

Oregon Ocean Policy Advisory Council
Distributed Materials
March 28, 2008
Newport, Oregon

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STAC Memo to OPAC — October 29, 2007 — Selected elements

Response to MRWG requests for assistance with Reserves Planning (page 4)

During the September meeting, the Committee discussed marine reserve planning through the morning session, focusing on experience from past efforts in California and elsewhere. There was also discussion about the mapping tool that will be available for site evaluation and network planning. The Committee agreed on the following critical points:

- Outreach and education is an essential component of any planning for marine protected areas. A plan for a port-by-port education effort should be developed and implemented as soon as possible, and substantial funding should be dedicated to this effort. Focus should be on promoting community and stakeholder cooperation. Successful outreach required for the public nomination process should include:
 - 1) information about the science of marine reserves and protected areas,
 - 2) technical assistance with mapping and site planning, and
 - 3) a description of the nomination and evaluation process.
- The nomination process should be defined more clearly with regard to evaluation of single sites and combination of those nominations into a network of reserves. These details should be defined prior to the start of the public nomination process.
- Existing social and economic data on the territorial sea are inadequate to either describe existing uses or predict impacts of new uses such as marine reserves. The collection and evaluation of the relevant social and economic data requires a substantial commitment of funds and personnel. Anecdotal information or local knowledge will not adequately substitute for scientifically generated and evaluated data. In order to be available for use in the design and evaluation of marine reserves, an aggressive program of data collection will have to begin immediately. No evidence of plans for such a program has been provided to the STAC.

Task #7: Develop evaluation criteria based on the current goal and revised objectives for the nomination process. (page 9)

It is not clear if the size and spacing criteria used by other states (principally, California) are appropriate or optimal for Oregon's nearshore habitats and species. Because of this, we recommend that size and spacing criteria be determined through a one-day workshop that includes an invited group of scientists with expertise in local nearshore species and the physical and biological processes that affect their distributions, abundances and life histories.

We also suggest that a workshop be convened to discuss the collection of socio-economic data and mapping needs. Patterns of resource use are needed to evaluate whether a potential reserve site has "minimized socio-economic impact". Development of specific evaluation criteria for reserve site nominations and network design should utilize the expertise of social scientists, economists and coastal stakeholders.





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Welcome to our workshop on Size and Spacing Guidelines for Marine Reserves in Oregon's Territorial Sea. The Science and Technical Advisory Committee (STAC) of Oregon's Ocean Policy Advisory Council (OPAC) thanks you for finding time in your busy schedule to join our workshop.

We will meet at the Oregon Institute of Marine Biology (OIMB) in Charleston on April 10 and half the day on April 11. The workshop will be open to the public, but public comment will not be solicited. A rough agenda is attached to this letter, which you will also receive in hard copy along with a folder of information on logistics and available data. We have a Blackboard web site available to access or post documents and provide commentary – log-in information is at the end of this letter.

Housing will be provided at OIMB. We thank Oregon's Department of State Lands, the Department of Fisheries and Wildlife at Oregon State University, the Communication Partnership for Science and the Sea (COMPASS), and Pew Charitable Trusts for support of this workshop. Thank you also to students Heather Reiff and Kayla Thomas for their hard work putting together materials for the workshop. If you need travel reimbursement, please contact Susan Allen, Coalition Director at Our Oceans: SAllen@pewtrusts.org 503-477-2882.

This will be a scientific meeting to discuss what we know about nearshore oceanography, habitat, and species. Our participants include marine ecologists and oceanographers from Oregon, Washington and California, individuals who have been directly involved with reserve planning, and individuals with local knowledge of habitats and species in Oregon's nearshore. Due to our time constraints, the expertise of the attendees, and specific requests from OPAC's Marine Reserves Working Group, this workshop will not cover issues on siting reserves to minimize social or economic impacts, although this is a requirement for reserve planning. Our goal is to produce a consensus document for OPAC that reviews existing science and provides recommendations for reserve size and spacing guidelines for Oregon. We will consider the physical oceanography, habitat distribution, and biological characteristics of our nearshore that pertain to the minimum size and spacing requirements needed to meet the current goals for reserves in Oregon's state waters. A key objective of this meeting is to identify the level of confidence we have in each recommendation, based on available data. We will also provide a prioritized list of research needs that may be used in reserve planning discussions. We are looking forward to a productive workshop that will greatly benefit OPAC in their efforts to produce a viable plan for reserves and protected areas in Oregon.

In this packet, you will find a variety of materials that will assist you with context and available information. Please note that the habitat maps are drafts and will hopefully be updated before we meet. You will also find a draft agenda, maps and travel information, and information on housing at OIMB. We have a web site with all of these materials as well as additional links and documents, including a bibliography of readings and papers that will be available in hard copy and pdf at the meeting. The site is run through OSU's Blackboard system, so you can post your thoughts and additional materials on the site's Discussion Board. To access:

1. Go to <http://oregonstate.edu> and click on "Blackboard Access" in the Quick Links menu at the bottom of the page.
2. Log in as Username: bb_s08_34524, Password: reserve. This gets you into the site as a "Test Student".
3. Access materials through Course Documents and post your thoughts and papers on Discussion Board through the links on the left side of the website.
4. Contact Selina Heppell or Heather Reiff if you have any difficulties. It is possible that the site will reject simultaneous postings by multiple users – hopefully this won't be an issue.

Thanks again for joining us, and please don't hesitate to contact us if you have questions. We look forward to seeing you in Charleston!

Regards,

Selina Heppell
Jack Barth
Jay Rasmussen, Chair

Susan Hanna
David Sampson

Craig Young
Richard Hildreth

OPAC's Science and Technical Advisory Committee

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Tentative Agenda

April 9 (Wednesday) EVENING SOCIAL starts at 7pm

Day 1 Thursday, April 10

Continental breakfast and coffee provided

8:30 am Overview of our task at hand

Short presentations (volunteers please get in touch with Selina ASAP)

Review of the "rules of thumb" developed for reserve siting in California – empirical approach

Review of theoretical approaches – models

BREAK

Review of available data and maps

Habitats

Physical oceanography

Invertebrates and algae

Fishes

LUNCH at OIMB

Breakout groups

Issue #1: Size?

Review of existing synthesis documents on relationship between reserve size and biological response

Review available data on home range, movement of adults and juveniles of local species

Reconvene for Discussion

BREAK

Issue #2: Spacing?

Review data and theory on network concepts, connectivity

Review dispersal information, habitat distribution, and physical oceanography of the Oregon coast

Reconvene for Discussion

BREAK

Issue #3: Shape?

Review habitat types and maps, discuss need to extend shore-based reserves to deeper water

Reconvene for Discussion

General Discussion

DINNER at OIMB

Day 2 Friday, April 11

Continental breakfast and coffee provided

8:30 am Synthesis: Matching Oregon's objectives to what we know

- What can be recommended, based on available information?
- Is there short-term (< 1 year) data gathering or synthesis that could contribute?
- How do size and spacing recommendations vary according to goals and objectives?

BREAK

Continue Synthesis Discussion and outline report to OPAC

Conclusion of the Workshop – noon on April 11.

INVITEE LIST

STAC members: Susan Hanna, Craig Young, David Sampson, Richard Hildreth, Jay Rasmussen, Jack Barth and Selina Heppell

Mark Hixon	OSU	Ecologist – fish, habitat
Mark Carr	UCSC	Ecologist – fish, habitat
Steve Gaines	UCSB	Ecologist – larval recruitment, community dynamics
Loo Botsford	UCD	Ecologist – population dynamics
Alan Shanks	UO	Ecologist – invertebrates, larval transport
Steve Rumrill	UO	Ecologist - habitat
Phil Levin	NWFSC	Ecologist – communities
Jessica Miller	OSU	Ecologist – population connectivity
Brian Tissot	WSU Vancouver	Ecologist – invertebrates
Rick Starr	CA SeaGrant	Ecologist – habitat, fish
Kirstin Grorud-Colvert	OSU	Ecologist – larvae and juvenile fish
Michael Donnellan	ODFW	Ecologist - habitat
Jan Hodder	UO	Ecologist – seabirds and mammals
Dave Fox	ODFW	Ecologist - habitat
Waldo Wakefield	NWFSC	Ecologist - habitat
Marissa Baskett	UCD	Ecologist – species interactions
Bob Warner	UCSB	Ecologist – larval transport
Gil Rilov	OSU	Ecologist - communities
Jeff Feldner	OR SeaGrant	Fisherman, SeaGrant
Cathy Tortorici	NMFS	OPAC, policy
Tim Essington	UW	Ecologist – populations
Chris Goldfinger	OSU	Oceanographer - geology
Hal Batchelder	OSU	Oceanographer - currents
Mike Kosro	OSU	Oceanographer - currents
Lorenzo Ciannelli	OSU	Oceanographer – larval transport
Aaron Longton	Port Orford	Fisherman – live fish
Craig Wenrick	Pacific City	Fisherman – nearshore
Mike Lane	Bandon	Fisherman – crab and salmon
Mark Lotis	Reedsport	Fisherman

March 6, 2008

TO: Oregon Ocean Policy Advisory Council
FROM: Science and Technical Advisory Committee
SUBJECT: Marine Reserves Development Process

We are writing to express our concern about the pace of the OPAC marine reserves development process. The objective of having a set of preferred alternatives by November 2008 is creating an unreasonable timeline for a public process of this magnitude. The STAC supports the OPAC in its efforts to develop a proposal for a system of marine reserves. However, we are concerned that the rate at which development is being pursued will prevent the proposal from being well informed by science. Experience in natural resource policy tells us that effective public policy implementation results from a development process that includes key elements:

- Measurable objectives
- Scientific information base
- Analysis of options
- Scientific review
- Public education
- Public involvement
- Transparency
- Predictability

These elements are deliberative and have associated time and budget requirements that may seem excessive in the short run. However, attempts to fast-track the process may lead to uninformed decisions and unintended consequences, leading to higher costs in the long run. As OPAC's science advisory committee, the STAC considers it within our charge to advise OPAC of the importance of rationalizing the development process and ensuring that it is based on a solid science foundation. We are concerned that the pace of the process is precluding the incorporation of adequate scientific information and review, leaving open the potential for inadequately informed decisions and unintended consequences. Experience with development and implementation of marine reserves in other areas provides guidance on the components and timelines of planning processes. The STAC stands ready to assist the OPAC in defining a process for Oregon that incorporates effective public involvement and allows adequate time for the development, analysis and review of scientific information.

Scientific and Technical Committee Members: Jack Barth, College of Oceanic and Atmospheric Science, Oregon State University; Susan Hanna, Agriculture and Resource Economics, Oregon State University; Selina Heppell, Fisheries and Wildlife, Oregon State University; Richard Hildreth, School of Law, University of Oregon; Jay Rasmussen, Oregon Sea Grant, Oregon State University, chair; David Sampson, Fisheries and Wildlife, Oregon State University; Craig Young, Oregon Institute of Marine Biology, University of Oregon

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Oregon Marine Reserves: Options Going Forward

If, why, when, and how to establish marine reserves (MRs) in Oregon state waters (0-3 nm) has captured public, media, and high-level government attention in recent months, including:

- Extensive pro and con public testimony at OPAC meetings
- A coastal listening tour by the Governor's chief of staff
- An Oregon Sea Grant "Listening and Learning" series of coastal outreach meetings
- A letter from OPAC's Science & Technical Advisory Committee (STAC) outlining the significant challenges posed by the lack of financial resources and present November 1, 2008 deadline for OPAC recommendations
- A letter to the Governor from coastal legislators recommending more time and resources

These have culminated in a Governor's Executive Order and letter to OPAC outlining plans for new leadership, agency support, and increased flexibility for the marine reserve process.

We have also been asked by the public, STAC, legislators, and others to (1) more clearly define the problem the marine reserve strategy seeks to address; (2) to slow down the process so that there can be adequate engagement of the public and ocean users; (3) take the time needed to ensure MRs are science-based and vetted; and (4) provide the financial resources to both plan for and implement reserves, including monitoring and enforcement.

OPTIONS GOING FROWARD

Considering what's gone before, several options are suggested here for how to proceed. These are *not* the full range of options—others are welcome. The intent is not to limit how we go forward, but to help jump-start the discussion. All options require some sort of *agency and legislative action* between now and June 2009, the earliest that implementation might be expected. For each option, proposed Product, Tasks/Timelines (incomplete but a start), and Feasibility are outlined.

Our task now: *Evaluate these and other options to determine the best way forward.*

Option 1 – Limited MR System: Same process as planned with December 2008 recommendations

Product: An OPAC recommendation for less than 10 MRs that comprise a "limited system"

Tasks/Timeline:

- (a) OPAC finalizes Policy Guidance based on EO, listening/learning results, develops site and system evaluation criteria, and nomination form;
- (b) Begin nomination process ASAP – June 2008, evaluate resulting nominations against size/spacing guidelines (STAC-developed), OPAC site and system criteria, socioeconomic impact potential, and recommend one or more "packages" of potential MRs.
- (c) Seek funding for reserve implementation based on agency-developed budget packages

Feasibility: Difficult if not impossible; insufficient time and resources. Doesn't respond to STAC and outreach concerns.

Option 2 - Limited MR System: Similar process, but with March 2009 deadline for Reserves/Budget

Product: An OPAC recommendation for less than 10 MRs that comprise a "limited system"

Tasks/Timeline:

- (a) Same as Option 1(a);
- (b) Proceed quickly to begin nominations process (e.g., June 2008), continue for several months, and, as in Option 1, come up with recommendations for a limited system of reserves and budget for implementing them by March 2009, with a placeholder put in the Governor's budget for that purpose.

Feasibility: Still difficult but may be possible; faces many problems and probably does not reflect our "listening and learning" results, or the realities of having a budget in time for legislative consideration.

Option 3 – Pilot MRs: Proceed with nominations, but for a few "pilot reserves" identified by December 2008; outline a process for longer-term consideration of MPAs and MRs.

Products: An OPAC recommendation for (1) a few "pilot reserves" to test and evaluate their benefits and costs; and (2) a bottom-up, locally-supported process for identifying the need for and locations for other types of marine protected areas (MPAs) and MRs, as well as other solutions to identified problems, including a 2-year budget to do that.

Tasks/Timeline:

- (a) Same as Option1(a), with focus on criteria and sites for "pilot reserves;"
- (b) Proceed with a nomination process to select a few sufficiently-sized reserves to "test and evaluate" benefits and costs over an initial 6-10 year period, to be implemented in summer 2009 with first two-years funding from the 2009 legislature [and other sources] for a local stakeholder/science team cooperative research effort to determine baseline conditions, monitor changes, and evaluate effects¹.
- (c) Additional combined federal-state-private funding effort (requires legislative action) to develop needed social, economic, and natural science information needed to do a credible bottom-up MPA/MR identification process (e.g., seafloor/habitat mapping and socioeconomic/ocean use mapping);
- (d) Additional funding to support the development, staffing, and project-funding elements of *community-based Local Marine Resource Councils*² to identify local ocean issues and concerns, carry out problem-solving projects, and suggest actions for state agencies [including siting of MPAs and marine reserves].
- (e) Additional funding for science advice, synthesis, and involvement in the design and implementation of a baseline and monitoring effort with local teams.

Feasibility: May be more feasible process-wise because it devolves the identification process to local groups, provides the additional time needed, and allows for learning from pilot reserves. Downsides include cost and uncertainly regarding future habitat protection provided.

Option 4 – Suspend MR Process: Until MR planning sufficiently funded for a credible process; provide funding to develop needed mapping of seafloor habitat and socioeconomic and ocean use data.

Products: OPAC recommendations for a budget to support the type of process outlined in Option 3 above, but without immediate pilot reserves & a Research Plan, focused on seafloor habitat mapping, socioeconomic and ocean use mapping, and other relevant priorities identified in the Marine Regional Research Plan being developed by Oregon, Washington, and California Sea Grant Programs.

Tasks/Timeline:

- (a) Same as Option1, Task (a), but with focus on recommendations that could be used to formulate legislative action on a budget for a more considered MR process, and needed science support.
- (b) Suspend the MR nomination process until ready for an improved effort.

Feasibility: Positives include breathing room and time to develop a more locally-supported process using local action teams. Downsides: does not achieve Governor's goals; delays process indefinitely; and may have significant cost and uncertainly regarding future habitat protection.

Option 5 – Suspend MR Process: Wait for state legislative direction, perhaps using California's Marine Life Protection Act as a model.

Products: OPAC suggestions for more comprehensive ocean protection legislation as requested by the Governor and legislature.

Tasks/Timeline:

- (a) May be similar to Option 4, but would depend on requests from agencies, the governor, and local governments.
- (b) Feasibility: Similar to Option 4; with more responsibility on state agencies and the legislature.

¹ Reserves to stay in place as long as resources are made available for monitoring and enforcement; biannual monitoring reports should be provided to evaluate outcomes.

² Depoe Bay and Port Orford can serve as models, requiring multi-stakeholder membership, similar to the highly successful Northwest Straits *Marine Conservation Initiative* in the 7-county north Puget Sound region.

Option 3A – MR/MPA options: including “no action” or “few pilot reserves” or limited system.

Product: OPAC review five alternatives, including a “no action” alternative and a range of other alternatives (including at least one with a few pilot reserves) as well as the possibility of an option of less than 10 then makes a recommendation to ODFW, the agencies and the Governor. The options have been prepared under ODFW’s leadership by state agencies, scientists/managers/experts and are based on an analysis of sites nominated by the public. OPAC reserves its option to select “no action,” a limited package of a few “pilot” sites or any number of great ideas that gain local support and bubble up from the nomination process.

Tasks/Timeline:

- (a) April/May: OPAC completes its key work products, including the Policy Guidance Document and Nomination Form, based on deliberative consideration of comments compiled by SeaGrant from its “Listening and Learning” meetings held in key fishing communities.
- (b) April/May: OPAC, with leadership from the GIS experts, completes its work on compiling GIS data layers and a web interface. This helpful tool is made available for public use and reference during the nomination process and for agency use in reviewing the nominations and preparing the options.
- (c) April/May: STAC holds “sizing/spacing” workshop to help educate OPAC, the agencies and itself about where there is agreement and disagreement about these key issues. This workshop will help inform agencies as they prepare alternatives for the OPAC to consider.
- (d) June-August: SeaGrant helps OPAC begin a two-three month nomination process by making a second round of meetings in communities to identify resources available for developing nominations and clearly describing the nomination, evaluation and selection process and timeline.
- (e) June – August: As nominations come in, they are all posted and catalogued by a trusted agency person where the public can view them on a website.
- (f) August – November: ODFW leads an effort involving agency professionals and scientists, and STAC members if available, to review the nominations, using the Objectives, Policy Guidance Document and Criteria. They develop five alternatives for the OPAC to review. The alternatives would include a “no action” alternative and a range of four other alternatives (similar to the requirements under NEPA). (e.g. could be that one alternative would include two sites that have surfaced over the past couple months; another could be those two plus one or two more that showed broad support and low community impact and high support during the nomination process and review, etc.)
- (g) November-December: OPAC reviews the alternatives, tries to reach consensus on a recommendation to ODFW and the agencies and Governor. If consensus can’t be reached, OPAC advises by majority vote with a minority report, as per the OPAC governance document.
- (h) Jan- July 2009: Funding is provided for first two years of planning/implementation, including funding to establish local planning/implementation/research teams.
- (i) Aug 2009 – Agencies finalize rulemaking, etc. to put marine reserves in place.

Feasibility:

- Likely to be more feasible because it focuses on OPAC delivering work products that are realistically within its ability to complete and that are modified based on public input from the outreach meetings, yet reserves the ability of OPAC to advise on a set of options.
- It likely will provide assurance to the public because: comments received during the SeaGrant “Listening” tour will receive deliberative review and document changes will reflect that input; because it begins the nomination process without having OPAC appear to change the game plan yet again; it listens to the public, especially the coastal public, during the nomination process and doesn’t favor locating a “pilot” project near any one community, but begins the nomination process and lets the public input help guide where the sites are located.

- It lets the agency scientists and experts do what they do best which is put together a range of alternatives based on science, enforcement and management expertise and allows for OPAC to do what it is tasked to do, which is to review and advise.
- It frees up the OPAC to allow some focus on review of the TSP and on wave energy from June – August while SeaGrant helps get the nomination process rolling with a round of community meetings, with agencies providing public with assistance preparing their nominations and from September - November while the agencies prepare options for the OPAC to review.



THEODOR R. KLONIGSKI
Governor

March 26, 2008

To the Ocean Policy Advisory Council

Dear Chair McMullen and Council Members:

In January, I dispatched my Chief of Staff, Chip Terhune, to spend three days visiting coastal communities to listen and learn about concerns and positive approaches to addressing the important issues of marine reserves and protected areas and the more recent interest in developing wave energy technology along the Oregon Coast. Mr. Terhune returned with clear messages from coastal communities and a series of recommendations.

I have also received and read the memo sent by the Scientific and Technical Advisory Committee (STAC) to the Ocean Policy Advisory Council (OPAC). In the memo, STAC expressed concerns about the timeframe I have established for OPAC to deliver recommendations to me on potential marine reserve sites. Additionally, STAC has stated concern that there are limited resources for a full evaluation of the scientific merits of marine reserve nominations.

Given this information, I want to be responsive to these concerns in three specific ways:

- Establish reasonable minimum expectations for OPAC and STAC,
- Issue an executive order refocusing state agency resources to assist your work, and
- Extend the deadline from November 1 to December 1, 2008.

Regarding funding, I fully understand that the evaluation, selection, implementation and management of any system of marine reserves or marine protected areas must be supported with adequate funding. Thus, I remain committed to presenting the 2009 Legislative Assembly with a request for funding to provide for such evaluation, selection, implementation and management. I cannot present the 2009 Legislature with funding requests unless I have some idea from OPAC and state agencies as to the true costs associated with those actions. To present these requests to the 2009 Legislative Assembly, I must have a certain minimum work product from OPAC by December 1.

Given the limited resources available to OPAC and STAC, I do not expect you to fully evaluate the scientific, social and economic merits of reserve nominations. Instead, it is my expectation that OPAC will provide recommendations of potential sites based on an initial,

Scott McMullen and OPAC Members
March 26, 2008
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coarse review of general expectations, and also, with input from STAC, provide recommendations of specific criteria for more thorough evaluation by state agencies following adequate funding through the 2009 Legislative Assembly.

At a minimum, I expect OPAC to initiate the nomination process, provide general nomination guidelines and forward to me those nominations received before December 2008 that meet the general guidelines, along with recommended criteria for more thorough evaluation and review once funding is obtained. If OPAC believes it can accomplish more by recommending or prioritizing specific nominations, I welcome that information as well.

Once I receive OPAC's work product, I will seek funding to allow full evaluation of nominations received. When completed, the evaluations will be submitted to the Oregon Department of Fish and Wildlife and other agencies along with recommendations regarding reserves for final consideration.

Pursuant to Chip Terhune's trip to the coast and his recommendations to me, I have issued an executive order to several state agencies that sets the stage for agency actions which will complement and support the work I have outlined for OPAC and STAC in this letter.

Further, the order establishes a process for addressing wave energy issues. This process ensures that the deployment of permanent wave energy projects will not occur until Oregon conducts a full evaluation of the potential for such projects, their impacts on other ocean uses and where such projects can be accommodated. Finally, the order addresses the need to identify the economic impacts and opportunities that may accompany marine reserves or wave energy projects. I am enclosing a copy of my Executive Order with this letter.

I want to close by thanking each and every one of you for your service on the Ocean Policy Advisory Council and extend the same appreciation to the scientists serving on the Scientific and Technical Advisory Committee. I know that your service comes at no small expense to each of you personally and professionally. But I also know that your service to me and the State of Oregon is indispensable. Accordingly, I am asking for your full support for the approach I have outlined in this letter.

Cordially,



THEODORE R. KULONGOSKI
Governor

TRK:mc:jb
c: STAC Members
Enclosure

Office of the Governor State of Oregon



EXECUTIVE ORDER NO. 08-07

DIRECTING STATE AGENCIES TO PROTECT COASTAL COMMUNITIES IN SITING MARINE RESERVES AND WAVE ENERGY PROJECTS

Marine reserve designations and wave energy siting in Oregon's Territorial Sea have the potential to significantly impact coastal communities and ocean users. The State must adopt a comprehensive, thoughtful approach to planning marine reserve designations and wave energy siting that balances the needs of Oregon's coastal communities and ocean users with opportunities for continued economic development.

Oregon's coastal communities are comprised of distinct local economies that share a common connection to the ocean and its resources. Coastal communities and ocean users have a wealth of knowledge about maintaining nearshore marine resources and their input is essential to developing informed recommendations for marine reserves, wave energy development and other new uses of the ocean. Oregon can stimulate and strengthen the coastal region's economic vitality by encouraging development of new sustainable industries while preserving existing livelihoods in commercial and sport fishing, ocean recreation, tourism, forest products and agriculture.

Oregon is distinguished among sister states for its collaborative and innovative approach to ocean resource management. Oregon's Ocean Policy Advisory Council (OPAC), a marine policy advisory body, was created by the legislature to ensure the conservation and responsible development of Oregon's ocean resources. OPAC is comprised of representatives from coastal communities and state agencies, including but not limited to Oregon Department of Fish and Wildlife (ODFW), Department of Land Conservation and Development (DLCD) and Oregon Parks and Recreation Department (OPRD).

At my request, OPAC has begun the process of recommending marine reserve designations. OPAC will also be involved in advising the State about other proposed uses of Oregon's Territorial Sea. ODFW, as the state agency with principal responsibility to manage marine fisheries and other marine wildlife, is uniquely poised to lead OPAC in developing marine reserve designations. ODFW has adopted a nearshore marine resource conservation strategy and a statewide conservation strategy to preserve and protect Oregon's ecosystems and the species that depend on them.

**Office of the Governor
State of Oregon****EXECUTIVE ORDER NO. 08-07
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To further protect coastal communities, Oregon must closely collaborate with the Federal Energy Regulatory Commission (FERC), the federal agency responsible for reviewing applications for licenses to site and operate wave energy facilities. A Memorandum of Understanding (MOU) between FERC and Oregon outlines the steps for this collaboration. The MOU provides that Oregon will develop a comprehensive plan, which FERC will consider in its wave energy license review process for hydrokinetic projects within Oregon's Territorial Sea. The comprehensive plan will seek to identify appropriate locations for future wave energy projects that minimize adverse impacts to existing ocean resources and resource users. In addition, the MOU provides that FERC and Oregon will include terms and conditions in wave energy licenses and permits to optimally site wave energy facilities to mitigate the impacts of projects on coastal communities.

NOW THEREFORE, IT IS HEREBY DIRECTED AND ORDERED:

1. The director of ODFW, or the director's designee, shall serve as my representative to OPAC. ODFW shall serve as the lead agency in the OPAC marine reserve recommendation process.
2. DLCD, together with ODFW, shall continue to provide OPAC with administrative staff and technical support. OPRD shall continue to provide staff assistance to OPAC. All OPAC member agencies shall continue to support the Marine Reserves Working Group and the Scientific and Technical Advisory Committee (STAC) through the marine reserves recommendation process.
3. The director of ODFW, or the director's designee, shall work with OPAC and its member agencies to:
 - a. Prioritize OPAC activities directly related to implementing an effective public nomination and recommendation process for marine reserves until January 1, 2009, when the process is complete.
 - b. Recommend not more than nine sites for consideration as marine reserves that, individually or collectively, are large enough to allow scientific evaluation of ecological benefits, but small enough to avoid significant economic or social impacts, on or before January 1, 2009.

Office of the Governor State of Oregon



EXECUTIVE ORDER NO. 08-07

PAGE THREE

- c. Give priority consideration to marine reserve designation nominations developed by coastal community nominating teams (*e.g.*, nearshore action teams) comprised of coastal community members, ocean users and other interested parties.
 - d. On or before July 1, 2008, publish a marine reserve nomination form. The nomination form shall utilize STAC expertise. The form shall address site location characteristics, potential biological, social and economic impacts, potential economic development opportunities, and any research opportunities.
 - e. On or before November 1, 2008, submit a proposal to my office for financing, budgeting and implementing OPAC's marine reserve recommendation process in the 2009-11 biennium.
 - f. On or before December 1, 2008, use nomination criteria as a coarse filter to review marine reserve nominations for more thorough evaluation by state agencies.
 - g. On or before January 1, 2009, OPAC member agencies, utilizing STAC and other scientific and technical expertise, shall engage in a secondary review process to develop additional criteria that assess social, economic and biological impacts of marine reserve nominations.
 - h. Continue to collaborate with Oregon Sea Grant, a program organized under the National Oceanic and Atmospheric Administration in collaboration with Oregon State University, in its outreach and public education efforts to facilitate community-driven site nominations. The Department of Economic and Community Development (OECDD) shall provide supplemental funding for travel, public outreach facilitation and publication costs to support Oregon Sea Grant's efforts.
4. Following evaluation of marine reserve sites nominated by OPAC and legislative funding approval, State Land Board, Land Conservation and Development Commission (LCDC), Oregon Fish and Wildlife Commission and other appropriate agencies shall consider OPAC's recommendations and agency evaluations for potential adoption of a limited system of marine reserves consistent with ORS 196.443 and in coordination with OPAC and any amendments to Oregon's Territorial Sea Plan.

Office of the Governor State of Oregon



EXECUTIVE ORDER NO. 08-07 PAGE FOUR

5. DLCD shall seek recommendations from OPAC concerning appropriate amendments to Oregon's Territorial Sea Plan, reflecting comprehensive plan provisions on wave energy siting projects. On or before July 31, 2009, DLCD shall begin the process to develop proposed amendments to Oregon's Territorial Sea Plan for consideration by LCDC for such amendments. DLCD shall provide final amendment recommendations to LCDC on or before December 1, 2009.

6. DLCD shall submit any comprehensive plan provisions incorporated into Oregon's Territorial Sea Plan to the National Oceanic and Atmospheric Administration for approval as enforceable policies of Oregon's Coastal Management Program under the federal Coastal Zone Management Act.

7. OPAC shall work with Oregon Sea Grant and the Oregon Coastal Zone Management Association to provide outreach and public education to coastal communities concerning the potential positive and adverse impacts of wave energy.

Done at Salem, Oregon, this 26th day of March, 2008.

Theodore R. Kulongoski
GOVERNOR



ATTEST:

Bill Bradbury
SECRETARY OF STATE





FREDERICK R. KUIPINKOSKI
GOVERNOR

March 26, 2008

Mr. Joseph T. Kelliher, Chairman
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

Mr. Charles F. Dunleavy, Executive Director
Ocean Power Technologies, Inc.
1590 Reed Road
Pennington, NJ 08534

Dear Chairman Kelliher and Mr. Dunleavy:

I am aware that Ocean Power Technologies (OPT) has submitted a notice of intent (NOI) to file an application for a license from the Federal Energy Regulatory Commission (Commission, FERC) for the placement of up to 200 wave energy buoys in Oregon waters adjacent to the north spit of Coos Bay. Before the Commission takes any action on this NOI or subsequent application, I want to make you aware of several things.

I am a strong proponent of the development of wave energy technology and hope that it will one day help Oregon and others transition to clean energy. I also have been working cooperatively with OPT on its application for a small scale demonstration project composed of 14 wave energy buoys off the coast near Reedsport

However, my support for the use of Oregon waters is presently limited to testing and research and a limited number of small demonstration projects in order to commercialize the technology and develop the scientific analysis of the potential impacts of the technology on ocean resources and existing uses. Large scale use of Oregon's territorial waters for commercial-scale wave energy development must be preceded by a comprehensive evaluation of this and other uses of these waters to ensure that ocean resources and other ocean values and uses will not be harmed.

These positions are reflected in the Memorandum of Understanding (MOU) that I signed this week with the Commission. The MOU acknowledges that Oregon will amend its Territorial Sea Plan and its Coastal Zone Management Plan to address the possible siting of wave energy facilities and a determination of whether such facilities can be accommodated in Oregon's waters and, if so, where they would be located. The MOU expresses support for a limited number of

Joseph T. Kelliher
Charles F. Dunleavy
March 26, 2008
Page Two

small scale pilot projects until the comprehensive planning is completed and needed scientific studies and data are generated around the pilot projects.

Accordingly, I am asking FERC to not process any future application by OPT for large scale commercial development until Oregon has completed an amendment to its Coastal Zone Management Plan.

Oregon's territorial sea is a very limited area of ocean that already supports diverse and viable economic, recreational and personal activities. While I am an advocate for the testing and development of renewable energy technologies, like wave energy, I do not intend for new uses, like wave buoys, to come at the expense of existing ocean uses. That is why Oregon is committed to undertaking a planning process that addresses the potential siting of wave energy facilities before commercial deployment of such facilities can occur.

Thank you for your attention to these concerns.

Sincerely,



THEODORE R. KULONGOSKI
Governor

TRK:mc:jb

c: Dr. George W. Taylor, Chief Executive Officer, OPT
Mr. Herbert T. Nock, VP Business Development & Marketing, OPT
Kimberly D. Bose, Secretary, FERC

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE FEDERAL ENERGY REGULATORY COMMISSION
AND
THE STATE OF OREGON
BY AND THROUGH ITS DEPARTMENTS OF FISH & WILDLIFE, LAND
CONSERVATION & DEVELOPMENT, ENVIRONMENTAL QUALITY, STATE
LANDS, WATER RESOURCES, PARKS & RECREATION, AND ENERGY

The State of Oregon (Oregon) by and through its Department of State Lands, its Department of Water Resources, its Department of Fish & Wildlife, its Department of Land Conservation and Development, its Department of Environmental Quality, its Department of Energy, and its Parks and Recreation Department and the Federal Energy Regulatory Commission (Commission), as parties to this Memorandum of Understanding (MOU), hereby acknowledge and declare as follows:

A. The Commission issues licenses under Part I of the Federal Power Act, 16 U.S.C. §§ 791a *et seq.* (FPA) for non-federal wave energy projects. This includes, but is not limited to, wave energy projects that are proposed to be located in the Territorial Sea of Oregon. The Commission's staff has established several possible means of authorizing wave energy projects, including procedures to allow shorter-term, experimental projects with environmental safeguards.

B. Oregon has authorities with respect to wave energy projects that are proposed to be located in its Territorial Sea, including authorities under the following federal laws: the Coastal Zone Management Act 16 USC §§ 1451 *et seq.* (CZMA); the Clean Water Act 33 USC §§ 1251-1387; the National Historic Preservation Act 16 USC §§ 470 *et seq.* (NHPA), as well as the FPA. Oregon state law also includes provisions applicable to wave energy projects that are proposed to be located in its Territorial Sea, including proprietary authorization, regulatory authorization to use waters of the state, and regulatory authorization to use the ocean shore.

C. The parties have a mutual interest in the timely processing of applications for regulatory and other approvals required for wave energy projects in the Territorial Sea of Oregon to promote clean, renewable sources of energy, and Oregon has stated its intent to be a leader in promoting the development of wave energy projects. The parties also desire to create a process to make it possible for developers of wave energy projects to establish short-term or experimental wave energy projects within the Territorial Sea of Oregon in order to study, monitor, and evaluate the environmental, economic, and cultural effects of wave energy projects. The parties intend that this information will serve as a basis for decision-making concerning requests for longer-term authorizations for wave energy projects in the Territorial Sea of Oregon.

D. The purpose of this Memorandum of Understanding is to coordinate the procedures and schedules for review of wave energy projects in the Territorial Sea of Oregon and to ensure that there is a coordinated review of proposed wave energy projects

- 2 -

that is responsive to environmental, economic, and cultural concerns while providing a timely, stable, and predictable means for developers of such projects to seek necessary approvals.

Now, therefore, the Commission and Oregon agree that:

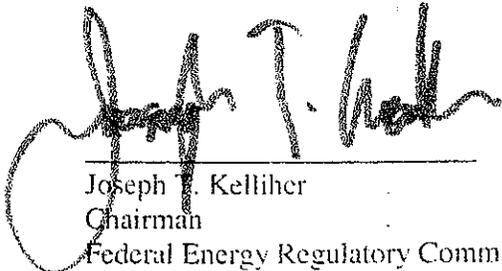
1. Oregon supports the efforts by Commission staff to establish procedures to allow shorter-term, experimental wave energy projects with environmental safeguards, including the pilot project license process, which may, in appropriate cases, allow the licensing of wave energy projects by the Commission in a significantly shorter period than a full licensing process would require. Oregon also supports the Commission's conclusion that a license may not be required under Part I of the FPA in certain limited circumstances for the testing of new technology. The parties agree that these and other approaches may be appropriate as short-term means of allowing wave energy projects to proceed on an experimental or pilot basis while additional environmental and other data concerning the effects of such projects are gathered. The parties also agree that these approaches must incorporate safeguards and limitations to ensure that the environmental, economic, and social effects of any experimental or pilot projects will not have a significant adverse effect on the environment.
2. When either the Commission or Oregon becomes aware that a prospective applicant may seek a pilot project license, preliminary permit, or other license from the Commission to study or develop a wave energy project in the Territorial Sea of Oregon, the party obtaining the information promptly will notify the other party, to enable the parties to begin planning how to coordinate review of the project. In such cases, the Commission and Oregon will work together, along with the prospective applicant and other participants in the Commission's pre-filing process (where applicable), to identify potential issues, and to determine what information is needed and what studies must be conducted in order to permit the Commission and Oregon to undertake required reviews of proposed projects.
3. Where a prospective applicant seeks to use the pilot project license process or any other licensing process for wave energy projects to be located in the Territorial Sea of Oregon and subject to the Commission's licensing jurisdiction, the Commission and Oregon agree to confer, as early in the process as possible, in order to reach agreement on a schedule for processing the application as expeditiously as possible. Such a schedule, to be issued by the Commission, will include milestones for the Commission's review of the application and issuance of an environmental document, and the issuance by Oregon of any certifications or concurrences that may be required from it under federal law. Oregon will, to the extent possible, complete any actions required of it within the timeframes established in the schedule and, in any case, will complete such actions by any deadline established by law. The parties further agree that they will use their best efforts to encourage other federal agencies and stakeholders that have an interest in a proposed wave energy project in the Territorial Sea of Oregon to help develop and comply with a coordinated schedule for the review of the project.

- 3 -

4. The parties agree that they will work to coordinate their environmental reviews of any proposed wave energy projects in the Territorial Sea of Oregon subject to the Commission's licensing jurisdiction so that documents prepared by the Commission for review under the National Environmental Policy Act 42 USC §§ 4231 *et seq.* (NEPA) may be used by Oregon agencies to satisfy the requirements of the Oregon Territorial Sea Plan and other similar requirements that are enforceable policies of Oregon's approved Coastal Management Program under the CZMA, or any other actions to be taken by the State. The parties also agree to consult with stakeholders, including the project developers, concerning the design of studies and environmental measures (including adaptive management measures) for wave energy projects in the Territorial Sea of Oregon.
5. The parties acknowledge that Oregon intends to prepare a comprehensive plan for the siting of wave energy projects in the Territorial Sea of Oregon. If Oregon develops and files with the Commission a comprehensive plan (Oregon Plan) for the siting of wave energy projects in the Territorial Sea of Oregon under section 10(a)(2)(A)(ii) of the FPA and 18 C.F.R. 2.19, the Commission will, in issuing any preliminary permit, pilot project license, or other license for a wave energy project in Oregon's Territorial Sea, consider the extent to which the proposed project is consistent with the Oregon Plan. In addition, the Commission will consider any terms and conditions that are recommended by Oregon under section 10(a)(3) of the FPA to ensure consistency with the Oregon Plan. Moreover, without limiting the foregoing, the Commission will inform parties seeking a preliminary permit, pilot project license, or other authorization for a wave energy project in the Territorial Sea of Oregon of any comprehensive plan developed and filed by Oregon under section 10(a)(2)(A)(ii) of the FPA, and encourage the parties to reach agreement with Oregon to the extent practicable. The Commission recognizes that Oregon may also submit such a comprehensive plan to the Office of Coastal Resource Management of the National Atmospheric and Oceanic Administration of the U.S. Department of Commerce (OCRM) for approval as an amendment to Oregon's approved coastal management plan. Such a comprehensive plan may identify only a limited number of locations within the Territorial Sea of Oregon where the State believes it is appropriate to locate wave energy projects until further information concerning the effects of such projects is developed. Additional locations may be identified in subsequent phases of the comprehensive plan.
6. Oregon and the Commission recognize that any pilot project license or other license issued by the Commission for a wave energy facility in Oregon's Territorial Sea must include those terms and conditions that are appropriate to protect, mitigate damages to, and enhance fish and wildlife resources.
7. Oregon and the Commission will designate management contacts to work to resolve any procedural issues that may arise in the review of a specific proposed wave energy project in Oregon's Territorial Sea. However, nothing in this MOU shall compromise or affect the rights of any party to seek relief through any available administrative or judicial process.
8. Nothing in the Memorandum of Understanding requires any party to take any action that is contrary to applicable federal or state law or regulation.

9. This MOU is neither a fiscal nor a funds obligation document. Any endeavor to transfer anything of value involving reimbursement or contribution of funds between the parties to this MOU will be handled in accordance with applicable laws, regulations, and procedures including those for Government procurement and printing. Any such endeavors will be outlined in separate documents that shall be made in writing by representatives of the parties and shall be independently authorized by appropriate statutory authority. This MOU does not provide such authority. In addition, this agreement does not establish authority for noncompetitive award to the cooperator of any contract or other agreement.

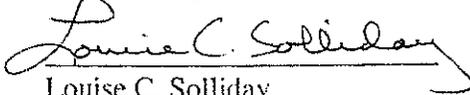
10. This MOU will take effect when signed by all the parties hereto. This MOU may be modified at any time by the mutual written agreement of the parties. The Commission or any other party may terminate the same upon thirty (30) days written notice to the other party. Any State agency may terminate its involvement in this MOU upon thirty days notice to the Commission and the Oregon Governor's Natural Resources Office. During this period, the parties shall make good-faith efforts to resolve any disagreement.


Joseph T. Kelliher
Chairman
Federal Energy Regulatory Commission

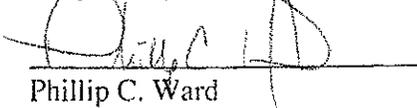
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Date


Theodore R. Kulongoski
Governor
State of Oregon

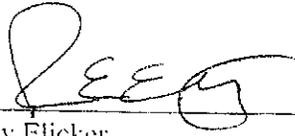
3/26/08
Date


Louise C. Solliday
Director
Oregon Department of State Lands

3/26/08
Date

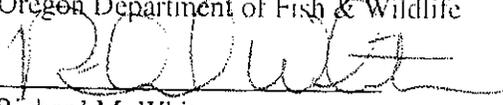

Phillip C. Ward
Director
Oregon Water Resources Department

3/26/08
Date



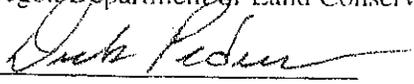
Roy Elicker
Director
Oregon Department of Fish & Wildlife

3/26/08
Date



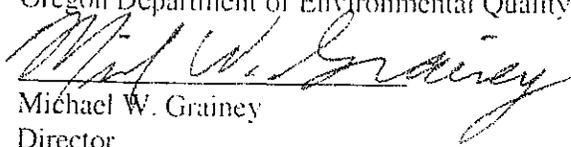
Richard M. Whitman
Director
Oregon Department of Land Conservation and Development

3/26/08
Date



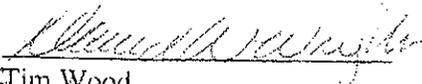
Dick Pedersen
Director
Oregon Department of Environmental Quality

3/26/08
Date



Michael W. Graine
Director
Oregon Department of Energy

3/26/08
Date



Tim Wood
Director
Oregon Parks and Recreation Department

3/26/08
Date

OPAC MARINE RESERVES PROCESS & BRIEFING ON REQUEST FOR OSU SEA GRANT OUTREACH TO OREGON'S COASTAL COMMUNITIES

Governor Kulongoski has requested that the Oregon Ocean Policy Advisory Council (OPAC) provide him with recommendations for implementing marine reserves within Oregon's Territorial Sea. That is the band of ocean waters from the beach out to three miles the length of Oregon's coast. Governor Kulongoski's request is consistent with former Governor Kitzhaber's request to which OPAC responded in 2002 with a recommendation for a limited system of marine reserves to test their effectiveness.

Throughout 2007 OPAC received a considerable volume of comment from coastal communities regarding the marine reserves process. In response to those comments and in order to provide an impartial forum to receive meaningful input, OPAC has requested OSU Sea Grant to administer an outreach effort along the coast to listen to these concerns, answer questions and receive input from the coastal governments, fishing industry representatives and citizens to be reflected in the OPAC marine reserves process.

The Sea Grant Outreach Project will be recording the comments and concerns from coastal communities and provide that information to OPAC later this year to be considered for inclusion in OPAC's ***Oregon Marine Reserve Policy Guidance*** document. It is important for all parties to understand that the current OPAC Policy Guidance document is a draft working document which will not be finalized by OPAC approval until the fall of 2008.

The following document "***Listening and Learning: A Program of Marine Reserves Community Outreach and Engagement by Oregon Sea Grant, Oregon State University***" outlines in more detail, the goals and objectives of the outreach project, the primary target audiences, more background on the OPAC marine reserves process, links to relevant documents and contact information for Ginny Goblirsch, Sea Grant Outreach Coordinator.



Designing the Listening and Learning: Marine Reserves Community Forums

Informed citizen participation is critical in how Oregon approaches the issue of marine reserves and other ocean spatial uses. In fact, recent studies indicate that genuinely incorporating the beliefs, attitudes, knowledge, and perceptions of all ocean users improves the attitudes of stakeholders toward implementation, management, and ultimately the success of marine protection actions.

For several decades, Oregon Sea Grant has worked closely with coastal and statewide communities of place and of interest on complex and sometimes controversial issues. Oregon Sea Grant has acknowledged expertise in educational design and engagement. We have a reputation for fairness, openness, ability, neutrality and outcomes.

OPAC requested Oregon Sea Grant to administer an outreach effort along the coast to **listen to concerns, answer questions, and receive input** from coastal communities and ocean users:

- Commercial, charter, and recreational fishermen (all gears, all fisheries)
- Seafood industry (processing, etc.) and fishing support services (marine supply stores, manufacturing and repair, etc.)
- Port commissioners and managers
- Conservation leaders in coastal communities
- Coastal recreationists (boaters, surfers, birders)
- Local government and staff
- General public

These forums were designed around the principles of inclusiveness, neutrality, adaptation, and respectful contribution into the process and decision-making. Scoping session prior to the forums helped to provide critical content and process input from local regions. The scoping sessions informed our design: people wanted to know more about the (marine reserves) process and they wanted to feel confident that their views and suggestions would be heard and incorporated into it.

Designing these forums was challenging. The timeline was short. The topic was important and controversial, and that everyone in the room would have a different perspective and be in a different place in their experience and process with the topic (i.e. listening oriented vs action oriented). The design needed to ensure that all perspectives and interests got a fair shake. As such, we designed a strict protocol for the way the meetings would be conducted, how information would be gathered/recorded in each of the 8 forums, and how it would be handled afterwards (cards transcribed verbatim).

Using the charge from OPAC – to listen to concerns, answer questions, and receive input – we designed each forum to provide participants with:

- a short briefing on the history and science of marine reserves – what they are and why they're being considered in Oregon – from two leading Oregon scientists (the same people for every forum),
- information about how they could stay involved and informed during the state's decision-making process, and
- an opportunity to write down responses to five questions (plus general comments on the subject) on cards.

Data from the forum was to be presented in a report to OPAC who will consider including it into OPAC's *Oregon Marine Reserve Policy Guidance Document*, scheduled to be finalized in Fall 2008.

Implementing the Listening and Learning: Marine Reserves Community Forums

Each forum last roughly 2 hours.

Each was facilitated by Ginny Goblirsch and Jeff Felder, OSG Extension.

At each forum, participants:

- received a packet of information (see enclosed)
- got a short briefing on the history and science of marine reserves – what they are and why they're being considered in Oregon – from two leading Oregon scientists (the same people for every forum [Heppell and Burke]),
- were then given information about how they could stay involved and informed during the state's decision-making process, and
- spent the rest of the meetings writing down responses to the five questions¹ (plus general comments on the subject) on cards:
 1. What community impacts (cultural, social and economic) should be considered when proposing a marine reserve?
 2. How can marine reserves benefit, not disrupt, existing economic and recreational uses of the ocean?
 3. What do communities need in order to be adequately involved in providing recommendations to OPAC for marine reserves?²
 4. One of the reasons cited for establishing marine reserves is the need to create areas of refuge so we can learn more about our nearshore resources including fish stocks and habitat. What types of research are needed to better protect and manage our nearshore?
 5. Are there specific attributes (unique circumstances, places, things) about this region's section of the coast (shore to three miles) that would work or not work for siting a marine reserve?

They were also encouraged to hand in pre-prepared comments they'd brought to the meetings, and use the OPAC marine reserves web site -- www.oregonmarinereserves.net (the formal comment period ended on March 14, 2008).

Agenda, materials, comment cards, submitted pre-prepared comments/materials, and completed forum evaluation forms (see enclosed) for each location were kept intact and submitted for data entry. Comment cards were entered into Microsoft Access exactly as written; no comments were summarized or shortened in any way. Illegible words were entered as "--". Prepared comments and other submitted materials were scanned in as PDFs. Statistics were kept for each location: number of participants, number of cards per location, and numbers of pre-prepared materials.

¹ It should be noted that the order of the last two questions was not consistent in each location; but the questions were.

² Question 3 was the same for all forum sites except North Bend / Coos Bay, where the following question was asked in its place: "If MPAs are allowed in association with MRs, what types of activities should be allowed in an MPA to provide habitat protection while still allowing research and learning (types of fishing/use; existing set asides/management measures; etc.)? The process designers recognize that this was not optimal.

Marine Reserves Learning and ^{157 of 474} Listening Forums

Evaluation Form

Date: 2/20/08

Location: Garibaldi

Evaluations: 12

(1 Poor, 5 Excellent, N/A not applicable)

Ginny Goblirsch, the moderator:	AVERAGE	MEDIAN
1. Clearly explained the purpose of the forum.	4.2	4.5
2. Was well prepared and organized.	4.3	4.5
3. The forum was understandable.	4.1	4.5
4. Demonstrated enthusiasm for the topic.	4.4	5.0
5. Encouraged contributions from the participants.	4.4	5.0
6. Stimulated me to think about how to contribute.	3.8	4.0
7. Handouts and activities used were appropriate.	3.9	4.0
8. Overall rating:	4.1	4.0

Patty Burke, the presenter on "Oregon's Territorial Sea":	AVERAGE	MEDIAN
1. Clearly explained the purpose of the presentation.	4.0	4.0
2. Was well prepared and organized.	4.2	5.0
3. The presentation was understandable.	4.1	5.0
4. Demonstrated enthusiasm for the topic.	4.1	5.0
5. Encouraged questions/interaction with participants.	4.0	4.5
6. Stimulated me to think about how to use this info.	3.9	4.0
7. Visual aids used were appropriate.	4.4	5.0
8. Overall rating for teaching:	4.1	4.0

Selina Heppell, the presenter on "Contribution of Science to MR Planning":	AVERAGE	MEDIAN
1. Clearly explained the purpose of the presentation.	3.8	4.0
2. Was well prepared and organized.	3.9	5.0
3. The presentation was understandable.	3.8	5.0
4. Demonstrated enthusiasm for the topic.	3.9	5.0
5. Encouraged questions/interaction with participants.	4.0	4.5
6. Stimulated me to think about how to use this info.	3.6	4.5
7. Visual aids used were appropriate.	4.0	5.0
8. Overall rating for teaching:	3.8	4.5

	AVERAGE	MEDIAN
"MRs in Oregon: the community's perspective on this" - the activities part of forum (to get my input) was:	4.0	4.0

	Yes	No
I feel like I had the opportunity to contribute: (1=yes, 2=no)	10	1



8. Public Comments—Newport Forum



Data, Preliminary Content Analysis, and Suggestions for Use Listening and Learning: Marine Reserves Community Forums

Statistics were kept for each location: number of participants, number of cards per location, and numbers of pre-prepared materials.

<u>Location</u>	<u># of participants</u>	<u># of cards</u>	<u># of handed in materials</u>
Warrenton/Astoria	40	96	3
Garibaldi	115	249	10
Newport/Depoe Bay	120	286	5
Reedsport	80	229	5
Florence	70	143	0
North Bend/Coos Bay	125	317	8
Port Orford	30	75	2
Brookings	175	294	4
Other			8
Total	755	1,689	45

of Web/email comments 25

Comment cards were entered into Microsoft Access exactly as written; no comments were summarized or shortened in any way. Illegible words were entered as "--". It should be noted that the data set – due to time limitations – still contains many misspelled words.

For each location, by question, card transcripts underwent a quick/preliminary content analysis¹ by two university researchers (to double check results). This resulted in a one-page “threads summary” for each forum location (placed at the beginning of each chapter for that location).

This summary lists, for each question, 1-3 dominant observations or emerged threads for that question, and 1-3 other observations or emerged threads for that question (not as prevalent but still mentioned in multiple entries). At the end of the summary are any new threads that emerged out of the “general comments” cards that were submitted at each location. Although not many new threads appeared in these general comments, **GENERAL COMMENTS SHOULD BE READ** because people took the time to share them.

Each of the eight locations had both positive and negative comments; both about the content of marine reserves and the marine reserves process. **IT IS CRITICAL** for OPAC, the Governor’s office, and others to **READ THE ENTIRE DATABASE** along with the summaries. Comment cards included rich, and at times, detailed information that was captured in the database and should be considered.

Prepared comments and other materials submitted at each forum were scanned in as PDFs. People took the time to gather information and share prepared thoughts. **IT IS CRITICAL FOR THIS TO BE READ.**

Lastly, after requesting and reading this input and these concerns, **it’s important for every decision maker to ask themselves:** *What have I learned? What am I going to do with this input? And how will I convey this to the people in the communities where these community forums took place?*

¹ Although very brief, this process consists of reading the database of the transcribed cards and finding similar themes or threads that emerged.

Listening and Learning: Marine Reserves Community Forums

Presented by
Oregon Sea Grant, Oregon State University

In cooperation with
**Oregon Department of Fish and Wildlife, OSU Department of Fisheries and Wildlife, Department of State Lands,
Our Ocean, Oregon Trawl Commission, Oregon Salmon Commission, Oregon Albacore Commission and
Oregon Dungeness Crab Commission**

On behalf of Oregon's
Ocean Policy Advisory Council and Governor Ted Kulongoski

- 6:30 **Welcome** Ginny Goblirsch, Outreach Coordinator
Background
- 6:40 **Marine Reserves: What and Why** Patty Burke, ODFW Marine Resources
Oregon State Waters: Resource Status Program Manager
and Information Needs
Q&A
- 7:00 **Contribution of Science to Marine Reserve Planning** Selena Heppell, Assoc. Prof., OSU
Q&A Dept. Fisheries and Wildlife
- 7:20 **Local Knowledge and Experience** Jeff Feldner, OSG Marine Extension
Audience knowledge, ideas, perspectives
- 1) What community impacts (cultural, social and economic) should be considered when proposing a marine reserve?
 - 2) How can marine reserves benefit, not disrupt, existing economic and recreational uses of the ocean?
 - 3) What do communities need in order to be adequately involved in providing recommendations to OPAC regarding marine reserves?
 - 4) One of the main reasons cited for establishing marine reserves is the need to create areas of refuge so we can learn more about our nearshore (shore to three miles) resources including fish stocks and habitats. What types of research do you feel is needed to better protect and manage our nearshore marine resources?
 - 5) Are there specific attributes (unique circumstances, places, things) about this region's section of the coast (shore to three miles) that would work or not work for siting a marine reserve?
- 8:15 **Next Steps** Ginny Goblirsch
- 8:30 **Adjourn**

Planning Team: Jay Rasmussen, Flaxen Conway, Pat Corcoran, Ginny Goblirsch, Jeff Feldner, OSG; Jane Brass Barth, RDI; Patty Burke, ODFW (fisheries agency); Selena Heppell, OSU F&W (science); Susan Allen, Our Ocean (environmental); Onno Husing, OZCMA (coastal governments); Terry Thompson, Lincoln County Commissioner (experiential knowledge).

Newport

Question 1: What community impacts (cultural, social and economic) should be considered when proposing a marine reserve?

Dominant Observations: All types mentioned (economic, social, and cultural); positive and negative comments for each impact. Safety of fishing fleet.

Other Observations: Impacts need to be thought out with attention to current and long term time scales.

Question 2: How can marine reserves benefit, not disrupt, existing economic and recreational uses of the ocean?

Dominant Observations: Increased biodiversity, ecosystem health and fisheries enhancement. Increased recreational opportunities and tourism.

Other Observations: Increased knowledge and research.

Question 3: What do communities need in order to be adequately involved in providing recommendations to OPAC for marine reserves?

Dominant Observations: Need organized community involvement (not just fisherman and not just ports – a variety of participants). Need to be listened to. Access to education and information (science and research) and regular communication.

Other Observations: Time and money (time to do it right, sunset clauses).

Question 4: One of the reasons cited for establishing marine reserves is the need to create areas of refuge so we can learn more about our nearshore (shore to three miles) resources including fish stocks and habitats. What types of research do you feel is needed to better protect and manage our nearshore?

Dominant Observations: Baseline information. Fisheries (stocks, diversity and biology, include local knowledge). Habitat and physical environment (mapping). Pollution.

Other Observations: Study of other areas with reserves. We don't need reserves to do research. Wave energy needs to be connected with the research.

Question 5: Are there specific attributes (unique circumstances, places, things) about this region's section of the coast (shore to three miles) that would work or not work for siting a marine reserve?

Dominant Observations: Variety of habitats and ecosystems. Siting should include local knowledge and science. Comments about specific locations (both "put it here" and "do not put it there", reference to NSAT).

Other Observations: None

General Comments: Comments about process and funding

- * They can't. They only will employ researchers. 5 year sunset clause.
- * Building healthy fish stock relies on healthy habitats protected through marine reserves. Healthy fish stocks and fish habitats lead to vibrant economical opportunities. Looking around the world, the #1 tourist destinations are in and around marine reserves. Fisheries just around the boundaries of reserves demonstrate incredibly strong economics and opportunities. Recreational opportunities.
- * They can benefit if they have a goal they are designed to accomplish. I would not like to see MR zones created for emotional reasons.
- * They will benefit the scientists, who will have a science playground to use. The fishermen who "—" the scientists might also benefit more than they lose.
- * Through science may expand harvest, hopefully.
- * By providing a continual supply of fish.
- * MRs can only benefit existing econ and rec – of the ocean, if there is a baseline study done prior to – MR and the MR is – – out time.
- * If the MPA/MRA do in fact prove to increase the number and diversity of ground fish, then they will help/benefit our area. But if they do not help, we will be just denied another place to fish.
- * There are documented cases where the edges of reserves are associated with increases of catch. Increased biological diversity can ultimately improve the catch of sports fisheries, which are larger economic driver in local economies than commodities fishing.
- * By not making them too large, like oceans wanting a reserve from Lincoln City to Cape Fowlweather out 3 miles. It will cost most fishing jobs in Depoe Bay to disappear.
- * By setting aside protected areas, fish, etc. Have a chance to reproduce when they are in their primer not just the survivors reproducing. So there may be more fish. Recreation would be enhanced for scuba, etc.
- * If put in the proper location it could be a draw to the coast.
Question - would only fish be monitored? What about marine mammals and birds?
- * By placement in areas that are not heavily used for commerce ie: commercial fishing, sport, charter, crabbing. Size restrictions, don't make them from Foul weather to the – reef and out 3 miles.
- * Tourist watching for whales and increase activity (feeding) food for tourism.

3. What do communities need in order to be adequately involved in providing recommendations to OPAC for marine reserves?

- * Allow plenty of time for "next" site selection. Name amount of money and source of same. NSAT good forum: fishers emphasized with science consultants. But remember 2 1/2 years of dedicated site search with NSAT and 6 years for Port Orford fisher based site selection – maybe slower, but much stronger. If the governor wants to leave a legacy have dept of agriculture truly make farmers do riparian protection, not just have a no implement plan that they've had for years. Near pastures we're getting ecoli counts of 800. we have already VERY protected fishing waters.
- * Where will the money come from we need to know this to be involved.

- * I support the marine reserve process and believe it will benefit our fishing communities because we will -- have a sustainable fishing management program.
Right now 25% of our -- stocks are overfished and we have no idea about the other 75% of species, this is more sustainable.
Setting up a network of MR is just --. I support the policy.
- * Listen to local fishermen, develop better education of the public.
Have the governor office listen to communities and the environmental groups.
Who is going to pay. We have other things we need much -- than this.
- * Science to prove that fisheries management cannot manage fish stocks without MR's.
- * Patty's presentation emphasized how they are encouraging each port to create a nearshore action team that Seagrant/ODFW can work with. Why only ports? Why are these -- solely in fishing communities? The process should encourage input from other communities and interests. The conservation community is not "the black hat" here any more there are those who urge decisions to be made in the context of their impacts of future generations.
- * To be fully involved in decisions made in findings. I have a bad feeling we will be left out in the final decisions and who will be -- to.
- * Adequate number of forums to allow for informing the full range of constituents.
Adequately developed decision support tools for both environmental and -- areas of concern related to siting of MR.
Transparent process.
Understanding the risk of doing nothing and maintaining the status quo.
- * Communities need to have outreach happening. Its too easy to hear by -- of mouth and hear information that is not accurate. The groups that are happening are great because they are neutral an both sides can come together and shared ideas and concerns.
- * Community input and by into the process. Not just told where and when. Be respectful of fishermen (and fishing families) who have decades of knowledge, and who are the ones who have built up the fisheries, which are needed to say for research.
- * All the things you are already doing. Meeting with groups most affected and concerned and informed about issue to determine overall approach as well as specifics. Well advertised public discussion groups as well as more -- publicly formed committees.
- * Mail out flyers about time, place, and agenda of marine research meeting.
- * Trust! Before rec. a site, we as fishermen need lock title insurance that it won't be "expanded" without our impact!
- * Local -- with all sides at table.
- * More time. This process is being shoved down our throats way to fast!
The two near shore action teams that have been working on this have taking form 2 1/2 years to 7 years.
Must be publicly funded from tax dollars. No special interest money.
- * More press release information on the process. e.g. decisions made, criteria changes.
Continue community meetings.
More involvement in funding before continuing a process that otherwise will go no where. Funding for planning has fallen behind.
Will tourist boats such a whale watching be prohibited from crossing reserves?
- * Why not post informational posters anywhere seafood is bought, eaten. People who are interested in seafood will be interested in a continued supply of seafood, will possibly get involved in preservation, monitoring, enforcement.
- * In every community. Please -- a -- of participants. Include -- people, --, seafood people, conservation -- -- -- --.



13. Public Comments—Brookings Forum



Data, Preliminary Content Analysis, and Suggestions for Use Listening and Learning: Marine Reserves Community Forums

Statistics were kept for each location: number of participants, number of cards per location, and numbers of pre-prepared materials.

<u>Location</u>	<u># of participants</u>	<u># of cards</u>	<u># of handed in materials</u>
Warrenton/Astoria	40	96	3
Garibaldi	115	249	10
Newport/Depoe Bay	120	286	5
Reedsport	80	229	5
Florence	70	143	0
North Bend/Coos Bay	125	317	8
Port Orford	30	75	2
Brookings	175	294	4
Other			8
Total	755	1,689	45

of Web/email comments 25

Comment cards were entered into Microsoft Access exactly as written; no comments were summarized or shortened in any way. Illegible words were entered as "--". It should be noted that the data set – due to time limitations – still contains many misspelled words.

For each location, by question, card transcripts underwent a quick/preliminary content analysis¹ by two university researchers (to double check results). This resulted in a one-page “threads summary” for each forum location (placed at the beginning of each chapter for that location).

This summary lists, for each question, 1-3 dominant observations or emerged threads for that question, and 1-3 other observations or emerged threads for that question (not as prevalent but still mentioned in multiple entries). At the end of the summary are any new threads that emerged out of the “general comments” cards that were submitted at each location. Although not many new threads appeared in these general comments, **GENERAL COMMENTS SHOULD BE READ** because people took the time to share them.

Each of the eight locations had both positive and negative comments; both about the content of marine reserves and the marine reserves process. **IT IS CRITICAL** for OPAC, the Governor’s office, and others to **READ THE ENTIRE DATABASE** along with the summaries. Comment cards included rich, and at times, detailed information that was captured in the database and should be considered.

Prepared comments and other materials submitted at each forum were scanned in as PDFs. People took the time to gather information and share prepared thoughts. **IT IS CRITICAL FOR THIS TO BE READ.**

Lastly, after requesting and reading this input and these concerns, **it’s important for every decision maker to ask themselves:** *What have I learned? What am I going to do with this input? And how will I convey this to the people in the communities where these community forums took place?*

¹ Although very brief, this process consists of reading the database of the transcribed cards and finding similar themes or threads that emerged.

Listening and Learning: Marine Reserves Community Forums

Presented by
Oregon Sea Grant, Oregon State University

In cooperation with
**Oregon Department of Fish and Wildlife, OSU Department of Fisheries and Wildlife, Department of State Lands,
Our Ocean, Oregon Trawl Commission, Oregon Salmon Commission, Oregon Albacore Commission and
Oregon Dungeness Crab Commission**

On behalf of Oregon's
Ocean Policy Advisory Council and Governor Ted Kulongoski

- | | | |
|------|--|---|
| 6:30 | Welcome
Background | Ginny Goblirsch, Outreach Coordinator |
| 6:40 | Marine Reserves: What and Why
<i>Oregon State Waters: Resource Status
and Information Needs</i>
Q&A | Patty Burke, ODFW Marine Resources
Program Manager |
| 7:00 | <i>Contribution of Science to Marine Reserve Planning</i>
Q&A | Selena Heppell, Assoc. Prof., OSU
Dept. Fisheries and Wildlife |
| 7:20 | Local Knowledge and Experience
Audience knowledge, ideas, perspectives | Jeff Feldner, OSG Marine Extension |
| | <ol style="list-style-type: none">1) What community impacts (cultural, social and economic) should be considered when proposing a marine reserve?2) How can marine reserves benefit, not disrupt, existing economic and recreational uses of the ocean?3) What do communities need in order to be adequately involved in providing recommendations to OPAC regarding marine reserves?4) One of the main reasons cited for establishing marine reserves is the need to create areas of refuge so we can learn more about our nearshore (shore to three miles) resources including fish stocks and habitats. What types of research do you feel is needed to better protect and manage our nearshore marine resources?5) Are there specific attributes (unique circumstances, places, things) about this region's section of the coast (shore to three miles) that would work or not work for siting a marine reserve? | |
| 8:15 | Next Steps | Ginny Goblirsch |
| 8:30 | Adjourn | |

Planning Team: Jay Rasmussen, Flaxen Conway, Pat Corcoran, Ginny Goblirsch, Jeff Feldner, OSG; Jane Brass Barth, RDI; Patty Burke, ODFW (fisheries agency); Selena Heppell, OSU F&W (science); Susan Allen, Our Ocean (environmental); Onno Husing, OZCMA (coastal governments); Terry Thompson, Lincoln County Commissioner (experiential knowledge).

Brookings

Question 1: What community impacts (cultural, social and economic) should be considered when proposing a marine reserve?

Dominant Observations: 1. Economic (sport tourism; commercial industry already hurting). All three types (social, cultural and economic).

Other Observations: Marine safety

Question 2: How can marine reserves benefit, not disrupt, existing economic and recreational uses of the ocean?

Dominant Observations: No benefits. Qualified benefits (if slow, if small, if based on research).

Other Observations: None

Question 3: What do communities need in order to be adequately involved in providing recommendations to OPAC for marine reserves?

Dominant Observations: Community organization (involvement through groups/action teams). Need to be listened to and involved. Need information and answers (research on marine reserves and process).

Other Observations: Money, time and a master plan.

Question 4: One of the reasons cited for establishing marine reserves is the need to create areas of refuge so we can learn more about our nearshore (shore to three miles) resources including fish stocks and habitats. What types of research do you feel is needed to better protect and manage our nearshore?

Dominant Observations: Conduct research before establishing reserves. Support ODFW's research efforts. Baseline research (habitat; fisheries, and trends).

Other Observations: Need for collaborative approach to research.

Question 5: Are there specific attributes (unique circumstances, places, things) about this region's section of the coast (shore to three miles) that would work or not work for siting a marine reserve?

Dominant Observations: No reserves here. Economic dependency on fishing because of location and isolation; many existing limitations. Several unique attributes identified (areas that are not fished/self regulating, placement greater than ten miles).

Other Observations: Concern that the unique coastline will result in too many reserves placed in the area.

General Comments: No new threads.

- * There are no immediate benefits for humans with marine reserves being implemented. Coastal towns w/o fishing are ghost towns, ask any business owner.

3. What do communities need in order to be adequately involved in providing recommendations to OPAC for marine reserves?

- * NO marine reserves.
- * The local community should have total input on IF it should happen in the first place. Special interest groups seem to be waging the governor. I don't trust him to make decisions that impact my life.
- * They need better organization. And perhaps, more than one team per port/community because there is often more than one camp in each town. Example: POORT does not represent the majority view in Port Orford, yet it is often perceived that way.
- * Define to us what problem exists that requires us to even consider a reserve. Provide a master plan with limits, expansion etc.
- * Who knows
- * If we had parameters from the beginning would help, to insure trust, also if there is no studies preceding about economic cost.
 - a. We need positive feedback from reserves already in place.
 - B. Where will funding come from.
- * Fishing community should combine their research - experience- financial impact - Plan B - options to present a united "educated" and not strictly emotional feedback.

They/Fishermen complained about lack of information/results on reserves from ODFW, ETC. Play devil's advocate and present the facts/information that contradict/expose the little bit of info presented.
- * We don't need marine reserves in southern Oregon.

Complete social economic studies first.
- * We need answers!!!
 1. Why do we need reserves
 2. Where will they be
 3. How many?
 4. What size
 5. What will they accomplish
This process needs to be stopped until someone gets their act together and answers these questions!!
- * There needs to be an initiative on the ballot to see what the will of the people is. The only voters eligible to vote should be coastal residents only.
- * The option to say "NO" that is binding.

- * Where will the resources come from to enforce the reserves as well as the research necessary?
- * Why would you want to make 10 or less reserves when the one at Whale Cove has not been studied?
- * Suggest to governor that they (reserves) must be passed by legislature and have an expiration date where the "need" to continue them will be reassessed so they won't be put off limits and then forgotten.
- * No funding? Gov. needs support.
Pro-reserve!
- * Do good science HERE - we need reserves (only 10 now)
- * Worldwide!!! Part of hope effect! Oregon is behind!
- * The statement by Patty Burke that 30 yrs ago there was no 5# rockfish is not exactly fact. I have been fishing the Ore & Cal. waters 50 yrs both commercial & sport. We have found that rockfish size is a cycle that increases aprox 5 years and decreases in another 5 years.
- * How come special interest groups (etc, wind buoys - wave buoys, seem to have more prominence than our own fisheries?
- * The current, Marine Reserve process Oregon has been going through could be the poster child for ineptitude in Government. In addition to polarizing the public, this monumental ineptness will doom the outcome of any marine reserve program for the foreseeable future. The governor has lost the trust of the coastal communities & especially those who stand to benefit the most from the Marine Reserve network - the fishermen.
 1. Stop & regroup across all agencies involved - get the whys, hows & potential of where clearly articulated (similar to the Community forums)
 2. Build the public's confidence that the folks involved truly know & understand the ramifications of marine reserves.
 3. Get the governor's staff out of the debate (this is the group that most exemplified "inept")
 4. Make presentations statewide so that all Oregonians understand that marine reserves are not the only management option available & that marine reserves are not a cure all for the challenges facing our oceans.
- * MARINE RESERVES
HELL NO
- * - use the existing protected areas for research before creating new areas
- How will we know if the problem is being resolved if we don't know what the problem is?
- If there are going to be marine reserves or protected areas, new or existing, there nee
- * The recommendation is don't do them!
There is not any information that we have which convinces us that MR are good for the community.
- * Listen to the people along the coast who KNOW they're area - A more resounding No than anything different.
- * There is a lot of "natural" reserved areas that people do not fish. There is 30 miles between towns.
- * Why have another reserve if the ones already in place are not studied due to lack of funding?
- * The federal government is on record as wanting to establish fish farms in the west coast ocean waters. Is this the first step in gaining control of the off shore property? When will the off shore property be leased to Tyson & other corporations?



Comments Received via Email/Web

2/21/2008

Sea Grant
Dr. Gregory McMurray, and
Honorable Members of OPAC

Dr. McMurray. I apologize for not having Email addresses for all OPAC members and request that you please forward this Email with attachments to all OPAC members.

Please find and accept the attached documents as public information and testimony for the OPAC/Sea Grant public outreach effort.

These documents were intended to be used as public testimony for the marine reserve outreach meeting at the North Bend Community Center, Monday February 18, 2008. The meeting ran overtime and I was unable to submit my statement, or the documents intended for public briefing information at the Sea Grant web site.

I'm disappointed that most of the issues I touch on in my statement were not brought up during the meeting and the opportunity to make these issues known in a public forum has now passed for me. The only avenue left for me is to send my testimony electronically and ask people to please take the time to read and think about the points I raise concerning the Marine Reserves issue.

It appears that the time line for testimony and information dispersal, and the information package offered for public consideration are dismally inadequate.

My attached personal statement has been updated and edited since attending the North Bend outreach meeting to reflect observations made at that meeting. The three documents I offer for the briefing package remain the same.

Fishermen are still waiting for someone to provide an answer to the question: Except for removal of the fleet, how does current marine management in Oregon's Territorial Sea not meet all of the stated goals for marine reserves???? The answer to this question should be part of the public outreach.

Thank you for your help and consideration.

Paul Merz
F/V Joanne
Charleston Or.

2-20-2008

Comment on Marine Reserves and the Marine Reserve Outreach Process

I would like to thank the seated members of OPAC for the time and dedication they put into the difficult issues that they are being asked to advise on.

I offer the following to Governor Kulongoski, the Coastal Caucus, OPAC, Sea Grant, and the public, as observation, constructive criticism, suggestions, and for clarification. The stated opinions are my own but may reflect those of other members of the fishing community. *Paul Merz* F/V Joanne Charleston

and do not feel that a rush to marine reserves will provide any net benefit that is not being accomplished through responsible management. At this time I would ask that any movement forward with Marine Reserves at a minimum take place by answering and establishing specific criteria as suggested by PISCO and the booklet *The Science of Marine Reserves*. In addition to this booklet, I would ask that a peer review on the science used to establish Oregon Marine reserves be done to verify that our specific and unique coastline in fact needs Marine Reserves.

Please stop this non-sense and leave our saltwater fishing of the Oregon coast alone.

Mark Hall
Oregon Saltwater fisherman
B.S. Fisheries Science, Oregon State University

3/5/2008

Ms. Ginny Goblirsch

First of all let me say that I thought the Forum presentation was excellent. I wouldn't take your job for love nor money!

I just went through the data that was handed out at the Brookings meeting. However, the "real world" is not following the Oregon Marine Reserve Policy Guidelines set forth in the handouts. I know that the real world is not perfect but the approach the governor and staff are taking with reserves may be illegal in some sense and immoral in others. I suspect that it will wind up in the courts before we are through.

I just wanted to say that conservation measures are warranted but I don't think the state is approaching reserves correctly. A lot of homework needs to preclude the identity of reserve areas and implementation. Funding must be identified and in place before any further work on reserve implementation is started. It seems to me that the State of Oregon has been damaged enough with the way timber reserves were handled. Another major blow to our economy may irreversibly damage our way of life in Oregon. Public trust in our state government is very low and any implementation of reserves in the ocean before all of the eggs are lined up will destroy it completely.

I am adamantly against any reserve in the ocean until scientific research is used to identify that there is a real need for a reserve in any area. Collecting VALID data will take several years, providing funding is made available for the studies to be conducted.

I deeply hope that you can convince your management, the fisheries commission, and the Governor to not implement any large reserves until the correct steps are followed. If VALID data indicates that reserves are the only answer to protect an area of our coastal resources then it will be justified. If the data says a reserve is not warranted then it shouldn't be implemented.

The state must not fund reserves from donations from large conservation organizations like Green Peace or Audubon or they lose control and any valid reason for reserves will not be accepted by the citizens of Oregon.

Good job on your presentation.
Jerry Kemper
Oregon Taxpayer and Fisherman/conservationist

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3/5/2008

To Ginny Goblirsh -

I know you have received many letters and comments against marine reserves from commercial interests however I think they are wrong.

Marine reserves will in the long run improve fishing for both commercial fishermen and sport fishermen by protecting areas that are especially important for breeding, shelter and feeding.

I would like to see one established around Goat/bird island off Harris beach.

Too often durring the breeding season, there are private boats fishing right next to the island where wildlife is hunting for food to feed their young, often the boats disturb and displace the wildlife and leave the young to go hungry.

Because of the warming of the oceans, more starved dead birds are being found on our beaches.

Another problem is PLASTIC ! too much plastic is being mistaken for food and ending up in the stomachs of birds and sea turtles ending in their deaths.

I'm sure I'm not the only person in favor of Marine reserves but we are being out shouted by the commercial interests.

Sheila from Harbor Oregon.

3/6/2008

I am a resident of Curry County and I strongly support the establishment of marine reserves on the Oregon coast.

Fishery stocks around the world are in decline. Fishermen in southern Oregon contend that the best method to ensure viability of commercial and sport fishing industries is to relax restrictions on fishing. Historically, this has led to fishery collapse. Instead, I believe that we should follow the example of the fisheries in New Zealand. Initially, when marine reserves were first proposed in New Zealand, commercial and recreational fishermen were adamantly opposed. Today, these same groups are overwhelmingly supportive of marine reserves, because fish stocks have rebounded and the economies of fishing communities have improved.

I would like to to see my community take the long view, protecting fish stocks for future generations of coastal residents and ensuring the maintenance of crucial ecological services. The most vocal members of the community, however, do not appear to understand the basic principles of biology or economics. They do not plan beyond the present fishing season.

I encourage OPAC to take a broader and longer view by recommending the establishment of marine reserves.

William Lemon, Ph.D.
Brookings, OR

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March 27, 2008



Ginny Goblirsch
Marine Reserves Outreach Coordinator
Oregon Sea Grant Extension
marinereserves@oregonstate.edu

Lincoln County Extension Office
29 SE 2nd Street
Newport, Oregon 97365-4439
Phone 541-737-8002 | Fax 541-265-3887
<http://seagrants.oregonstate.edu/outreach/reserves.html>

To: MRWG and OPAC

From: Ginny Goblirsch, Oregon Sea Grant
Marine Reserves Outreach Coordinator

Re: Reflections from the Outreach Team

A handwritten signature in black ink that reads 'Ginny Goblirsch'.

After the forums were completed, I asked Jeff, Patty and Selina to share their thoughts with me about what they learned at the forums. I wanted to know what they *heard* as take home messages. It turns out that all of us were more or less in agreement. Nothing scientific about this – just what *we felt we heard* pretty clearly.

In general we heard

- 1) Frustration with the process - too many message changes, basic questions not answered before deciding on solution, lack of public process, dueling science, no clear, solid science defining the way forward, top down, fast tracked, no funding. Backwards process.
- 2) No public agreement on need, confusion and misinformation about marine reserves and what they can do and how they mesh with the OPAC goals and objectives.
- 3) Need a master plan.
- 4) A complete breakdown in trust - no one trusts anyone else from the governor's office down. Fear of the unknown. For example, none of our points about the requirement for reserves to avoid critical fishing areas (minimize economic impact) seemed to sink in. (It was pointed out that the governor's letter was written before the Nov. 1 meeting with fishermen. There were frequent comments about if we nominate a site, what's to stop someone from making it bigger?)
- 5) Many ocean users definitely feel threatened and don't trust decision makers in this process - don't take NGO money, don't follow CA's example.
- 6) This issue is now so polarized that no one is listening to anyone else. Blame, finger pointing, accusations, us vs. them, misinformation.
 - People from the conservation community were uncomfortable because of the anger being expressed by some audience members at the forums.
 - A lot of antagonism towards science feeling that scientists are supporting marine reserves as advocates rather than supporting them because there is strong evidence for need.
 - Fishermen feel overburdened with space based regulations already – why more? Already strictly regulated to avoid overfishing, habitat damage, and bycatch.
 - Conservation community feeling like ocean users don't understand how important this issue really is and how much more needs to be done to address declining fisheries and ocean health.

- 7) Few people ready to comment directly about the draft Policy Guidance Document or FAQ for a variety of reasons as stated above and the need for more conversation and outreach.
- 8) Each community was unique – some were further along in the conversation about marine reserves than others.

What we liked best about the forums

The cards, without a doubt, as a way to allow everyone who wanted to comment to do so. The back up email, web and letter opportunity was good as well. Because of this, we think that most people did feel heard.

What we liked least

- 1) Trying to provide an educational format at the same time as we needed to take feedback on a very controversial issue.
- 2) Doing outreach when we couldn't answer most of the questions – i.e. size and spacing, why, cost, socioeconomics

Frequent audience suggestions

- 1) More outreach, more conversation, better information (other documents besides just the ones used at the forums) and on the web.
-Outreach in other parts of the state
- 2) Master Plan - How do marine reserves fit in with other planning and set asides such as wave energy, existing marine parks and other things coming in the future.

What looked the most like audience consensus

- 1) Strong support for funding nearshore mapping and research (including stock status).
- 2) Listen to us, read and consider our comments before making decisions.
- 3) Port communities actively putting together or interested in putting together port nearshore action teams to think about and advise the state (ODFW) on nearshore issues.
- 4) **Might** be room for a test/pilot to show/prove that funding would follow and allow for some local learning about local benefits of MR's. However, very important to clearly define sideboards such as size limits.
- 5) Poor process/wrong venue for policy making such as marine reserves.


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Community Outreach and Engagement

Marine Reserves: Listening and Learning

At the request of Gov. Ted Kulongoski, Oregon's Ocean Policy Advisory Council (OPAC) is developing recommendations for establishing marine reserves that would allow the state to test their effectiveness as a tool for managing Oregon's territorial waters.

To that end, OPAC has asked Oregon Sea Grant to put together an outreach effort to inform the public about marine reserves, listen to community concerns and gather feedback about the concept and the process.

Sea Grant held public outreach meetings in eight coastal communities during February 2008, and hundreds of participants were invited to submit written comments. Those comments are being compiled at OSU, and will become part of a report to OPAC for its use in finalizing an Oregon Marine Reserve Policy guidance document (currently [available in early draft form](#)) later in 2008.

Informed citizen participation that incorporates the beliefs, attitudes, knowledge, and perceptions of a wide range of Oregonians is critical to the success of this effort.

Oregon Sea Grant, based at Oregon State University, has been conducting public outreach and education on ocean and coastal matters for four decades. Through its network of [Sea Grant Extension](#) agents and specialists stationed the length of the Oregon coast, the program has built strong community connections and a track record of gathering public opinion and comment on subjects ranging from fisheries to coastal hazards and long-term research planning.

Sea Grant's role is to attempt to bring diverse parties together under principles of inclusiveness, neutrality, and respectful contribution toward positive outcomes.

The marine reserve outreach effort aims to engage the full range of coastal communities and ocean users, including:

- Commercial, charter, and recreational fishermen
- Seafood industry and fishing support services
- Port commissioners and managers
- Conservation leaders in coastal communities
- Coastal recreationists
- Local government and staff
- The public at large

This effort is taking place in two distinct phases:

- **Phase 1:** Sea Grant has completed a series of listening and information-gathering activities in several coastal port communities, requesting written feedback on [five questions](#) about marine reserves. The more than 2,000 comments received during the information-gathering period have been combined in an interim report for delivery the week of March 24 to OPAC, the Governor and state agencies involved in the marine reserves process. *Because of the short deadline for preparing the report, Sea Grant is no longer accepting public comments.*
- **Phase 2:** OPAC intends to use the interim report to help complete their marine reserve policy



Marine reserves could be a tool to learn more about ocean resources and protect them for future use.

News: [Sea Grant to deliver public comments to state advisory group.](#)

[Read the full report](#)

For more information:

Visit the new [Oregon Marine Reserves Web site](#) from the DLCD and OPAC

- [Get involved](#)
- [Contact us](#)

recommendations to the governor. During this phase, Oregon Sea Grant will support local working groups and assist OPAC and the state in communicating with the public about the marine reserve nomination process.

The outreach report

Oregon Sea Grant has compiled the more than 2,000 comments received during and after the public outreach meetings into a 476-page document, "Listening and Learning: Marine Reserves Coastal Community Forums." We are making the entire report available here in two versions.

- The entire 476-page report. *Note: This is a 160 MB file and will take a long time to download and open if you have a slow Internet connection.*
- The same report divided into smaller files, which may be easier to download:
 - Ch 1-4. OPAC charge to Oregon Sea Grant; Scoping Report; Design of Forums; Press and Media About the Forums (4.5 MB)
 - Ch 5: Implementation of the Forums (38 MB)
 - Ch 6: Astoria Forum (8 MB)
 - Ch 7: Garibaldi Forum (32.5 MB)
 - Ch 8: Newport Forum (8 MB)
 - Ch 9: Florence Forum (200 KB)
 - Ch 10: Reedsport Forum (7 MB)
 - Ch 11: North Bend Forum (15 MB)
 - Ch 12: Port Orford Forum (2.5 MB)
 - Ch 13: Brookings Forum (8 MB)
 - Ch 14 Web, E-mail and Other Comments (4 MB).

You need the free Adobe Acrobat reader to open and read these files. Simply click on the links to open the files in your Web browser. Alternately, save the files to your own computer for later (and faster) reading by right-clicking on the link and choosing "Save target as ...", or "Save link target as ..." from the drop-down menu that appears (Mac users click and hold to reach that menu).

If you are unable to download or open the files, printed copies will be available for examination at coastal county offices of the OSU Extension Service in early April . (find your nearest Extension office here here.)

Get involved

For more information about how to get involved in, and stay informed about, the marine reserves process, visit the new Oregon Marine Reserves Web site hosted by the Oregon Department of Land Conservation and Development.

Contact us

Sea Grant is no longer accepting public comment for this phase of the public outreach process. However, you may still contact Ginny Goblirsch, Sea Grant marine reserves outreach coordinator, for information about the process at marinereserves@oregonstate.edu


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Community Outreach and Engagement

Marine Reserves: Listening and Learning

At the request of Gov. Ted Kulongoski, Oregon's Ocean Policy Advisory Council (OPAC) is developing recommendations for establishing marine reserves that would allow the state to test their effectiveness as a tool for managing Oregon's territorial waters.

To that end, OPAC has asked Oregon Sea Grant to put together an outreach effort to inform the public about marine reserves, listen to community concerns and gather feedback about the concept and the process.

Sea Grant held public outreach meetings in eight coastal communities during February 2008, and hundreds of participants were invited to submit written comments. Those comments are being compiled at OSU, and will become part of a report to OPAC for its use in finalizing an Oregon Marine Reserve Policy guidance document (currently [available in early draft form](#)) later in 2008.

Informed citizen participation that incorporates the beliefs, attitudes, knowledge, and perceptions of a wide range of Oregonians is critical to the success of this effort.

Oregon Sea Grant, based at Oregon State University, has been conducting public outreach and education on ocean and coastal matters for four decades. Through its network of [Sea Grant Extension](#) agents and specialists stationed the length of the Oregon coast, the program has built strong community connections and a track record of gathering public opinion and comment on subjects ranging from fisheries to coastal hazards and long-term research planning.

Sea Grant's role is to attempt to bring diverse parties together under principles of inclusiveness, neutrality, and respectful contribution toward positive outcomes.

The marine reserve outreach effort aims to engage the full range of coastal communities and ocean users, including:

- Commercial, charter, and recreational fishermen
- Seafood industry and fishing support services
- Port commissioners and managers
- Conservation leaders in coastal communities
- Coastal recreationists
- Local government and staff
- The public at large

This effort is taking place in two distinct phases:

- **Phase 1:** Sea Grant has completed a series of listening and information-gathering activities in several coastal port communities, requesting written feedback on [five questions](#) about marine reserves. The more than 2,000 comments received during the information-gathering period have been combined in an interim report for delivery the week of March 24 to OPAC, the Governor and state agencies involved in the marine reserves process. *Because of the short deadline for preparing the report, Sea Grant is no longer accepting public comments.*
- **Phase 2:** OPAC intends to use the interim report to help complete their marine reserve policy



Marine reserves could be a tool to learn more about ocean resources and protect them for future use.

News: [Sea Grant to deliver public comments to state advisory group.](#)

[Read the full report](#)

For more information:

Visit the new [Oregon Marine Reserves Web site](#) from the DLCD and OPAC

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recommendations to the governor. During this phase, Oregon Sea Grant will support local working groups and assist OPAC and the state in communicating with the public about the marine reserve nomination process.

The outreach report

Oregon Sea Grant has compiled the more than 2,000 comments received during and after the public outreach meetings into a 476-page document, "Listening and Learning: Marine Reserves Coastal Community Forums." We are making the entire report available here in two versions.

- The entire 476-page report. *Note: This is a 160 MB file and will take a long time to download and open if you have a slow Internet connection.*
- The same report divided into smaller files, which may be easier to download:
 - Ch 1-4. OPAC charge to Oregon Sea Grant; Scoping Report; Design of Forums; Press and Media About the Forums (4.5 MB)
 - Ch 5: Implementation of the Forums (38 MB)
 - Ch 6: Astoria Forum (8 MB)
 - Ch 7: Garibaldi Forum (32.5 MB)
 - Ch 8: Newport Forum (8 MB)
 - Ch 9: Florence Forum (200 KB)
 - Ch 10: Reedsport Forum (7 MB)
 - Ch 11: North Bend Forum (15 MB)
 - Ch 12: Port Orford Forum (2.5 MB)
 - Ch 13: Brookings Forum (8 MB)
 - Ch 14 Web, E-mail and Other Comments (4 MB).

You need the free Adobe Acrobat reader to open and read these files. Simply click on the links to open the files in your Web browser. Alternately, save the files to your own computer for later (and faster) reading by right-clicking on the link and choosing "Save target as ...", or "Save link target as ..." from the drop-down menu that appears (Mac users click and hold to reach that menu).

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