

Department of State Lands

Trust Lands (constitutional)

VS

Non-Trust Lands (statutory)



Oregon's Statehood

- Oregon became a state in 1859.
- The first 13 colonies were given statehood following the common law of England.
- All states entering the Union were given certain rights & all were to be treated the same.



“Equal Footing Doctrine”

“All states entering the Union were given the same rights as the first 13 states. Which meant all states were entitled to “navigable” waters and all tidally influenced waterways within their boundaries.”



Trust Lands

- The act of Congress admitting Oregon to the Union in 1859 granted nearly 3.4 million acres (sections 16 & 36 of each township) of the new state's land "for the use of schools."
- Moneys generated are deposited into the Common School Fund to support Oregon's K-12 public schools.
- The State Land Board was established to oversee these "school lands" and has been the trustee of the Common School Fund for more than 150 years.



State of Oregon

- **Uplands** –
 - Trust Lands (constitutional-maximize revenue over the long term for the benefit of schools)
 - Non-Trust Lands (statutory-can have other management mandates such as habitat, special stewardship, etc.)
- **Waterways** – (statutory)
 - Tidally influenced waterways
 - Waterways that meet the federal test of navigability.



State Owned Waterways

(Statutory)

- Open for all lawful uses by the public.
- The Department has a duty to keep waterways open to public navigation, commerce, recreation and fisheries.
 - Meandered Lakes (surveyed)
 - Navigable Rivers
 - Tidally influenced waterways.
 - Territorial Sea (3 nautical miles)

Uses of State Owned Land

Waterways

- Marina's
- Boat Docks
- Bridges
- Floating Homes
- Recreational Cabins
- Remediation/Restoration
- Utility/Power Lines
- Sand & Gravel Extract

Uplands

- Livestock
- Utility/Power Lines
- Roads/driveways
- Pipelines
- Erosion Control Structures
- Material Storage
- Sand & Gravel Extract

Oregon Constitution Article VIII, Section 5(2)

- **The State Land Board, through the Department, has a constitutional responsibility to manage “the lands under its jurisdiction with the object of obtaining the greatest benefit for the people of this state, consistent with the conservation of the resource under sound techniques of land management”.**

All Trust and Non-Trust Lands

