



# SB 165A HISTORICALLY FILLED LANDS

House Committee on Agriculture, Land Use, Natural Resources and  
Water

April 28, 2025



# Oregon-Owned Waterways

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*Belong to the people*

*Open for all to use  
and enjoy*

*Overseen by the  
Department of State  
Lands on behalf of  
the State Land Board*





An aerial photograph of a coastal area. In the background, a long bridge with a green truss design spans across the water. Below the bridge, there is a large industrial facility with several large white buildings and a marina filled with many small boats. The foreground shows a grassy area and a road. The sky is blue and clear.

# Historically Filled Lands

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*Throughout much of Oregon's early history, fill was placed in publicly owned waterways to artificially create land*







ASTORIA:  
NEAR STATEHOOD AND TODAY




An aerial photograph of a coastal area. In the background, a long bridge with a green truss structure spans a body of water. In the foreground, there is a marina with many sailboats, several large industrial buildings, and a parking lot. The water is a deep blue, and the sky is clear.

# What's the Problem?

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*Unclear ownership  
can result in  
frustration and delays  
when private  
landowners want to  
sell or refinance their  
properties*

An aerial photograph of a residential neighborhood. The houses are closely packed, with green lawns and trees. A road with a roundabout is visible in the foreground. The houses have various roof colors, and the overall scene is a typical suburban or urban residential area.

# Past Efforts to Address

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- ***2013: Filled Lands Advisory Group (FLAG)***
  - Formed after the 2013 legislative session to ensure a fair and reasonable process to resolve state ownership interests in historically filled submerged and submersible lands
  - Work led to introduction of SB 912
- ***2015: Senate Bill 912***
  - Codified multiple FLAG recommendations
  - Established requirements for the state to assert title to historically filled lands, set a deadline

# Issues Identified in Implementing SB 912

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- **Cost of identifying and claiming historically filled lands often exceeds their value**
  - *Lands identified in studying select river segments were typically small parcels outside city limits, without significant revenue potential*
- **State's ownership can be resolved by working directly with individual adjacent property owners**
  - *In the 10 years since SB 912 was enacted, the Department has had a small number of property owner requests related to historically filled lands and has successfully resolved ownership*

# Final Solution: Senate Bill 165A

***Removes ownership uncertainty for private landowners, retains future opportunities for public ownership***

- Limits the state's ownership claim to specific types of historically filled lands for an additional three years
- Removes ownership uncertainty for most private landowners and
- Prevents complicated split estates for state-owned mineral rights
- Adds clarity for local governments





# THANK YOU

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