

Dear Chairman McKeown and Members of the Committee,

I would like to testify to my reasons for strongly opposing House Bill 2320 or the Non-motorized boating program. I am a kayaker from Bend, Oregon and enjoy paddling my 13 whitewater kayaks, sea kayak, canoe, raft, stand-up paddle board, and inner tubes on the rivers of Oregon, as well as Oregon's lakes and ocean and many rivers of other states near and far.

It appears the Oregon Marine Board would like to create a boat-user registration fee. Having attended their "public meetings" where they have discussed their goals, it seems that there have been some user-conflicts between tubers, motor boats, and fishermen.

However, kayakers generally recreate on public lands in remote areas where user conflicts do not exist. My passion outside of medicine is whitewater kayaking. During my first year in Oregon, I paddled 51 unique sections of rivers in Oregon. While I used to paddle every weekend, my busy career has resulted in only being able to paddle once a year, though I hope that will change again soon.

I tried to explain to the Oregon Marine Board that my community of paddling friends and I often hike miles through the wilderness to reach remote sections of river. We generally do not run into any other user groups at the put-in, take-out, or on the river as most of us enjoy kayaking precisely to get away from civilization and seek out solitude and wilderness experiences.

The Oregon Marine Board states there have been safety concerns with tubers not wearing life vests or understanding traffic flow when in close vicinity of motor boats. They also noted that there has been a decrease of funding sources from motor boats and government funding and income from the registration of motorized boats, but there is a large increase in recreation in Oregon from non-motorized boaters.

While I understand their frustration at having diminished funding in this day and age, I do not think it is right to assess fees to a group (kayakers) to deal with an issue which does not pertain to said group.

It appears there have been some high volume areas including boat ramps near metropolitan areas where there have been user-conflict and safety concerns, but this does not represent the areas where most kayakers recreate.

When we argued that we would need to see benefit if we were being assessed these fees, the Oregon Marine Board changed their tune and said they would not focus on tubers and motor boats and would instead utilize these funds to distribute pamphlets telling us that we need to wear our personal flotation devices and provide safety brochures. They had asked kayakers at their public meetings what concerns we might have and most of us brought up river conservation and safety as things that are important to us. Having said that, I do not think the Oregon Marine Board is the right organization to address these concerns.

The Oregon Marine Board seems to think that rivers are "like highways" that have "lanes of traffic." Again, I think they are thinking of these high usage areas where motor boats may be launching and landing on a boat ramp, and tubers without PFDs and with coolers of alcohol are also launching and landing at the same location, and people are also trying to fish from these same tight quarters.

Compare that with our community of paddlers, who are experts in running class IV-V whitewater, or exploring remote cliffs and caves accessible only by sea kayak. We have more knowledge and experience of swift water rescue techniques, river hydrology, and protection of our public lands than any of the bureaucrats in the Oregon Marine Board who want to create pamphlets telling us to wear a life vest. We not only wear life vests, we wear Class V rescue vests with throw ropes, knives, pin kits for Z-drags, dry suits, full-face helmets, and much more. We have more knowledge of river safety than anyone at the Oregon Marine Board will ever have.

When I explained this to them, the Director looked at me and said that this initiative does not pertain to me. Clearly, their initiative does not pertain to me, or to my community of paddling friends. But the proposed fees of \$12/year per user does pertain to me. I asked the Director if I could explain to the sheriff that I did not have a boat permit because the Oregon Marine Board director told me that this bill did not actually pertain to me. He could not answer my question. Why exactly are they proposing to assess these fees to a user group that this does not pertain to, in the Director's own words?

I may be required to purchase that permit in Oregon. And, if neighboring states such as Washington, Idaho, California required a similar permit, and I also traveled to Alaska, Colorado, and West Virginia to paddle this year, soon I would be paying upwards of \$100/year. Multiply this by a 60-year paddling career, and I'm now paying \$6000 of fees with no benefit or return for these fees, as the target for these "safety pamphlets" are tubers getting in the way of motor boats. Kayakers and other recreational boaters should not be asked to fund resources that do not benefit us in any way.

I am very supportive of paying to support services and conservation. I am happy to pay my taxes to support the EPA and clean water and clean air. I am happy to pay for my NW Forest Service pass when I park in areas that they maintain. I am happy to support the conservation of public lands through the National Park Services. I am more than happy to donate money to American Whitewater to help

conserve our rivers throughout the United States. I donate my time to American Whitewater as a Board member, though I speak today as a paddler and Oregon boater. I have taken many American Canoe Association classes for kayak instructors and on swift water rescue. I have belonged to various paddling communities including Willamette Kayak and Canoe Club, Eugene Kayakers, PDX Kayakers, Bend Whitewater, and others.

However, I do not accept that the Oregon Marine Board has anything to provide to the non-motorized boating community. Anyone who describes a waterway as a highway with lanes of traffic and is focused on user-conflict between tubers and motorboats has no concept of what we, as kayakers, do in our boats. About the only other users of Oregon's rivers that I have run into while on the water include otters, elk, black bear, eagles, and the occasional wild cat. Watching the program on Idaho Rivers which aired on Oregon Public Broadcast this week and highlighted some of Oregon's rivers including the Owyhee and John Day might give our legislators and the Oregon Marine Board a better understanding of what it is that kayakers do.

The fact that their program is meant to benefit areas of high use, but targets those of us who avoid those very areas, and excludes tubers, paddle boarders, and the very users who are the subject of concern, is of serious concern.

Furthermore, while we paddlers support purchasing a NW Forest Service pass to park in certain areas so that we can access our rivers, paying an additional fee for our kayaks would be akin to charging back-country skiers the SnoPark pass to maintain parking for them in the winter, but also assessing a fee per user to ski on public lands. This would be like charging back-country skiers and snowshoers and backpackers and hikers a fee to enjoy our own public lands, and using that money to make pamphlets that warn children who go sledding that they might get hit by a snow mobile. This is an absurd bill that is not well thought out. Why the Oregon Marine Board even thinks this is remotely appropriate is perplexing.

Which brings up the concern that the Oregon Marine Board has been using taxpayer dollars for the last several years to host hundreds of public meetings and have used tens of thousands of taxpayer dollars in FTEs dedicated to creating this poorly conceived bill. If they had used this time and resources to provide whatever service they are supposed to be providing, they wouldn't need to place a tax on kayakers to fund their positions. Again, I understand the frustration that it is difficult to find funding. But, if they are able to dedicate so many FTEs to run these meetings and write these reports over a period of so many years, with nothing to show for their efforts, then it begs the question of whether there is a need for these positions within this agency in the first place.

I attended some Oregon Marine Board public meetings on this topic, and there were several Oregon Marine Board staff members present. Hundreds of hours of state-funded time was used for them to ask

us what services we would like and how much we would be willing to pay. They send out emails regularly summarizing these meetings. They claim that they have the support of the boating community for their proposed bill. Yet, when I read the report from the meetings that I attended, I was so frustrated that they had twisted our input and just made the report say whatever it is that they wanted it to say, that I stopped attending their meetings, as did many of my fellow boaters. No, we do not support this measure. We were simply so frustrated with the arrogance, rudeness, and incompetence of the Oregon Marine Board that we stopped attending these so-called public meetings.

They told us that they could be a source of information if there is a tree down across a river bed creating a strainer or other hazard. Yet they know nothing about the stretches of rivers we paddle. One can visit American Whitewater's website and see the hundreds of rivers that kayakers across the state enjoy. But the Oregon Marine Board has no knowledge or insight into these areas.

Most of us are members of organizations such as Willamette Kayak and Canoe Club in Corvallis, Oregon Kayak and Canoe Club in Portland, and so forth. These clubs, together with groups such as American Whitewater and Outdoor Alliance, as well as local industries such as Next Adventure, Alder Creek, Tumalo Creek, Kayak Shed, and guide services such as Wet Planet and others provide immense amounts of expertise in safety and instruction, similar to how Mazamas does for mountaineering sports, IMBA does for mountain biking sports, and so forth. And they do not require state funding, taxation, or application of boat registration or user registration fees to provide these services.

The staff of the Oregon Marine Board tried to appease the boating community saying that they, too, were learning how to kayak and that they were "one of us." Please don't insult us by claiming to have our best interests in mind. The Oregon Marine Board was running out of money, they decided to fund their positions by going after non-motorized boating, they chose to exclude water users who possibly may have benefited from their initiatives, and chose to assess fees to a small group of users who do not benefit from their programs.

We are doctors, lawyers, engineers, scientists, professors, and other Oregon citizens as diverse in age from teenagers to octogenarians who enjoy the rivers and waters of the state of Oregon. Not only are the fees themselves a burden without any foreseen benefit for those of us who would be required to pay these fees, but it creates another layer of difficulty in accessing our rivers and public lands.

I remember one day when I had been working many months in a row without a day off. I finally had a Sunday off and wanted to get away in my kayak. I drove to the McKenzie River only to realize that they had started requiring a permit to park along the river. I had driven an hour and a half to get there, and

did not know where the nearest location to purchase a permit was, and I ended up driving back home without paddling. I spent my one day off in months trying to get outdoors in my kayak on a river, and was turned away due to not having the correct permit.

While a small user-fee may not seem like a big deal when contemplating sources of revenue, they do create larger barriers. If I drive to Three Pools on the Little North Fork of the Santiam and realize that my NW Forest Service pass is expired, I can put \$5 into an envelope and still enjoy kayaking for the day. If I don't have \$5 on me, I can put \$20 in the envelope and they will send me my annual pass in the mail.

What if I decide to take a group of friends on my raft on a Sunday afternoon? Do I now need to figure out where to buy non-motorized boater permits for each of my friends before we can put on the river? Dozens of family and friends visit from all around Oregon and from out-of-state and ask if I can take them canoeing or rafting. I now need to buy permits for every friend who visits me and wants me to take them out on the water?

The reason these sorts of initiatives have failed in the state of Washington is because they are a bad idea. They do not actually bring in enough revenue to justify the resources spent on them. They do not target the right group of users. If there is a concern in certain areas of the state where user conflict or safety issues arise, then there should be a point-of-service fee at those specific boat ramps or other high use areas that address the specific concerns of the area. But to target kayakers who are enjoying our public lands, just as snowshoers, backcountry skiers, backpackers, and hikers do, is inherently wrong when we derive no benefit from these funds.

If the Oregon Marine Board has nothing better to do over the past several years than to spend a lot of resources in trying to figure out how to fine a small user group to raise more money for themselves, then perhaps they have just demonstrated that they need to evaluate what their purpose, goals, and mandates are, and whether they are meeting them. That would be a much better use of their time than to try to troll the kayaking community to ask us what unneeded services they can pretend to provide for us as an excuse to levy fees on our activities. If the State of Oregon tried to levy a user fee for everyone who put on hiking boots and walked on a trail, there would be a huge outcry. And yet that is precisely what the Oregon Marine Board is trying to do for a group of us users who use kayaks similarly as a hiker uses hiking boots to float down our beloved water trails.

Some people kayak because they are unable to hike or backpack long distances due to their health or physical conditions. Yet they will be charged user fees to access their water trails when hikers, backpackers, mountain bikers, backcountry skiers, snowshoers, rock climbers, and other outdoor enthusiasts are not fined to use their trails of choice?

The Oregon economy derives much from outdoor recreationalists. We want to improve access to our public lands, not create barriers and limitations.

I strongly oppose this bill and feel that it is poorly conceived, is not good for the state of Oregon or its citizens, does not benefit river or ocean conservation, does not promote safety of kayakers, and has so many conflicting issues that need to be addressed that it is not anywhere near ready to be written into law. I would also argue that a bill of this nature should never be written into law and that the Oregon Marine Board should go back and consider what their purpose, goals, and mandates are, and figure out their programs and sources of funding based on those fundamentals rather than randomly going after unrelated groups of outdoor enthusiasts to meet their fiscal needs.

Thank you very much for your time and consideration.

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