



SB 165 HISTORICALLY FILLED LANDS

Senate Committee on Judiciary
February 5, 2025

Oregon-Owned Waterways

Belong to the people

*Open for all to use
and enjoy*


*Overseen by the
Department of State
Lands on behalf of
the State Land Board*



An aerial photograph of a coastal area. In the background, a long bridge with a central suspension span crosses a large body of water. In the foreground, there is a marina with many sailboats, several large industrial or commercial buildings, and a parking lot. The water is a deep blue, and the sky is clear.

Historically Filled Lands

Throughout much of Oregon's early history, fill was placed in publicly owned waterways to artificially create land

An aerial photograph of a residential neighborhood. The houses are densely packed, with various roof colors and styles. There are trees and green spaces interspersed among the buildings. The overall appearance is that of a well-established suburban or urban area.




ASTORIA:

NEAR STATEHOOD AND TODAY



What's the Problem?

*Unclear ownership
can result in
frustration and delays
when private
landowners want to
sell or refinance their
properties*



Past Efforts to Address

- **2013: Filled Lands Advisory Group (FLAG)**
 - Formed after the 2013 legislative session to ensure a fair and reasonable process to resolve state ownership interests in historically filled submerged and submersible lands
 - Work led to introduction of SB 912
- **2015: Senate Bill 912**
 - Codified multiple FLAG recommendations
 - Established requirements for the state to assert title to historically filled lands, set a deadline

Issues Identified in Implementing SB 912

- **Cost of identifying and claiming historically filled lands often exceeds their value**
 - *Lands identified in studying select river segments were typically small parcels outside city limits, without significant revenue potential*
- **State's ownership can be resolved by working directly with individual adjacent property owners**
 - *In the 10 years since SB 912 was enacted, the Department has had a small number of property owner requests related to historically filled lands and has successfully resolved ownership*

Final Solution: Senate Bill 165

Removes ownership uncertainty for private landowners, retains future opportunities for public ownership

- Limits the state's ownership claim to specific types of historically filled lands
- Removes ownership uncertainty for most private landowners
- Adds clarity for local governments



THANK YOU

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