

HABITAT COMMITTEE REPORT ON
UPDATE ON OTHER MARINE RESERVES PROCESSES

Oregon Ocean Policy Advisory Council (OPAC) has submitted a recommendation to Governor Kitzhaber stating:

"After nearly two years of study of marine reserves and protected areas in the U.S. and worldwide, the Oregon Ocean Policy Advisory Council (OPAC) has found that sufficient evidence exists to recommend that:

- a. Oregon establish a limited system of marine reserves in order to test and evaluate their effectiveness in meeting marine resource conservation objectives; and
- b. Before designating any specific marine reserves, Oregon must acquire additional information and conduct additional study, analysis, and deliberation through an open, public process with extensive stakeholder involvement."

The executive summary of the OPAC report is attached. The Habitat Committee encourages the Council to endorse OPAC's recommendation to proceed with planning, including full community involvement in the process.

PFMC
09/11/02

Oregon Ocean Policy Advisory Council

Report and Recommendation to the Governor

Oregon and Marine Reserves

August 16, 2002

Executive Summary

Overall Recommendation

After nearly two years of study of marine reserves and protected areas in the U. S. and worldwide, the Oregon Ocean Policy Advisory Council (OPAC) finds that sufficient evidence exists to RECOMMEND that:

- a. Oregon establish a limited system of marine reserves in order to test and evaluate their effectiveness in meeting marine resource conservation objectives; and
- b. before designating any specific marine reserves, Oregon must acquire additional information and conduct additional study, analysis, and deliberation through an open, public process with extensive stakeholder involvement.

The OPAC makes NO recommendation at this time about either

- a specific system of reserves or area locations;
or
- the use of marine reserves for fishery management.

The OPAC finds credible policy and scientific evidence that marine reserves can help Oregon to meet marine conservation objectives in Statewide Planning Goal 19, Ocean Resources, and may assist in reaching other state objectives such as fisheries enhancement and management, pollution control, recreation, tourism, and education. This evidence suggests that a carefully designed system of reserves, even if limited, can provide both conservation and research information benefits. Substantial evidence also exists that a careful public planning and assessment process involving all stakeholders is critical to the eventual acceptance and success of such reserves.

Goals and Objectives

The goal of such a system and process is to help Oregon to meet the conservation objectives of Statewide Planning Goal 19, Ocean Resources, which include maintaining the long-term benefits of renewable marine resources and protecting marine biodiversity, important marine habitats, and areas important to marine fisheries.

Objectives of the planning and evaluation process are to:

1. establish ecological reference areas as part of an integrated management strategy in significant rocky shore and marine habitats in the territorial sea and on the continental shelf;

2. test the effectiveness of these reserves in maintaining and restoring ecological integrity;
3. provide a strategic framework for appropriate research funding; and
4. increase understanding and awareness of Oregon's marine resources.

Specific long-term goals and objectives of the system will be developed during the planning and evaluation process.

Recommended Process for Public Stakeholder Participation

The Ocean Policy Advisory Council RECOMMENDS an open, participatory two-phase process involving all stakeholders to plan and evaluate a system of reserves along the Oregon coast that will meet conservation objectives, provide valuable information, and maximize other public benefits, while avoiding or minimizing adverse effects on fisheries, other ocean users, and coastal communities.

- Phase One: The OPAC proposes that a reserve planning committee be established with members from stakeholder groups, agencies, scientists, and others to prepare a coastwide framework plan. A separate scientific advisory panel would provide independent information and advice to the reserve planning committee and OPAC to ensure separation of policy development from scientific analysis. As part of this process, focus on the Rocky Shores Management Strategy will be supported by staff from affected state agencies. The OPAC would approve the coastwide framework plan after public review and assessment of such factors as the potential economic, management, and ecosystem effects, costs, benefits, funding needs, and implementation.
- Phase Two: The coastwide framework plan would be carried out over time, resources permitting, through a locally-oriented public process that would result in a plan for each reserve. No reserve would be implemented until an analysis of the ecological, economic, and social effects was completed. Reserves might be implemented through a variety of means such as local advisory committees; state agency programs such as those of the Oregon Department of Fish and Wildlife, Parks and Recreation Department, and Division of State Lands; or legislative action. Reserves would be reviewed at intervals to assess performance and determine whether continuation, modification, or termination is warranted.

The OPAC intends a broad interpretation of the term "stakeholder" to include all affected or interested parties, groups and individuals because all have important contributions to make in carrying out this proposal. An open, participatory, step-wise planning and evaluation process will enable all interested parties to be involved in all phases of this process.

Terminology:

The OPAC concludes that Oregon's Territorial Sea is, in effect, a *marine protected area* because it is a distinct ocean area identified in state law for management through an integrated set of laws and regulations for multiple uses and purposes. The OPAC therefore focused its study and recommendation on *marine reserves*, which refers to a highly regulated ocean or estuarine area designated to meet specific goals and to protect resources or uses from activities that may conflict with these goals. While Oregon has a number of marine areas that are specially managed or protected along the ocean shore, none are "fully-protected."

Public Participation

All OPAC and Working Group meetings were open to the public. Several were well-attended. A special website (<http://oregonocean.org>) was launched to enable public access to all study materials, meeting notes, and other information about marine protected areas and reserves.

An initial draft of this recommendation was widely reviewed by the public in late spring 2002 and received a wide range of comments from many people. Comments ranged from outright rejection of the idea that marine reserves should be considered, to assertions of the need to enact reserves immediately. The Ocean Policy Advisory Council acknowledges the concerns raised, questions asked, and comments made and concurs that more information, discussion, and step-wise planning and evaluation are needed prior to the designation of specific reserves.

Funding

The OPAC acknowledges that funding will be a significant factor in carrying out this recommendation. The proposed public process will require staff, logistical, and information support. The OPAC RECOMMENDS that the Governor and Legislature provide core funding from state sources in order to leverage additional funds from other sources.

