

April 5, 2017

Senate Judiciary Committee,

I am writing to you to express my strong support for SB327. The Johnson vs Gibson Lawsuit in Portland has very real impacts to recreation in Oregon. In my experience, it has closed down a nationally recognized climbing resource in Central Oregon, which was built to help the local economy.

I started rock climbing in 1991 at Smith Rock and spend much of my free time either climbing or doing volunteer work. I volunteer to do trail work and each spring lead a volunteer day at Smith Rock which attracts about 200 people and has been occurring for the last 25 years. I also replace old rusty bolts with new stainless steel bolts. I also serve as a volunteer for Deschutes County Search and Rescue to rescue climbers and hikers at Smith Rock. I have recently been awarded the Access Fund's 2016 Bebie Leadership Award for the volunteer work I do. Keeping climbing areas open for public recreation is very important to me.

In 2013, I approached the City of Redmond requesting to develop climbing opportunities under the Maple Avenue Bridge, which is a city owned road bridge spanning the Dry Canyon which is a city park. I offered to do all the construction and fundraising for the hardware. Essentially I was giving the City of Redmond a great climbing resource for free, which would have cost them tens of thousands of dollars. I spent a year and a half to write a management plan for the site, partnered with the Redmond Parks Foundation, gained approval from the Parks Advisory Committee, Public Works, City Engineer, the engineers of the bridge, Redmond Liability and Risk Department, the Mayor and Redmond City Council. The city then got the Bridge covered under their insurance policy and I began fund raising and getting donations.

In July of 2015, I spent my summer vacation days, evenings and weekends volunteering over 100 hours to build the first climbing route. The bridge has six arches, which I installed climbing handholds and bolts. The bolts are used to connect a rope, to prevent falling to the ground. Redmond Mayor George Endicott and myself cut the ribbon at the end of August and we opened it to the public. The local TV and newspapers covered the story. It was a huge hit with local climbers and word quickly spread across the US and even overseas. The bridge was receiving a lot of coverage as being innovative and a great partnership. The Redmond Chamber of Commerce even had the bridge on the front cover of their Redmond Visitors Guide. A key component of the bridge was to attract climbers from Smith Rock to try something different and climb the bridge, which would in turn promote people shopping, eating meals and staying in Redmond.

It was working....until....the Johnson vs Gibson Lawsuit in Portland changed Recreation Immunity Protection in Oregon. The insurance company "perceived" climbing as being dangerous. Actually sport climbing as being one of the safest outdoor activities. We tried to convince the insurance company that we used the highest standards within the climbing community for equipment, we followed Climbing Wall Association standards for location of bolts. We even created a filter at the start of the route, by

making the first moves more difficult. The holds were so small you would have had to climb for at least a year to have the finger strength to just get off the ground. Anybody who had this level of strength would have been climbing long enough to know how to use ropes and harnesses. This was not for beginners, but for well established climbers. The concept was to manage the site like any other outdoor climbing area throughout the world. Bolts provide protection and climbers bring their own rope and climb at their own risk.

The insurance company said they would cover the bridge once Oregon Recreation Immunity Protection was "fixed", and the city had to close the climbing in July 2016. The city shopped around and insurance was going to cost \$150,000 for a year.

Climbing as a sport is skyrocketing. Almost every school has some sort of climbing wall either as a gym or playground equipment. Young kids take to climbing naturally. Climbing will be featured in the 2020 Olympics in Japan. Nationally it is estimated that we had 350,000 climbers in 1994. In 2014 it was estimated that we have over 6.8 million climbers in America. Smith Rock use numbers are through the roof for both climbers and hikers who want to watch the climbers.

Climbing, in particular, really relies on Recreation Immunity Statues, throughout the US. 9 states specifically call out climbing as an activity providing protection to landowners. This is especially important because climbers need to leave hardware behind for themselves and for future climbers for safety and to get down from the top. Landowners get nervous when hardware is left on their land thinking they are responsible for maintenance. Washington State even went so far as to add language in law that fixed hardware is not the responsibility of the landowner. If at all possible, it would be great to add the word CLIMBING in the definition of Recreation Activities in ORS 105.672.

Landowners need to be assured, if they allow people to recreate on their land they will not get dragged into a lawsuit for something

The Redmond Bridge Closure is just the Canary in the Coal mine. If this statue does not get fixed we will see many other closures. Other sports and outdoor activities will also be in jeopardy. I am begging you to support SB327.

Passing the bill will allow us to reopen the bridge and protect our recreation activities in Oregon.

Sincerely,

Ian Caldwell
City of Redmond Resident

PS I have attached two photos of climbing the Maple Bridge in Redmond.

