

Oregon Ocean Policy Advisory Council

DRAFT Meeting Summary

Meeting of June 23, 2006

Holiday Inn Express, Astoria, Oregon

Executive Summary

Issues Decided/Positions Taken:

STAC: The council agreed unanimously to have Jay Rasmussen appoint a STAC member each in the areas of Marine Ecology and Experiential Knowledge in Fisheries from the lists he had submitted to OPAC.

Working Groups: The council agreed unanimously to approve the provisional memberships and acting working group chairs recommended by the Executive Committee, and to implement the three working groups. They are:

- Marine Sanctuary: Jim Good (acting chair), David Allen, Jim Bergeron, Robert Kentta, Fred Sickler, Terry Thompson, Frank Warrens, Jessica Hamilton, Jeff Kroft (DSL), Jim Myron (OPRD), and Hal Weeks (ODFW).
- Wave Energy: Robin Hartmann (acting chair), David Allen, Jack Brown, Onno Husing, Scott McMullen, Fred Sickler, Terry Thompson, Jonathan Allan (DOGAMI), Dale Blanton (DLCD), Jason Klure (ODOE), Jeff Kroft (DSL), and Paul Slyman.
- Marine Reserves: Frank Warrens (acting chair), Jim Bergeron, Jack Brown, Paul Engelmeyer, Jim Good, Robin Hartmann, Brad Pettinger, Jessica Hamilton, Jeff Kroft (DSL), and Hal Weeks (ODFW).

Ocean Mapping Initiative/Ocean Information: The council agreed to draft and send letters to the Oregon Congressional delegation and appropriate federal agencies asking support for needed ocean management information. In a follow-up discussion, and based on a motion by Jim Good, the Council also decided to send a letter to Jay Rasmussen, asking for STAC advice on the design and implementation of an Ocean Information system to support OPAC's work, including marine reserves planning.

Action Items:

Working Groups and Chairs: Arrange initial working group meetings with the initial objective of developing a work plan for OPAC approval; provide meeting schedules to Greg for posting on the OPAC web site.

OPAC Staff:

Arrange for synthesis of visioning session output.

Make 2002 Marine Reserve public meeting results available to the council members.

Provide OPAC letterhead format identifying members and their affiliations.

Post working group meeting schedules on the OPAC web site.

Robin Hartmann and Scott McMullen:

Draft letter to the Oregon Congressional delegation and to appropriate federal agencies stating the need for support for seafloor mapping and other germane data layers to support ocean planning in the Territorial Sea.

Jim Good and Scott McMullen:

Draft letter to Jay Rasmussen and STAC asking for STAC advice on the design and implementation of an Ocean Information system to support OPAC's work.

Next Meeting:

August 24-25, in Brookings; October 9-10, in Newport or Charleston (depending on location of MPA Federal Advisory Committee meeting).

Meeting Detail

Attendance:

Members Present (voting): **David Allen** (Public at Large); **Jim Bergeron** (Ports, Marine Transportation, Navigation); **Jack Brown** (Coastal City Elected Official); **Paul Engelmeyer** (Conservation or Environmental Organization); **Jim Good** (Public at Large); **Robin Hartmann** (Conservation or Environmental Organization); **Scott McMullen** (North Coast Commercial Fisheries); **Fred Sickler** (Coastal Non-Fishing Recreation); **Terry Thompson** (North Coastal County Commissioner); **Frank Warrens** (North Coast Charter, Sport or Recreational Fisheries).

Members Present (ex officio): **David Fox** (Department of Fish & Wildlife); **Jessica Hamilton** (Governor's Office); **Vicki McConnell** (Department of Geology and Mineral Industries); **Louise Solliday** (Department of State Lands); **Paul Slyman** (Department of Environmental Quality); **Amanda Welker** (Department of Agriculture); **Tim Wood** (Parks & Recreation Department).

Members Absent: **Robert Kentta** (Oregon Coastal Indian Tribes); **Jim Pex** (South Coast Charter, Sport or Recreational Fisheries); **Brad Pettinger** (South Coast Commercial Fisheries); **Onno Husing** (Oregon Coastal Zone Management Association); **Jay Rasmussen** (Oregon Sea Grant College); **Lane Shetterley** (Department of Land Conservation & Development).

Federal Agency Liaison Committee/Working Group Members: **Steve Copps, Cathy Tortorici** (NOAA Fisheries).

Invited Speakers: **Justin Klure** (Oregon Department of Energy); **Kay Moxness** (Central Lincoln Public Utility District); **Jim Owens** (Cogan, Owens & Cogan).

Staff: **Greg McMurray** (Department of Land Conservation & Development); **Steve Shipsey** (Department of Justice, OPAC Counsel).

Observers (with affiliation if provided): **Ted Messing** (Columbia River Keepers); **Peter Stauffer** (Surfrider Foundation); **Peg Reagan** (Conservation Leaders Network); **Amy Windrope** (PISCO, Oregon State University); **Ben Enticknap** (Oceana); **State Representative Arnie Roblan** (Coos Bay); **Commissioner John Griffith** (Coos County); **Peter Huhtula, Megan Mackey, Matt Van Ess** (Pacific Marine Conservation Council); **John Holloway** (Oregon Recreational Anglers Fishing Alliance); **Hal Weeks** (Oregon Department of Fish & Wildlife); **Kevin Dunn** (F/V Iron Lady) **John Compere** (Astoria); **Larry Pfund** (Port of Astoria); **Paul Kajula** (Warrenton); **Gary Sjostrom** (F/V *Homebrew*); **Bob Williams** (F/V *PIKY*, Inc.); **Christopher Holmes, Susan Holmes, Darci Connor** (College of Oceanic and Atmospheric Sciences, Oregon State University); **Carolyn Waldron** (Oregon Ocean); **Meryl Redisch** (Portland Audubon); **Bernard Bjork** (Lower Columbia Alliance for Sustainable Fisheries); **Russell Smotherman** (Pacific Northwest Dungeness Crab Marketing Association); **Kristin Feindel** (Oregon State Marine Board); **Don Fell** (Astoria); **Steve Miller** (Wilcox & Flegal); **Ken Niles** (Oregon Department of Energy).

Total recorded attendance: 54.

Meeting Minutes:

Morning Session

The meeting was brought to order by Chair Scott McMullen at 9:02 a.m.

Introductions:

The OPAC members introduced themselves and stated their affiliations.

Running Efficient OPAC Meetings (Scott McMullen):

Scott briefly reviewed some of the reasons that recent OPAC meetings have been unable to accomplish all the business laid out for a given meeting. He expressed the Executive Committee's resolve to try to keep meetings running smoothly and on schedule, and also reminded the council and the public of the appropriate level of interaction for periods of public comment.

Review and Approval of Summary of March 17, 2006, OPAC Meeting (Scott McMullen):

The council approved the last meeting's summary, with the addition of changes to reported public comment, twice correcting the term "marine research reserves" to "marine reserves". The council accepted the revised summary by consensus.

Report on Visioning Exercise and Clarification of the Governor's Mandate for National Marine Sanctuary Advice (Jessica Hamilton and Jim Owens):

Jessica and Jim reported on the previous evening's exercise that discussed a common vision of the legacy of OPAC in 2025; the vision for Oregon's ocean in 2025; and how, and with what tools, to achieve that vision. Jim, as the facilitator, reported that he felt the group was quite productive and actually agreed on at least 90 percent of the vision. He advised OPAC not to worry about the details in the vision; that's the work of subgroups and later substantive efforts. Jim will contact all of the members who did not attend the

session and provide notes from the working session OPAC will synthesize the information.

Jessica then spoke to the Governor's request for advice on the National Marine Sanctuary issue by referencing specific points in his December 13, 2005, letter to OPAC. She clarified that he requested that OPAC tell him what parts or proportion of the Ocean Stewardship Area is appropriate for management under a NMS. He clearly wants OPAC to provide the outreach and public input. Jessica also made it very clear that the Governor will keep an open mind about a NMS, and he asks that OPAC members do the same as they complete their analysis. She further agreed that the Governor was open to advice on tools other than a Sanctuary that could accomplish the benefits he mentioned in his letter to OPAC.

Science Advice to OPAC: STAC Membership Nominations (Greg McMurray):

Greg reported on behalf of Jay Rasmussen that the three nominees for Marine Ecologist representative to the STAC are: **Michael Davis** (NOAA Fisheries), **Selina Heppell** (Oregon State University), and **Mark Hixon** (Oregon State University). The ten nominees for Experiential Knowledge of Fisheries are: **Ralph Brown** (Brookings), **Denny Burke** (Newport), **Paul Heikkila** (Coquille), **Bob Jacobson** (Newport), **Paul Kajuka** (Astoria), **Mike Pettis** (Newport), **Lars Robison** (Depoe Bay), **Robert Schones** (Siletz), **Jim Seavers** (Newport), and **Kelly Smotherman** (Warrenton). The council agreed unanimously to allow Jay to appoint one individual in each of the two lists to the STAC.

Review of Marine Managed Areas Definitions and Technology (Greg McMurray):

Greg showed a very short [PowerPoint presentation](#) designed to compare and contrast some of the widely accepted definitions subsets of these areas, and put them into a functional hierarchy that would ideally work for any area, whatever its own set of specific management objectives. There was some discussion among the council about whether or not the term *marine research reserves* was, in the context of OPAC's activities, a serviceable term.

Appointment of OPAC Topical Working Groups (Greg McMurray and Scott McMullen):

Greg reviewed the response from the council members to the request for working group preferences, and then presented the Executive Committee's attempt to provide a provisional membership of the three committees thus far mandated: Marine Sanctuary, Marine Reserves, and Wave Energy. Scott then led a somewhat detailed discussion that ensued on the scope of responsibility of the working groups, information needs for the groups, non-OPAC and STAC membership of the groups, and how the Marine Reserves working group would relate to the Marine Reserves Planning Group described in the 2002 OPAC Marine Reserves recommendation. (This agenda item was tabled until after the discussion of the National Marine Sanctuary and Marine Reserves Planning processes, at which time the council acted unanimously to appoint the working groups as provisionally composed by the Executive Committee. The working group interim chairs were directed to convene the groups and begin to develop work plans for subsequent

OPAC consideration. In response to later public comment, it was also agreed that due diligence will be taken to post working group meeting schedules on the OPAC web site.)

Ocean Science Synthesis and Mapping (Paul Engelmeyer):

Paul reviewed the earlier presentation on Seafloor Mapping by Dawn Wright, and the response of OPAC in the form of a letter of support. He is concerned that OPAC continue to track and support what he sees as a very important opportunity evolving over the next year, with hopeful field time in the summer of 2007, and would like to see active liaison on the issue. Jim Good added that he sees this as a much broader opportunity to support the development of an ocean information system that would presumably be populated with available physical, ecological and human activities information layers in accessible form. There was general agreement by the council on the importance of regional observing and information systems, and the need for appropriate data bases to inform OPAC's policy recommendations. The council agreed unanimously to draft a letter, from the Governor and OPAC (in parallel) to the delegation and key federal agencies, requesting support for seafloor mapping and other germane data layers in the Territorial Sea. The OPAC letter should be sent on letterhead listing the diverse members and their affiliations. Scott asked Robin Hartmann's assistance in drafting the letters.

Public Comment:

Deborah Boone (State Representative, District 31): Scott McMullen read a letter submitted by Representative Boone stating that she could support a National Marine Sanctuary for Oregon only if it would support the continuation of Oregon's fisheries.

Ted Messing (Columbia River Keepers): Ted warned the council that LNG terminals, including that planned for Bradwood, would have disastrous effects on Columbia River salmon, and urged the council to oppose these developments.

Meryl Redisch (Portland Audubon): Meryl and Portland Audubon support ecosystem-based management and the implementation of marine reserves in the Territorial Sea, and submitted a review of lessons learned in MPA and MR implementation abstracted by Cheryl Coon.

Bernie Bjork (Lower Columbia Alliance for Sustainable Fisheries): Bernie represents a group that is concerned that a national marine sanctuary will stop fishing for Oregonians, and submitted a number of letters written against designation of a national marine sanctuary and/or marine reserves.

Larry Pfund (Port of Astoria): Speaking for himself, Larry wants to see Oregon and its fisheries managed by Oregonians, not by a distant federal agency.

Carolyn Waldron (Oregon Ocean): Carolyn is pleased that the council is moving forward with marine reserves, and continues to support the council in its search to find funds for these activities.

Peg Reagan (Conservation Leaders Network): Peg is pleased that marine reserves are back on OPAC's agenda and supports the working group approach, though the reserves planning committee envisioned in the 2002 marine reserves recommendation was not intended to be synonymous with an OPAC working group.

John Griffith (Coos County): John protested that persons not statutorily designated were sitting at the OPAC table and he was not; he opposes national marine sanctuaries and thinks the 2002 marine reserve recommendation is flawed.

John Holloway (Oregon Anglers): John updated the council that in the national politics of fisheries management, there is a struggle between the regional fishery councils and the Marine Sanctuaries; the Governor should support an amendment to Magnuson-Stevens Fishery Conservation and Management Act (MSFCA) to assure all fisheries management is done by the councils.

Kevin Dunn (Astoria): Kevin really doesn't want a National Marine Sanctuary, and he doesn't believe that it is needed.

John Compere (Astoria): John believes that the fishing community can govern itself; Oregon doesn't need a new layer of government.

Amy Windrope (PICO, Oregon State University): Amy reported on meetings of the Seafloor Mapping Initiative at which various funding sources are being identified and the mapping products further specified.

Luncheon Address

Justin Klure (Oregon Department of Energy) and *Kay Moxness* (Central Lincoln Public Utilities District):

Justin gave a [PowerPoint presentation](#) describing the new technologies being developed for ocean wave energy, and the planning that has been conducted in Oregon over the past few years in order to implement it. Major reasons that Oregon looks so good: a stakeholder process, technical expertise, political support, an incentive package, transmission capacity, a world class resource, and world class research and development facilities. Kay then gave the view on wave energy development from the perspective of the local demography and economy. Central Lincoln PUD sees wave energy as a positive development at a time when the region's power costs are going up steeply, along with other costs at the coast, and also at a time when diversification of jobs will be especially helpful to local economies.

Afternoon Session

Marine Sanctuary Planning and Outreach Process: (Greg McMurray, Jim Good and Scott McMullen):

Greg gave a brief [PowerPoint presentation](#) showing the development of the National Marine Sanctuary management issues matrix discussed at the March 17 meeting. It is intended to be used as an analytical tool to identify both the challenges and opportunities associated with using a National Marine Sanctuary to achieve the Governor's and Oregon's ocean management goals. Greg suggested that the eventual NMS working group begin to flesh out the matrix.

Jim Good then updated the council on the efforts of the National Marine Sanctuary Outreach Committee, and introduced the three graduate students from OSU's Marine Resource Management Program who will assist the public process and help draft the report to the Governor: they are (Chris)Topher Holmes, Susan Holmes, and Darci Connor. The committee has developed two types of outreach sessions; a longer one (about 2 hours) for community meetings, and a short one (about 40 minutes) for targeted

groups. The public meetings are now envisioned for October and November; Jim agreed to have the group do a dry run of the longer session for the entire council on the evening of August 24, 2006, in Brookings. There was an in-depth discussion of the merits versus risks of offering presentations to groups representing targeted constituencies or stakeholders. It was generally agreed to respond to requests for presentations, as opposed to taking the risk of offering them to one group at the possible exclusion (at least in perception) of other groups, and the issue was tabled until the August 24 dry run. The NMS Working Group will take up this issue at their July 26th meeting and provide a recommendation to the full OPAC. OPAC members are requested to participate in the fall outreach sessions, and Jim will coordinate a schedule of participation. (See attached summary from NMS Outreach Committee/NMS Planning Working Group.)

Working Session on Marine Reserves Planning (Jim Good):

Jim reintroduced the council to the marine reserves planning issue with a PowerPoint presentation entitled [Marine Reserves Planning in the Territorial Sea](#). Jim first clarified the needed definitions, and opined that the council should utilize a standard terminology, and set the discussion into the existing context of management in the Territorial Sea. One fundamental question is whether the present OPAC accepts and adopts the earlier marine reserves recommendation in its entirety, and Jim believes that it is appropriate for this group to do some necessary fine-tuning. The salient issues will be considered, analyzed and reported back to OPAC at large by a Marine Reserves Planning Working Group. Another issue for discussion is whether STAC-recommended experts will form their own group, or be subsumed into the working group. As discussed earlier, many data “layers” involving habitat types, natural resources and various human uses, are needed for marine reserves planning. Jim’s unanswered questions to the council included the continuing theme of how to secure adequate staffing and funding for the marine reserves planning process. He also favors using a bottom-up planning process informed by top-down guidelines and STAC assistance.

Date, Location and Agenda Items for Next OPAC Meeting (Scott McMullen):

The next OPAC meeting will take place in Brookings on August 24-25, 2006. The evening before will be comprised, in part, of a practice run of the National Marine Sanctuary outreach committee’s presentation and participative activities. The following meeting will take place in conjunction with the Federal MPA Advisory Committee on October 9-10, 2006, in either Charleston or Newport.

New Issues Raised by OPAC Members:

Terry Thompson raised the issue of county (lack of) authority for taxation in the Territorial Sea.

David Allen pointed out that the Council was still lacking a member representing the South Coastal Counties. Jessica and Scott reported that a meeting had taken place between the representatives of the South Coast County Commissions and the Governor, and that the meeting was termed “positive”. It was also reported that Commissioner Griffith had made a good-faith effort to follow through on what was requested of him.

Public Comment:

Peter Huhtala (Pacific Marine Conservation Council): Peter clarified that the oft-cited Pacific Fisheries Management Council's *de facto* marine reserves are actually specific fisheries management measures that change over place and time.

Russell Smotherman (Pacific Northwest Dungeness Crab Marketing Association): The past few years have shown great production of Dungeness crab, the fishery is well managed, and there is absolutely no need for marine reserves or a National Marine Sanctuary, which will hurt local economies.

John Holloway (Oregon Anglers): John expounded on the PMFC's effort to document the economic impact of fisheries management measures, and the decline of the \$80M-100M per year groundfish fishery in the 1980-1998 period to about \$45M per year presently.

Peg Reagan (Conservation Leaders Network): Peg asked the council to notice working group meetings and make them available to the public.

Don Fell (Astoria): Don does not want to see more restriction on recreational and commercial fishing; thus, he does not support a National Marine Sanctuary.

John Griffith (Coos County): Commissioner Griffith returned to remind the council that the south coast is not represented on the working groups that OPAC agreed to form today.

Meeting adjourned by Chair Scott McMullen at 4:39 p.m.

Attachment to Summary of June 23, 2006, OPAC Meeting

Date: June 26, 2006

From: Jim Good, Chair, NMS Working Group

To: NMS Working Group, OPAC Members, other interested parties

Subject: Results of June 23, 2006 OPAC Meeting with respect to NMS Outreach Efforts and Plan for a NMS Working Group meeting on July 26, 2006

A one-page report was handed out to OPAC and reviewed/discussed, with numerous comments and suggestions provided by members. The most discussed item was whether or not OPAC should hold stakeholder/constituency group meetings (in addition to community all-comer meetings) as part of its formal public outreach process. Concern was expressed that this would be unfair to fishing industry interests because it would be difficult to get them together during the fall. See discussion below for more on this.

- 1. NMS Outreach Committee morphs to NMS Working Group.** OPAC approved regrouping the outreach committee to a NMS Working Group, responsible to OPAC for bringing a draft report to the full council for approval of a draft, subsequent public review, and finalization by OPAC. Members include David Allen, Jim Bergeron, Jack Brown, Paul Engelmeyer, Jim Good, Jessica Hamilton, Fred Sickler, and Frank Warrens. OPAC staff (Greg McMurray), Sea Grant (Flaxen Conway) and Rural Initiatives, Inc. (Jane Barth) are providing support and meeting design assistance. New members to the group include Terry Thompson.
- 2. Staff Assistance.** DLCD has contracted with OSU to provide the NMS Working Group with research assistance/staff support; three Marine Resource Management graduate students have been hired for this purpose by Dr. Michael Harte, College of Oceanic and Atmospheric Sciences at OSU. All three students (Darci Conner, Susan Holmes, and Topher Holmes) will assist in developing background information on NMS issues this summer, with Topher Holmes continuing through the fall, summarizing public outreach meetings and assisting with other aspects of a final report to the Governor.
- 3. OPAC's Goals for these meetings** (*no changes*)
 - To communicate the details of the Governor's proposal and vision for an "Oregon Coast National Marine Sanctuary"
 - To learn what the public thinks about the proposal, what potential benefits they perceive, what concerns they have, and other related issues
 - To build trust with coastal communities, the fishing industry, and other coastal interests by being an honest, neutral broker of the proposal and by conducting a thorough, professional public meeting process
- 4. Who we hope will attend these meetings** (*no changes*)
 - People who live along the coast, especially in port and harbor communities

- People inland who are concerned about the coast and ocean
- Key stakeholders, among them ocean users, local governments, tribes, environmentalists

5. **Meeting Types and Formats.** There was no disagreement that 11 community-level meetings will be sufficient to cover the coast and inland areas. Suggestions for meeting scheduling are below. As noted above, there was significant disagreement over whether or not to hold formal stakeholder/constituency meetings to collect comments.

Meeting Options:

- **Community-level Meetings** that we organize around the theme of getting reaction to the Governor’s proposal. These will be 2-hour format sessions, and be built around key questions we want to get input on. Those questions are derived principally from the Governor’s vision for a national marine sanctuary and focus on assessment of perceived benefits and costs, size and location, governance, and alternative means to achieve his vision as outlined in the Governor’s December 13, 2005 letter to OPAC. **FORMAT:** Each meeting will have an **Introduction**, given by an OPAC member, a **Background Presentation**, given by an OPAC member or staff, and **two rounds of participant input** addressing the key questions we pose. Those questions are still being developed, but drafts will be sent out to OPAC members for suggestions prior to the Working Group’s next meeting on July 26th. *It is our goal to have at least four OPAC members involved in each meeting and for each OPAC member to attend several of the outreach meetings to learn what the public thinks.* A wrap-up will address outstanding issues people have.

Tentative outreach locations and dates are as follows:

- OPAC “dry run” and Critique Aug 24 (evening prior to next OPAC meeting)
- Depoe Bay Oct 2
- Garibaldi Oct 3
- Astoria Oct 4
- Portland Oct 5
- Newport Oct 10 (following OPAC meeting)
- Brookings Oct 24
- Port Orford Oct 25
- Charleston Oct 26
- Florence Oct 27 (evening prior to Heceta Head Coastal Conference)
- Bend Nov 6
- Corvallis Nov 8

Again, we hope to have at least four OPAC members at each community meeting to assist and learn what the public thinks.

Stakeholder/Constituent Group Meetings. As envisioned, these would be for meetings where OPAC can get a space on another organization’s agenda, but probably only for 30-45 minutes. The process would be abbreviated, with emphasis on providing post-meeting feedback to a set of questions OPAC would like to get feedback on. Examples of groups we hope to engage include OCZMA, Tribes, OPPA, Surfrider Foundation, OSCC, Charter Boat Association, Oregon Coast Association, and others. These would be scheduled at the convenience of the organizations.

Differences of opinion among OPAC members emerged at the June 23 meeting about whether

or not it would be fair and advisable to hold such meetings, since not all stakeholder groups could possibly get on the schedule. Particular concern was expressed about fishermen groups and the difficulty in engaging them. Another option discussed would be for individual OPAC members to speak to their constituency about the Governor's proposal, show the background presentation, and discuss the issues, without soliciting formal input. These and other options will be discussed at the next Working Group meeting (July 26) and at the August 25 OPAC meeting, where a decision will be made.

6. **Meeting Publicity.** We will seek media assistance from OPAC member organizations and hope to establish a website with all relevant information, including meeting summaries. It was also suggested that we try to get the Oregonian to do a story on the NMS proposal and OPAC's efforts to gauge public opinion.
7. **Next Working Group meeting.** Next meeting is July 26, 2006. Please mark your calendar. Potential Agenda Items:

Draft Agenda for July 26

1. Review/discussion of outline for *Report to the Governor* and Research Progress Report (Darci Conner, Susan Holmes, Topher Holmes, Michael Harte)
2. Recommendation on Stakeholder/Constituency Group outreach meetings (see above options and issues) – a primary issue is whether or not we can devise a fair schedule, particularly with respect to fishing industry interests
3. Community Meeting Design – intro, background PPT, questions for the public, facilitation, etc.

Please send any comments to Jim Good at jwg4@yahoo.com.