



Marine Reserves: Purpose and Laws Governing

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In 2012, Oregon completed designation of five marine reserve sites within its state waters (0-3 nautical miles offshore). Each site consists of a no take marine reserve and most also include one or more adjacent, less restrictive protected area. The marine reserves prohibit all take of fish, invertebrates, wildlife and seaweeds as well as ocean development. The protected areas have varying levels of protection; allowing or prohibiting specific take and prohibiting all ocean development.

Purpose

As established by the Oregon Ocean Policy Advisory Council (OPAC), the overall purpose of marine reserves is to provide an additional tool to help protect, sustain, or restore the nearshore marine ecosystem, its habitats, and species for the values they represent to present and future generations (OPAC 2008). OPAC is a legislatively mandated body that advises the Governor, state agencies, and local governments on marine resource policy issues.

Marine Reserves Statutes (ORSs)

The Oregon Legislature has passed two pieces of marine reserves legislation, one in 2009 and one in 2012. Oregon Revised Statutes, 196.540 through 196.555, direct state agencies and establish requirements with regards to siting, planning, and implementation of five marine reserve sites in Oregon's state waters. The statutes also call for a comprehensive evaluation of the five sites and report to the Oregon Legislature in 2023.

Marine Reserves Administrative Rules (OARs)

Marine reserve and protected area site boundaries and extractive activity restrictions are established and governed by state agency administrative rules. To establish a marine reserve site, three primary state agencies are responsible for adopting and implementing administrative rules:

1. *Department of State Lands (DSL)* - Rules establish site boundaries and regulate submerged and submersible land uses that require state authorization or a removal-fill permit (including harvest of subtidal kelp).
2. *Department of Fish and Wildlife (ODFW)* - Rules regulate fishing, hunting, and take of fish, invertebrate, and wildlife species within a site.
3. *Parks and Recreation Department (OPRD)* - Rules regulate extraction of living (i.e., seaweed) and non-living natural products, and disruptive activities, along the rocky shore portions of a site.

Marine reserve and protected area OARs for the five sites have been adopted by the State Land Board, the Fish and Wildlife Commission, and the Parks and Recreation Commission: OAR 141-142 (DSL), OAR 635-012 (ODFW), and OAR 736-029 (OPRD).