

**OPAC Marine Reserve Working Group Meeting Summary**  
Oregon Department of Fish and Wildlife HQ, Salem, OR  
6/20/2008, 9 a.m. -3 p.m.

*Working group members in attendance:* Cathy Tortorici, Brad Pettinger, Jack Brown, James Good, Jeff Feldner (for Jay Rasmussen), Paul Engelmeyer, John Griffith, Jeff Kroft, David Fox, Jay Charland (for Paul Klarin), Jim Bergeron, Ed Bowles, Frank Warrens and Laurel Hillmann.

*Other attendees:* Steve Shipsey (OPAC legal counsel), Cristen Don (ODFW), Jane Barth (facilitator), Fran Recht (PSMFC), John O'Brien (Depoe Bay NSAT), John Holloway (RFA/Oregon Anglers), Lucie La Bonte (Curry Co.), Peg Reagan (CLN), Scott McMullen (OPAC), Fred Vannatta (Oregon Anglers), Andy Lanier (DLCD), Susan Allen (Our Ocean), Megan Mackey (PMCC), Pete Stauffer (Surfrider), Cat Koehn (Lane Co. Group/Public).

*Note:* Unless specified in the meeting summary that a decision was made on a particular topic or action, the notes that follow document MRWG meeting discussion only. Comments represented in this summary do not necessarily reflect MRWG consensus on the topic.

1.) Introductions, meeting ground rules, agenda and announcements

- Frank W-Purpose of this meeting is to resolve issues in OPAC Marine Reserves Guidance Document. Try to achieve consensus. This is pretty much the only item, except for announcements. Adjourn when document is done. Follow this meeting with the Executive Committee meeting.
- Paul wants to add some items to the agenda. One thing need to clarify issue of how is the STAC/ODFW going to review, when nominations start to flow in. Other related to S&S document, clarify where we are with that. Update related to social and economic workshop?
  - Frank-Social workshop has some financial requirements. Spending time working for outside funding to finance that group. Ed-updates?
- Ed Bowles-a lot will be covered in the update of what is going on with the outreach. As things are developed...will be developed...in an iterative process. Work with individuals/groups working on nominations to help them understand and know what is available and connect them. Down the road when things are formalized, the intent is to have most of the hurdles covered through the outreach process so that most things would be passing the criteria by the time filled out the nomination. No formal discussion as to who/what would do that.
- David-agencies would do a review and make recommendation to OPAC.
  - Paul-what about a STAC team?
  - Ed-more of an outside advisor (STAC). Don't want to become a broker of criteria or arbitrator of criteria. More of a technical resource.

- Jeff F-through outreach can call upon some of the members to help with the proposals. Don't know this group or this person, hopefully can call on them for advice or assistance.
- Ed-for the development of more detailed criteria, ask for funding to complete, will use STAC as a resource, OPAC agencies to help develop those (criteria).
- Jim G-The EO says the director of ODFW shall work with OPAC and agencies to ....recommend not more than 9 sites for consideration. Dec 1<sup>st</sup> output from ODFW according to this.
  - Ed-the subtleties of that are that the Governor doesn't feel comfortable to direct OPAC through an EO but can direct his directors. Why directing ODFW to work with OPAC. The intent is for OPAC to come out with a recommendation to the Governor, if possible, regarding fewer than 10 marine reserves for further consideration for funding and legislative process. Not a policy shift through the EO. OPAC is still advisory.
  - Jim-who makes and how the decision is made to go from more than 9 proposals to 9 or less. That is a critical decision point. The plan is for ODFW and agencies to do the analysis that brings forward...that is an important agenda item. OPAC and this group need to consider how we on OPAC actually get involved. Good for at least this group or a subset to be involved in that analysis process so have a good understanding (maybe a subgroup). Be familiar with rationale for rating and ranking. Needs to be rating and ranking if more than 9 that come forward. Maybe can deal with at the next meeting. Important decision. Since it is OPAC making recommendation, need to have representation on group doing the analysis.
  - Paul E-the highest priority for me is that as good as Jack Barth is, don't know if he has expertise to say these 9 would have ecological benefits. Different expertise. As long as we have STAC and STAC+. Nobody in ODFW has looked at 9 places..but are those in community at large that could help. As long as it is clear and transparent why these nine sites are picked.
  - Frank-maybe can go in a little more after Jeff gives his presentation
- Ed-this piece isn't prescriptive in the EO. Intent is for ODFW (in the lead) with OPAC agencies to winnow this down. Some discussion last meeting over whether or not the EO actually required if there could be more than 9. Does look like the hand-off to the more detailed is 9 or less. Issue of how we get to 9 or less is fairly open right now. OPAC agencies doing initial analysis and what fits best then is up to OPAC to make the recommendation.
  - Jim-should be ODFW, OPAC and member agencies. Want to see them come back with recommendations on how OPAC can be involved in the process of analysis. Maybe others don't feel that way.
  - Ed-the EO is just trying to make sure some things get done. No intent for this to be a black box approach. Transparency and appropriate expertise will be brought to bear. No problem with having this as collaborative as possible as long as it produces a product.
  - Jack-socioeconomics clearly has to be part of the criteria. Silly to nominate 2 or 3 that have high impact.
  - Frank-hold other questions till Jeff's presentation.

## 2.) Updates from OSU Sea Grant on upcoming outreach meetings

- Jeff F-have been working on coming up with a plan for the outreach and this first step. Holding kick-off meetings next week. Because being asked to go now, all of these questions aren't answered yet. Set out a process that's main purpose is to draw in these groups, offer assistance down the road, and assure that things like the evaluation are going to and have to happen. Mistrust is still there. Very clearly illustrate from the EO that questions will be answered. Cristen has a PowerPoint that will be used in first round of meetings. Walk through part of it now.
- Cristen D-draft presentation (on-screen-available online at: [http://www.oregon.gov/LCD/OPAC/workinggroups.shtml#Marine\\_Reserves\\_Working\\_Group](http://www.oregon.gov/LCD/OPAC/workinggroups.shtml#Marine_Reserves_Working_Group) ). One objective is to update people on the process-highlight significant shift in timeline and expectations. Where we are today and where headed. 2<sup>nd</sup> objective is explaining how the public can propose sites for further evaluation for potential marine reserves. 3<sup>rd</sup> objective is to provide information on where everyone can find information and develop proposals. Informational meetings. Open to questions regarding these three things (process or how can get resources and work on a proposal). If outside of that will have comment cards.
  - Jim-will it include information about how decisions are made?
  - Cristen-will walk through coarse criteria. Show step-by-step the whole process. Phase 2: Informational meetings, proposal workshops, provide ongoing support to community groups developing proposals, submitted between now and Sept 30<sup>th</sup>. Then follow-up meetings to close the loop.
  - Frank-lot of importance placed on working with fishing groups and communities.
  - Dave-90% of time spent on working with groups. Travel to the groups in their communities. Work with them one-on-one and work on the proposals. Bringing together other groups.
- Cathy-Difference between informational meetings and proposal workshops?
  - Cristen-Info meetings-introduce to the process, the workshops are envisioned to be for people that have started to think about proposals but may need further assistance. If don't have a large group formed, get outside input, somewhere where less cohesive groups, still forming up are provided with a formal opportunity.
  - Cathy-was talking to Andy about the mapping products. Assuming, maybe shouldn't, that you want the maps for the informational meetings. How do you want to use those maps and how involve Andy and Barb? Have been getting calls about getting copies of those maps. How much individual help will we give? Want parity. Important issue on informational parity...on how much time to spend on sharing information. Needs to be shared and give assistance on these maps. Want utilized in the process.
  - Jeff-thinking that at the one-on-one meetings, and prior to the proposal workshops, would be able to call for assistance. Will have to react as need comes forward.
- Jim-follow-up meetings? That 3-mo period Oct/Nov...have to have recommendation on Dec 1<sup>st</sup>. How is that 2 month period, what is the role of outreach while in the

analysis and rating process? Transparency, good for groups to submit to know how their proposals are being rated in the process. Going to want to know why, need to consider how going to be transparent.

- Ed-the purpose was to provide that feedback. Haven't talked about is there a need for an iterative process during the evaluation. OPAC and agencies have minimum of 2 months to go through whole evaluation. Dec 1<sup>st</sup> when need to occur. Didn't envision a lot besides clarification with those groups, but going to do what is needed to be the most successful that we can. Have to adjust as necessary.
- Jeff F-the outreach team isn't going to be making those decisions. Have to stay out of that. Neutral broker. Not the ones going to be doing that. More iterative feedback. Filling the public in on the process.
- Jim G-Add OPAC feedback meetings and put it in a different color? Not the outreach team. Something to make sure that not communicating going to be doing outreach (during that period)?
- Cristen-is sort of outreach, preparing for evaluation in the next biennium. This is the first step.
- Jim B-will probably attend the OPAC meetings if putting in a proposal.
- Jeff-feedback meeting and further assistance. Not the outreach team doing the fine tuning.
- Paul E-going to be range of alternatives or do we assume A has alternative 1/2/3...and site would be of various sizes. Have we thought this out yet?
- Ed-working through an iterative process. Some issues not black and white. There is a continuum of comfort levels. Hoping to strike a balance through the groups developing the proposal. May deal with something that from ecological standpoint seems small but through other aspects may meet other criteria, and meet social issues.
- Paul E-MARXAN tool is out there. Still think should get a presentation. Still think worth our while.
  - Cristen-skeptical that could run it in 2 months. Valuable but don't think could roll proposals through a model in that time period.
- Brad-still blurry about where the money from the commissions (10K) is going to go toward. Info meetings/Proposal workshops.
  - Jeff-suspect could use that much in travel expenses. Lot of going to places to work with people.
- Jeff-maybe could show MARXAN as an example of what would happen before actually implement reserves.
  - Barbara S-useful to have presentation to see how those tools work. The more you can understand coming to a proposal the better.
  - Jim G-gets to the how are the 9 or less sites that are moved forward going to be selected and evaluated? Rates each proposal for each criterion. Don't know how could trade off if one is high for socioeconomic and another gets high rating for ecological. A model is kind of a black box and the output depends on the input. Reemphasizes how important we get to 9 or less and which ones are excluded and why. Think it is going to be a weighing sort of thing. A model tells us something if include the right data but don't have all of that.

- Cristen-could do that in the next biennium when have the resources. Down the road. Now relying on the coarse review criteria. Need to hammer out the process but going to wrestle with that question at another meeting?
- Cathy-how going to represent this. If get 30 proposals in. Work with those groups, put through a filter. If after that...have 9 or less that will go through more detailed review and analysis.
  - Cristen-Evaluation phase (July 2009-June 2011). Showed diagram.
  - Cathy-talked earlier about rating and ranking. An example, have 30 and rate/rank. The top 9 go into more detailed review. Allow for possibility that want to pull one from the original list if find out more from the more detailed review?
  - Jeff-seems like a sensible thing to allow for? Have to be honest that don't have answers for these things.
  - Cathy-once again say 30 and rank 1-30. Know end up with 9 or fewer but why aren't we doing more detailed review on a top tier.
  - Dave-time and cost. The evaluation phase will be expensive and won't occur unless funding is provided.
  - Ed-assumption is that many of these sites don't have adequate data now. That's what we heard from coastal groups and STAC.
  - Cathy-just want to make sure the group doing the more detailed review has proposals to pick from so that we can say we looked hard and choosing these sites because we believe they are the best given all the criteria.
  - Dave-the community groups will be interested in a span of coastline. Their process will be selecting the best site.
- Jim-worked previously on the criteria. Score of 1-5 on each criteria from low to high with a rationale for how that proposal racked up. That process, if add up implies a ranking and look at that and see if it makes sense for that proposal. That was before the EO. Not sure we are talking about rating and ranking. Talking about coarse review.
  - Cathy-when talked about before, was coarse review. Want to make sure whatever we use, it is clear and transparent and see and understand how they put those in order to bring forward into a more detailed review process. Really critical in this process.
  - Ed-Coming at this from a different perspective. I think ought to focus on what going to do to actually get close to 9 that are coming out of a collaborative community-based process. Remarkable if we get there. Huge challenge to engage ocean users and coastal communities. That's the big challenge. Not how you winnow it down. Healthy discussion but haven't thought much about that. Focus on how stimulate and get proposals that are truly working with coastal communities.
- Cristen-last part of the meetings will hone in on where folks can get more information and assistance. Have the website up. Can download the proposal packet. Cover letter, coarse review criteria, can download the proposal maps. Have to draw boundaries on (proposal maps). Can link to the charts. If want to play around with the data, will be available, about how folks can use these things. Jeff and I are available. MR website is the main source of information (<http://www.oregonmarinereserves.net/>)

- Paul E-S&S information. Draft memo, said we need a final that we can use. How do we get interface, to make sure they can use the S&S. Need to make clear in documents and on the website.
  - Frank-spoke with Selina, trying to finalize. All the workshops and products are advisory.
  - Jeff-will get questions. Will reassure people that these are tools to use and each site will be evaluated on its own merits.
  - John G-given the reality that Governor has asked for and what has told the coast and fishermen, what relevance does size and spacing fit. Political realities will be pretty heavy without throwing too much extra conceptual stuff.
  - Ed-the relevance is showing the continuum. At the far end is an ideal, protecting the home range, diversity, habitat and species through an actual network of these habitats in the Territorial Sea. At the other end you've got a couple spots that are socially acceptable. In the middle, those may or may not protect home range and species diversity. S&S workshop and STAC can help us figure out, for those areas that pass muster through social and economic criteria, how those can be shaped individual and collectively. How can we do the best we can. Other aspect, perhaps equally important, if going to do it, how can we best learn from it both biological and socially/economically. Spoke with folks on STAC, not interested in the on/off. Gradation of ecological strengths. Don't want to be an arbitror of on/off switches.

BREAK

### 3.) Finalize OPAC Marine Reserves Guidance document

- Jane B-objective is to approve the OPAC MRGD. First chunk to discuss content issues. Talk about those issues, see if can find a way to word things. Will address a lot of individual edits. Going to say if agree/disagree. What are the interests behind wanting to use specific words? What are the values of those words? Ideally after this discussion occurs, can go through and page by page go through.
- In terms of the issues/interests and related to them are the specific related edits.
  - 1.) Terminology about ecological benefits. Why/why not?
  - 2.) System/limited system wording.
  - 3.) EBM concept
  - 4.) Emphasize coastal and coastal counties. Emphasize local level authority in decision making
  - 5.) Idea about size and spacing guideline
  - 6.) Financing
  - 7.) Treatment about user groups
  - 8.) Baseline study done before implementation
  - 9.) Wording related to altered/moved
  - 10.) Definition section: disturbance

- Had accepted a document for public comment period. Then went out and reviewed based on comments. Then at Charleston, one final look.
  - John-point trying to make was to keep the guidance document consistent to what the Governor has said most lately, for example having this original draft out there at the outreach confused people. Ginny and Jeff were doing a good open-handed getting opinions and then looking at this draft and assumes things, facts not in evidence. Don't know will have any effect, don't know, haven't done any testing on them. As far as a system, if look at angling, more than 17 if use sub-areas, places in the angling regulations, marine reserves and research reserves. They are just there. Now that going to run through the political process...can ask for anything under the sun but need to scale it back to the statements the Governor said. Took out things that are assumptions not backed up by facts. Got studies from PISCO for comparable areas and those studies are a stretch to show there is really going to be any effect at all.
- Jane-other thoughts, comments, different perspectives? Where coming from about how it should read?
- Jim-sent out "why we should keep the OPAC guidance document largely intact" e-mail. Went through history of how we got to where we are. Jim read from his memo. To me OPAC I recommendation still has overall validity. Additional guidance letters, granted took us in some sort of a zig-zag course. Also, my read of the EO-doesn't do much as far as policy goals and objectives, other than use for research to determine ecological benefits. MRGD that we have now is product of policy and scientific advice, input from the public, discussion over a 2-year period. Negotiated consensus among most of our members. Product of a lot of input from the public at meetings, outreach effort first-phase, responds to many or most of those concerns, not all. Been working on for a year and a half. Evolved in response to that. Not just rely on the EO for policy guidance and some conversations on the south coast. We've been working on this and have heard a lot of support. Generally, I suggested we keep pretty much intact but go through suggestions and make changes to those that make sense to all of us. I agree with many of John's comments that are mainly editorial not substantive.
  - Paul-thought we would focus discussion on those points?
  - 2 different perspectives. These are content changes/perspective changes.
- Paul-I believe EBM should be in there, limited system should be in there, already there, ecological benefits should be there. Agree with some of the changes, ensure cities is in coastal communities, size and spacing should be in there, we as a group requested information, make sure it is available to the public. Got no problem about financial discussion if in the document. Even treatment. There are user groups that feel they aren't represented. Rationale-we worked so hard on the document, we took feedback, incorporated changes. Jeff and Ginny endorsed the document. It is 95-98% there.
- Jim-didn't mention that the existing version is the basis of the criteria and the proposal form. Already ad-hoc adopted, moving forward with it is, given criteria at meetings, starting Monday. De-facto we made that decision.
- Robin H-Having trouble with only part of what the Governor said in the EO. Seeking a balance. Large enough to look at ecological benefits but small enough. If argue supposed to be with the EO but go with own doubt as reason to remove the benefits.

Isn't even-handed. Those are two areas we have been focused on. That's why we had the size and spacing workshop-help us know how big they need to be so can look at ecological benefits. Also asking about social and economic issues as well. Includes ecological benefits.

- John-I left in his word large enough to look at economic benefit but small enough...what data if any did the Governor rely on to presume there would be a change and that it would be beneficial? Is he familiar, how deep into it is he? How presume that there would be an ecological benefit?
- Ed-the key here, and appropriate at the EO, provide some sideboards as guidance. Intent is to use the groups and the forums we have established to get the balance to learn and provide ecological benefits and doing in a way that doesn't impact coastal communities. Whether they will be successful will be an outcome of this grand experiment. After Chip's tour, wanted to make clear that in moving forward, striving for ecological benefits wouldn't be at the expense of the coastal communities. Going to move forward to learn what we can to try to provide ecological benefits, provide money to see if it works but not be adverse to coastal communities. Intent is that it helps.
- Jim-ecological benefits, research and gaining knowledge and if look at goal and objectives that have been working on for a year, cover all those points and my point is that the EO, whether it is direct or indirect, depends on the guidance from OPAC but changes the timeline and changes the process for when, if/how they are actually put in place. What is different is it asked ODFW to provide staff assistance. Didn't have that capacity before. Process builds on what we have already done.
- Jane-this document says what the intent is. The intent is to achieve positive benefits. The plan is how we get there? That is where we want to get. I saw this as what we want to have happen. Don't know all of that yet. Part of plan is to try and get there. What does this document mean and what is the vision, basic sideboards. Assumptions fit there.
- Frank-the underpinning is the adaptive management element, so that as we learn in a positive sense, have opportunity to re-arrange and change them as appropriate or go the other way. It is a learning process.
- Jim G-All management approaches and measures are in a sense an experiment. Try to use best information to design it. Could each name examples of where we have learned. OPAC I made some statements about evidence, more information developed over time. To really figure it out, need to do the experiment. Those are the assumptions. We don't know at this point. Don't know outcome until we do it.
- Robin-why S&S background is good. Tells us what we can reasonably expect to get. Gave us what results could be. If we choose areas that are too small and too far apart and expect grand results we are going to have a failure on our hands. S&S helps us have reasonable expectations based on the choices we make. Higher likelihood of success if follow those guidelines and set sights on an expected outcome.
  - Jim B-see too much like on Columbia River. Adaptive management, if change too many things can't see what the result is.
  - John G-the S&S workshop, at this point in the political and social process is irrelevant. If ask for too much going to hit the wall. Next quarter will be down more. Trying to get money to restore the timber losses. The idea of starting a



new program and appropriations...Ask for too much get rejected that much harder.

- Robin-the preliminary results didn't give us a formula. Without that knowledge to go forward, not going to know what to expect as an outcome. Shows what type of results likely to get if chose certain size and spacing.
- John G-was an exercise of concepts, ideas. Effect of existing regulations etc. wasn't considered. Data from other places. Pretty conceptual. Doesn't fit well into a practical matter. Might help, but I think when you get to the legislature it's going to be a fight. If budget keeps tanking going to be up against teachers union.
- Jane-how to consider the political context. How much does that impact the document?
- Ed-there is a healthy tension regarding this community/social and economic impacts and the desire to have something ecological meaningful and the desire to learn something from it. Everyone is wanting to shift it a little further...because of the sideboards, would encourage all those coming at this from a particular focus, to lower their expectations. I'm a researcher by training; find it very unlikely that what we come up with will be satisfying from a scientific research standpoint. Going to be highly unlikely. From standpoint of ecological benefits regarding home range and dispersal, if that is the primary place you are coming from-ask you to lower expectations. Are going to get areas that coastal communities can get on board and can learn from them. Can learn a lot because we know so little. Optimize that learning ability. May not be able to answer do MR work for ecological benefits for Oregon's TS? But there is a ton we can learn from this. Emphasis can be placed on learning about dynamics within the TS. Want to move forward to get into that. Doing what you need to be doing, but all going to be slightly disappointed.
- John G-where I was at, is that I hope that where OPAC is at in this process. This document will be introduced at hearings. If the public that is vehemently opposed to MRs...if reflects more what the coastal communities...might be acceptable. Something that isn't as alarming to others. Don't usually get everything you want. Want it to be more where the directions the Governor is at most recently. Since going to be "proposed sites for further review", going to be revised at this point. If have too many ideas it is going to be ugly. Going to be wild up there.
- Jim G-Avoid social and economic impacts, is in the goal and one of the objectives. Specific and thorough. Everything we say is let's go for benefits and potential to provide new and valuable research data consistent with avoiding impacts. Almost an exclusion criteria. If going to significantly damage, probably not going to go there. The language I suggested would have that too to reiterate. Think S&S was cut out without a lot of discussion. Consider it so you know what you are getting, but do it without harming coastal communities. I think we emphasize these three things throughout. Ecological benefits, research potential and avoid impacts.
- Jane-is the balance there enough for everyone to feel comfortable? Jim feels balance is there. John doesn't. Right balance and tone.
- Jack Brown-Don't think want to imply that if things are too small we won't get a benefit, on the other hand if they are fully large we don't want to imply they are going

to work. On fence as to whether we should put them in. Even if too small we are going to learn.

- Cathy-concern is that much of what is taken out (by John) is a lot of the context. Had words put in there and tried to define them. Rather than assume EBM was something without a definition. Broader context for what these terms mean. Removing those definitions...are left with “what do those words mean?”
  - Jane-removed from definitions if not in body any more.
  - Cathy-loose context if take those words out. If compare to what is in the proposal packet. Cascade effect. Other piece is maybe we need to do some further wordsmithing if overstating saying what the potential is. Setting up expectation, assuming that some things could happen. Don’t think inappropriate that a goal of this is to end up with a system of MR that can have an ecological benefit and have monitoring and research to look at that. For months had a discussion about a network. Some were extremely concerned about the word “network.” Not appropriate, implied certain things that this process wasn’t going to deliver. Settled on system. Set of reserves that met the needs from the ecology and economic standpoint but also reflected some that we got from the S&S workshop so taking out that word, could take out, but diminishes from the scientific approach trying to take. This group and OPAC insisted on having an S&S workshop. Insisted on having that. Can’t tell where we are going on that. How are we going to use that? We are getting this information. Making plea that need to factor that in. Relevant, neutral information we can utilize in this process. The public needs to see that information but can chose to use it or not. Carefully consider the implications. Political piece but making wholesale changes, if that is the case, on the most fundamental most practical level have to consider the other documents.
  - Jane-the group was trying to say what can go without this. The goal was to separate that piece to move forward.
  - Brad-not a done deal. Considering the establishment. That needs to be in there.
  - Jane-make changes to show that this is in process. Tone changes.
- Jim-went through all the changes and made own judgment as to whether they work or not. Ought to go through and tick them off...begin to come to closure on some points, probably on some and not others.
- Paul E-if we need a vote, we need a vote. Already have something going to use next week. If can’t come to grips with it.
- Ed B-As I understood, this was pretty much done except for some minor tweaks. 2 things needed to occur, reconcile with the EO and the other was to listen to and consider input from John because didn’t have opportunity in the past.
- Jim G-the small group that met looked at changes from the EO. Held over approval because of John’s concerns.
- Ed B-the tweaks took place, then there is the substantive issue of John’s concerns. Confused on opening it up for all these other things at this point. Isn’t the real issue, if any or all of John’s input...interested in changing?
  - Jim G-there were also a few things from others, me and Jim B. I’m suggesting that removal of S&S was a misinterpretation of the language.

- Ed B-deal with the substantive issues that John brings.
- Jane-Paul is suggesting keep it pretty much as-is except for some minor wordsmithing. John would still not be there on the consensus. Could vote.
- Jeff F-enough uncertainty about scope of the changes. Let's just go through item by item.
  - Jane-can go page by page
  - Jim-can't go through page by page. Comment by comment
  - Frank-remind us that if we can achieve consensus fine, but if not our process does allow us 10 days from now at full OPAC to visit it again. Ideally and for benefit of full OPAC, if can come to consensus would be best. Would like to see us leave today with a general consensus.
  - Robin-the full OPAC did say go back and get it done at the workgroup level. Suggest, let's go through and if can't agree maybe we can do a fist to five or something. If can keep record of where we went to vote on.

#### **Work-session on OPAC Guidance Document**

- The document was reviewed and edited on-screen. Therefore, the note-taker was otherwise engaged. A copy of the document (as edited during this meeting and presented to OPAC on July 30th) is available online at:  
[http://www.oregon.gov/LCD/OPAC/docs/meetings/Distributed\\_Materials\\_6-30-08.pdf](http://www.oregon.gov/LCD/OPAC/docs/meetings/Distributed_Materials_6-30-08.pdf)

LUNCH

#### **4.) Public Comment**

*Public Comment started at 12:33*

**Peg Reagan** (Gold Beach) read into record by Laurel H: I am sorry I can't be present during the public comment period today. I've asked that my comments be read into the record. I urge you **not** to make significant changes to the policy guidance document. You have no reason to think that the Governor expects you to ignore his earlier direction nor the work you have accomplished to date. The Executive Order addresses procedural and administrative items; it does not ask you to change direction. The public is likely to feel deceived if what you sent out for consideration is not what you intend to use. As you know, Sea Grant was involved in editing the document to reflect public comment and supports what you have before you today. As one of the few who reviewed the entire Sea Grant "book" as well as the public comments during the Marine Reserves Working Group meetings and the comments provided by Environment Oregon, I also support the document. John Griffith reads the Governor's direction differently that I do. I see nothing that supports his assertions. Among other things, he claims that his proposed edits are in line with the Governor's statements and references supposed "pledges" made by the Governor to the City of Brookings. Attached to my comments is a copy of the Governor's letter to the mayor of Brookings and you can see that no pledges were made. Nothing in the letter relates to the content of the guidance document. John also asserts that reserves are futile, I guess because they will be so small and there will be so few of them, that they won't protect the ocean "from anything that really matters." This is like saying you

shouldn't hold your child's hand when you cross the street, you should hold the hand; of course, we should establish reserves. Just because it's a small step in the right direction doesn't mean we shouldn't take it. The three minute limit for public comment doesn't allow for each point of concern to be addressed. But I would like to point out that after designation is the appropriate time for baseline studies—there is little use in studying an area while extraction of any sort is occurring and assuming you can produce a baseline. Finally, I hope you will approve the document before with only minor, if any, changes.

**Catherine Koehn** (Lane Co. Marine Reserve Group): Advice and request and hopefully some direction for you. At the Lincoln City meeting proposed satellite surveillance and did some research to find that OSU has ORCOOS group that is doing what we would need in form of research and intergovernmental agreement. The request is since, as far as I'm concerned, the majority of public hasn't had an opportunity to give comment on this. Next meetings are all along the coast and in the capital. Lots of the state without commercial or vested interest. Don't make something that is so small and insignificant. Protect Oregon's coast. Long history of clean-up to protection, public has strong advocacy. Ask you to think big when facing the type of problems you are today, need comprehensive, ecologically based resolution. Advocate stop thinking of ocean as a fish store and rather as a gem of the Pacific West Coast that we expect you to protect. Encourage you to apply same principles that apply in terrestrial. Larger better than smaller, concentrations of biodiversity, overlap of niches are most productive. Apply scientific principles. If don't, follow own advocacies of the precautionary principle. Since Governor decided can't go into ports, where estuaries are. Ports present multiple threats from invasives to terrorism. New marine ruling about ports, each will have to account for that. Hope start to view ports not only as economically useful but also as threats. Don't toss out what nearshore ocean group has done. Propose if Governor going to take off estuaries, should at least save 50% of Oregon's coast. What 50% want to give up to oil companies and commercial interests? Could find no mention of MR on the ODFW website until this week. Try and include more of public.

Fred Vannetta (Oregon Anglers): 3-4 points. 1-ought to change the title of these from Marine Reserves to Marine Research Areas. Reserve is restrictive, regulatory; if think of research areas it is helpful, useful and learning experience. 2-dealt largely with extractive when looked at "closure" to "protected from". Helped write LCDC goals and guidelines, and since then pick up phrases and end up in Supreme Court decisions. This document can wind up ultimately as background for court cases. Use term protected. Protected from extractive activities. My concern is when you talked about protected, was that it would set up system for closing fishing outside the area. Then some said could open up fishing inside the area. Oregon Anglers believe ought to allow pelagic fishing inside the areas, because the research doesn't have any effect on tuna and salmon inside the area. Use of term "protected" leaves everything confused and frankly think you leave that whole extractive thing up to ODFW's regulation. Adaptive management-may want to allow some invasive species to be removed-if prohibit all extraction, can't have adaptive management. Took care of ecologically special places. Disturbance-when look at language in MR definition, speaks to disturbance, question is if a guy is heading to halibut ranch to catch halibut, does he have to drive boat around the areas. Farther back,

have language about not preventing transit. When use that term, isn't clear if can drive boat through area or not. Need to address that very clearly. Do you want to allow people to move through the area? My request is that you do allow to move through the area. Make decision clear. Then word it so the answer is clear.

**Lucie Labonte:** Appreciate what doing but after sitting through what sat through in Port Orford, feel like you are working on gas lighting and they are working on electricity. Working on Stewardship area between Euchre creek and ? creek. What about watershed council, what about big boats? Make sure everyone is included and the real uses. The partnerships that have grown and include state and federal agencies, community members. All on board, trying to make sure that they have some control. Great DVD on fish. Showed what long-lining is. Feel like you have a task, but it is just a little pin point of what can happen. MR came up a few times but may decide that area may not work 5 years from now. Doing research in areas that may not be MR. It's important as this moves forward into the legislature. Been funding person and brought millions of dollars into my county. Look at what project is ready to go. If not ready, not going to fund it. Port Orford is ready. If you give a list of potential sites but nothing been done in them, going to ask for economic analysis. Keep that in mind while going forward. May be that the list...seen in other areas...that sometimes have a list of sites ready to go and have another list of potentials in the future. 10-20 year period. May not be a site for 20 years. Maybe never get to it. A couple questions. After went to Port Orford, the Brookings group met. What are we going to do? Told them to talk to Port Orford about the stewardship concept. If something happens in WA, don't want to be closed down here. Those guys listened for a minute. Did say, is there going to be an appeal process? What if people don't agree? That's a good question. Should you leave nomination period open beyond for groups doing stewardship. Do MRs work for Oregon? Not what you know it's what you don't know.

**Pete Stauffer** (Oregon chapter of Surfrider foundation): Reiterate support for draft policy guidance document. Back this winter did extensive outreach with document through website, meetings etc. Response was positive. Balanced approach. Appreciated focus on good science and community engagement. Requiring research and monitoring. Don't believe necessary to make disturbance definition more extensive. Feel sufficient. Maximize ecological benefits while minimize impacts to ocean users-important. Motoring and other transportation, not being able to enter or get protection, not to mention the gas price issues as well. Feedback was issue of MPAs, feel adding that concept provides a tool that is a little more flexible, get benefits while minimize social or economic effects.

**Meagan Mackey** (PMCC): Involved because important to have science based ecological system. Important to ensure healthy marine environment for current and future generations. The Policy Guidance Document is an important piece that has already been through vetting process, product of science and policy advice. Support keeping it largely intact, as it was with inclusions; include size and spacing and language that discusses a range of MPAs, partially protected and fully protected reserves. Also support keeping this formal document vs. informal. Finalize soon so all can move forward.

**John Holloway** (Recreational Fishing Alliance, Oregon Anglers, also member of Fishermens Advisory Committee for Tillamook, but don't speak for them. Do for RFA and Anglers). Speak toward significant. Significant adverse social and economic impacts. Want to see it defined. Also in the coarse criteria. Also says proposal includes information about existing and potential future uses. 7-is proposal developed collaboratively? Mr. Bowles said proposals that are collaborative will be difficult to achieve. FACT is all on the same page-concerned about social and economic impacts. Feel that there are 3 things that will happen with fishery sectors. No buy in whatsoever or we will agree to tolerate marine reserves or will have complete buy in. 2<sup>nd</sup> is best we can hope for. Don't think anything is wrong, just a different philosophy. Our philosophy is sustainable fisheries. Can't have same philosophies in same place at same time. Being asked to give something up. Just different philosophies. Ask you to include fisheries when developing the social and economic criteria. Past, present and future needs to be included. Now scrambling to look for opportunities from fishery. Just from regulation and wave energy being restrained. Restrained to halibut, salmon and tuna within state waters. Developing own social and economic criteria and hope you include it.

5.) Finalize the Guidance Document to forward to OPAC for final approval at the June 30, 2008 meeting

**Work-session on OPAC Guidance Document cont.**

- The document was reviewed and edited on-screen. Therefore, the note-taker was otherwise engaged. A copy of the document (as edited during this meeting and presented to OPAC on June 30<sup>th</sup>, along with the supplementary document showing non-consensus items) is available online at:  
[http://www.oregon.gov/LCD/OPAC/docs/meetings/Distributed\\_Materials\\_6-30-08.pdf](http://www.oregon.gov/LCD/OPAC/docs/meetings/Distributed_Materials_6-30-08.pdf)

6.) Next steps and proposed date for next MRWG

Will decide about next MRWG meeting based on decisions made at the OPAC meeting on June 30<sup>th</sup>

7.) Adjourn