



Oregon Marine Reserves Background

Oregon Department of Fish and Wildlife, July 2009

For more information: <http://www.oregonmarinereserves.net>

OVERVIEW

The State of Oregon is engaged in an ongoing process to designate a system of marine reserves in Oregon's Territorial Sea. The state's Ocean Policy Advisory Council (OPAC), a legislatively mandated advisory body that provides marine policy advice to the Governor of Oregon, worked from 2007 through 2008 to identify possible marine reserve sites in Oregon. OPAC forwarded those recommendations to the Governor, who endorsed the recommendations and requested funding for implementation in the Governor's Recommended Budget for 2009-2011. In June of 2009 the legislature passed House Bill 3013, which directs state agencies to implement the OPAC recommendations, provides for funding, and directs the Oregon Department of Fish and Wildlife (ODFW), in consultation with others, to develop a work plan to implement the OPAC recommendations.

ODFW is currently developing the work plan in consultation with scientists from OPAC's Scientific and Technical Advisory Committee, other scientists, relevant state agencies, ocean users, and coastal communities. This workshop is a first step in the work plan development.

In order to provide context for workshop participants less familiar with the Oregon process, this document briefly summarizes Oregon's marine reserves process to date, the marine reserves proposal process and OPAC recommendations, and marine reserve related legislation from the Oregon Legislature's 2009 session.

A companion piece describing the workshop's focus, directed at all workshop participants, covers Oregon's marine reserve goals, opportunities, and constraints.

BRIEF SUMMARY OF OREGON'S MARINE RESERVE PROCESS TO DATE

In March of 2008 Governor Kulongoski issued Executive Order 08-07, which placed the Oregon Department of Fish and Wildlife (ODFW) as the lead agency working with OPAC to develop a list of sites for further evaluation as marine reserve sites. The order directed OPAC, with the help of state agencies, to develop a list of recommended sites to forward to the Governor by December of 2008. The order also identified key sideboards, which have shaped the recommendation process. Those sideboards include: limiting recommendations to nine or fewer sites; ensuring sites are ecologically meaningful without causing significant socioeconomic hardship; and placing a priority on sites developed collaboratively with coastal communities, ocean users, and the public.

Based on those sideboards, OPAC completed a report in August of 2008 that provides policy recommendations to guide the selection and future implementation of marine reserves in Oregon's territorial sea. The report covers the overall purpose of Oregon's marine reserve

system, goals, objectives, principles, and guidelines, and provides definitions to guide Oregon's process.*

PROPOSAL PROCESS AND OPAC RECOMMENDATIONS

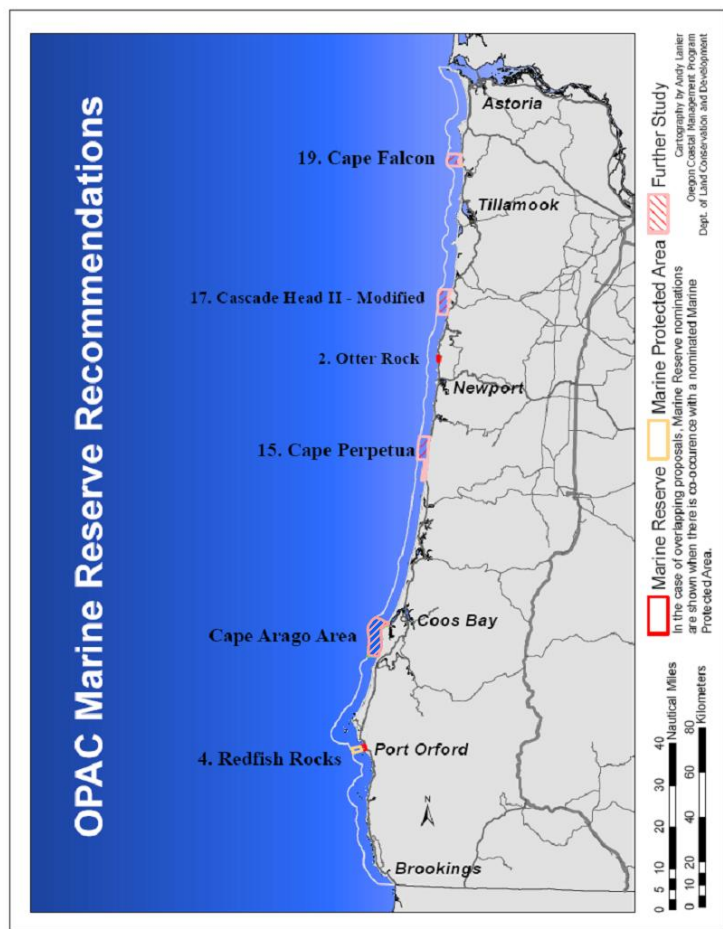
Proposal Process

Between June and September of 2008, community groups and citizens developed proposals for marine reserve sites. The proposal form asked proponents to describe specific attributes of the site, such as size and location, habitat and species types present in the site, and the ease of enforcement, as well as factors such as potential research opportunities, community support, and how the site avoids significant adverse economic and social impacts. Groups and individuals submitted twenty proposals to OPAC, which covered nine distinct areas from Tillamook Head down to Mack Reef.

OPAC recommendation

State agencies and OPAC reviewed the twenty proposals and at the end of November, 2008, OPAC ultimately recommended that six areas move forward for further consideration or development. OPAC recommended two of the areas, Otter Rock and Redfish Rocks, for designation as pilot marine reserves. The areas were recommended to move ahead as pilot reserves because the proposals were the most developed in terms of community collaboration and baseline information. These areas will be designated as pilot marine reserves by the end of 2009, following appropriate rulemaking and consideration of baseline data needs.

The other four "evaluation" areas require additional time for ecological and socioeconomic information to be gathered, as well as for further collaboration among ocean users, coastal communities, and other interested parties. Three of these areas, Cape Falcon, Cascade Head, and Cape Perpetua, have proposals associated with them that will serve as starting points for further evaluation and collaboration. The final area, Cape Arago/Seven Devils, will not use an existing proposal as a starting point but will instead start fresh with the International Port of Coos Bay supporting and leading a collaborative process to consider and develop a new marine reserve proposal for the area.



Department of Land Conservation and Development

LEGISLATIVE ACTION (2009 SESSION)

Budget

Governor Kulongoski and the Oregon state legislature support implementing the OPAC marine reserve recommendations. The 2009-2011 Governor's Recommended Budget included funds for ODFW to implement OPAC recommendations, and the Legislature granted the ODFW budget request that encompassed those funds.

In total, the legislature allocated \$2,000,000 to ODFW for marine reserves work during the 2009-2011 biennium. \$1,000,000 will come from state funds, specifically, unobligated settlement funds left over from the *New Carissa* removal. Those funds will become available to ODFW in late summer of 2009. The other \$1,000,000 allocation acts as a placeholder for donations or grants that the agency may accept from outside sources. This funding is not guaranteed and availability depends upon obtaining outside donations and grants. Any outside donations and grants going towards marine reserves must be consistent with the work plan.

The full ODFW budget includes eight new staff positions to implement the next phase of the marine reserves process. Hiring for some of those staff will begin during the summer of 2009. Hiring for others will be delayed depending on the availability of outside grants and donations.

House Bill 3013 Requirements

Also during the 2009 legislative session, the legislature passed House Bill 3013.* HB 3013 directs state agencies to implement the OPAC recommendations, provides for funding, and directs ODFW, in consultation with others, to develop a work plan to implement the OPAC recommendations.

The specific call of the legislation is to implement the OPAC recommendations by:

- (1) Adopting rules to establish, study, monitor, evaluate and enforce a pilot marine reserve at Otter Rock and a pilot marine reserve and a marine protected area at Redfish Rocks;
- (2) Studying and evaluating potential marine reserves at Cape Falcon, Cascade Head and Cape Perpetua; and
- (3) Supporting the development of a marine reserve proposal at Cape Arago-Seven Devils.

The legislation directs ODFW to develop a work plan that will implement the above actions. The work plan must be developed in consultation with scientists from OPAC's Scientific and Technical Advisory Committee and other scientists, relevant state agencies, ocean users, and coastal communities. The plan must contain certain elements, including:

- (1) A biological assessment, including information on habitat characterization, biological resources, local knowledge and, for the established pilot marine reserves, monitoring plans;
- (2) A socioeconomic assessment, including a description of human uses, net effects on sport and commercial fisheries and communities and, for the established pilot marine reserves, monitoring plans;
- (3) Formation of community teams with diverse and balanced stakeholder representation. The legislation prescribes specific team membership requirements;
- (4) A process to develop scientifically based goals specific to each of the marine reserve sites, incorporating continuity and cumulative outcomes, benefits and impacts; and

- (5) A process to develop an enforcement plan in consultation with the Oregon State Police and representatives from affected user groups.

The work plan must provide for communities and volunteers to assist in implementing the work plan where feasible and practical.

House Bill 3013’s requirements have helped guide the draft work plan that is under review at this workshop.

***ATTACHMENTS**

The following documents, referenced above, give greater detail about Oregon’s marine reserves process and are included in the workshop packets:

- * Draft Oregon Department of Fish and Wildlife marine reserves work plan
- * OPAC’s report on *Oregon Marine Reserve Policy Recommendations*
- * House Bill 3013

OVERVIEW OF MARINE RESERVES PROCESS			
Proposal Process	Budget	Evaluation	Implementation
2008	Jan.-June 2009	July 2009 – June 2011	July 2011 - Beyond
<ul style="list-style-type: none"> Public submitted 20 proposals (9 areas) for further evaluation Agencies and OPAC conducted coarse review OPAC recommended sites for further evaluation ODFW submitted budget for site evaluation to Governor; Gov. submitted recommended budget to Legislature 	<ul style="list-style-type: none"> Budget legislatively reviewed and approved House Bill 3013 directs certain state agencies to implement OPAC recommendations 	<ul style="list-style-type: none"> Pilot sites: designation and implementation Evaluation sites: further collaboration and development, data collection, site evaluation Marine reserve site recommendations, consistent with evaluation results Report and budget provided to legislature. Review and decision by legislature. 	<ul style="list-style-type: none"> Designate marine reserve sites (through public rule making) Implement marine reserve sites