: Benton County, replace vault toilet.	Project completed. Final reimbursement complete.
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Before:



After:



2122-11	Empire Boat Ramp: City of Coos Bay, replace wale boards, repair welds, and pile hoops	Final reimbursement complete
2122-12	Chinook Landing: Metro, replace flush restroom sewer pumps	Work complete, waiting for final reimbursement request.
2122-13	Columbia View Docks: City of St. Helens, install security cameras	Installation completed. Here is the link to the live view cameras. .Courthouse Docks City of St Helens Oregon
2223-01	Cascade Locks Marina, Port of Cascade Locks pumpout and dump station replacement	Equipment has been ordered.
2223-02	Barton Park, Clackamas County crack seal parking area	County has a contract to complete the work in May.
2223-03	Hood River Outrigger Canoe Club, pool time to practice huli recovery. Pool time was offered to Gorge Canoe Club.	Pool time has been reserved.
2223-04	Bumblebee and Rainbow Plaza, City of Reedsport grade and gravel parking areas	City is prepare contract for the work.

Environmental and Policy Program

Abandoned and Derelict Vessel Program

01. In March 2023, 13 derelict boats were removed from the Willamette River in Portland using ARPA funding, bringing the total number of vessels removed and destroyed under this initiative to 38 since May 2022. To date, costs have been incurred in the amount of \$240,073. The deadline to incur costs associated with this program is December 31, 2024.
02. OSMB staff have been coordinating with Metro and the Multnomah County Sheriff's Office to help develop the Metro Service District Boat Turn-in program. Free boat disposal is

available to Metro customers residing within the Metro service boundary for a limited time. Customers submit a preliminary application online. OSMB staff research the boat in the agency's database to evaluate logistics and any title complications and then forward to Metro for scheduling. To date, one boat has been destroyed and three more are pending.

Aquatic Invasive Species Prevention Program

01. In 2023, there have been 905 boats inspected: 884 of them were clean with 21 boats being contaminated with various AIS (a mix of vegetation, snails and marine fouling species). Two zebra/quagga mussel boats have been intercepted entering the state and were decontaminated. The seasonal stations remain closed with the Ashland and Ontario stations staying open year-round with reduced schedules during the winter months. Seasonal station staffing is looking good for the upcoming inspection season as ODFW received a significant number of applications and are working through the hiring process for an anticipated opening of the seasonal stations by mid-May.
02. Staff have completed a multi-year contract with the Center for Lakes and Reservoirs (a Portland State University Program) and have developed a partnership moving forward to fund additional statewide waterbody monitoring for AIS of concern, with zebra and quagga mussels being the priority species to monitor for. This work is anticipated to be a long-term partnership.
03. For the 2023 calendar year, OSMB Environmental Program Coordinator Glenn Dolphin is filling the role of Chairperson for the Oregon Invasive Species Council (OISC). The Oregon Department of Agriculture, which is the fiscal agent for the OISC, has recently signed a contract for services and have hired a new coordinator for the Council. This will significantly increase the effectiveness of the Council and work is underway to revitalize the organization.

Clean Marina Program

01. The annual program newsletter has been completed, is posted on the OSMB website, and has been delivered to a listserv consisting of program participants and other interested parties. The annual Golden Anchor Award was given to the Schooner Creek Boat Works facility in Portland as the outstanding facility of the 2022 recertification cycle.
02. A new marina has become certified within the program, as the Fern Ridge Shores Marina on Fern Ridge Reservoir became certified in late March. This brings the statewide total number of certified participants to 64 facilities.

Policy Updates

01. Update to state boat numbering system: The agency is soliciting comments on an amendment which removes an unnecessary restriction on the format in which boat numbers can be issued. United States Coast Guard regulations offer two formats for state numbering: "Not more than four numerals followed by not more than two capital letters (example: NH 1234 BD)" and "Not more than three numerals followed by not more than three capital letters (example: WN 567 EFG)". The current rules restrict the agency to the latter format; and this amendment updates the rules to allow both approved formats to be used.

Engagement Updates

01. Engagement work has continued to grow this quarter by establishing new relationships and connections. The boating and sports show season provided hundreds of opportunities to interact with the public. The Engagement Coordinator attended most show days staffed by

the Marine Board at the Portland Boat Show and the Pacific Northwest Sportsmen’s show. Notably, a messaging collaboration opportunity with the Addicted Fishing team, a very popular group of content creators with strong viewership in the fishing community, has been identified and is in development.

- 05. Engagement efforts have also expanded to central Oregon. Staff attended two days of the Central Oregon Sportsmen’s show in Redmond, OR. Time at this show was spent talking with a variety of stakeholders. Included are several boating sales and repair businesses: Tumalo Creek Kayak and Canoe, which is the major paddling shop in that area, several outfitter guides in both the whitewater and fishing industries including Ouzel outfitters, and Marine Board Registration Agents. A day was also spent visiting the physical locations of businesses and having conversations with staff.
- 03. The Milk Carton Boat Race takes place in Portland on June 25th and the Marine Board will be staffing an educational booth, providing agency messaging, and providing logistical support to this wonderful event that introduces children to boating. It is hoped that this will become an annual opportunity that will grow each year and provide excellent engagement with the boating public. It is also hoped that it will provide a great opportunity for underserved communities in the future.

Registration Program

Team Updates

- 01. Ashley Wiencken, Temporary Data Entry Operator, started with us on 2/14 to help with our backlog before transaction volumes increase in the Spring. She will work for us until the end of the current biennium, 6/30/23. She is helping us get more applications entered into BOATs for quicker processing by our title specialists. It is also very helpful to have another option to help with our mail and printing duties.
- 02. I have been very pleased with the progress of each of our new hires. They continue to improve their skills at a fast pace, have all contributed in a positive way to our team atmosphere and I could not ask for more. I’m very excited to see their continued progress.

Processing Times

- 01. Processing times for transactions vary as to the type of transaction as shown below.
- 02. Any requests by phone or email to expedite a title are completed within 48 hours.

Transaction Type	Online	By Mail or at the agency Drop Box	Boat Registration Agent
Registration Renewal	Same or next business day	Same day as the date received	Same day as the date received
Titles (transfer, new)	3 weeks	22 weeks	22 weeks
Floating Homes	Current		

- 03. We continue to feel the effects of last year’s retirements and our backlog is taking longer to resolve than anticipated. Processing times are much longer than we would like, however we are working on solutions that are helping us to gain efficiency now and in the near future. When customers email or call, we provide them with an updated temporary permit or complete their transaction immediately based on their needs and/or their stated desire.

With our new team members gaining proficiency, temporary help, and process improvements, we are putting ourselves in a position for future success.

Efficiency Improvements

01. DAS Printing and Distribution is now handling all our scanning duties. Instead of scanning all our documents in house during the data entry stage, we are batching all documents weekly and sending these to P&D to be AI scanned. What this means for us is that we can work from images instead of handling paper. Our data entry employees get to skip the scanning step and get right to the next transaction. Also, documents are searchable, even much of the handwriting. This way if customers call, we can locate their documents much easier.
02. Developed a new temporary permit that will allow for digital storage on our customer's smartphone instead of having to print out every permit on paper.

Current Efficiency Projects

01. Contracted with the creator of our data entry macro that ceased functioning with Microsoft's updates to our web browser. Once functioning again, we will gain back some efficiency with data entry into BOATS. We are almost in the testing phase for this project.
02. Working with our vendor regarding an add-on to our current phone system that can handle and route emails using keywords and a queuing function, similar to that of voice calls. At this time it appears this will be cost-prohibitive.

Future Efficiency Projects

01. P&D has been an excellent partner with us for scanning our documents. I will be working closely with them soon to develop a process for them to take over our printing duties as well. This will free up significant time for our data entry operators to do more data entry instead of spending a portion of their day printing and mailing titles and registrations. The more data entry they can do, the less our title specialists must do their own data entry which will speed up the approval process significantly.

BOATS Online Database

01. We have asked Tyler Tech for an Operational Assessment of our BOATS system. This will enable us to interact with their software experts to discuss our need for improvements and for them to evaluate how we are using the software to make sure we are taking full advantage of its features. We have given them a list of our top priorities and they followed up with additional questions to ensure they understood needs. They have committed to completing this project with us in Q1 2023. We are currently waiting for them to present their findings.

Item C: Recreational Paddlers and Aquatic Invasive Species Presentation

01. Oregon State University Graduate Student, Alyssa Garcia, will provide a presentation to the Board on recreational paddlers and aquatic invasive species.

Item D: Waterway Access Program 3-year review

01. It has been over three years since legislation that created the Waterway Access Program went into effect. Now that the agency has over three years of sales data, compliance data, grants awarded, and implementation experience, there is an opportunity to review this information and begin a discussion on how to make improvements going forward so that the agency is best positioned to meet the needs of its customers and further our mission into the future. The purpose of this agenda item is to familiarize the Board with activities associated with the Waterway Access Grant Program and Waterway Access Permit Program to inform a Work Session on potential improvements for these programs planned for the next Board Meeting in June, 2023.
02. Waterway Access Program History
 - *2009*: Legislation brought forward by the Marine Board creates the Aquatic Invasive Species (AIS) Prevention Program for the State of Oregon. Boaters using nonmotorized vessels 10 ft. in length and over are now required to carry an AIS permit when recreating on state waters with some exceptions. Revenue from this permit exclusively supports AIS-related efforts. This marks the first time in which nonmotorized users contribute to agency programs.
 - *2015-2019*: Because of a growing call for OSMB support of nonmotorized programs and facilities and due to a steady increase in nonmotorized users, agency staff work with various stakeholders on a legislative concept to create a program dedicated to these users. The concept is finalized in 2018 and brought to the Legislature during the 2019 long session.
 - *June, 2019*: SB 47, the result of the agency's legislative concept, passes through the Legislature with a few amendments to the initial concept. Bill passes mostly along party lines. The legislation requires nonmotorized boaters to carry a Waterway Access Permit (\$17/year, \$30/2 years, \$5/1 week) instead of the previously required AIS permit. A portion of revenue still supports AIS efforts while the remainder now goes towards implementation of the Waterway Access Grant Program.
 - *October, 2019*: Board adopts rules for the implementation of the permit aspect of the program. The decision is made for permits to be available virtually or by printing by the customer as opposed to the mailing of physical tags/stickers.
 - *December, 2019*: Waterway Access Permits are available for purchase for the 2020 calendar year for the first time through the Marine Board and ODFW.
 - *January, 2020*: SB 47 formally takes effect and Waterway Access Permits are now required to be carried by nonmotorized boaters when on the water. However, a provision in the bill restricts enforcement of the carriage requirement until August, 2020.
 - *May, 2020*: Board adopts rules for the implementation of the grant component of the program.
 - *August, 2020*: Permit compliance can now be enforced by law enforcement. By the end of the month, total revenue from Waterway Access Permit sales has exceeded \$1.7 million. Also, at a special (virtual) meeting, The Board has their first opportunity to vote

on Waterway Access Grant applications and to award funds to facility operators and other organizations for the purpose of serving the nonmotorized boating community.

- *August, 2020 - April, 2023:* The Board awards over \$2 million in Waterway Access Grant funds to 48 individual projects statewide. As of March, 2023, over 230,000 individual permits have been sold.

03. Waterway Access Permit Sales and Revenue

	2020	2021	2022
1 Week	8,632	8,083	9,336
1 Year	35,725	35,848	31,026
2 Year	41,497	27,475	28,762
Quantity Discount	83	106	106
Total Revenue	\$1,911,920	\$1,494,936	\$1,457,032

Number of permits sold by type per year and associated total gross revenue generated by these sales. Note that a portion of Waterway Access Permit revenue is still allocated to aquatic invasive species spread prevention efforts. Bulk permits are sold at a discount for livery operations that have 6+ boats in their fleet.

04. Law Enforcement Data Regarding Nonmotorized Users and Permit Compliance

	Calendar Year		
	2020	2021	2022
Law Enforcement Interactions			
All Boater Contacts	31,733	29,392	30,572
Nonmotorized Contacts	18,042	18,162	18,261
% Nonmotorized Contacts	57%	62%	60%

Number of interactions with boaters statewide since the inception of the Waterway Access Permit. Over the past three years, roughly 60% of all interactions with boaters are with those using nonmotorized vessels.

	Numbers			Percentage		
	2020	2021	2022	2020	2021	2022
Outcome of NM Interactions						
Nonmotorized Pass	16,501	16,458	15,511	91.5%	90.6%	84.9%
Nonmotorized Warning	1,179	1,316	2,294	6.5%	7.2%	12.6%
Nonmotorized Citation	348	379	438	1.9%	2.1%	2.4%

Outcome of law enforcement interactions with nonmotorized boaters over the past three years. A "Pass" means that the boater was in compliance with all carriage requirements, including sound-producing devices, life jackets, and the Waterway Access Permit. Warnings and citations were issued in instances where the boater was lacking one or more pieces of required equipment or the permit.

	Warning Numbers			Citation Numbers			Violation Ratio		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
Nonmotorized Violation									
Waterway Access Permit	576	1,083	1,588	47	87	76	1:29	1:16	1:11
Child Life Jacket	0	5	20	8	15	28	1:225 5	1:90 8	1:38 0
Life Jacket - General	682	913	1,378	303	335	364	1:18	1:15	1:10
Sound Signaling Device	809	914	1,416	165	263	244	1:19	1:15	1:11

Number of warnings and citations issued to nonmotorized boaters for certain infractions over the past three years. The "Violation Ratio" is the number of documented violations for a listed infraction per number of total interactions with nonmotorized boaters.

05. Grants awarded using Waterway Access Program funds

The table below and on the following pages shows all projects funded in whole or in part with Waterway Access Program funds. To date, 48 individual projects have been identified to receive grants through the program, with the total contribution just over \$2 million. Including other OSMB, state, and federal grants and other funds contributed by the facility owner or other sources, the total cost of these 48 projects is in excess of \$10 million.

Owner	Project Scope	Waterway Access	Other State, Fed Grants	Owner and other cash/costs	Total Project Cost
Port of Arlington	Port Facility-replace flush restroom, add showers, expand parking area, add paddle access and staging area	\$ 86,330.23	\$ 201,437.18	\$ 228,154.15	\$ 515,921.56
Port of Alsea	Port Marina - add kayak dock	\$ 28,000.00	\$ -	\$ 55,524.84	\$ 83,524.84
Clatsop County	Westport-consultant services utilities	\$ 846.37	\$ 11,244.56	\$ 10,230.92	\$ 22,321.85
Douglas County	Amacher-consultant services permitting	\$ 3,983.75	\$ 3,983.75	\$ 15,852.49	\$ 23,819.99
Lower Columbia Estuary Partnership	Education - Lower Willamette River on water paddling safety	\$ 18,125.61	\$ -	\$ 12,444.42	\$ 30,570.03
City of Reedsport	Bumblebee - property acquisition	\$ 50,000.00	\$ -	\$ 54,048.48	\$ 104,048.48
City of Estacada	Estacada Lake Shore - add dock, gangways and rental and storage enclosure	\$ 34,986.00	\$ -	\$ 103,315.00	\$ 138,301.00
Coos County	Tenmile Lake Short Term Tie-up and Multi-use docks-replace gangways	\$ 28,240.19	\$ 46,282.50	\$ 39,184.97	\$ 113,707.66
Coos County	Tenmile Lake Multi-use dock - add kayak dock	\$ 33,037.54	\$ -	\$ 15,929.72	\$ 48,967.26
Vive NW	Education - 24 informational and	\$ 100,000.00	\$ -	\$ 25,039.95	\$ 125,039.95

	multilingual boating and water safety videos				
Clatsop County	Westport material purchase planks, docks, gangway, restroom	\$ 113,619.94	\$ 469,046.46	\$ 242,837.91	\$ 825,504.31
Clatsop County	Westport Boating Facility. Replace boat ramp and boarding docks, add short term tie-up dock, kayak launch dock, gangway, asphalt parking and flush restroom	\$ 92,427.46	\$ 1,478,909.12	\$ 558,361.18	\$ 2,129,697.76
Douglas County	Amacher Park. Replace and expand asphalt parking area. Replace upper boat ramp and expand to include nonmotorized ready area.	\$ 68,608.00	\$ 545,069.00	\$ 232,669.36	\$ 846,346.36
City of La Grande	Morgan Lake Add vault toilet	\$ 9,250.00	\$ -	\$ 45,109.83	\$ 54,359.83
City of Tigard	Cook Park consultant services for design, engineering and permitting to replace boarding docks and add nonmotorized boat launching docks.	\$ 74,100.00	\$ 3,900.00	\$ 72,000.00	\$ 150,000.00
Polk County	Buena Vista replace boat ramp, boarding docks, expand asphalt parking. Add vault toilet and nonmotorized ready area.	\$ 50,000.00	\$ 1,550,000.00	\$ 91,434.00	\$ 1,691,434.00
Port of Columbia County	Scappoose Bay Marina consultant services for design, engineering and permitting and Phase 1 upland construction. Modify parking, widen sidewalks	\$ 87,500.00	\$ 87,500.00	\$ 175,000.00	\$ 350,000.00

	remove stairs, relocate stormwater structures, add accessible route and nonmotorized unloading area.				
Deschutes National Forest	Wyeth replace boat ramp, repair gravel road and parking	\$ 52,827.96	\$ 22,640.04	\$ 150,708.70	\$ 226,176.70
Tualatin River Keepers	Tualatin River outreach, education and access opportunity campaign	\$ 40,000.00	\$ -	\$ 33,000.00	\$ 73,000.00
Lane County	Howard Buford Recreation Area consultant services for design, engineering and permitting services for new nonmotorized access.	\$ 66,000.00	\$ -	\$ 29,548.00	\$ 95,548.00
State Parks	Luckiamute State Natural Area consultant services for design, engineering and permitting services for new nonmotorized access.	\$ 56,250.00	\$ -	\$ 23,750.00	\$ 80,000.00
City of Grants Pass	Baker Park overlay existing asphalt parking area, replace striping and curbing, add ADA curb cuts and stormwater system	\$ 64,662.94	\$ 64,662.94	\$ 53,578.82	\$ 182,904.70
Jackson County	Shady Cove consultant services for archaeology survey and hydrologic analysis services to replace the boat ramp, expand parking and add nonmotorized staging and launch area.	\$ 40,000.00	\$ 40,000.00	\$ 22,500.00	\$ 102,500.00

Lane County	Forest Glen Landing archaeological and wetland reports	\$ 45,000.00	\$ -	\$ 26,048.00	\$ 71,048.00
City of West Linn	Cedaroak Park asphalt overlay parking, replace curbing and install bollards	\$ 26,155.00	\$ 183,085.00	\$ 105,000.00	\$ 314,240.00
Bend Park and Recreation District	McKay, Miller's Landing and Columbia Parks nonmotorized access site feasibility	\$ 51,127.00	\$ -	\$ 51,128.00	\$ 102,255.00
Douglas County	Pickett Park new vault toilet, accessible route, asphalt overlay and striping	\$ 140,660.00	\$ -	\$ 46,850.00	\$ 187,510.00
Coos County	Tenmile Park replace curbing and sidewalks add curb cuts	\$ 28,843.00	\$ 50,000.00	\$ 69,894.14	\$ 148,737.14
Willamette Riverkeepers	River Discovery Paddle	\$ 35,000.00	\$ -	\$ 70,756.00	\$ 105,756.00
City of Maupin	Maupin City Park consultant services to design boat ramp replacement and apply for permits	\$ 60,000.00	\$ -	\$ 23,908.00	\$ 83,908.00
Lower Columbia River Estuary	Paddling access & water safety on Willamette and Lower Columbia Rivers	\$ 23,280.10	\$ -	\$ 23,538.91	\$ 46,819.01
Oregon Dept. of Fish & Wildlife	Yellowjacket Lake Access add nonmotorized dock, parking and accessible route with fishing dock combination	\$ 118,008.00	\$ -	\$ 148,470.00	\$ 266,478.00
Adventures Without Limits	Paddling Access and site videos	\$ 105,000.00	\$ -	\$ 114,680.00	\$ 219,680.00
City of Estacada	Estacada Lake new access design & engineering	\$ 62,100.00	\$ -	\$ 144,900.00	\$ 207,000.00

Columbia Slough Watershed Council	Equitable Access to the Outdoors	\$ 31,931.25	\$ -	\$ 57,792.00	\$ 89,723.25
State Parks	Starvation Lane archaeological survey and report	\$ 10,000.00	\$ -	\$ 10,000.00	\$ 20,000.00
Douglas County	Happy Valley parking repair and striping	\$ 7,500.00	\$ 2,500.00	\$ 10,725.18	\$ 20,725.18
Port of Toledo	Boathouse relocation consultant services	\$ 10,000.00	\$ -	\$ -	\$ 10,000.00
State Parks	Brian Booth State Park ADA accessibility evaluation, review and assessment	\$ 7,900.00	\$ -	\$ 7,620.05	\$ 15,520.05
City of Reedsport	Rainbow Plaza and Bumblebee security and safety cameras	\$ 2,185.80	\$ 4,437.82	\$ 6,072.38	\$ 12,696.00
Source One Serenity	Veteran opportunity to experience nm boating on Diamond Lake, North Umpqua River and Winchester Bay	\$ 6,270.00	\$ -	\$ 1,052.29	\$ 7,322.29
Oregon Dept. of Fish & Wildlife	Coyote Creek archaeological survey and report	\$ 10,000.00	\$ -	\$ 6,320.00	\$ 16,320.00
Pacifica: A Garden in the Siskiyou	Outdoor School and Youth Camps kayak, life jackets and trailer purchase	\$ 10,000.00	\$ -	\$ 2,725.45	\$ 12,725.45
Benton County	Campbell Park vault toilet replacement	\$ 10,000.00	\$ -	\$ 24,793.18	\$ 34,793.18
Benton County	Salmonberry Park vault toilet replacement	\$ 10,000.00	\$ -	\$ 35,172.03	\$ 45,172.03
Clackamas County	Barton Park crackseal parking area	\$ 1,250.00	\$ 1,250.00	\$ 625.00	\$ 3,125.00

Hood River Outrigger Canoe Club	Self rescue training pool rental	\$ 750.00	\$ -	\$ 1,040.00	\$ 1,790.00
City of Reedsport	Bumblebee and Rainbow Plaza Gravel Parking	\$ 3,930.00	\$ 2,460.00	\$ 2,130.00	\$ 8,520.00
TOTALS		\$ 2,015,686.14	\$ 4,768,408.37	\$ 3,281,463.35	\$ 10,065,557.86

Other notes, considerations regarding the Waterway Access Program

06. Permit sale revenue predictably dipped in 2021 as a considerable number of two-year permits were sold in 2020. However, revenue was essentially flat from 2021 to 2022. Although it is challenging to make inferences based on just three years of data, it appears that compliance with the program has been declining. It should be noted, though, that outdoor recreation in general spiked in 2020 due to Covid restrictions, so the inaugural year of the program may be somewhat of an outlier.
07. Estimates from the U.S. Coast Guard indicate that there are 600,000 nonmotorized boaters in Oregon which contrasts substantially from the ~100,000 permit holders in 2022. However, a portion of the discrepancy can be explained by a couple details regarding the permit. One is that the Waterway Access Permit carriage requirement only applies to those on watercraft 10 feet and longer. Especially due to the increase in popularity of stand-up paddleboards, many of which measure 8 to 10 feet, many nonmotorized boaters do not need the permit. Another notable detail of the permits is that they are transferrable, so multiple people could be legally recreating under one permit.
08. In general, compliance with all nonmotorized carriage requirements, including but not limited to Waterway Access Permits, has declined over the past three years per data from law enforcement. Still, the ratio of boaters warned or cited for not having a permit remains low (1 in 11 last year).
09. SB 47 created one FTE for implementation of the Waterway Access Program and administration associated with supporting applicants and administering grants. Through the first three years, the agency has found that, to adequately run the program and provide the assistance needed, it requires at least two FTEs.
10. Most aspects of the permit and grant programs are codified in statute, but the Marine Board used its rulemaking authority to clarify others in rule. For simplicity, all statutes and rules regarding the Waterway Access Program are provided on the following pages.

Applicable Statutes

830.615 Waterway Access Fund

- (1) The Waterway Access Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Waterway Access Fund shall be credited to the fund. Moneys in the fund are continuously appropriated to the State Marine Board to carry out the provisions of ORS 830.615 to 830.630.
- (2) (a) The fund consists of:
 - (A) Moneys deposited into the fund under ORS 830.627.
 - (B) Moneys received under paragraph (b) of this subsection.
 - (C) Any other moneys appropriated to the fund by the Legislative assembly.
- (b) The board may receive gifts, grants or contributions from any source, whether public or private. Moneys received under this paragraph shall be deposited into the fund.
- (3) The board may use the moneys in the fund:
 - (a) To award grants as provided in ORS 830.618 and 830.621.
 - (b) For any other purpose described in ORS 830.615 to 830.630.

830.618 Grants for nonmotorized boat waterway access; rules

- (1) As used in this section, "public body" has the meaning given that term in ORS 174.109.
- (2) The State Marine Board may award grants under this section to public bodies, federally recognized Indian tribes in Oregon and federal agencies for the purposes of assisting with:
 - (a) The purchase of real property, leases or easements in order to provide access to public waterways.
 - (b) The construction, renovation, expansion or development of public boating facilities, including but not limited to public access to waterways and public sanitation facilities.
 - (c) The construction, renovation, expansion or development of public play parks for nonmotorized boat use, such as whitewater parks and competition courses.
- (3) For the purpose of awarding grants under this section, the board shall develop a priority list, giving highest priority to:
 - (a) Projects that serve nonmotorized boat users; and
 - (b) Public boating facilities that are determined by the board to have the greatest need for construction, renovation, expansion or development.
- (4) The board shall adopt rules for implementing the grant program described in this section.

830.621 Grants for boating safety education, boating equipment and waterway access to underserved communities; rules

- (1) As used in this section:
 - (a) "Nonprofit organization" means an organization described in section 501(c)(3) or (4) of the Internal Revenue Code that is exempt from income tax under section 501(a) of the Internal Revenue Code.
 - (b) "Public body" has the meaning given that term in ORS 174.109.
- (2) The State Marine Board may award, from moneys in the Waterway Access Fund established under ORS 830.615 and the Boating Safety, Law Enforcement and Facility Account established under ORS 830.140, grants to public bodies, federally recognized Indian tribes in Oregon, private entities and nonprofit organizations, for the purposes of:
 - (a) Improving boating safety education; and
 - (b) Providing waterway access to underserved communities, as described by the board by rule.
- (3) Grants may be awarded under this section to assist in paying for costs incurred to:
 - (a) Provide boating safety education;
 - (b) Purchase boating equipment; or
 - (c) Provide waterway access to underserved communities.
- (4) The board shall adopt rules to implement the grant program described in this section.

830.624 Permit requirements for person 14 years of age or older; exceptions; rules

- (1) Except as provided in subsections (3) and (4) of this section, a person 14 years of age or older shall carry a waterway access permit while operating a nonmotorized boat that is at least 10 feet in length or a sailboat that is at least 10 feet but less than 12 feet in length, in the manner provided by the State Marine Board by rule. The person shall present proof of a permit upon request by a peace officer.

(2) A waterway access permit under this section is transferrable to any nonmotorized boat that is at least 10 feet in length or a sailboat that is at least 10 feet but less than 12 feet in length.

(3) Subsection (1) of this section does not apply to:

(a) Days that the board designates, by rule, as free boating days and on which the board allows individuals to operate a boat described in subsection (1) of this section without holding an otherwise required waterway access permit.

(b) A person operating a boat owned by an operator of a boat livery if the operator of a boat livery displays proof of holding a waterway access permit according to rules adopted by the board.

(c) A person operating a boat on a federally designated wild and scenic river for which a separate fee system is in place.

(d) A person operating a boat if the person is engaged in law enforcement, public safety or official business of a federal, state or municipal agency, as defined by the board by rule.

(e) A resident of a bordering state who launches a boat from that bordering state into bordering waters, as defined by the board by rule.

(f) A person operating a boat if the person holds a nonmotorized boating permit, a registration or a similar authorization that is issued by another state and accepted by the board by rule.

(g) A person who is a member of a federally recognized Indian tribe in this state and who is engaged in tribal fishing or a tribal ceremony.

(4) The board may adopt rules that provide additional exemptions from the requirement to obtain a permit under subsection (1) of this section.

830.627 Fees for issuance of permit

(1) Notwithstanding ORS 830.790 (3), fees for issuance of a waterway access permit are as follows:

(a) \$5 for a one-week permit.

(b) \$17 for an annual permit.

(c) \$30 for a biennial permit.

(d) The annual fee for an operator of a boat livery that offers nonmotorized boats at least 10 feet in length or sailboats at least 10 feet but less than 12 feet in length is:

(A) \$90 for an operator who owns 6 to 10 nonmotorized boats or sailboats.

(B) \$165 for an operator who owns 11 to 20 nonmotorized boats or sailboats.

(C) \$300 for an operator who owns 21 or more nonmotorized boats or sailboats.

(2) The State Marine Board shall deposit fees received under this section into the Waterway Access Fund established under ORS 830.615 as follows:

(a) \$4 for every one-week permit fee paid.

(b) \$12 for every annual permit fee paid.

(c) \$20 for every biennial permit fee paid.

(d) \$60 for every permit fee paid by an operator of a boat livery who owns 6 to 10 nonmotorized boats or sailboats.

(e) \$110 for every permit fee paid by an operator of a boat livery who owns 11 to 20 nonmotorized boats or sailboats.

(f) \$200 for every permit fee paid by an operator of a boat livery who owns 21 or more nonmotorized boats or sailboats.

(3) The board shall deposit fees received under this section into the Aquatic Invasive Species Prevention Fund established under ORS 830.585 as follows:

- (a) \$1 for every one-week permit fee paid.
- (b) \$5 for every annual permit fee paid.
- (c) \$10 for every biennial permit fee paid.
- (d) \$30 for every permit fee paid by an operator of a boat livery who owns 6 to 10 nonmotorized boats or sailboats.
- (e) \$55 for every permit fee paid by an operator of a boat livery who owns 11 to 20 nonmotorized boats or sailboats.
- (f) \$100 for every permit fee paid by an operator of a boat livery who owns 21 or more nonmotorized boats or sailboats.

830.630 Issuance of permits; agents

- (1) The State Marine Board shall issue a waterway access permit to a person who pays the fee for the permit described in ORS 830.627.
- (2) The board may appoint agents to issue waterway access permits.
- (3) Agents shall issue waterway access permits in accordance with procedures prescribed by the board by rule and shall charge and collect the waterway access permit fees described in ORS 830.627.
- (4) The board may authorize an agent who is not a board employee to charge a service fee of \$2, in addition to the waterway access permit fee, for the issuance service performed by the agent.
- (5) The board may supply the agents with waterway access permits, if applicable.

Applicable Administrative Rules

250-010-0760 Waterway Access Permit

- (1) Boaters required to carry permits must present their permit for inspection upon request by a law enforcement officer.
- (2) The following vessels or classifications are exempt from the requirement to carry a Waterway Access Permit:
 - (a) Eleemosynary-owned boats which a supervising adult can confirm through documentation are engaged in an organization-related activity.
 - (b) A ship's lifeboat used solely for lifesaving purposes.
 - (c) Surfboards, sailboards and kite boards.
 - (d) Boats owned and operated by liveries and those used for group-guided activities by Outfitters and Guides which have purchased discounted permits and have received a certificate of compliance from the Board.
 - (e) Boats that launch directly into waters that form a common interstate boundary, or launch in Oregon tributaries within one mile of these waters, that have a current boat registration, Coast Guard documentation, or an aquatic invasive species prevention permit issued by the States of Idaho or Washington.
- (3) Clubs or organizations that possess or own boats for communal use by members, participants, racing teams, or for public educational purposes except as exempted under this rule, may purchase Waterway Access Permits under the name of the organization or the club's presiding officer or secretary.
- (4) For non-motorized boats engaged in competitive events, Waterway Access Permits numbering not less than the maximum number of boats in use on the water at any given time may be held by the event organizer, coach or other designated person at the event

site as long as the permits are readily available for inspection by a law enforcement officer.

(5) A person is considered in violation of the provisions contained in this rule and subject to the penalties prescribed by law when they:

- (a) Alter a Waterway Access Permit; or
- (b) Produce or possess an unauthorized replica of a Waterway Access Permit; or
- (c) Exhibit an altered Waterway Access Permit to a peace officer.

(6) The Waterway Access Permit expires on December 31 of the year indicated on the permit.

250-014-0500 Waterway Access Grant Program

(1) The purpose of the Waterway Access Grant Program is to provide access, education, and services to boaters through grants from the Waterway Access Fund.

(2) Priority will be given to projects that provide physical non-motorized access to areas with limited accessibility, provide or promote recreational boating opportunities to communities with limited access, or promote boating safety through education. The Board will also prioritize projects that provide free services to the general public and those that disperse use.

(3) Projects that include both access and educational components will be given the highest priority.

250-014-0505 Waterway Access Grant Eligibility

(1) For the development of access facilities, all public bodies, federal agencies, and federally recognized Oregon Indian tribes are eligible to apply for funds.

(a) Private entities are not eligible to receive funds for access facility development.

(b) Eligible projects must provide access to the general public for the purpose of recreational boating.

(c) Aquatic invasive species spread prevention projects, environmental restoration and mitigation projects, and law enforcement facility development projects will not be considered.

(2) All public bodies, federally recognized Oregon Indian tribes, and private entities may apply for funds for the purposes of boating safety education and to allow for and promote waterway access to underserved communities. Eligible private entities may include but are not limited to utilities, irrigation districts, limited liability companies, corporations, non-profit organizations, and non-governmental organizations.

(3) Commercial projects related to boating may be considered.

(4) Grants will not be awarded for the routine maintenance of facilities or to provide perpetual support of education or safety programs.

250-014-0510 Waterway Access Grant Administration

(1) The Board shall review applications and determine awards. The Director may approve cost overruns up to but not to exceed \$10,000.

(2) Specific grant application scoring criteria shall be prescribed in the Grant Procedure Guide.

(3) Public comment on received grant applications shall be solicited for a minimum of 14 days.

(4) Successful grant applicants must provide some form of matching contribution, which may include but is not limited to cash, in-kind labor, and other in-kind resources. Eligible

matching contributions are listed in the Grant Procedure Guide and proposed matching contributions will be considered during the application review process.

(5) Prior to the disbursement of funds, successful applicants must enter into a signed agreement with the State Marine Board.

(6) Funds are awarded through reimbursement only. Funds will not be provided in advance of project expenditures.

(7) The Board may revoke grant awards if agreements are not signed by both parties within 90 days.

(8) Projects must be completed within the same biennium as the date of grant approval.

(9) Record of State's property interest shall be a requirement in all agreements involving the acquisition of real estate.

(10) For the duration of a Waterway Access Grant agreement, conversion of a project to an ineligible use is prohibited and shall void the agreement and result in the repayment of awarded funds by the recipient.

(11) Recognition of receipt of Marine Board funds must be displayed on lands and products purchased or developed using Waterway Access Grants. Acceptable recognition may include access area signs and decals on purchased watercraft or other equipment.

Item E: Registration Program Update

01. Registration Program Manager, Andrew Popp, will share a presentation on the registration program.

Item F: Board Meeting Timelines

01. Staff will be working off the following timelines for future Board Meeting topics. The Board may direct staff at any time to change the timeline or topic.

June 2023	Grants
June 2023	Outfitter/Guide Program Update
June 2023	Legislative Session Update
June 2023	Clean Marina Program Overview
June 2023	Waterway Access Program Work Session