

NATIONAL COAST TRAIL ASSOCIATION



Keeping The Coast For Everyone!
through advocacy, education and action
for trails, public access and coastal preservation



Oregon Coast Trail stretches south to infinity from Cape Blanco, our westernmost point!

February 12th, 2025

**House Committee on Economic
Development, Small Business, and Trade**
Capitol Building, Salem, Oregon

Chair Daniel Nguyen, Committee Members:

First, thank you for the passage of last year's associated “quick fix” recreational immunity bill, signed into law, especially given it was done in last year's short session. The urgency of having done so highlights the importance of the issues that needed to be immediately addressed to ensure public access and recreation. But, given that statute has a sunset clause in 2026 – 'here we go again’ -- HB 3140 is now needed as a permanent fix going forward during this session.

The National Coast Trail Association supports House Bill 3140.

This legislation is vital for the preservation and enhancement of public access, recreational hiking opportunities, and the completion of the Oregon Coast Trail. On a related note, we want to also express our appreciation for the bill, also signed into law, that mandated the creation of the Oregon Coast Trail Action Plan. The plan was finalized Fall 2023, to address safety, other issues, and to complete the envisioned 400-mile hiking trail from the Columbia to the California border!

The Oregon Coast Trail, a 400-mile plus treasure⁷⁸, embodies the spirit of Oregon's commitment to public access to its coastline¹. Thanks to visionary leaders like Governors Oswald West and Tom McCall, the Oregon Coast belongs to all of us¹. The OCT is more than just a trail; it is a symbol of our dedication to providing access to the natural beauty of our state, connecting dramatic headlands, picturesque beaches, and vibrant coastal communities⁴.



**OREGON
COAST TRAIL**

HB 3140 is essential to ensuring the Oregon Coast Trail remains a viable and accessible resource for generations to come. Let us count the ways!

- Allows operators to require participants to release them from claims of **ordinary negligence**, this bill provides a crucial layer of protection for businesses that support recreational activities along the trail.
- Encourages investment and innovation in the tourism sector, which is vital for the economic well-being of our coastal communities⁴.
- Aligns with the principles of the Oregon Beach Bill, solidifying the public's right to access and enjoy our coastline⁸. By mitigating potential liabilities, HB 3140 promotes responsible recreation and helps to sustain the long-term health of the OCT.
- Studies the impacts of climate change as the Oregon coast faces increasing environmental challenges³ – from sea level rise to changing rainfall – it is imperative that we understand and address these, and other threats to ensure the continued accessibility and enjoyment of the Oregon Coast Trail.

Many western states have recreational use statutes similar to the proposed House Bill 3140, which already effectively address landowner liability and protect landowners who allow recreational access across their lands¹²⁵.

- These statutes generally aim to **promote responsible recreation and mitigate potential liabilities**⁵.
- While the specifics vary by state, common elements include **limiting landowner liability for ordinary negligence** when no fee is charged for access and users are engaging in recreational activities²⁵⁷.
- **Some states may also extend these protections to government entities and specify that landowners are not protected from liability in cases of **gross negligence, willful misconduct, or malicious intent**¹⁷.**
- States like California offer specific protections for trails, whether on private or public land⁵.

We need the coast, we need public access and trails . . . and now the coast needs us!

- Could you imagine access to Oregon coast beaches being limited or even closed?
- Could you envision decreased or no access to existing trails along the coast?
- Can you remember a time when you weren't able to take a great hike or access one of your favorite – and spectacular – coastal views?

Therefore, we urge the Committee to **recognize the profound importance of HB 3140** and its potential to **safeguard** public access, **ensure** recreation through various opportunities, **sustain** the economy, and **provide** one of the key foundation stones to **enable** all involved to **complete the Oregon Coast Trail**. And, further, **to realize all this** by ensuring it moves out of committee to the next step.

With Respect and Gratitude,



Al LePage, Executive Director

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cc: Board of Directors