

April 5, 2017

Senate Judiciary Committee,

I am writing to you to express support for SB327 to improve recreational immunity to landowners. Access Fund works with private and public landowners across the country to reduce landowner liability and encourage public recreational access, two mutually compatible goals that benefit the greater public. The Johnson vs Gibson Lawsuit in Portland has very real impacts to recreation in Oregon. For example, the case led to the closure of a nationally recognized climbing resource in Redmond, Oregon, which was built to help the local economy.

The Redmond climbing wall on the Maple Avenue Bridge had universal support from the Redmond Parks Foundation, Parks Advisory Committee, Public Works, the City Engineer, Redmond Liability and Risk Department, Mayor, and City Council. 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 across the state, which would in turn promote local economic benefits for the town, its businesses, and residents. The area was open until the Johnson vs Gibson Lawsuit in Portland changed recreation immunity protection in Oregon. The insurance company perceived climbing as dangerous and would not cover the bridge until Oregon recreation immunity protection was fixed. The city had to close climbing in July 2016. The Redmond bridge closure is just one example, but if the statute is not improved, there may be significant impacts on recreational access and local economies across various forms of recreation, from hiking and paddling, to fishing and hunting.

Climbing as a sport is on the rise. 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. As one of the state's most popular state parks, Smith Rock use numbers have increased significantly in the last decade.

We also encourage SB327 to consider an amendment to add "climbing" to the list of "Recreational purposes" in ORS 105.672. Nine states, including Alabama, Colorado, Maine, New Hampshire, Tennessee, Virginia, Vermont, Washington, and Wisconsin specifically include climbing as an activity with protection for landowners. In the 2017 legislative season, New Jersey, New York, and Texas are also considering its addition. Washington State has language specific to climbing fixed hardware that states bolts and anchors are not the responsibility of the landowner. If not amended in this bill, we encourage subsequent action in this legislative session or future years.

About the Access Fund

The Access Fund is the national advocacy organization that keeps climbing areas open and conserves the climbing environment. Founded in 1991, the Access Fund supports and represents over 6.8 million climbers nationwide in all forms of climbing: rock climbing, ice climbing, mountaineering, and bouldering. Six core programs support the mission on national and local levels: climbing management policy, stewardship and conservation, local support and mobilization, land acquisition and protection, risk management and landowner support, and

education. Access Fund works with thousands of members, affiliate climbing organizations, and volunteers in Oregon. For more information, visit www.accessfund.org.

Sincerely,

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National Access Director &

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