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February 11, 2024

Senate Committee on Judiciary
Att: Chairman Senator Floyd Prozanski
900 Court St NE, Salem, OR, 97301

RE: Support for -3 Recreational Immunity Fix Amendment to SB 1576

Dear Chair Prozanski, Vice-Chair Thatcher, and members of the committee:

The Oakridge Trails Alliance is a 501C3 trails stewardship organization with a mission to develop, enhance, celebrate and protect access to recreational trails in the Middle Fork Ranger District of the Willamette National Forest and the greater Oakridge area.

We are writing today to express our support for -3 Recreational Immunity Fix Amendment to SB 1576.

We believe recreational immunity laws should provide incentives for landowners to provide public access for recreational use by reducing the risk of liability and increasing inclusive access to alternative transportation routes and recreation opportunities, protecting natural resources and encouraging economically viable and climate resiliency strategies in community development – especially where rural communities are concerned.

Trails and recreational assets provide opportunities for people to explore and enjoy the natural beauty of Oregon. Maintaining public access to these areas fosters a sense of connection and stewardship among residents and visitors alike. Furthermore, many of Oregon's natural attractions, such as forests, rivers, and mountains, are bisected or may even be located on private property. Access to these areas through private easements is crucial for recreational activities such as hiking, biking, hunting, fishing, and camping –

particularly for economically-challenged rural residents where transportation by vehicle may serve as a barrier for participation in outdoor activities.

Public access to trails and recreational assets encourages outdoor recreation, which has numerous benefits for individuals and communities. Outdoor activities promote physical health, mental well-being, and community engagement. Access to trails and recreational areas also boosts tourism and supports local economies by attracting visitors to the region. These connections are important for providing a geographical framework for climate resiliency in community planning initiatives, while attracting investment in new infrastructure, and maintaining property values.

Many trails and recreational assets in Oregon also have cultural and historical significance, representing important aspects of the state's heritage. Maintaining public access to these areas allows people to learn about and appreciate Oregon's diverse cultural and historical heritage.

For these reasons, it is critical our laws reflect language that clearly restores recreational immunity for public and private landowners and applies to both improved and unimproved trails.

Accessibility & Inclusion

Recreational immunity laws incentivize landowners to invest in making their trails and recreational facilities more accessible to people with mobility challenges. Landowners are more likely to undertake such improvements if they are protected from liability claims related to accidents or injuries that may occur on their property. This could involve constructing wheelchair-friendly paths, installing ramps, improving signage, and creating accessible parking areas, expanding opportunities for people with disabilities to engage in activities such as hiking, birdwatching, or enjoying scenic viewpoints.

Accessible trails and recreational facilities not only benefit people with mobility challenges but also promote inclusive recreation for people of all abilities. **By ensuring that outdoor spaces are accessible to everyone, regardless of their physical limitations, clear recreational immunity laws support the principle of equal access and promote social inclusion by providing spaces where people of diverse backgrounds and abilities can come together to enjoy outdoor activities.** This contributes to a sense of belonging and strengthens social connections within communities.

Promote Shared Responsibility

Oregon's recreational immunity laws should encourage responsible behavior from both landowners and recreational users while promoting access to outdoor recreational opportunities. This protection encourages landowners to improve and allow public

access to trails and recreational assets without fear of facing excessive legal liability while encouraging recreational users to exercise etiquette and reasonable care while using the trails and recreational facilities.

Equitable Access & Connectivity

Many trails serve dual purposes, providing opportunities for both recreational activities and practical uses such as commuting or accessing essential services. Applying recreational immunity to these trails encourages their multi-use potential, supporting both recreational enjoyment and practical transportation needs.

Trails used for commuting or accessing recreation often connect communities, residential areas, business districts, parks, and other destinations. By applying recreational immunity to these trails, barriers to access are reduced, reducing reliance on motor vehicles, and promoting connectivity and facilitating easier movement between different areas. Recreational immunity also incentivizes landowners to maintain and improve trails, contributing to a sustainable infrastructure for active transportation.

Oakridge is particularly reliant upon trails – both improved and unimproved – to connect residents and visitors with safe alternative transportation options that do not require them to cross Highway 58. This is a major impediment for connecting neighborhoods to the river on the south, or public services including our library, post office, and downtown business district, to the north. Improved trails serve residents and visitors alike with a range of abilities. As the current recreational immunity law stands, our community is discouraged from developing equitable access to the benefits improved trails systems would provide.

Access to trails for commuting or accessing recreation also translates into economic benefits by attracting visitors, supporting local businesses, and enhancing property values in surrounding areas and facilitating economic opportunities associated with increased trail usage.

Climate Resiliency

Trails provide an important opportunity to help build fire resilient communities. In areas like Oakridge, **trails systems offer an effective strategy for creating fire resistant barriers that help protect important community infrastructure and homes.** Recreation immunity is critical for communities like ours, that are surrounded by fire-prone landscapes, where long-term recreational planning and new trails projects can provide a proactive, sustainable solution to climate change.

Please support the -3 Recreational Immunity Fix Amendment to SB 1576 to help promote the use and maintenance of trails for a wide range of purposes, ultimately contributing to healthier, more connected, and more vibrant communities.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michelle Emmons', with a stylized flourish at the end.

Michelle Emmons, *Executive Director*

Oakridge Trails Alliance

cc: Oakridge Trails Alliance Board of Directors

Matt McPharlin, *President*

Sean Stevens, *Vice President*

Melody Cornelius, *Secretary/Treasurer*

Lev Stryker, Cog Wild Mountain Bike Tours

Becky Hope, Back Country Horsemen of Oregon

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Nick Gibson, Trans-Cascadia Excursions

Advisory (at-Large) Members:

Angela Stevens

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