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Background Brief on ...

# Marine Reserves

The Oregon Ocean Policy Advisory Council (OPAC) defines a marine reserve as “an area within Oregon's Territorial Sea (0-3 nautical miles from shore) or adjacent rocky intertidal area that is protected from all extractive activities, including the removal or disturbance of living and nonliving marine resources, except as necessary for monitoring or research to evaluate reserve condition, effectiveness, or impact of stressors.” A marine protected area (MPA) is, in general, intended to be less restrictive than a marine reserve by allowing for certain uses that a reserve would prohibit.

Marine reserves and protected areas have been designated around the world for different purposes including research, protection of unique habitat, rebuilding of fish stocks, and sightseeing/recreation. In Oregon, the goal behind developing and sustaining a system of marine reserves, as described by OPAC, is to “conserve marine habitats and biodiversity; provide a framework for scientific research and effectiveness monitoring; and avoid significant adverse social and economic impacts on ocean users and coastal communities.”

All three western coastal states have engaged in long-term processes to designate MPAs and reserves that are ongoing. California has established a network of 124 MPAs to date, including 48 marine reserves, pursuant to its Marine Life Protection Act of 1999. Washington has designated 31 MPAs, including nine marine reserves where harvest is prohibited. In Oregon, there are currently five marine reserves and protected areas.

## History

**2008: Proposals and recommendations.** After several years of formal discussions at the state level, Governor Kulongoski issues Executive Order 08-07 in August of 2008, directing OPAC to recommend not more than nine sites for possible designation as marine reserves. A

community-driven process begins, with local groups and individuals submitting twenty site proposals to OPAC in the summer of 2008. On November 29, 2008, OPAC makes its recommendations to the Governor, for the immediate designation of two pilot sites (Otter Rock and Redfish Rocks); for further evaluation of three other sites by local community teams (Cape Falcon, Cascade Head, and Cape Perpetua); and for one area to undergo a local collaborative evaluation process to develop a new marine reserve proposal, led by the Oregon International Port of Coos Bay (Cape Arago/Seven Devils area).

**2009-2010: Implementation.** In 2009 the legislature passes House Bill 3013 (**HB 3013**), directing state agencies to implement OPAC's recommendations.

For the two pilot sites (Otter Rock and Redfish Rocks), the Department of Fish and Wildlife (**ODFW**), Department of State Lands, and the Parks and Recreation Department adopt administrative rules and schedule harvest restrictions to take effect when collection of baseline data is complete.

For the three areas of further study (Cape Perpetua, Cascade Head, and Cape Falcon), ODFW forms three community stakeholder teams which meet to evaluate these sites over the course of a year.

In November 2010, community teams forward their final recommendations to ODFW. The teams that evaluated Cape Perpetua and Cascade Head achieve strong consensus. Each included a marine reserve area plus a less-restrictive area. The team that evaluated Cape Falcon, strongly supported the establishment of a modified marine reserve in general, but did not achieve complete agreement with regard to the details of size, shape, and conditions.

ODFW and OPAC consult and incorporate each community teams' recommendations with information gathered throughout the marine reserve designation process, which is submitted to the legislature pursuant to HB 3013.

#### **2010-2011: Management and data collection.**

ODFW develops a long-term monitoring plan and conducts baseline surveys at Redfish Rocks and Otter Rock pilot sites. Local fishing vessels and community liaisons are hired to assist with the baseline survey work, and communities maintain a high level of involvement.

#### **Current Status**

As of January 1, 2012, the collection of baseline data at Otter Rock and Redfish Rocks is complete and harvest restrictions have taken effect.

In February 2012, the legislature passed Senate Bill 1510 (SB 1510), directing state agencies to implement OPAC recommendations for Cape Perpetua, Cascade Head, and Cape Falcon. Data collection has begun and administrative rules are being adopted (the Oregon Fish and Wildlife Commission completed rulemaking in August 2012, and the Land Board will consider its rules in October). As with the two original sites, harvest restrictions are scheduled to take effect upon completion of collection of baseline data. Short-and long-term reports are due with the legislature, pursuant to SB 1510, by February 1, 2013, and March 1, 2023, respectively.

To date, no proposal has been received regarding the Cape Arago/Seven Devils area, and no further consideration is planned.

ODFW has ongoing responsibility for Oregon's five marine reserves, including the development of management plans, outreach activities, public engagement, enforcement (along with Oregon State Police), periodic reviews, and a ten-year comprehensive evaluation of the impact and effectiveness of marine reserves as a resource management tool.



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*The Department of Fish and Wildlife assisted with the development of this document.*

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