



COALITION OF OREGON LAND TRUSTS

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February 18th, 2025

To: Senate Committee on Judiciary

From: The Coalition of Oregon Land Trusts

RE: Support for S.B. 179 – Permanence for Expanded Recreational Immunity Protections

Chair Prozanski, Vice-Chair Thatcher and Committee Members:

On behalf of the Coalition of Oregon Land Trusts (COLT), we thank you for the opportunity today to provide comments in support of S.B. 179, a bill that would make permanent enhanced recreational immunity protections for public and private landowners.

The Coalition of Oregon Land Trusts (COLT) represents 31-member land trusts, soil and water conservation districts, and conservation organizations across Oregon that are working to protect our natural world – our water, wildlife and open space – for all people, forever. **As of 2023, our statewide community of land trusts had 90 properties open for public use in Oregon.**

The Oregon Public Use of Lands Act provides liability protections for landowners – both public and private – who make their land available without charge for recreational use by the public. A 2023 Oregon Court of Appeals decision undermined the immunity guaranteed in the Act, threatening public and private land available to Oregonians for their recreational use and enjoyment.

Greenbelt Land Trust, based in Corvallis, provides access to several protected properties open to the public, including hosting some of the most popular public trails in Benton County. The Deschutes Land Trust currently owns and stewards over 2,200 acres of land as Community Preserves, open to the public to enjoy and explore



24 MEMBER ORGANIZATIONS: Blue Mountain Land Trust • Center for Natural Lands Management • Columbia Land Trust
Deschutes Land Trust • Ducks Unlimited • Forest Park Conservancy • Friends of the Columbia Gorge Land Trust
Greenbelt Land Trust • Klamath Lake Land Trust • Lower Nehalem Community Trust • McKenzie River Trust
North Coast Land Conservancy • Northwest Rangeland Trust • Oregon Agricultural Trust • Oregon Desert Land Trust
Pacific Forest Trust • Southern Oregon Land Conservancy • The Conservation Fund • The Nature Conservancy in Oregon
The Trust for Public Land • The Wetlands Conservancy • Willowa Land Trust • Western Rivers Conservancy • Wild Rivers Land Trust

8 ASSOCIATE MEMBER ORGANIZATIONS: Black Oregon Land Trust • Cerro Gordo Land Conservancy • Clackamas Soil & Water
Conservation District • East Multnomah Soil & Water Conservation District • Helvetia Community Association
Tualatin Soil & Water Conservation District • View the Future • Yamhill Soil & Water Conservation District

through over 25 miles of trails. Without the extension of recreational immunity protections provided in S.B. 179, Deschutes Land Trust and all Oregon land trusts could face costly litigation and increased liability insurance premiums due to the decision in *Fields vs. City of Newport*.

Our coalition worked with Senator Prozanski and this Committee last legislative session to pass S.B. 1576A, which temporarily amended the Public Use of Lands Act to restore recreational immunity protections by adding “walking, biking, and running” to the list of recreational activities. These protections sunset on January 2, 2026, and our coalition tracked the working group's efforts over the interim to craft a more comprehensive and permanent solution for the 2025 legislative session.

S.B. 179 would continue the protections passed during the 2024 legislative session by removing the sunset of January 2026. If there is interest in the Committee, we would also support proposed amendments to S.B. 179 that:

- Extend the immunity in Section 1 of the bill to private landowners who open their land to the public free of charge (currently private landowners in rural areas who fall under this section must rely on ordinance adoption by the local jurisdiction),
- Clarify that trails that serve a dual purpose as both recreation and transportation facilities are covered under the law, and
- Include broader language such as "means of conveyance" rather than the walking, biking, and running currently spelled out in the "includes but is not limited to" list.

We urge this Committee to pass S.B. 179 and make permanent the recreational immunity protections that allow our land trusts and private landowners across Oregon to safely open their lands for public use and enjoyment. Thank you for your consideration and the time to testify.

Sincerely,



Joe Buttafuoco
Executive Director
Coalition of Oregon Land Trusts (COLT)

