



FRIENDS OF THE COLUMBIA GORGE

May 8, 2017

Rep. Jeff Barker
House Committee of Judiciary
Oregon Capitol
900 Court St.
Salem, OR 97301

RE: Support for SB 327

Dear Chair Barker and members of the Judiciary Committee,

On behalf of the board and staff of Friends of the Columbia Gorge and its 6,300 members, I write in strong support of Senate Bill 327. In passing this legislation, you would restore crucial recreational immunity protections granted in 1971 via the Oregon Public Use of Lands Act.

Friends of the Columbia Gorge Land Trust owns over 1,000 acres in the Columbia River Gorge National Scenic Area and opens many of its lands to the public. One example is the Mosier Plateau (*see right*), a 45-acre property adjacent to the town of Mosier, an area used by hikers, Mosier residents and the students of the Mosier charter school. **Without Senate Bill 327, we may have to close public access to this property.**



The original intent of the Oregon Public Use of Lands Act was to expand recreational opportunities to the public by shielding landowners from liability who allow use of their land. This crucial protection has been significantly diminished as a result of the Oregon Supreme Court's 2016 decision in *Johnson v. Gibson* which upheld that employees and agents of property owners are not protected. This decision further extends to employees and agents stripping away their protection.

The *Johnson v. Gibson* decision represents a threat not just to our organization, but to the Gorge economy and a way of life. Recreation and the outdoors are part of the Gorge. The Oregon Public Use of Lands Act has helped lay the foundation for our thriving success. The prospect of increased liability risks and insurance premiums for landowners threatens to

undercut this success. Landowners will be far less likely to make their lands available for public use, fearing potential lawsuits against their employees and agents. Insurers will have no choice but to increase premiums paid by property owners and event promoters. We ask that you act swiftly and decisively in restoring the protections lost in *Johnson v. Gibson* and work broadly to protect our legacy of outdoor recreation. This is not a partisan issue. It's not a regional issue. It affects all of us and so much of what we love about our amazing state of Oregon. Please support SB 327.

Please feel free to contact me at (971) 634-2029 or kevin@gorgefriends.org if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kevin Gorman".

Kevin Gorman
Executive Director