



POWER



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WATERSPORTS BOAT OREGON ADVISORY TEAM

Minutes from April 26, 2018

In Attendance:

Beth Biggs
Shawn Karambelas
Greg Pelton
Ken Rice
Joe Zody
Allen Field (teleconference)

Agency Staff:

Larry Warren
Ashley Massey
Amy Mateos

Board Member:

Jen Tonneson

SUMMARY:

The meeting began at 9 am with introductions and agency updates. Staff reviewed the updates to the Operating Principles originally agreed to by members from 2014. Members were also given an opportunity to rotate off and all members in attendance elected to stay on the team. Staff reviewed the 2017-2022 strategic plan projects and objectives, and asked members to participate in any project(s) they wish. A meeting will be planned in the fall to develop the scope of each project further. Staff also shared the agency's legislative bills for the 2019 session and asked for feedback. Legislative concept one-pagers will be refined further and posted on the agency website in the near future. Timelines for concepts were discussed as well as how to stay informed on legislation. Director Warren also provided information on wake bills presented during the 2018 legislative session and potential implications for motorboats in the future.

Strategic Plan:

Staff reviewed the six-project strategic plan and members discussed items they were interested in being involved in for development during the fall meeting. A summit will be scheduled and members from each advisory team will break out to develop an implementation framework for each project that incorporates already-outlined action items.

Members Interest in Strategic Plan Projects:

Name	Strategic Plan Project #
Beth Biggs	1 & 6
Shawn Karambelas	1, 5 & 6
Greg Pelton	1 & 6
Ken Rice	1 & 3
Joe Zody	TBD
Allen Field	TBD
Dave Bulkley	TBD
Wendy Puller	TBD

Legislation:

Eight legislative concepts were submitted for the Governor's Office to approve and discussed in detail by members:

- **LC 25000-001** - Waterway Access Account: Replaces the AIS permit with a Waterway Access permit. The permit would need to be carried on all boats 10' and over except motorboats with valid registration decals. Permits would be transferrable to other non-motorized boats and children 14 and under would not need a permit. Revenue generated would be used to support boating facility grants to public bodies for acquisition of property, leases, or easements in order for the public to access waterways and construction and maintenance of boating facilities. Funds would also be available for public and non-profit entities to develop safety education courses and to purchase boating equipment to reduce barriers for underserved communities who wish to recreate on Oregon's waterways. Proposed fees: \$5 one-week permit, \$17 annual, \$30 biennial. Permit continues to fund Aquatic Invasive Species program and would continue discount for registered liveries renting non-motorized boats.
- **LC 25000-002** -Floating Properties: Creates a definition for floating property which includes structures such as floating home, recreational cabin, floating restaurants, floating combination property and allows the OSMB to title the newly-defined floating properties.
- **LC 25000-003** –Aquatic Invasive Species: Gives law enforcement authority to direct a driver back to an inspection station for inspection/decontamination of their boat if they bypass the station and are within five miles. Also requires a person to drain standing water from their boat after the boat is removed from the water and before the boat is transported away from the launch/retrieval area. Failure to “pull the plug” is a Class D violation with a presumptive fine of \$30 for a person transporting a non-motorized boat and \$50 for a person transporting a motorized boat.
- **LC 25000-004** –Boat Rental Businesses (Liveries): Creates a free, simplified process to register as a livery (boat rental business) for purposes of sharing education and boating safety information. Registered liveries would be eligible for discounts for motorboat registration and aquatic invasive species permits.
- **LC 25000-005** –Outfitter/Guide and Charter Boats: Requires the operator of a charter boat to register individually as a guide. Would also create an employee assistant program for deck hands to register at a reduced rate (\$25 annually vs. \$150). Assistant would need to have current first aid and CPR training and have

a valid fishing license. Establishes a \$10,000 bond vs. \$5,000 bond for hunting guides. There is no increased cost to hunting guides for the higher bond. Moves outfitter/guide and charter boat registration cycle from a one year to a two year, to eliminate registration backlog. Fees to register will go from \$150 a year to \$300 every two years.

- **LC 25000-006** –Boater Education Card: Removes the 60 day exemption for new boat owners and out-of-state boaters to have their state’s boater education card. Removes the exemption for commercial fishermen when they operate recreationally.
- **LC 25000-007** –Boating Safety Laws: Enable courts to suspend boater education card for 1-3 years for convictions of BUII or reckless boat operation. Update definition of reckless boating to match motor vehicle code. Reduce fine for not carrying a properly fitting life jacket from a Class B violation (\$265) to a Class D violation (\$115).
- **LC 25000-008** –Agency Budget: Proposing \$5.95 per foot (\$1.45 or 33%) from \$4.50. Would go into effect in 2020 making it 5 years from last fee increase. Also proposes increases for boat title from \$50 to \$75 and boater education card from \$10 to \$20, and replacement boater education card, \$8 to \$16.

Director Warren discussed the problems and proposed solutions with each concept, including timelines for concepts to become bills.

Members were briefed on the two bills introduced in 2018 impacting wake boat operation on the lower Willamette River. The bills did not pass during the session. During the bill hearings, impacted agencies focused on their statutory authorities. The Marine Board does not have any authority to regulate erosion but has the authority to regulate boat operations to improve safety and reduce conflict. Staff shared with members that the Board directed staff at the January Board meeting to convene a Wake Sports Rule Advisory Committee to consider economic impacts to businesses and help staff develop draft rules for wake sports operation. Once proposed statewide rules are drafted, the agency will hold public meetings and gather written comments. The Board will consider the statewide proposed rules for wake sports operation during their October Board meeting. At the conclusion of the 2018 Legislative Session, House Transportation Committee Chair, Representative Susan McLain asked the bill sponsors (Representatives Vial, Helm, Powers, and Kennemer) to convene a working group to find solutions for the long term health of the river and reduce conflict on the Newberg Pool. Chair McLain directed the representatives to report back to the legislative assembly during the September Legislative Days. The Marine Board requested agency staff keep them informed of work done by the legislative work group so they can consider it when deciding on the statewide rule in October.

Members further discussed boat wakes and the potential impacts on river health, along with variables such as hydrology, geomorphology, floods and other environmental factors on erosion.

Members asked about dredging and how it’s regulated. Staff provided the Marine Board’s role with dredging and how non-Port operated facilities are sometimes approved for dredging maintenance projects.

Members discussed with staff the potential impacts to watersports with the Detroit Dam Cooling Tower project and the process for submitting public comments. The Marine Board submitted comments on impacts to recreation and the facility investments made on the reservoir in a consolidated letter from the Governor that included comments from other natural resource agencies.

Members were asked if there were any additional topics they'd like to discuss and were encouraged to bring forward any topics for future meetings.

The meeting adjourned at 12:00

AAM:aem