



February 9<sup>th</sup>, 2024

To: Senate Committee on the Judiciary  
From: Greenbelt Land Trust

**RE: Support for Recreational Immunity Protections through SB. 1576**

Chair Prozanski and Committee Members:

Greenbelt Land Trust is a regional conservation organization with a mission of conserving the lands and waters of the Willamette Valley for a more resilient future. We write to you today in strong support of S.1576 and the -3 amendment, provisions that would restore 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. However, a recent Oregon Court of Appeals decision undermined the immunity guaranteed in the Act, which would result in a severe reduction of land available for Oregonians to enjoy.

At Greenbelt Land Trust we provide access to several of our protected properties to the public, including hosting some of the most popular public trails in Benton County. The impacts from *Fields vs. City of Newport* are far-reaching, and are moving our Land Trust to reconsider the risk of providing public access. **We depend on the Oregon Public Use of Lands Act and recreational immunity to enable us to be providers of trail access for all**, and it is imperative that the Act be reaffirmed and that the dangerous loophole that was opened through the Newport case is closed, enabling landowners to continue to confidently provide public access to our state's natural areas.

As nonprofits, land trusts could face costly litigation and increased liability insurance premiums due to the decision in *Fields vs. City of Newport*. The passage of SB. 1576 with the -3 amendment would provide 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 SB. 1576 and the -3 amendment in the 2024 legislative session. Thank you very much for your time and consideration.

Sincerely,

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