



April 23, 2025

To: House Committee on Judiciary
From: Lower Nehalem Community Trust

RE: Support for Recreational Immunity Protections through S.B. 179A

Chair Kropf and Committee Members,

We are a land trust located on the North Coast of Oregon with the mission to preserve land and nurture conservation values in partnership with our community in the Lower Nehalem region. We own and manage properties that connect our community to nature. We're writing you in strong support of S.B. 179A, a bill that would provide continued recreational immunity protections for public and private land open for recreational opportunities.

As of 2023, there were 90 land trust properties open for public use in Oregon. The Oregon Public Use of Lands Act encourages public and private landowners to make their land available to the public for recreational purposes by providing landowners immunity from liability. In 2023, an Oregon Court of Appeals decision undermined the immunity guaranteed in the Act, threatening access to public and private land available to Oregonians for their recreational use and enjoyment.

In the 2024 legislative session, lawmakers passed S.B. 1576A to temporarily restore recreational immunity protections on public and private land. The legislation added "walking, biking, and running" to the list of recreational activities and extended liability protections through January 2, 2026.

We own and manage several lands that are impacted by this decision, most pertinently a popular segment of the Oregon Coast Trail connecting Neahkahnie Mountain to the town of Manzanita. The *Fields vs. City of Newport* decision resulted in the closure of the trailhead segment which is owned by another private landowner. This trailhead which was able to reopen with the temporary fix (S.B. 1576A), may close again if these protections aren't made permanent. Our organization has also been tasked with evaluating our increased liability should these protections not pass.

As nonprofit land trusts, we could face costly litigation and increased liability insurance premiums due to the decision in *Fields vs. City of Newport*. The passage of S.B. 179A would extend important safeguards so we can continue to allow public access to trails and recreational opportunities on our lands over the summer season.

Please support the passage of S.B. 179A in the 2025 legislative session. Thank you very much for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Emily Akdedjan", written over a light blue horizontal line.

Emily Akdedjan, Executive Director
Lower Nehalem Community Trust