


the OREGON NEARSHORE STRATEGY




Chapter 2: Nearshore Context

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Oregon Department of Fish and Wildlife

OregonConservationStrategy.org

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This PDF is a chapter of the Oregon Nearshore Strategy, the marine component of the official State Wildlife Action Plan for Oregon. The complete Oregon Conservation Strategy is available online at http://oregonconservationstrategy.org/. Since Conservation Strategy content will be updated periodically, please check the website to ensure that you are using the most current version of downloadable files.

Contact ODFW

*For more information on the Oregon Nearshore Strategy or to provide comments, email **Nearshore.Strategy@state.or.us** or write to Oregon Department of Fish and Wildlife, Marine Resources Program 2040 SE Marine Science Drive, Newport, OR 97365*

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NEARSHORE STRATEGY CONTEXT

Oregon's nearshore fish and wildlife support recreational pursuits, businesses, commerce, and ecosystem services. Their natural bounty and beauty are part of what makes Oregon a great place to live, work, and play. Our understanding of species, habitats and ecosystem functions in Oregon's marine and estuarine waters is rapidly advancing, yet there is still much to be learned. At the same time, we are seeing unprecedented demands on these resources and broad stresses such global climate change and ocean acidification. The intention of this document is to set forth key areas for action to improve sustainability of Oregon's nearshore resources in the face of these increasing demands.

> The Nearshore Strategy uses the concept of **sustainability** as defined in Oregon law: "Sustainability means using, developing and protecting resources in a manner that enables people to meet current needs and provides that future generations can also meet future needs, from the joint perspective of environmental, economic and community objectives." (ORS 184.421(4))

As human populations and activities in and around our nearshore environments grow, so do human impacts on the fish, wildlife, and habitats found there. Coastal development, agriculture, fishing, boating, dredging, shipping, wastewater disposal, aquaculture, and energy development and consumption are just a few nearshore marine resource uses that benefit human communities. However, these activities also have the potential to adversely impact the health of our oceans and estuaries, and the ecosystem services they provide. The need for careful, proactive planning and management, balancing multiple uses, is clear.

> **Ecosystem services** are the benefits people obtain from ecosystems. These services can be broken into four categories:
>
> *Provisioning services* – such as food and product materials;
>
> *Regulating services* – that affect climate, floods, disease, wastes, and water quality;
>
> *Cultural services* – that provide recreational, aesthetic, and spiritual benefits; and

> *Supporting services* – such as photosynthesis and nutrient cycling.
>
> (Millennium Ecosystem Assessment 2005)

Growing pressures on marine resources reach beyond Oregon to regional, national, and global scales. This trend is sure to continue with future population growth and intensification of human activities. At the same time, the awareness of and interest in ocean conservation issues are growing. High-level studies and policy directives, such as the 2003 Pew Oceans Commission report, the 2004 U.S. Commission on Ocean Policy report, the 2006 West Coast Governors Alliance on Ocean Health, the 2010 Final Recommendations of the Interagency Ocean Policy Task Force and the subsequent National Ocean Policy Implementation Plan issued by the National Ocean Council in 2013, illustrate the intensifying focus on ocean conservation. There has been broad agreement at national and regional levels on the importance of utilizing effective ecosystem-based approaches to managing our oceans and coastal resources, raising public awareness of the importance of the marine ecosystem, and ensuring that the best available science is used by decision makers to maintain and balance productive ecosystems and sustainable economic development. At the local level, community organizations, local governments, citizen groups, and non-governmental organizations work to assist with research, conservation, management and policy.

In 2002, the U.S. Fish and Wildlife Service provided nationwide funding and momentum for wildlife conservation planning for each U.S. state and territory through the State Wildlife Grants Program. To receive future funds, each state and territory is required to develop a State Wildlife Action Plan, to undertake a comprehensive review of the Plan at least every 10 years, and to update it as needed. The purpose of State Wildlife Action Plans is to chart a course for conservation by promoting voluntary actions that benefit at-risk species and their habitats, and in so doing, reduce the likelihood of future federal or state Endangered Species listings.

The Oregon Department of Fish and Wildlife led the effort to develop Oregon's State Wildlife Action Plan. This was an ambitious project to synthesize the best available science and knowledge into a broad vision and conceptual framework for the long-term conservation of Oregon's native terrestrial, aquatic, and estuarine fish and wildlife, and their habitats. Oregon developed its Strategy in two parts. The Oregon Conservation Strategy, developed by ODFW's Conservation Program, focuses on species and habitats from the ocean shore inland. The Nearshore Strategy, developed by ODFW's Marine Resources Program, is the part of Oregon's State Wildlife Action Plan that focuses on nearshore marine fish and wildlife, their habitats, conservation needs and opportunities. The Nearshore Strategy also stands on its own for readers interested specifically in marine issues.

Conservation Strategies are living documents designed to be responsive to changing conditions and new information. Global climate change was added as a key conservation issue for Oregon in 2012. The potential effects of both global climate change and ocean acidification on Oregon's nearshore ocean were examined in supplements to the Nearshore Strategy that are now included here as Appendices A through D. The Oregon Conservation Strategy along with the Nearshore Strategy component underwent a comprehensive review in 2014 and 2015. The species, habitats and conservation concerns have been appraised in light of emerging issues, insights gained from newly available information, and the responses of wildlife to management actions. Much has been accomplished in the last decade, and the

updates in this version of the Nearshore Strategy incorporate the new information to ensure that the Nearshore Strategy remains relevant in the coming decade.

REQUIRED ELEMENTS FOR STATE WILDLIFE ACTION PLANS

As part of the State Wildlife Grants Program, Congress specified eight required elements to be addressed in each state's State Wildlife Action Plan. Congress also directed that the strategies must identify and focus on species in greatest need of management attention while addressing the full array of wildlife and wildlife-related issues. The eight elements are (with notations on which sections in this document address each element):

1. Distribution and abundance of wildlife, including low and declining populations as the state fish and wildlife agency deems appropriate, that are indicative of the diversity and health of the state's wildlife – see Nearshore Species, Nearshore Habitats and Appendices E and F;
2. Locations and relative condition of key habitats and community types essential to conservation of species identified in (1) – see Nearshore Habitats;
3. Problems which may adversely affect species identified in (1) or their habitats, and priority research and survey efforts needed to identify factors which may assist in restoration and improved conservation of these species and habitats – see Nearshore Species, Factors Affecting Nearshore Species and Habitats, Nearshore Research and Monitoring Needs, Recommendations and Appendices A – D;
4. Conservation actions proposed to conserve the identified species and habitats, and priorities for implementing such actions – see Nearshore Strategy Species, Research and Monitoring Needs and Recommendations;
5. Proposed plans for monitoring species identified in (1) and their habitats, for monitoring the effectiveness of the conservation actions proposed in (4), and for adapting these conservation actions to respond appropriately to new information or changing conditions – see Research and Monitoring, Recommendations and Conclusions;
6. Procedures to review the strategy at intervals not to exceed 10 years – see Recommendations and Conclusions;
7. Plans for coordinating the development, implementation, review, and revision of the plan with federal, state, and local agencies and Indian tribes that manage significant land and water areas within the state or administer programs that significantly affect the conservation of identified species and habitats – see Nearshore Strategy Development, Recommendations and Conclusions; and
8. Broad public participation – see Nearshore Strategy Development, Recommendations and Conclusions

THE NEARSHORE STRATEGY – A BROAD APPROACH

The comprehensive social and ecological perspective found in the Nearshore Strategy mirrors many aspects of the developing concept of **marine ecosystem-based management**. Ecosystem-based management is an integrated approach that considers the entire ecosystem, including humans. Though there is consensus on the definition and key elements of marine ecosystem-based management,

scientists and managers are now facing the challenge of implementing this concept. The scientific and regulatory communities currently have limited practical experience implementing this comprehensive approach, but efforts to do so are underway. This 2015 revision of the Nearshore Strategy utilizes the ecosystem-based management perspective and is designed to help guide its application.

> **Marine ecosystem-based management** is an integrated approach to management that considers the entire ecosystem, including humans. The goal of ecosystem-based management is to maintain an ecosystem in a healthy, productive, and resilient condition so that it may provide the services that humans want and need. Ecosystem-based management differs from most current approaches that usually focus on a single species, sector, activity or concern; it considers the cumulative impacts of different sectors. Specifically, ecosystem-based management:
>
> - emphasizes the protection of ecosystem structure, functioning, and key processes;
> - is place-based, focusing on a specific ecosystem and the range of activities affecting it;
> - explicitly accounts for the interconnectedness within systems, recognizing the importance of interactions between many target species or key services and other non-target species;
> - acknowledges interconnectedness among systems, such as between air, land and sea; and
> - integrates ecological, social, economic, and institutional perspectives, recognizing their strong interdependences
>
> (Scientific Consensus Statement on Marine Ecosystem-Based Management 2005).

MANAGEMENT FRAMEWORK

A complex mix of laws, rules, and programs governs the use, conservation, and management of Oregon's marine resources. Other existing plans may affect the management of nearshore resources. Examples include fishery management plans and the Oregon *Territorial Sea Plan*. Multiple state and federal agencies and other public entities implement and enforce regulations for the comprehensive management of marine resources (Figure 2.1). In addition, public agencies, private non-profit organizations, volunteer groups, or private citizens undertake non-regulatory or voluntary resource conservation and management actions. State agencies have been established with different jurisdictions and authorities for addressing specific public needs. For example, ODFW is responsible for fish and wildlife resources, the Oregon Department of Environmental Quality is responsible for air and water quality, and the Department of State Lands is responsible for state-owned lands. The methods and forums for addressing any specific nearshore issue will depend on which state and federal agencies are involved. This Strategy is focused on providing recommendations for action within ODFW's jurisdiction. Statements or recommendations affecting other agencies are intended as guidance to those agencies, and are non-binding.

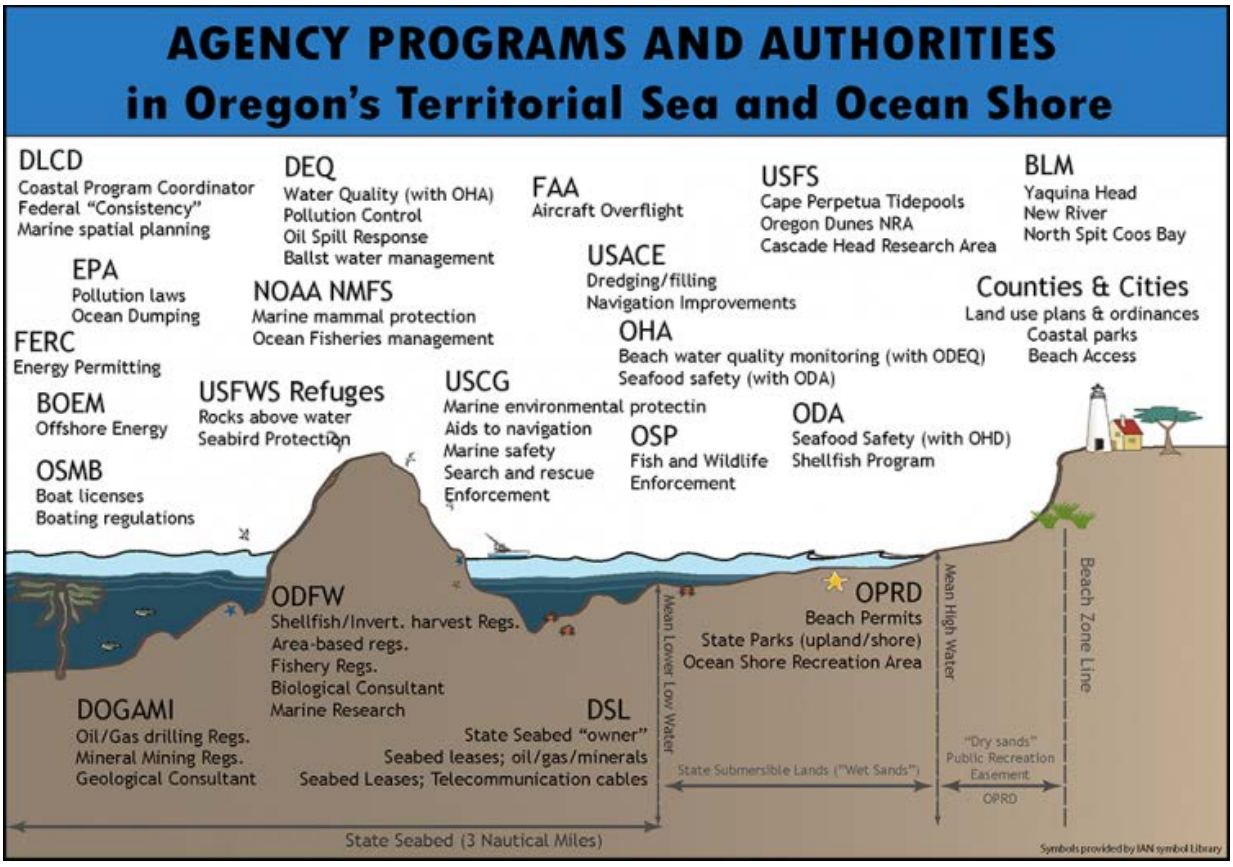

Figure 2.1 Agency programs and authorities for Oregon's state waters and ocean shores. Photo Credit: Oregon Department of Land and Conservation Development.

The Oregon Department of Fish and Wildlife

The Oregon Department of Fish and Wildlife (ODFW) is responsible for managing Oregon's fish and wildlife resources. ODFW's mission is "to protect and enhance Oregon's fish and wildlife and their habitats for use and enjoyment by present and future generations."

Statutory Authority

As with all state agencies, legislatively adopted statutes confer ODFW's authority and jurisdiction (https://www.oregonlegislature.gov/bills_laws/Pages/ORS.aspx). The primary statutes governing ODFW are the Wildlife Code (ORS chapters 469 – 501) and the Commercial Fishing Code (ORS chapters 506 – 513). The Wildlife Code sets law for managing the state's wildlife, which includes mammals, birds, fish, amphibians, reptiles, and shellfish. The Commercial Fishing Code provides law and policy for managing commercial fisheries.

The Wildlife Code establishes and defines the Oregon Fish and Wildlife Commission, establishes and defines the ODFW, sets the overarching wildlife management policy, and defines laws, policies, and programs concerning management of Oregon's wildlife. The state's wildlife management policy balances the need to prevent serious depletion of any indigenous species with the need to provide the optimum recreational and aesthetic benefits for present and future generations of the citizens of this state.

The Commercial Fishing Code establishes jurisdiction over commercial harvest of "food fish", sets forth a food fish management policy, and establishes provisions for commercial fishing licenses, permits, and programs. Food fish include fish, shellfish, and "all other animals living intertidally on the bottom." The food fish management policy balances the need to maintain all species of food fish at optimum levels with the need to provide the optimum economic, commercial, recreational and aesthetic benefits for present and future generations of the citizens of Oregon.

Oregon Fish and Wildlife Commission

The Oregon Fish and Wildlife Commission (Commission) is a governor-appointed public body that provides overall policy guidance to ODFW, reviews and approves administrative rules that govern the implementation of fish and wildlife statutes, and provides a public forum for addressing state fish and wildlife issues. The Commission formulates general state programs and policies concerning management and conservation of fish and wildlife resources and establishes seasons, methods and limits for sport and commercial take. The Commission consists of seven members appointed by the governor for staggered four-year terms. One commissioner must be from each congressional district, one from east of the Cascades and one from west of the Cascades.

ODFW Agency Infrastructure

ODFW consists of the Commission, a commission-appointed director, and a statewide staff of approximately 1,200 permanent employees. The department carries out fish and wildlife laws, rules, policies, and commission actions through programs staffed by biologists, technical experts, and others. The primary programs include Fish Division, Wildlife Division, and Administrative Services Division. A program within the Fish Division, the Marine Resources Program, carries out state management actions for Oregon's marine fish and wildlife resources. This Nearshore Strategy provides the framework for Marine Resources Program's management of fish and wildlife within state ocean waters and estuaries.

ODFW Administrative Rules

State agencies implement statutes by adopting rules that define the details of agency programs and policies. These rules are recorded in a set of public documents referred to as Oregon Administrative Rules or OAR's. The Oregon Fish and Wildlife Commission is the body that defines and adopts ODFW's Administrative Rules. ODFW has numerous administrative rules governing its actions (http://www.dfw.state.or.us/OARs/index.asp).

Native Fish Conservation Policy

One set of rules particularly germane to the Nearshore Strategy is the *Native Fish Conservation Policy* (OAR 635-007-0502 through 635-007-0509). This policy provides the overall blueprint for ensuring conservation of native fish in Oregon, which includes marine fish and invertebrates residing in state waters (from shore out to 3 nautical miles). The policy's goals include:

1. Prevent the serious depletion of any native fish species by protecting natural ecological communities, conserving genetic resources, managing consumptive and non-consumptive fisheries, and using hatcheries responsibly so that naturally produced native fish are sustainable;

2. Maintain and restore naturally produced native fish species, taking full advantage of the productive capacity of natural habitats, in order to provide substantial ecological, economic, and cultural benefits to the citizens of Oregon; and
3. Foster and sustain opportunities for sport, commercial, and tribal fishers consistent with the conservation of naturally produced native fish and responsible use of hatcheries.

> **Definitions:**
>
> **Native fish:** Fish species indigenous to Oregon, not introduced. This includes both naturally produced and hatchery produced fish.
>
> **Naturally produced fish:** Fish that reproduce and complete their full life cycle in natural habitats.

In 2015, ODFW developed a Marine Fishery Management Plan Framework (ODFW 2015) under the umbrella of the *Native Fish Conservation Policy*. The Framework provides a transparent and consistent process for developing state fishery management plans for marine fish and shellfish designed to maintain ecosystem integrity and sustainable fisheries. The primary components of marine FMPs under the Framework include: 1) identification and characteristics of the population being managed, 2) description of the current and desired biological status of the population, 3) assessment of factors causing gaps between current and desired population status, and 4) management strategies that address factors and provide metrics to assess the success of the strategies. The full Framework is available on the Marine Resources Program website.

Other State Agencies

Management of the nearshore environment is highly fragmented, with jurisdiction split among multiple state agencies (Figure 2.1). ODFW's legal jurisdiction covers management of fish and wildlife only. While ODFW can take action to control the take or harvest of animals, and has some authority concerning animal habitat, the Department does not have authority over such issues as water pollution, vessel traffic, or access to public lands (except on ODFW-owned land). These and other issues are under the jurisdiction of other state agencies. Those with the greatest connection to the Nearshore Strategy are listed below.

Department of State Lands (DSL)

The department is the administrative agency of the State Land Board. It manages the state's submerged and submersible land under navigable rivers, lakes, estuaries, and the territorial sea. It also administers a permit program for dredging and filling in state waters, a program for leasing rights to state submerged and submersible lands, and is responsible for managing commercial kelp harvest.

Oregon Parks and Recreation Department (OPRD)

The department has management authority over most of the Oregon coastline through two mechanisms. The OPRD has direct authority to manage activities within state parks, many of which include sandy or rocky shore areas. In cooperation with DSL, OPRD also manages Oregon's ocean shore—the publicly owned land between the extreme low water line and to the beach zone line (statutory vegetation line) along the entire length of Oregon's coast.

Department of Environmental Quality (DEQ)

The department is a regulatory agency charged with protecting the quality of Oregon's environment. DEQ is responsible for protecting and enhancing Oregon's water and air quality, for cleaning up spills and releases of hazardous materials, for testing for toxins in Oregon's environment, including its fish and wildlife resources, and for managing the proper disposal of hazardous and solid wastes. DEQ uses a combination of technical assistance, inspections and permitting to help public and private facilities and citizens understand and comply with state and federal environmental regulations. In addition to local programs, the U.S. Environmental Protection Agency (EPA) delegates authority to DEQ to operate federal environmental programs within the state such as the Federal Clean Air, Clean Water, and Resource Conservation and Recovery Acts.

Department of Land Conservation and Development (DLCD)

The department oversees implementation of the state's land use planning and coastal zone management programs. DLCD provides coordinated management planning for ocean and coastal state agencies through the Ocean Policy Advisory Council, the Oregon *Ocean Management Plan*, the *Territorial Sea Plan,* Estuary Plans and Statewide Planning Goals 16, 17, 18, and 19.

The *Territorial Sea Plan* was established to conserve and protect marine habitat by managing the resources and uses within the state's jurisdiction of the sea. In 2013, it was amended to include policies governing offshore renewable energy siting in state waters.

Oregon State Police (OSP)

The Oregon State Police enforce all laws, including fish and wildlife regulations. OSP's Fish and Wildlife Division works closely with ODFW to identify current issues and set enforcement priorities. Updating the *Cooperative Enforcement Plan* annually is part of this process.

Oregon Health Authority (OHA)

OHA administers public health programs, including making decisions on beach closures due to poor water quality or human food health risks such as biotoxins in shellfish.

Department of Agriculture (ODA)

The department is responsible for testing seafood commodities such as Dungeness crab and razor clams for contaminants. ODA also is responsible for leasing and regulatory functions for oyster and mussel aquaculture, and regulates the use of growth-retardant paints on boat hulls. The ODA is responsible for appointing members to various commodity commissions such as the Dungeness Crab Commission, the Salmon Commission, the Albacore Commission and the Oregon Trawl Commission.

Department of Geology and Mineral Industries (DOGAMI)

The department regulates surface mining and oil, gas and geothermal resource exploration. The agency also identifies and maps the state's geology and natural hazards. On the coast this includes tsunami and earthquake hazards, and coastal erosion.

Oregon State Marine Board (OSMB)

The Marine Board regulates boating activities in state waters. Through boater education and publications, the board can create public awareness of wildlife resources affected by boating activity.

Local Governments

Counties/Cities

County and city governments have authority in land use regulation and limited authority in ocean governance through 19 statewide planning goals and various Oregon Administrative Rules. These goals and rules give county governments the ability to direct land use planning, economic and coastal development, estuary use and planning, address transportation concerns and direct local government planning and zoning activities regarding state and local parks. Some enforcement of fish and wildlife laws and marine activities is done by county sheriffs. County commissioners and their constituents often have interest and involvement in ocean governance decisions that could affect local economies.

Port Authorities

Established by enactments of state government, public ports develop, manage and promote the flow of waterborne commerce and act as catalysts for economic growth. Port commissioners and staff often are directly involved in the development and maintenance of ports and promote economic growth and recreational activities. Dredging, construction, security, and port infrastructure improvement is done through port authorities in conjunction with state and federal agencies.

Oregon Coastal Zone Management Association

The Oregon Coastal Zone Management Association is a non-profit organization representing counties, cities, ports, soil and water conservation districts and the Coquille Tribe on the Oregon coast. The group helps coordinate local government involvement in coastal transportation issues, coastal land use issues, coastal resource management, fisheries (sport and commercial) and develops objective information about the economy of the Oregon coast. It has no statutory or regulatory authority. The group also provides basic information to Congress and the U.S. Army Corps of Engineers regarding maritime traffic to help budget for harbor maintenance.

Oregon Coast Tribal Governments

Tribal government representatives work with the Governor's office, state agencies, local jurisdictions and other coastal program partners to discuss cultural and land use issues related to marine resources. In 2001, the Oregon Legislature enacted Senate Bill 770 which formalized the government-to-government relationship that exists between Oregon's Tribal governments and the State of Oregon. Currently, one seat for "coastal" tribal representation is reserved on the Ocean Policy Advisory Council and gives tribal governments the ability to assist in ocean management.

Federal Agencies

Several federal agencies have management authority over species, activities, or lands in the nearshore area. State and federal agencies share jurisdiction for many resource management activities. Federal agencies whose ocean management jurisdiction has the greatest connection to the Nearshore Strategy are:

Bureau of Ocean Energy Management (BOEM)

The Bureau of Ocean Energy Management's Renewable Energy Program is authorized by the Energy Policy Act of 2005 to issue leases, easements, and right-of-way grants for production and transmission of energy from renewable sources on the Outer Continental Shelf, such as marine hydrokinetic and offshore wind. BOEM's responsibilities are paired with those of other federal entities; however BOEM is the lead agency for offshore wind.

Federal Energy Regulatory Commission (FERC)

Under the authority of the Federal Power Act, the Federal Energy Regulatory Commission issues licenses for the construction, operation, and maintenance of most non-federal hydropower projects. This includes marine hydrokinetic projects sited in Oregon's Territorial Sea or the adjacent federal waters of the Pacific Ocean.

National Marine Fisheries Service (NMFS, or NOAA Fisheries)

This branch of the National Oceanic and Atmospheric Administration manages ocean fisheries under the Magnuson Stevens Fisheries Conservation Act, administers the Marine Mammal Protection Act, and co-administers the Endangered Species Act with U.S. Fish and Wildlife Service. Ocean fisheries management occurs through a regional advisory body known as the Pacific Fishery Management Council (see below), which makes recommendations to NOAA Fisheries.

U.S. Fish and Wildlife Service (USFWS)

The USFWS administers the National Wildlife Refuges in Oregon, and co-administers several federal laws including the Endangered Species Act. A complex of five National Wildlife Refuges include over 1,800 rocks and islands that are disconnected from the mainland and have land above mean higher high water in Oregon's territorial sea as well as rocky headlands and portions of estuaries. These include Bandon Marsh, Cape Mears, Nestucca Bay, Oregon Islands, Siletz Bay and Three Arch Rocks National Wildlife Refuges.

U.S. Army Corps of Engineers (USACE)

The Army Corps of Engineers is responsible for building and maintaining coastal navigational projects, placement of dredged materials, and administering federal permit programs for construction, dredging, and filling in ocean and other waters.

U.S. Coast Guard (USCG)

The United States Coast Guard is active in the protection of natural resources, including pollution prevention, response, and enforcement; enforcement of fisheries laws, and international agreements and foreign vessel inspections.

U.S. Environmental Protection Agency (EPA)

The EPA is responsible for protecting marine water quality under federal laws and regulates all point-source discharges into rivers, estuaries, and marine waters. The EPA protects coastal marine resources through a watershed approach and its regulatory and cooperative management programs.

Other Ocean Related Federal Agencies

Other federal agencies that manage coastal lands adjacent to the nearshore area include U.S. Bureau of Land Management (BLM) and U.S. Forest Service (USFS).

Policy Forums and Partnerships

Ocean Policy Advisory Council (OPAC)

The Ocean Policy Advisory Council was established in 1991, by the Oregon Legislature and represents ocean interest groups such as commercial, charter and sport fisheries, counties, port officials, recreationalists, conservation organizations, state agencies, and others. OPAC's purpose is to assist management agencies in discussions, recommendations, and advancement of policies related to the state's three-mile territorial sea. OPAC developed the Territorial Sea Plan to provide guidance for managing activities affecting ocean natural resources. OPAC provides a forum for addressing issues identified in the Nearshore Strategy that cut across agency jurisdictions.

International Pacific Halibut Commission (IPHC)

The International Pacific Halibut Commission (IPHC) is an international body that is dedicated to research and management of Pacific halibut stocks that occur in both U.S. and Canadian waters. The IPHC consists of three government-appointed commissioners for each country who serve their terms at the pleasure of the President of the United States and the Canadian government respectively.

Pacific Fishery Management Council (PFMC)

This is one of eight regional councils in the U.S. responsible for managing fisheries under the Magnuson Stevens Fisheries Conservation Act. PFMC is responsible for fisheries off of Oregon, Washington, and California. The Council consists of representatives from the west coast states, NOAA Fisheries, tribes, and citizens in, or associated with, commercial and sport fishing industries. The Council recommends fishery management actions to NOAA Fisheries.

Pacific States Marine Fisheries Commission

The Pacific States Marine Fisheries Commission (PSMFC) is dedicated to resolving interstate fishery issues. Representing California, Oregon, Washington, Idaho, and Alaska, the PSMFC does not have regulatory or management authority. Rather, it serves as a forum for data collection, information management and discussion, working for coastwide consensus between state and federal fishery management authorities. PSMFC addresses issues that fall outside individual state or regional management council jurisdiction.

Marine Spatial Management

Spatial management and marine spatial planning incorporate science and user needs to address ocean resource management issues in a geographic context. The scope, content and outcome of marine spatial planning can vary from an issue-specific to a broader ecosystem context. The planning process often takes a collaborative, proactive approach that works best with diverse interest groups. Because Oregon has one of the richest temperate marine ecosystems in the world, it is necessary to identify important ecological areas, setting strong ecological resource protection standards in the state's nearshore waters. Oregon has a long history of designating spatial areas for certain purposes and recently developed the Territorial Sea Plan (TSP) Part 5, which outlines state policy on renewable ocean energy siting in the ocean, and characterizes the more suitable areas for this development to occur.

ODFW was part of the TSP development process and is also engaged in other facets of marine spatial management. Most recently, Oregon completed designation of five marine reserves and nine associated marine protected areas in 2012 with the help of community groups working in collaboration with state agencies (Figures 2.2a and 2.2b). ODFW is the lead agency for managing these areas. In addition, a series of Marine Gardens, Habitat Refuges, Research Reserves, and Shellfish Preserves can be found along the Oregon coast and waters (Figures 2.2a and 2.2b). These were established individually from the 1960s through the 1990s to address specific issues.

The U. S. Fish and Wildlife Service also manages a complex of National Wildlife Refuges that encompass the more than 1800 islands off the Oregon coast as well areas on the coastal mainland. Federal wildlife refuges are above the mean high tide line. These islands are part of Oregon's nearshore environment and provide breeding and resting habitat for marine mammals and seabirds. Oregon put additional restrictions on boat operations in the waters within 500 feet of the islands at Three Arch Rocks to further protect wildlife from disturbance.

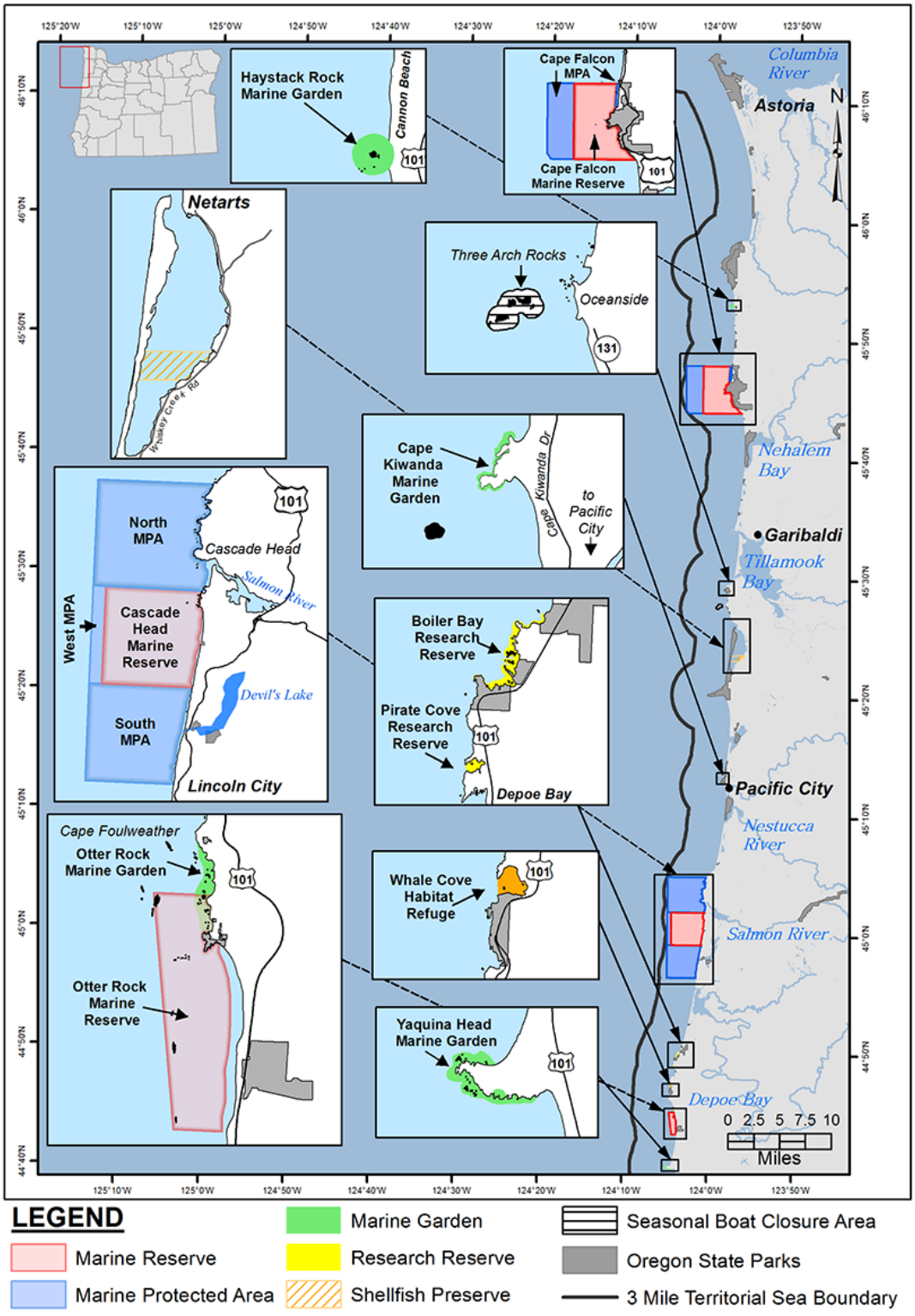

Figure 2.2a. North Oregon coast Nearshore spatial management areas.

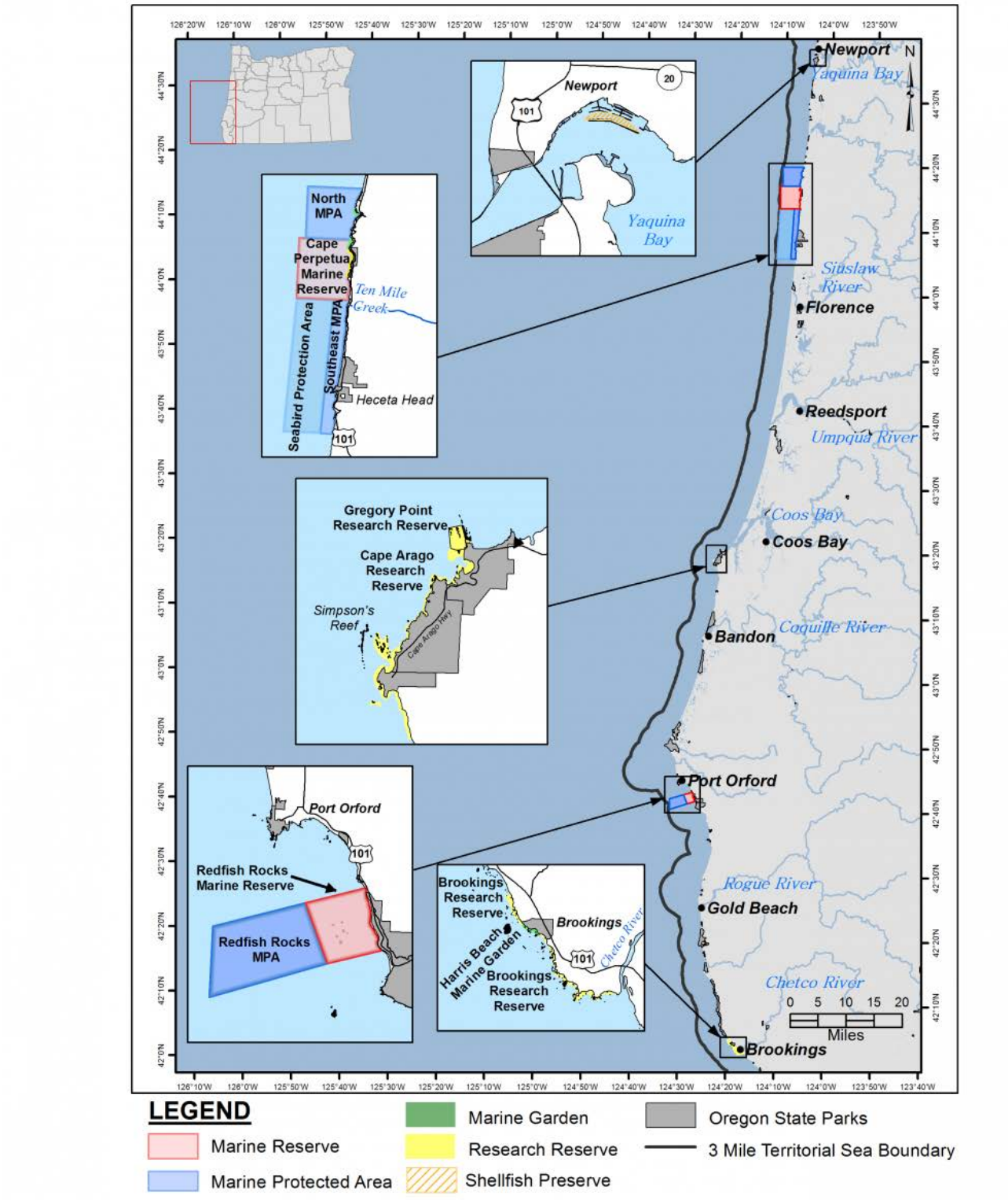

Figure 2.2b. South Oregon coast Nearshore spatial management areas.