

Senate Bill 1510

Sponsored by Senators JOHNSON, KRUSE, Representatives COWAN, KRIEGER; Senators VERGER, WHITSETT, Representatives BOONE, ROBLAN, WITT (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires State Department of Fish and Wildlife to report to Legislative Assembly regarding marine reserves. Directs state agencies to implement certain recommendations related to marine reserves at Cape Falcon, Cascade Head and Cape Perpetua. Removes provision related to development of marine reserve proposal at Cape Arago-Seven Devils from statutes regarding marine reserves. Requires scientific and technical advisory committee of Ocean Policy Advisory Council to report to Legislative Assembly regarding marine reserves.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to ocean resources; creating new provisions; amending ORS 196.540; and declaring an
3 emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. (1) On or before February 1, 2013, the State Department of Fish and Wildlife**
6 **shall report to the Legislative Assembly regarding:**

7 (a) **The development of the work plan described in ORS 196.545; and**

8 (b) **The receipt and use of moneys necessary to carry out the provisions of ORS 196.540,**
9 **including any gifts, grants or contributions accepted by the department pursuant to ORS**
10 **196.550.**

11 (2) **The department shall make the report described in subsection (1) of this section**
12 **available to the public on its website.**

13 **SECTION 2.** ORS 196.540 is amended to read:

14 196.540. The State Department of Fish and Wildlife, State Fish and Wildlife Commission, State
15 Land Board and relevant state agencies shall, consistent with existing statutory authority, imple-
16 ment:

17 (1) The November 29, 2008, recommendations from the Ocean Policy Advisory Council on marine
18 reserves by[.:]

19 [(1)] adopting rules to establish, study, monitor, evaluate and enforce a pilot marine reserve at
20 Otter Rock and a pilot marine reserve and a marine protected area at Redfish Rocks[.];

21 (2) [*Studying and evaluating potential marine reserves*] **The January 25, 2011, recommen-**
22 **dations, limited to those related to boundaries and allowances, from the State Department**
23 **of Fish and Wildlife on marine reserves by adopting rules to establish, study, monitor, eval-**
24 **uate and enforce:**

25 (a) **A marine reserve and two marine protected areas** at Cape Falcon[, *Cascade Head and*
26 *Cape Perpetua; and*];

27 (b) **A marine reserve and three marine protected areas at Cascade Head; and**

28 (c) **A marine reserve, two marine protected areas and a seabird protection area at Cape**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **Perpetua.**

2 *[(3) Supporting the development of a marine reserve proposal at Cape Arago-Seven Devils.]*

3 **SECTION 3.** (1) The State Fish and Wildlife Commission may not impose prohibitions on
4 fishing by rule pursuant to ORS 196.540 until the baseline data specified in ORS 196.545 (2)(f)
5 have been collected consistent with scientifically based monitoring plans.

6 (2) In implementing the activities described in ORS 196.540 pursuant to ORS 196.545, the
7 State Department of Fish and Wildlife shall use local resources where feasible and practical.

8 **SECTION 4.** (1) The scientific and technical advisory committee of the Ocean Policy Ad-
9 visory Council established under ORS 196.451 shall submit a draft report to the interim
10 committees on environment and natural resources of the Legislative Assembly no later than
11 October 1, 2022, and a final report to the Legislative Assembly in the manner provided by
12 ORS 192.245 no later than March 1, 2023, regarding the establishment, study, monitoring,
13 evaluation and enforcement of the pilot marine reserves, marine reserves, marine protected
14 areas and seabird protection area described in ORS 196.540.

15 (2) The reports described in subsection (1) of this section shall:

16 (a) Be researched and prepared, within existing resources and without additional appro-
17 priation, by a public university listed in ORS 352.002 chosen by the scientific and technical
18 advisory committee; and

19 (b) Include:

20 (A) An assessment of social, economic and environmental factors related to the reserves
21 and protected areas;

22 (B) Recommendations for administrative actions and legislative proposals related to the
23 reserves and protected areas; and

24 (C) Any other scientifically based information related to the reserves and protected areas
25 that the public university described in this subsection deems relevant or material.

26 **SECTION 5.** This 2012 Act being necessary for the immediate preservation of the public
27 peace, health and safety, an emergency is declared to exist, and this 2012 Act takes effect
28 on its passage.

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