



CHAPTER 2. PLANNING & DESIGNATION HISTORY

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A. INTRODUCTION

A.1 HOW TO USE THIS CHAPTER

The planning and designation of Oregon's marine reserve system was over 10 years in the making, involving multiple phases and a combination of top down and bottom up processes. Coastal community members, ocean users, and other interested Oregonians worked with state decision makers to design and site marine reserves and protected areas in locations that would provide ecological benefits while minimizing adverse social and economic impacts to ocean users and coastal communities (Executive Order 08-07).

This chapter is a chronicle of Oregon's marine reserve planning and designation process, from 2000-2012. Links to additional documents and resources from the planning process are provided throughout the chapter for further reference. This chapter provides historical context for understanding:

- How Oregon arrived at the current five sites.
- The mandates that steered the planning process, the design and siting of sites, and site designations.
- What was delivered to the ODFW Marine Reserves Program and our state agency management partners for implementation.

A.2 LEADS IN THE PLANNING AND DESIGNATION PROCESS

Here we provide a brief overview of the entities involved in leading the planning and designation process.

- **GOVERNOR OF OREGON:** Governors Kitzhaber (1995-2003, 2011-2015) and Kulongoski (2003-2011).

- **OCEAN POLICY ADVISORY COUNCIL (OPAC):** A legislatively mandated body that advises the Governor, state agencies, and local governments on ocean policy and resource management issues. Voting members represent specific stakeholder interest groups. State agency representatives and the director of Oregon Sea Grant serve as non-voting members. ORS [196.438](#) and [196.443](#).
- **COASTAL LEGISLATORS:** Members of the Oregon Legislature that represent coastal constituencies. Collectively they form the bicameral, bipartisan Coastal Caucus.

State agencies provided staff support and were tasked with carrying out certain aspects of the planning and designation process. The main state agencies involved were:

- **OREGON DEPARTMENT OF FISH AND WILDLIFE (ODFW):** Manages and regulates the take of marine fish, invertebrate, and wildlife resources.
- **DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT (DLCD):** Administers Oregon’s land use planning program and the Oregon Territorial Sea Plan, which provides the legal and regulatory framework for management of the Territorial Sea. Provides staff support to OPAC.
- **OREGON PARKS AND RECREATION DEPARTMENT (OPRD):** Regulates shoreline activities, including removal of natural products and other activities requiring an ocean shore permit. Provides interpretative and educational opportunities to enhance recreational experiences. Manages state park lands, many of which are located along the coast.
- **DEPARTMENT OF STATE LANDS (DSL):** Regulates submerged and submersible land uses that require state authorization or a removal-fill permit, including harvest of subtidal kelp and the siting of ocean renewable energy projects and submarine cables.

Scientific and technical advice was provided at various stages, at the request of OPAC and ODFW, by:

- **SCIENTIFIC AND TECHNICAL ADVISORY COMMITTEE (STAC):** A legislatively mandated body that provides science and technical advice to OPAC and state agencies. The committee often acts as a broker, identifying and engaging appropriate experts, when advice on an issue is requested. ORS [196.451](#).

Outreach and community engagement support was provided to OPAC and ODFW by:

- **OREGON SEA GRANT:** [Oregon Sea Grant](#) is housed at Oregon State University and is one of 33 state programs within NOAA’s Sea Grant College Program. They address regional and national issues through research, public outreach and engagement, and education.

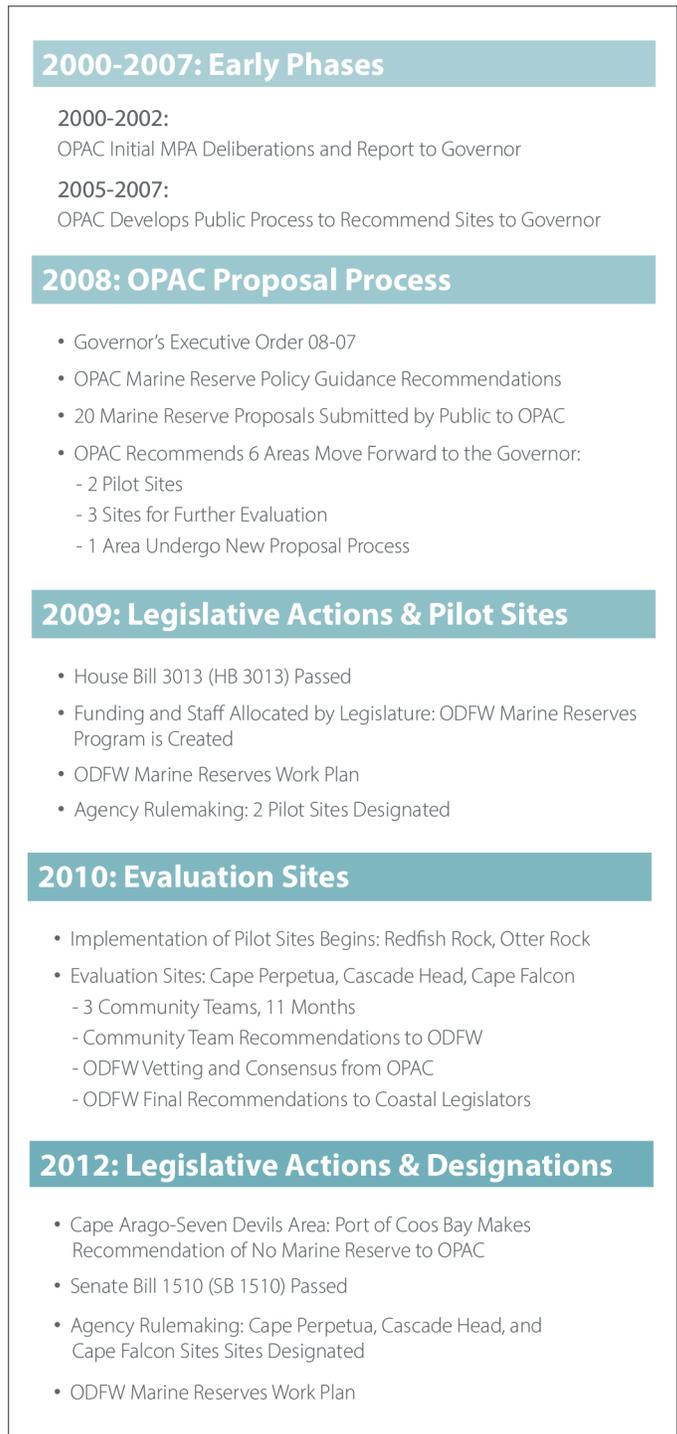


Figure 1: Overview of marine reserves planning phases and timeline

A.3 PHASES AND TIMELINE

Figure 1 is a brief overview of the timeline and various phases of marine reserve planning, from 2000 to 2012, that led to the designation of Oregon’s marine reserve system and the Redfish Rocks, Cape Perpetua, Cascade Head, Otter Rock, and Cape Falcon sites. The sections that follow provide a more detailed chronicle of the planning and designation process.

B. 2000-2007: EARLY PHASES

B.1 2000-2002: OPAC INITIAL MPA DELIBERATIONS AND REPORT ON FINDINGS TO GOVERNOR

Formal marine protected area (MPA) discussions begin at the state level starting in July 2000. Governor Kitzhaber tasks OPAC with gathering facts and engaging the public, fishing industry, and other interested parties on the subject of MPAs. OPAC is to provide recommendations to the Governor on MPAs and state policies before the state will make any future decisions about area-based management in Oregon state waters.

On August 16, 2002 OPAC issues their [*Report and Recommendation to the Governor: Oregon and Marine Reserves*](#) (OPAC 2002). OPAC’s recommendations include:

- Oregon establish a limited system of “fully-protected” marine reserves to test and evaluate their effectiveness in meeting marine resource conservation objectives.
- Before designating any specific marine reserves, Oregon acquire additional information and conduct additional study, analysis, and deliberation through an open, public process with extensive stakeholder involvement.

OPAC provides further recommendations on the goals for a marine reserve system, objectives for planning and evaluation, and a process for public stakeholder participation. OPAC also acknowledges that funding will be a significant factor in carrying out the recommendations.

B.2 2005-2007: OPAC DEVELOPS PUBLIC PROCESS TO RECOMMEND SITES TO GOVERNOR

In 2005, Governor Kulongoski tasks OPAC with developing and executing a public nomination process and recommending potential marine reserve sites, to create a limited system of marine reserves in Oregon state waters.

The **initial** timeline given to OPAC by the Governor’s Office is:

- **2008 – RECOMMEND SITES FOR DESIGNATION:** OPAC is to receive public nominations for marine reserve sites. OPAC is to select and recommend marine reserve sites for designation to the Governor.
- **2009 – REQUEST FUNDING AND DESIGNATE SITES:** The Governor and state agencies are to request funding to the 2009 Legislative Assembly for marine reserves implementation. Marine reserve sites are to be designated through state agency rulemaking.

From 2005 to 2007, OPAC works on developing policy guidance to shape the design and siting of marine reserves and guide the public nomination and site recommendations process. Concurrently during this time, there is growing interest in the development of renewable ocean energy off the Oregon coast. This includes multiple applications being submitted to the Federal Energy Regulatory Commission (FERC) for preliminary permits in both state and federal waters. This creates additional challenges to marine reserves planning in that:

- OPAC, state agency staff, and constituents are simultaneously engaged in marine reserve and renewable ocean energy planning and policy development.
- Additional areas may be closed to fishing due to renewable energy projects.

C. 2008: GOVERNOR’S EXECUTIVE ORDER

C.1 GROWING CONCERNS ABOUT THE PROCESS AND TIMELINE

By late 2007, there are mounting concerns from the public about the marine reserves planning process and timeline, along with concerns around renewable ocean energy development. OPAC also receives a written memo from STAC articulating concerns about the planning timeline and resource needs to scientifically vet nominations.

In January 2008, Governor Kulongoski dispatches his Chief of Staff to visit coastal communities over the course of three days, to listen and learn about concerns and approaches to marine reserves and renewable ocean energy development in Oregon.

In February 2008, at the request of OPAC, Oregon Sea Grant hosts a series of “listening and learning” forums in eight communities up and down the Oregon coast. The forums are for gathering input from a wide range of interests and viewpoints on the topic of marine reserves to inform outreach and engagement in the planning process going forward. Sea Grant issues a [report](#) to OPAC and Governor Kulongoski.

Consistently heard from constituents during the Chief of Staff’s tour and Sea Grant forums was: mistrust (process appears unresponsive); timeline is too ambitious; there is insufficient social, economic, and biological data; and there is no funding for planning or implementation.

C.2 GOVERNOR RESPONDS

In March 2008, Governor Kulongoski issues a [letter to OPAC](#) and [Executive Order 08-07](#) (EO 08-07) making alterations to the marine reserves planning process. These include additional steps and extending the timeline, a commitment to funding, and sideboards for site recommendations. In addition, EO 08-07 establishes a process and timeline for addressing renewable ocean energy policy development and planning for Oregon state waters.

REVISED TIMELINE AND EXPECTATIONS FOR MARINE RESERVES

- **2008 – RECOMMEND SITES FOR FURTHER EVALUATION:** OPAC is to solicit proposals from the public, conduct an initial coarse review of proposals, and recommend sites for further evaluation to the Governor.
- **2009 – REQUEST FUNDING:** The Governor and state agencies are to request funding for site evaluations to the 2009 Legislative Assembly for the 2009-11 biennium.
- **2009-11 BIENNIUM – EVALUATE SITES AND REQUEST IMPLEMENTATION FUNDING:** A detailed evaluation of the sites recommended by OPAC is to be conducted and final recommendations for sites to be designated as marine reserves are to be forwarded to the Governor. The Governor and state agencies are to request funding for marine reserves implementation to the 2011 Legislative Assembly.
- **2011-13 BIENNIUM – DESIGNATE SITES:** Sites are to be designated through state agency rulemaking.

EO 08-07 SIDEBOARDS

- **NUMBER OF SITES:** Recommend not more than nine sites for consideration as marine reserves.
- **SIZE OF SITES:** Sites, individually or collectively, are to be large enough to allow scientific evaluation of ecological benefits, but small enough to avoid significant adverse economic or social impacts to ocean users and coastal communities.
- **GIVE PREFERENCE TO COLLABORATIONS:** Preference is to be given to site proposals developed collaboratively, by groups comprised of coastal community members, ocean users, and other interested parties.



ROLES AND RESPONSIBILITIES

- **OPAC:** Is to lead the public proposal process, develop a site proposal form, conduct the coarse review of proposals, and recommend sites for further evaluation to the Governor.
- **STAC:** Is to provide expertise to OPAC in development of the site proposal form.
- **STATE AGENCIES:** ODFW is designated the lead agency in the OPAC proposal process and is to provide staff support to OPAC. DLCD and OPRD are also to provide staff support to OPAC.
- **OREGON SEA GRANT:** Is to collaborate with ODFW in providing outreach and public education to facilitate community-driven marine reserve site proposals.

D. 2008: OPAC POLICY GUIDANCE

Into 2008, OPAC continues to develop the policy guidance that will be used to shape the design and siting of marine reserves, as well as guide the proposal, selection, and eventual implementation of sites.

D.1 OPAC REQUESTED GUIDANCE FROM STAC

OPAC requests guidance from STAC on the following topics, to guide proposals and the selection of sites.

SIZE AND SPACING

STAC convenes a workshop, with invited scientists and fishermen, to produce a consensus document for OPAC that provides recommended guidelines on the size, spacing, and configuration of marine reserves in Oregon based on a review of the existing science: [Size and Spacing of Marine Reserves Workshop Report](#) (STAC 2008a).

ECONOMIC DATA AND ANALYSES

STAC convenes a workshop, with invited economists and fisheries managers, to provide guidance on the types of economic data and analysis that would be useful to decision makers in considering economic aspects of the siting and implementation of marine reserves in Oregon: [Technical Workshop on Economic Data and Analysis of Marine Reserves](#) (STAC 2008b)

D.2 OPAC POLICY RECOMMENDATIONS THAT GUIDE PROPOSALS AND SELECTION OF SITES

OPAC finalizes the [Oregon Marine Reserve Policy Recommendations](#) report (OPAC 2008) which includes the goals and objectives for Oregon's marine reserves, and provides planning and implementation principles and guidelines. The document also identifies key habitat types to be represented in marine reserves and provides definitions for key terms. The policy guidance that affects the design and siting of Oregon's marine reserves, as well as guides the proposal and selection of sites, is as follows:

MARINE RESERVE GOALS

Oregon's marine reserve goals are "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" (OPAC 2008).

SYSTEM (NOT A NETWORK)

Oregon's marine reserves are not intended to function as a scientific network. Instead, the sites are to serve as a system, which is defined as: "a collection of individual sites that are representative of marine habitats and that are ecologically significant when taken as a whole" (OPAC 2008).



OBJECTIVES

The following marine reserve objectives affect the design and siting of Oregon's reserves:

- **BIODIVERSITY:** Protect areas important to the natural diversity and abundance of marine organisms.
- **HABITATS:** Protect key types of marine habitat in multiple locations to enhance resilience of nearshore ecosystems.
- **SYSTEM:** Site fewer than 10 marine reserves. Design the system in ways that are compatible with the needs of ocean users and coastal communities. Reserves should be large enough to allow scientific evaluation of ecological effects, but small enough to avoid significant adverse social and economic impacts on ocean users and coastal communities.
- **RESEARCH:** Use marine reserves as reference areas for conducting research and monitoring of reserve condition, effectiveness, and the effects of natural and human-induced stressors.

PLANNING PRINCIPLES AND GUIDELINES

The following principles and guidelines steer the proposal and selection of sites:

- **USE SCIENCE AND LOCAL KNOWLEDGE:** Science and local knowledge will be used in the planning process for marine reserves.
- **PRIORITY GIVEN TO COLLABORATIVE PROPOSALS:** The planning process will encourage coordinated and collaborative marine reserve proposals from communities of place or interest. Priority consideration will be given to proposals developed by groups comprised of coastal community members, ocean users, and other interested parties.
- **TAKE INTO ACCOUNT EXISTING MANAGEMENT AND USES:** The design and siting of marine reserves will take into account the existing ocean and terrestrial management/regulations along with existing and emerging uses such as buried cables, ocean outfalls, wave energy, and proximity to ports.
- **SIZE AND SPACING GUIDELINES ARE ADVISORY:** The size and spacing guidelines developed by STAC will be used to help understand potential ecological benefits of marine reserve site proposals, rather than dictate minimums or maximums needed.
- **SIZE AND SPACING WILL ACCOUNT FOR ADVERSE SOCIAL AND ECONOMIC IMPACTS:** The potential for adverse social and economic impacts will also be a key factor on the size and spacing of reserves recommended by OPAC for further evaluation.

E. 2008: PUBLIC PROPOSALS AND COARSE REVIEW

E.1 OPAC INVITES PUBLIC TO SUBMIT PROPOSALS

In June 2008, OPAC releases the [Public Proposal Packet](#) that includes: a) a letter of invitation to the public that describes the process and timeframe for creating marine reserves, b) a site proposal form, and c) the criteria to be used in the coarse review of proposals. The coarse review criteria, developed by OPAC, are based on the marine reserve goals and objectives in the *Oregon Marine Reserve Policy Guidance* report (OPAC 2008), EO 08-07, and what is reasonably achievable. The deadline for proposals is September 30, 2008.

E.2 20 PROPOSALS ARE RECEIVED

At the end of September, OPAC has received [20 proposals](#) from the public. Many of the proposals include less restrictive MPAs, in combination with a marine reserve, as part of the site proposal. In early October, all submitted proposals are posted on the marine reserves planning website (managed by DLCD) and are made available to OPAC and the public.

E.3 AGENCY ANALYSIS OF PROPOSALS

In October, state agencies conduct an analysis of site proposals. The purpose of the analysis is to describe the strengths and weaknesses of each proposal in meeting each of the coarse review criteria, to assist OPAC in determining which proposed sites are appropriate for further evaluation. The analysis incorporates agency information and experiential knowledge along with information contained in the site proposals. The [agency analysis](#) is then delivered to OPAC and posted on the planning website for the public.

E.4 OPAC COARSE REVIEW AND RECOMMENDATIONS TO GOVERNOR

In October, OPAC meets for two days to be briefed on the agency analysis, hear presentations from individuals and groups who submitted proposals, hear public comment, and begin initial review and deliberation of the 20 site proposals. OPAC urges proposers to continue conducting outreach on their site proposals and to report back to them with an update at the November OPAC meeting.

In November, OPAC meets for two days, with the first day dedicated to hearing updates on outreach efforts from proposers and for public comment. The second day is dedicated to OPAC deliberations on site proposals followed by motions put forth and voted on by OPAC.

OPAC then forwards their final recommendations to the Governor in a [letter](#) on November 29, 2008 that includes:

- **2 PILOT SITES:** Redfish Rocks and Otter Rock are recommended to be designated immediately as pilot sites. The local community groups nominating each of these two sites represent diverse interests, had worked on developing their proposals for more than two years, and had provided multiple opportunities for public input and comment on their proposals. The proposals are considered the most developed in terms of community collaboration, support, and baseline information. The recommended Redfish Rocks site includes a marine reserve and one MPA. The site recommended at Otter Rock is a marine reserve only.
- **3 SITES FOR FURTHER EVALUATION:** Sites at Cape Perpetua, Cascade Head, and Cape Falcon are recommended to undergo further evaluation and community discourse as potential marine reserves.
- **1 AREA UNDERGO NEW PROPOSAL PROCESS:** A recommendation that the Port of Coos Bay lead a local community process to consider developing a new marine reserve proposal for the Cape Arago-Seven Devils area.
- **POLICY RECOMMENDATIONS:** Enclosure of the [Oregon Marine Reserve Policy Recommendations](#) report (OPAC 2008).

See a [map](#) of the original 20 proposals and sites recommended by OPAC.

E.5 OPAC RECOMMENDATIONS AND FUNDING REQUEST SENT TO THE OREGON LEGISLATURE

In January 2009, the Governor responds in a [letter to OPAC](#) and forwards the OPAC recommendations to Coastal Legislators. The Governor's 2009-11 recommended budget to the Legislature also provides for marine reserves funding and agency staff positions.

F. 2009: LEGISLATIVE ACTIONS AND DESIGNATION OF PILOT SITES

F.1 HOUSE BILL 3013 (HB 3013)

During the 2009 Legislative Assembly, Coastal Legislators work with conservation, commercial fishing, and recreational fishing interests and ODFW in developing marine reserves legislation. The Oregon Legislature passes [HB 3013](#) which directs state agencies to implement the OPAC recommendations, provides stipulations on funding, and directs ODFW to develop a work plan to implement the OPAC recommendations.

F.2 MARINE RESERVES FUNDING AND STAFF: ODFW MARINE RESERVES PROGRAM IS CREATED

The 2009 Legislative Assembly approves an austerity program and budget for ODFW to implement the OPAC recommendations and mandates set forth in HB 3013. They approve \$1 million of one-time monies to go to ODFW and

approve five limited duration and three seasonal staff positions for the 2009-11 biennium.

F.3 MARINE RESERVES WORK PLAN

As required by HB 3013, ODFW develops a [Marine Reserves Work Plan](#) that outlines the work ODFW and other state agencies will conduct over the 2009-11 biennium. The work plan covers: a) marine reserves implementation – for the Redfish Rocks and Otter Rock pilot sites, b) marine reserves evaluation – for the Cape Perpetua, Cascade Head, and Cape Falcon evaluation sites, and c) participation in marine reserve proposal process – for the Cape Arago-Seven Devils area.

F.4 AGENCY RULEMAKING – PILOT SITES DESIGNATED

HB 3013 instructs state agencies to adopt rules to establish the pilot sites at Redfish Rocks and Otter Rock. The site boundaries, and the prohibited and allowed activities, are set in state agency administrative rules (OARs) by three state agencies: ODFW, DSL, and OPRD.

Starting in July 2009, the three agencies undergo a [coordinated rulemaking](#) effort. Final OARs are adopted by their respective Boards and Commissions in December 2009 and January 2010. The OARs stipulate that the ODFW and OPRD harvest restrictions will not take effect until a later specified date to allow for baseline data collection prior to harvest cessation.

G. 2010: SITE EVALUATIONS AND FINAL RECOMMENDATIONS

G.1 THE ROLE OF COMMUNITY TEAMS, OPAC, AND ODFW (HB 3013)

As directed in HB 3013 (2009), ODFW is to implement the recommendations made by OPAC to further evaluate marine reserve site proposals at Cape Falcon, Cascade Head, and Cape Perpetua. The statute requires ODFW to form a community team for each site and specifies the balance of stakeholder representation on the teams. The teams are to further evaluate the three sites forwarded by OPAC and to make recommendations to ODFW at the conclusion of their work.

The starting point for the community team’s evaluation is the site boundaries recommended for further evaluation by OPAC. Each community team is to consider biological and socioeconomic information and determine if modifications are needed to meet the sideboards set in EO 08-07: 1) the site is large enough to allow scientific evaluation of ecological benefits, but 2) small enough to avoid adverse significant economic or social impacts to ocean users and coastal communities. Each team is to refine and make a final marine reserve recommendation to ODFW. The community team may consider including a less restrictive MPA as part of their recommendation if it helps achieve a better balance within the two sideboards.

HB 3013 provides that the data and recommendations from the community teams are then to be used by ODFW, in consultation with OPAC, to recommend to the Legislature potential marine reserve sites for designation. The bill stipulates that the recommendations need to be consistent with EO 08-07 and are to be reported to the Legislature before the 2011 Legislative Session.

G.2 EVALUATION PROCESS AND RECOMMENDATIONS BY COMMUNITY TEAMS COMMUNITY TEAM STRUCTURE AND REPRESENTATION

In November 2009, ODFW solicits team members for the three evaluation site community teams. The [application packet](#) outlines expectations as well as the team member selection criteria and process, and includes a nomination form. ODFW and Oregon Sea Grant compile a list of team member nominees and meet with Coastal Legislators for input on team selections. In December 2009, ODFW finalizes team selections. Through a competitive bidding process, ODFW hires a contractor to provide third-party, neutral facilitation of meetings for the three community teams.



TEAM STRUCTURE: Each community team is comprised of 16 voting representatives and 16 non-voting alternates; with each representative having an assigned alternate. All three teams decide upon electing co-chairs to work with the facilitator, ODFW, and Sea Grant staff in setting meeting agendas.

COMMUNITIES OF INTEREST REPRESENTED: HB 3013 states that each team must include representation from eight specified interest groups: 1) local government, 2) recreational fishing industry, 3) commercial fishing industry, 4) nonfishing industry, 5) recreationalists, 6) conservation, 7) coastal watershed councils, and 8) relevant marine and avian scientists. Each team includes two representatives and two alternates for each of the eight specified interest groups.

COMMUNITIES OF PLACE REPRESENTED: Each team includes members from communities of place with an interest in, and who may be affected by, a marine reserve designation within the evaluation site. All three evaluation sites straddle or are in close proximity to two counties. Members reside in or represent the following communities:

- *Cape Falcon Team* – Clatsop and Tillamook Counties. Astoria, Cannon Beach, Arch Cape, Manzanita, Nehalem, Garibaldi, Bay City, Tillamook, Cloverdale, Oceanside, Netarts, Portland, Corvallis.
- *Cascade Head Team* – Tillamook and Lincoln Counties. Garibaldi, Tillamook, Hebo, Pacific City, Neskowin, Otis, Lincoln City, Gleneden Beach, Otter Rock, Siletz, Newport, Yachats, Portland, Vancouver (WA).
- *Cape Perpetua Team* – Lincoln and Lane Counties. Otter Rock, Newport, Toledo, Eddyville, Corvallis, Seal Rock, Waldport, Yachats, Florence, Mapleton, Walton, Eugene.

OUTREACH

ODFW and Oregon Sea Grant lead outreach efforts during the evaluation process. Outreach is primarily focused on informing the public about the process for considering marine reserve sites at Cape Falcon, Cascade Head, and Cape Perpetua and how the public can participate. Main outreach activities and channels include:

- Regular posting of meeting announcements and meeting materials on the Oregon marine reserves planning website.
- Media coverage of the marine reserves planning process by coastal, Portland, Salem, and Eugene newspapers and radio stations.
- An email distribution list, with 606 subscribers. Subscribers receive a weekly email from ODFW announcing upcoming marine reserve related meetings.
- Outreach being conducted by community team members to their constituents.

MAJOR COMMUNITY TEAM ACTIVITIES

35 MEETINGS: Between January and November 2010, 35 community team meetings are conducted. Each team holds one to two meetings per month. Meeting locations are rotated between different communities, including communities adjacent to the site or that could be affected by a marine reserve designation within the area.

All community team meetings are open to the public. Opportunities for written and verbal public comment are provided for at each meeting. The public plays a significant role in bringing certain issues and information forward to the community teams and ODFW. A large portion of the public's comments speak to either general support for or opposition to marine reserves. Average public attendance at meetings is: Cape Falcon – 31, Cascade Head – 19, and Cape Perpetua – 15. ODFW estimates that community team members collectively put in over 25,000 volunteer hours during this time period.



WORKING WITH CONSTITUENTS: Community team members are expected to spend, on average, eight hours each month outside of meetings speaking with their constituents, working with other members of their interest group, and reaching out to other team members. Many team members also engage with their counterparts on the other evaluation site community teams. The co-chairs of each team work closely with the facilitator, ODFW, and Sea Grant staff to determine the scope and set the agenda for each meeting, and to resolve any conflicts or concerns of community team members.

COMMUNITY TEAM STEPS AND TIMELINE

All three community teams follow a similar process and operate on similar timelines. Through facilitated public meetings, the steps taken include:

(JANUARY – FEBRUARY 2010) BACKGROUND INFORMATION AND TEAM CHARTER: The [roles, responsibilities, and expectations](#) of community team members are made explicit and team members commit to a [team charter](#). Team members are provided background information on Oregon’s marine reserves process and the site forwarded for further evaluation by OPAC. Co-chairs are elected by team members.

(MARCH – APRIL 2010) DETERMINE DECISION POINTS AND INFORMATION NEEDS: The community team identifies ecological, social, and economic [information needs](#) and agree upon the [decision points](#) that their evaluation and final recommendation will focus on.

(MAY – JUNE 2010) GATHERING EXISTING DATA AND LOCAL EXPERT KNOWLEDGE: During and in-between meetings, community team members work with ODFW staff to gather information on the ecological, economic, and social attributes of their respective sites. There are limitations in regard to the amount of existing spatially explicit ecological, economic, and social data available for each site. ODFW staff, community team members, and outside academic experts gather what existing data are available in the timeframe allotted. Experiential knowledge is provided by team members as a valuable source of additional information for each site. Group discussions to gather local experiential data are used as a way for team members to learn about their respective sites and to get to know other team members.

ODFW staff compile the experiential and existing data, conduct analyses, and provide a summarized report of the data and information for each site to the teams.

(JULY – AUGUST 2010) DEVELOPMENT OF PRELIMINARY SCENARIOS: Each team develops several marine reserve/MPA scenarios for consideration. Each team forwards their scenarios to ODFW for an analysis to gain a better understanding of where different sized sites, configurations, and levels of protection are strong and weak in meeting and striking a balance within the two EO 08-07 sideboards, compared to the original site forwarded by OPAC. The scenarios are intended to help inform each team’s final deliberations and recommendations.

(SEPTEMBER – OCTOBER 2010) AGENCY ANALYSIS OF PRELIMINARY SCENARIOS: ODFW, with the assistance of other state agencies, conducts an analysis of the scenarios forwarded by the teams. The framework for the analysis is the community teams’ agreed upon [decision points](#) and the STAC [size and spacing guidelines](#) (STAC 2008). ODFW hosts a [workshop](#) to consult with STAC and other invited natural and social scientists on the analysis. Feedback and new information gathered at the workshop is incorporated into the agency’s final analysis of scenarios.

ODFW presents each team with the [agency analysis of scenarios](#) at their respective October team meetings.

(NOVEMBER 2010) COMMUNITY TEAMS MAKE FINAL RECOMMENDATIONS TO ODFW: Community teams make final deliberations and vote on final recommendations at their November meetings. The recommendations for the Cape Perpetua and Cascade Head sites include modifications to the original site forwarded by

OPAC and are made with strong support of the community teams (15:1 and 12:4 vote in support, respectively). Each site is a compromise that includes a combination of a marine reserve plus multiple less restrictive protected areas. All voting members of the Cape Falcon community team vote in support of some type of modified marine reserve at the site, but cannot reach full agreement on the exact size, shape, and configuration. In the end, the Cape Falcon team narrowly votes to recommend the original site forwarded by OPAC (9:7 vote in support). Minority reports are also provided to ODFW, from each team. *(To view the site recommendations and minority reports, please follow the link to the analysis of final community team recommendations for OPAC in section G.3).*

G.3 CONSULTATION WITH OPAC

Agencies perform an [analysis of the community team site recommendations](#), with feedback from STAC and invited scientists. ODFW then consults with OPAC on December 6-7, 2010, to develop final recommendations to be sent to the Legislature.

The ODFW recommendations for Cape Perpetua and Cascade Head mirror the community team's site recommendations. Given the lack of strong support by the Cape Falcon community team for the final team recommendation, ODFW works with OPAC and individual members of the Cape Falcon community team during the OPAC meeting to modify the proposal to reduce negative social and economic impacts while maintaining the ecological footprint.

ODFW also presents to OPAC additional recommendations for marine reserve implementation regarding: review and evaluation, commitment to funding, community engagement, monitoring and research, and mitigation. These recommendations are based on concerns raised by community team members and the public during the community team process and are further fleshed out during consultation with OPAC.

After deliberation and discussion, OPAC reaches a consensus supporting ODFW's recommendations for marine reserve sites plus the additional implementation recommendations. OPAC forwards a [letter of support](#) to ODFW on December 15, 2010.

G.4 ODFW PROVIDES RECOMMENDATIONS TO COASTAL LEGISLATORS

ODFW updates the agency analysis and posts the final recommendations and [agency analysis](#) on the marine reserves planning website for the public. ODFW then forwards the OPAC supported [recommendations to Coastal Legislators](#) in a letter on January 25, 2011.

G.5 CAPE ARAGO-SEVEN DEVILS RECOMMENDATION: NO MARINE RESERVE

The local community process to consider a new marine reserve proposal for the Cape Arago-Seven Devils area, led by the Port of Coos Bay, was started in May 2009. In April of 2012, the Port forwards a [final recommendation to OPAC](#) of no new marine reserve for the Cape Arago-Seven Devils area.

H. 2012: LEGISLATIVE ACTIONS AND DESIGNATION OF SITES

H.1 SENATE BILL 1510 (SB 1510)

During the 2012 Legislative Assembly, Coastal Legislators work with conservation, commercial fishing, and recreational fishing interests and ODFW to develop marine reserves legislation. The Oregon Legislature passes [SB 1510](#) which stipulates:

- State agencies are to implement the ODFW site recommendations for Cape Perpetua, Cascade Head, and Cape Falcon as well as the 2008 recommendations from OPAC on marine reserves including the [Oregon Marine Reserve Policy Recommendations](#) (OPAC 2008)
- ODFW is to report on a marine reserve work plan, and marine reserves funding and expenditures, to the Legislature on or before February 1, 2013.

- STAC is to submit a report, prepared by an Oregon public university, on the marine reserves program to the Legislature in 2023.

H.2 AGENCY RULEMAKING – SITES DESIGNATED

SB 1510 instructs state agencies to adopt administrative rules to establish the Cape Perpetua, Cascade Head, and Cape Falcon sites. Starting in June 2012, state agencies undergo a [coordinated rulemaking](#) effort. [Final OARs](#) are adopted by their respective Boards and Commissions in July and August of 2012.

The OARs set the harvest restrictions to take effect in 2014 for the Cape Perpetua and Cascade Head sites, and 2016 for the Cape Falcon site. This is to allow for two years of baseline data to be collected at each site prior to harvest cessation, consistent with ODFW’s long-term monitoring plans as required in marine reserves legislation.

H.3 ODFW MARINE RESERVES PROGRAM: FUNDING, STAFF, WORK PLAN, AND REPORT

FUNDING AND STAFF TRANSITION FROM LIMITED DURATION TO PERMANENT

The 2011 Legislative Assembly approves \$1.56 million of state funds and continuation of five limited duration and one seasonal marine reserve staff positions for ODFW, for the 2011-13 biennium.

In 2013, the Legislative Assembly approves \$1.67 million of state funds for the 2013-15 biennium and authorizes making the program funding and the five full-time and one seasonal staff positions a permanent component of the ODFW Agency Budget.

2013 MARINE RESERVES WORK PLAN AND REPORT TO LEGISLATURE

In January 2013, as required by SB 1510, ODFW submits a [report](#) to the Legislature that includes a Marine Reserves Work Plan and an account of marine reserves funding and expenditures.

The [work plan](#) provides a 10-year outlook for implementation of Oregon’s marine reserve system, up until the 2023 report to the Legislature. The plan outlines the work to be led by ODFW, that includes developing and implementing: a) marine reserve administrative rules, b) site management plans, c) ecological monitoring, d) social and economic (human dimensions) research, e) outreach, f) community engagement, g) enforcement in partnership with Oregon State Police, h) implementation review, and i) report to the Oregon Legislature.

