



Oregon

John A. Kitzhaber, MD, Governor

Department of Fish and Wildlife

Marine Resources Program
2040 SE Marine Science Drive
Newport, OR 97365
(541) 867-4741
Fax: (541) 867-0311
www.dfw.state.or.us



January 17, 2013

To: Kevin Hayden, Legislative Administrator

From: Curt Melcher, Deputy Director

Subject: Report on the development of an ODFW Marine Reserves Program Work Plan

Senate Bill 1510 (2012) requires the Department of Fish and Wildlife (ODFW) to report on the development of a Marine Reserves Program Work Plan to the Oregon Legislature on or before February 1, 2013. A copy of the ODFW Marine Reserves Program Work Plan and a report on the 2011-13 ODFW Marine Reserves Program planned budget expenditures and actual biennium program expenditures through December 17, 2012 are provided along with this summary report.

The goal of marine reserves (Ocean Policy Advisory Council 2008) is to: “Protect and sustain a system of fewer than ten marine reserves in Oregon’s Territorial Sea 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.” Formal discussion of marine reserves began at the state level in 2000. Marine reserves planning and siting was initiated in 2008 with the issuance of Executive Order 08-07. In 2008, the Ocean Policy Advisory Council (OPAC) solicited and received marine reserve site proposals from the public. After an extensive review process, OPAC forwarded site and policy recommendations to the Governor in December 2008. In 2009, the Legislature passed House Bill 3013 (ORS 196.540-196.555) directing state agencies to implement the OPAC recommendations. As directed by legislation, ODFW began implementing two pilot sites and evaluating three potential sites through a community team process. In 2012, the Legislature passed Senate Bill 1510 directing state agencies to implement three new marine reserve and protected area sites, in addition to the two pilot sites already in place.

The ODFW Marine Reserves Program Work Plan provides a big picture, 10-year outlook for implementing Oregon’s system of five marine reserve and protected area sites, covering the span of time from the present to a report due to the Oregon Legislature in 2023 required by Senate Bill 1510. The Work Plan covers the responsibilities of the Department, as the lead agency in charge of implementing Oregon’s system of marine reserve sites, including developing and implementing: a) marine reserve administrative rules, b) site management plans, c) ecological monitoring, d) social and economic (human dimensions) monitoring, e) outreach activities, f) community and public engagement, g) enforcement (in partnership with the Department of State Police), h) implementation review and i) marine reserves evaluation. Although the Work Plan represents a high level overview, specific details of Work Plan implementation are found in the individual site management plans.

The Work Plan was drafted based on direction and guidance provided by House Bill 3013 (2009), Senate Bill 1510 (2012) and the OPAC *Oregon Marine Reserve Policy Recommendations* (2008). The Work Plan was further guided by the policies and procedures outlined in the *Oregon Marine Reserves Ecological Monitoring Plan* (ODFW 2012), the *Human Dimensions Monitoring and Research Plan* (ODFW 2012) and the *Redfish Rocks Marine Reserve Site Management Plan* (ODFW 2012) which were

developed in consultation with the Scientific and Technical Advisory Committee (STAC), scientific experts, partner agencies and community members, and are part of current implementation efforts.

A draft of the Work Plan was released to the public on November 27, 2012, and public comment was sought through December 20, 2012. ODFW staff met in consultation with STAC on December 18, 2012 on the draft plan. In addition, ODFW staff consulted with the Department of State Police, the Department of Land Conservation and Development, Oregon Parks and Recreation Department and the Department of State Lands. ODFW staff used the feedback received by STAC, partner agencies, organizations and the public to make revisions and clarifications to the Work Plan. ODFW staff will continue to use this feedback on the Work Plan as specific actions and tasks are detailed in the site management plans and implemented.

The ODFW Marine Reserves Work Plan was finalized on January 4, 2013. The finalized Work Plan and supporting documents, along with the budget report, are posted on the Oregon Marine Reserves website for public access at: www.oregonocean.info/marinereserves.

Agency contact:

Cristen Don, Marine Reserves Program Leader
Department of Fish and Wildlife
(541) 867-7701 x228 | Cristen.N.Don@state.or.us



Oregon Marine Reserves Program Work Plan

Action	Task	Timeframe		
		Redfish Rocks & Otter Rock	Cape Perpetua & Cascade Head	Cape Falcon
A. Administrative Rules	1. State agencies adopt marine reserve and protected area administrative rules.	Completed ¹ 2009	Completed ¹ 2012	
	2. Harvest restrictions scheduled to begin.	Jan 1, 2012	Jan 1, 2014	Jan 1, 2016
B. Site Management Plans	1. Develop site management plans, with assistance from community members and partner agencies. Plans include strategies for: <ul style="list-style-type: none"> a. ecological and human dimensions monitoring b. outreach and engagement c. compliance and enforcement d. site specific issues (e.g. wildlife and habitat disturbance issues) 	Completed ¹	2013-14	2014-15
	2. Public review and comment. Finalize plans.	2012-13	2014	2015
	3. Implement management plans, with assistance from community members (see C, D, E, F and G).	Ongoing Review and update every 5 years (see G)		
C. Monitoring	1. Develop ecological and human dimensions monitoring plans in consultation with STAC, scientific experts and community members.	Completed ¹		
	2. Collect and analyze ecological and human dimensions baseline data. <ul style="list-style-type: none"> a. contract local fishing vessels, where feasible and practical² b. work with local liaisons 	Completed	2012-13	2014-15
	3. Collect and analyze ecological and human dimensions long-term data. <ul style="list-style-type: none"> a. contract local fishing vessels, where feasible and practical² b. work with local liaisons 	Ongoing		
	4. Provide monitoring reports. <ul style="list-style-type: none"> a. disseminate: marine reserves website, STAC, OPAC 	Biennially (in odd number years)		

Action	Task	Timeframe		
		Redfish Rocks & Otter Rock	Cape Perpetua & Cascade Head	Cape Falcon
<i>(Monitoring continued)</i>	5. Review monitoring programs in consultation with STAC, scientific experts and community members. Update monitoring plans as needed.	Every 5 years (next review in 2016)		
D. Public Information	1. Maintain marine reserves website in collaboration with DLCD. Provide information on: a. rules and boundaries b. site management plans c. ecological and human dimensions monitoring activities and results d. public engagement opportunities e. vessel contract opportunities and requirements f. program budget	Ongoing		
	2. Develop, post regulatory and interpretive signs in collaboration with OPRD.	2012-13	2014	2016
	3. Work with communities to implement outreach strategies identified in site management plans (refer to B.1.b).	Ongoing		
	4. Provide periodic informational updates through the Oregon Fish and Wildlife Commission process.	Every 5 years, or at request of the Commission		
E. Community Engagement	1. Continue collaborative work with the Redfish Rocks Community Team (RRCT) and the Depoe Bay Near Shore Action Team (NSAT) on marine reserves implementation efforts. a. support community teams so they can implement community driven projects that complement the state's efforts, where feasible	Ongoing	N/A	
	2. Develop strategy for engaging coastal communities and the public in marine reserves implementation efforts. a. review RRCT and NSAT approaches and the 2010 community team process to inform strategy development b. provide opportunity for public comment on draft strategy	2012-13		
	3. Implement community engagement strategy.	Ongoing		
F. Compliance and Enforcement	1. OSP begin enforcement.	2012	2014	2016
	2. OSP monitor enforcement efforts and compliance.	Ongoing		

Action	Task	Timeframe		
		Redfish Rocks & Otter Rock	Cape Perpetua & Cascade Head	Cape Falcon
<i>(Compliance and Enforcement continued)</i>	3. OSP, ODFW and OPRD staff review enforcement and compliance. Make adjustments as needed.	Twice per year		
G. Implementation Review	<ol style="list-style-type: none"> 1. Review site implementation and update site management plans, with assistance from community members. <ol style="list-style-type: none"> a. use the OPAC 2008 planning and implementation principles and guidelines, from the <i>Oregon Marine Reserve Policy Recommendations</i>³, to guide the review b. focus the review on the progress made toward implementing strategies outlined in site management plans for: <ol style="list-style-type: none"> 1. ecological and human dimensions monitoring 2. outreach and community engagement 3. compliance and enforcement 4. site specific issues (e.g. wildlife and habitat disturbance issues) c. if needed, adapt strategies and update site management plans to continue meeting the OPAC principles and guidelines 	Every 5 years (from date site management plan is finalized)		
H. Report to Legislature (as prescribed in SB 1510)	<ol style="list-style-type: none"> 1. ODFW report to Legislature on development of program work plan and budget. <ol style="list-style-type: none"> a. post report on marine reserves website 	On or before Feb 1, 2013		
	<ol style="list-style-type: none"> 2. STAC report on the establishment, study, monitoring, evaluation and enforcement of the five sites. <ol style="list-style-type: none"> a. ODFW provides STAC with ecological and human dimensions monitoring reports, management plans, implementation reviews, and any other information deemed relevant by ODFW and STAC b. STAC selects public university to review all relevant information and prepare a report for STAC that includes: <ol style="list-style-type: none"> 1. assessment of social, economic, and environmental factors 2. recommendations for administrative actions and legislative proposals 3. any other scientifically based information deemed relevant 	Jan 1 – Sep 30, 2022		
	3. STAC submit draft report to interim Legislative committee.	On or before Oct 1, 2022		
	4. STAC submit final report to the Legislature.	On or before Mar 1, 2023		

- ¹ Document is available on the Oregon Marine Reserves website: www.oregonocean.info/marinereserves
- ² Vessels must be contracted through the state's open competitive bidding process (using ORPIN). Preference will be given to local vessels, with captains and crew that have local knowledge of the areas of work. Bids are scored based on estimated fees, qualifications/experience and project approach. The highest scoring bid must be awarded the contract. Vessels unable to meet vessel specifications needed to perform the contracted work or that are considered unsafe cannot be awarded a contract.
- ³ Document is available on the OPAC website: http://cms.oregon.gov/LCD/OPAC/docs/resources/opac_marrespolec_081908.pdf

Summary of Budget and Expenditures for Marine Reserves Program for 2011-13 Biennium

12/19/2012

Fund Source	Amount
Lottery Funds	1,078,070
Other Funds - Transfer from State Parks	482,500
Federal Funds - SWG (2011 surveys)	58,394
Federal Funds - SWG (2012-13 surveys)	61,894
Total 2011-13 Budget:	1,680,858

Fund Source	Projected Budget Expenses 2011-13				Total	
	Lottery Funds	State Parks Transfer	State Wildlife Grant (2011 surveys)	State Wildlife Grant (2012-13 surveys)		
Personnel (PS)						
¹ 5.5 FTE (132 months)	848,046				848,046	
Temp (6 months)				16,894	16,894	
Total PS	848,046			16,894	864,940	
Supplies and Services (S&S)						%
Biological Monitoring						
Vessel/fishermen/urchin diver contracts	40,354	88,092	11,861	45,000	185,307	67%
Research contracts	6,200		46,533		52,733	19%
Equipment and supplies	40,354				40,354	14%
Total	86,908	88,092	58,394	45,000	278,394	100%
Socioeconomic Monitoring						
Research contracts	87,302	12,000			99,302	85%
Equipment and supplies	17,698				17,698	15%
Total	105,000	12,000			117,000	100%
Outreach & Communities						
Community contracts		78,927			78,927	81%
Equipment and supplies		18,000			18,000	19%
Total		96,927			96,927	100%
Operations S&S						
^a South Beach Annex building purchase		95,000			95,000	41%
Supplies, services, facilities, travel	38,116	100,481			138,597	59%
Total	38,116	195,481			233,597	100%
Oregon State Police						
Transfer of funds to OSP		90,000			90,000	100%
Total		90,000			90,000	100%
Total S&S	230,024	482,500	58,394	45,000	815,918	
Total	1,078,070	482,500	58,394	61,894	1,680,858	

^a The building was purchased in October 2011.

Expenditures Through Dec 17, 2012 (17 months)							
Fund Source	Lottery Funds	State Parks Transfer	State Wildlife Grant (2011 surveys)	State Wildlife Grant (2012-13 surveys)	Total		% of biennial projection
Personnel (PS)							
¹ 5.5 FTE (77 months)	497,206				497,206		
Temps	26,692			10,330	37,022		
Total PS	523,898			10,330	534,228		
Supplies and Services (S&S)						%	
Biological Monitoring							
Vessel/fishermen/urchin diver contracts	48,631	63,183	11,800	30,818	154,432	65%	83%
Research contracts		15,527	43,031		58,558	25%	111%
Equipment and supplies	24,065				24,065	10%	60%
Total	72,697	78,710	54,831	30,818	237,056	100%	85%
Socioeconomic Monitoring							
Research contracts	63,702				63,702	98%	64%
Equipment and supplies	1,191				1,191	2%	7%
Total	64,893	0	0	0	64,893	100%	55%
Outreach & Communities							
Community contracts		61,573			61,573	85%	78%
Service contracts		10,449			10,449	14%	--
Equipment and supplies		584			584	1%	3%
Total	0	72,606	0	0	72,606	100%	75%
Operations S&S							
² South Beach Annex building purchase		95,000			95,000	56%	100%
Supplies, services, facilities, travel	14,723	58,601			73,325	44%	53%
Total	14,723	153,601	0	0	168,325	100%	72%
OSP							
Transfer of funds to OSP		2,003			2,003	100%	2%
Total	0	2,003	0	0	2,003	100%	2%
Total S&S	152,313	306,921	54,831	30,818	544,883		
Total	676,211	306,921	54,831	41,148	1,079,111		

¹ Marine Reserves Program is required to provide 8 months in vacancy savings (totaling \$52,371) during biennium. Total projected PS spending for 5.5 FTE is therefore \$795,675 (124 months).

² The building was purchased in October 2011.

ODFW Marine Reserves Program Work Plan
Summary of Public Comments Received and ODFW Response
January 17, 2013

General Comments

- General support for the study, designation and implementation of Oregon's marine reserves and protected areas based on the best available science and broad stakeholder participation.
- Concern that marine reserves will hurt the economy.
- Lack of support for marine reserves from the fishing community.

Baseline Data Collection, Harvest Restriction Implementation and Ongoing Monitoring

- Concern that baseline data collection and harvest restriction implementation at Cape Falcon is scheduled to occur later than at Cape Perpetua and Cascade Head.
- Concern that ODFW has insufficient resources to conduct baseline data collection simultaneously at Cape Perpetua and Cascade Head.
- Concern that ODFW staff aren't monitoring at sites year round.
- Specific recommendations on how ODFW might disseminate information from monitoring efforts.

Monitoring Plans

- Recommend STAC review biennial monitoring reports and comment on agency's findings and recommend adaptations to methods.

Contracting Local Vessels

- Concern about the use of the term 'when feasible' with regards to use of local fishing vessels.
- Recommendation that ODFW dedicate a segment of the marine reserves website to information about contracting with local fishing vessels and other means of advertising vessel contract opportunities.

Community and Public Engagement

- Recommendations for meaningful engagement from a diverse and balanced group of stakeholders to work with the state on site implementation efforts.
- Host regular citizen engagement groups.

Management Plans

- Specific recommendations provided on development of site management plans and building local capacity and strategies for community engagement.
- Specific recommendations on implementation of site management plans.

Recommendations from Meeting with STAC on December 18, 2012

- Monitoring program review every five years, in consultation with STAC and scientific experts, is appropriate timeframe. Provide clarification that the next review will be in 2016.
- Extend timeframe for item H.2 to be Jan 1 – Sep 30, 2022.

ODFW Response

- ODFW has worked, in consultation and collaboration with STAC and 35 scientific experts, to develop a robust ecological monitoring program for Oregon's marine reserve system. This monitoring program is outlined in the *Oregon Marine Reserves Ecological Monitoring Plan* (ODFW 2012) and requires two

years of data collection at each marine reserve site and its associated comparison areas prior to the cessation of harvest activities, to establish a scientifically robust baseline/ T_0 dataset. The first two years require an intensive sampling regime, followed by less intensive ongoing sampling for establishing a long-term dataset. Baseline data collection has been completed and ongoing sampling has commenced at the Redfish Rocks and Otter Rock sites. Comparison area identification and sample planning has been conducted for the Cape Perpetua and Cascade Head sites and the first year of baseline data were collected in 2012. The second year of baseline data collection is to begin at these two sites starting in March 2013. With the current and foreseeable resources available to ODFW, comparison area identification and sample planning for the Cape Falcon site is scheduled to begin in late 2013, followed by baseline sampling in 2014. Currently oceanographic data collection occurs at sites and comparison areas 12 months out of the year. Data collection for fish, invertebrates, algae and habitats predominately occurs May-November.

- At the December 18, 2012 meeting with STAC it was agreed that, given ODFW's foreseeable available resources, the proposed phased in ecological monitoring approach was appropriate and would be able to provide scientifically robust data to inform the report due to the Legislature in 2023. In addition, it was agreed that the monitoring program should be reviewed and the monitoring plan updated every five years in consultation with STAC and other scientific experts. The next review of the monitoring program will be conducted in 2016, after baseline data have been collected for all five sites.
- ODFW has provided clarification in the Work Plan with regards to the use of local vessels. Vessel contracts must be awarded through the state's competitive bidding process (through ORPIN). Bids are scored based on estimated fees, qualifications/experience and project approach. The highest scoring bid must be awarded the contract. Preference will be given in the qualifications/experience segment to local vessels, with captains and crew that have local knowledge of the areas of work. Vessels unable to meet vessel requirements to conduct the work or are found unsafe are not to be awarded a contract. ODFW cannot guarantee that a local vessel will be awarded the contract in every case.
- Community engagement at each marine reserve site is likely to be unique, in order to accommodate the distinctive interests and qualities of each community. The site management plan is also the appropriate mechanism for documenting site specific community engagement strategies and procedures for particular elements of marine reserves implementation (e.g., monitoring, outreach, compliance and enforcement, site specific management issues, community priorities and implementation efforts that complement the state's efforts).
- Although the Work Plan represents a high level overview, specific details of Work Plan implementation will be found in the individual site management plans. ODFW staff will continue to use this feedback on the Work Plan as specific actions and tasks are detailed in the site management plans and implemented.