

My name is Aaron Zettler-Mann. I am a frequent non-motorized boat user and doctoral candidate at the University of Oregon studying rivers.

I am here to voice my opposition to house bill 2320 and house bill 2321 on the grounds that they do not equitably assess fees on the users of Oregon waterways who stand to benefit from the use of the possible fees. The laws do not guarantee that the fees would be used to the benefit of non-motorized boaters. They assess fees for the use of public spaces on the non-motorized users of Oregon waterways indiscriminately, based on potential use anywhere within the state. A comparable fee would be a 'hiking boot fee' to fund education on not getting lost. And a second, 'muddy boot' fee to ensure mud and invasive species to not travel between locations. For hiking, this type of blanket fee structure would be unacceptable and waterways should not be treated differently. An existing framework for hiking exists, where by fees are paid in high use areas and smaller or no fees exist in low use areas. A similar system expanding the existing parking and day-use fees would be better suited to enhancing revenue for the Oregon State Marine Board as the users of the most heavily trafficked access points would pay for the upkeep and maintenance of those locations. In addition, educational materials could be provided at these high traffic – high conflict locations.

I am opposed to HB2320 for the specific reasons:

- The unequal assessment of fees depending on whether the users is on a 'nonmotorized boat' or 'craft'. (Pg 1, line 28 to pg 2, line 3). For example two users can be on the same body of water, one on a standup paddle board, the other in a kayak. One could owe up to \$19 annually if both bills pass, the other \$0.
- Lack of direct benefit for many of those that would be required to pay the fee. From the Oregon State Marine Board website and the text of HB2320 it appears that most education is geared towards those bodies of water where motorized/non-motorized conflict arises. Of the non-motorized group, many belong to a group excluded from participating in the fee structure.
- The objective of HB2320 appears to be education of non-motorized water users. HOWEVER, the law does not REQUIRE the creation of education grants, creation of new waterway access, improvement of existing waterway access, etc [pg 3, lines 20-32]. Given the use of the term 'may', and that the money goes in to the general fund it seems well within reason that the fees paid could go to improve facilities that benefit motorized boaters, or fees may simply be used to pay for the enforcement of the new law itself [pg3 lines 8-11]. I find this unacceptable as if I am to pay fees to use public waterways, I should have some guarantee that the monies will be used to support those public waterways.
- This bill does not clearly address non Oregon residents. Pg 4, line 30 describes a \$4 (+\$2 service fee) one week permit. Is the expectation that all non-residents will purchase this permit if they plan to use Oregon waterways? Surely this will be largely ignored and, if enforced, could likely result in a decrease in tourism.
- The requirement of a PFD at all times is unacceptable. People floating in calm water should not be fined if they do not wear a PFD. Enforcement of this rule has the large potential to disproportionately impact those that may not be able to afford a PFD but still want to use public waterways. Hundreds of people swim and float on the Sandy River at Lewis and Clark state park. As written, all of them would be required to wear a PFD in addition to any floating device. With

enforcement this will result in discouraging the use of Oregon waterways the exact opposite of what the OSMD wants.

I am opposed to HB2321 for the specific reasons:

- Due to the language on page 5, lines 26-37. As this is written, any individual with a boat on their vehicle may be stopped at any time, simply because they have a boat on their vehicle. This is unacceptable. During the winter, my kayak may be locked on my truck for days at a time, regardless of whether I have any intention to paddle. This means that regardless of where I am traveling I am required to pass through an AIS check station which is an unreasonable expense in time and associated travel expenses.
- Again, related to reasonable enforcement, page 1, lines 6-9. If I drain my boat at the waters' edge, as is standard practice already I am in compliance. However, as the majority of my paddling is done in the winter it is frequently raining. I place my boat on top of my vehicle and rain water begins to accumulate. If I am stopped (again, only because I have a boat on my vehicle and could therefore be in violation of these two proposed laws) and the officer sees water in my boat. Who has the burden of proof here? Am I responsible for convincing the officer that it is rain water? The lack of a clear approach to establish guilt beyond a reasonable doubt makes this law unacceptable.
- In general, this bill seems establish a precedent where by a person may be stopped for having a boat on or in their vehicle. Then once stopped, a series of offences can be searched for related to HB2321 and / or HB2320.

Thank you for your time