

Depoe Bay Near-Shore Action Team
Special Meeting – Town Hall
Thursday, January 17, 2008 - 7:00 pm
Englund Marine, Newport

PRESENT: Chair L. Goddard, M. Fitzpatrick, J. O'Brien, L. Robison, V. Sovern

ABSENT: R. Davilla, B. Fasciano, M. Grover, G. Snyder

Chairman Goddard opened the meeting and introduced NSAT members present, noting by name remaining members. He provided a brief background on; 1) NSAT and its efforts since created in August 2005; 2) marine reserves, the state's process currently underway, OPAC's criteria for a marine reserve, and 3) NSAT's proposed site for nomination (referring to the handout provided, copy attached). He noted that public nominations for sites are scheduled for April with OPAC's review and recommendations by November. He then opened discussion, asking for questions and comments. (approximately 25 persons were in attendance).

Robb Weidel, Tradewinds Newport Suggested that if the area were to be continued from Whaleback Rock to the outermost part of Yaquina Head it could be watched easily and have the least economic impact. South of Yaquina Haed involves pipeline and would not be allowed. Ginny Goblirsch A major criticism of the OPAC process is there has been no public input, ocean users and the public should have a voice. OPAC and the Governor have made changes including time extensions to allow for outreach. Sea Grant wants it to be a two way street. A contact, phone number and website are coming soon. While OPAC has stated that "no marine reserve" is not an option, the public can choose to report "no" back to the group. Charlie Plavin, Surfrider Noted there is a sewer outfall at Otter Rock, which may make this area less desirable as a reserve. Asked what criteria was used to define the proposed site. Suggested expanding the site to include more of the reefs off Foulweather, and that NSAT host a meeting in Otter Rock. David Allen Mentioned the Sea Grant outreach process, saying that it may be possible to hold a meeting in Otter Rock. Goblirsch The new timeline is that nominations are to be to OPAC by mid-summer. Dean Fleck Is proud that NSAT is proposing a site, asked what the parameters are, and if a sunset clause is being suggested. Jack Brown Said OPAC may have different recommendations (to the Governor) for different sites, anything is possible. Johnny Knapp Asked if beach walking will be allowed.

The following statement from Jessica Hamilton, Governor's Natural Resources Policy Advisor, was read for informational purposes:

Definitions: 1. Marine Protected Area (MPA) – an overarching term for an area of the ocean that is protected from some types of activities. Oregon has several very small MPAs close to shore such as Whale Cove – allows kelp harvest but no animal harvest. 2. Marine Reserve (MR) – a type of MPA that is no take (ex: no crabbing/fishing), no extraction (x: no mining/dredging), and fully protected (ex: no wave energy/pollution). 3. Marine Sanctuary (National Marine Sanctuary) - a type of MPA that is designated and run by the federal government. The Governor is not currently seeking a National Marine Sanctuary off of Oregon.

Process: 1. Are these marine reserves going to be designated in Fall 2008? No. The Governor has asked OPAC to forward recommendations to him by Fall 2008. The Governor will ask the state agencies to start rulemaking at that time. Rulemaking for each agency can take 6 months to a year. There will be several agencies conducting rulemaking at different times. 2. Is the Governor the one who decides on marine reserve designation? No. The Governor will receive OPAC's reserve recommendations and forward them to the State Land Board first. He is one of three members of the Land Board

(Secretary of State Bill Bradbury and Treasurer Randall Edwards are as well). 3. What is the role of Oregon Dept of Fish and Wildlife? They play a major role. First, ODFW is a member of OPAC. The agency also advises the Governor as a part of his "Marine Cabinet". Finally, the Fish and Wildlife Commission will develop marine reserve fishing regulations through a formal rulemaking process.

Size/Scope/Longevity: 1. Didn't the Governor originally want the whole Oregon coast to be a marine reserve? No. The Governor had asked OPAC to consider whether a National Marine Sanctuary could work along our coast, but that proposal was taken off the table and OPAC is now focusing on much smaller, spread-out marine reserves. 2. How big are the reserves going to be? Nothing is set. OPAC's Science and Technical Advisory Committee will hold a "size and spacing" workshop very soon to discuss that topic. 3. Are they permanent? Can we remove them after 5 years? OPAC states: Marine Reserves are intended to provide lasting protection, yet individual sites may be modified after monitoring and evaluation.. "Modification" in this context means that; although sites are intended to be permanent at the time of establishment, subsequent evaluation may result in sites being altered, moved, or removed from the system in order to achieve the goal.

Likely allowed activities (Note: These are general statements based on OPAC discussions and lessons learned from marine reserves elsewhere. These have not yet been finally determined for Oregon. Each marine reserve will have management plan where the activities will be finally established. But we expect these to be true). 1. Can I drive my boat across the marine reserve? YES 2. Will I be able to walk my dog on the beach or dig for clams? YES. 3. Can I kayak or surf? YES. 4. Can people do research? Yes, but research will have to get state permits. 5. If there is a storm and there is an emergency, can I anchor inside a reserve? YES.

The following items were discussed: It's important to keep reactionary polarization from occurring, try to reach common ground on marine discussions. There was some confusion about extraction, which was explained. Positive things that could come out of a site designation include research and monitoring activities, water quality testing, collecting data.

Rep. Jean Cowan Explained the coastal caucus has been watching the process, trying to determine how to best assist the coastal communities. There are a lot of people putting in a lot of time on this issue, many meetings at different levels. The 3 month reprieve, with the Sea Grant outreach meetings, is intended to gather information to assist OPAC in drafting their recommendations. The Governor met with representatives from the greater fishing communities, including the coastal caucus, out of which came the statement that less than 10 marine reserves will be designated. He wants recommendations by fall of 2008 so he can include funding in the 2009 budget, the legislature will determine if there will be a budget. The caucus is taking a bill into process that addresses some of the impacts, it will be amended several times before it goes forward. Goblirsch Asked if the legislature wants specific sites and plans to fund. Cowan Depends on the comfort level with the process, most legislators are not up to speed on the issue, outreach efforts and information from those efforts are critical.

Goddard said NSAT is looking for feedback on the proposed MPA site, noting that there was almost unanimous support at last week's meeting in Depoe Bay. It was noted that the area is heavily used for commercial crabbing, and that crab pots will creep into the area. A question was raised regarding the ability to retrieve pots that have drifted into a site. Discussion included: Little and Big Whale Cove areas weren't included in the proposed site because Big Whale Cove is already a reserve (park) and the habitat in these areas only meet a few of the nomination criteria. The State Police's involvement in enforcement. The need to obtain input from the Newport crabbers, and the possibility of doing so during upcoming Sea Grant outreach meetings. Is there is a possibility of private reserves, like the two nature conservancy sites in California. The economic impact of sport fishing in both Newport and Depoe Bay. The number of recreational boat launches and bar crossings. The high level of involvement by sport fishermen in the ongoing process relating to marine reserves. Why not expand the proposed site further south to Yaquina Head (already a sanctuary). The impact of wave energy parks on crabbing

and fishing. Goblirsch reported that at the FINE meeting, the fishermen were receptive to the proposed site, and she suggested more discussions should occur. Patty Burke, ODFW, said the impact is that crabbers aren't local, and there is the Crab Commission that could provide input on the site. The loss of fishing grounds will result in loss of permit fees and will further negatively impact funding capabilities. Should input be channeled through the Sea Grant outreach process, or directly to OPAC.

Goddard encouraged everyone to remain involved, there is a lot of work to be done yet, and invited everyone to the upcoming NSAT town hall meeting on January 29, 7 – 8 pm at Depoe Bay Community Hall, and to attend OPAC and regular NSAT meetings.

There being no further business the meeting was adjourned

Loren Goddard, Chair

Meeting notes by Valerie Sovern, minutes prepared by Pery Murray