

**Oregon International Port of Coos Bay  
Marine Reserves Recommendation Committee  
May 19, 2010; 5:30pm**

**North Bend City/Coos Curry Housing Authorities  
1700 Monroe Street, North Bend, OR 97459**

**MINUTES**

**Attendance:** Steve Bodnar; Wayne Butler; Gus Gates; Mike Graybill; John Griffith; Mike Helfrich; Dave Lacey; Mike Lane; Matt LeDoux; Bob Main; Mike Boehme; Don Peabody; Valerie Pena; Jim Pex; Reg Pullen; Bill Poppe; Don Ivy; Steve Rumrill; Alan Shanks; Steven Shimotakahara; Bart Stein; Margie Whitmer;

**Non-Voting Members:** Crystal Shoji, Facilitator; Jamie Doyle, Oregon Sea Grant; Cristen Don, ODF&W; Aaron Simons, Port; Kathy Wall, Port; Andrea Wall, Port.

**Guests:** Andy Lanier, DLCD, Bessie Joyce, Coos Watershed

Opening: The meeting was called to order at 5:35 p.m.

Mr. Pex's Opening Comments: Paperwork is being distributed. The Governor has had Executive Orders (EO) directed at OPAC over the years and Mr. Pex wanted everyone to know what those orders are so you have them for understanding.

Minutes: John Griffith said the minutes listed the members present which included ODFW. They are not a voting member and should not be listed with the members. Motion to approve the minutes was given by John Griffith, second by Mike Boehme. The vote was unanimous.

Facilitator Crystal Shoji went over the Agenda for the evening's meeting. We are going to review some voting procedures and then the Jim Pex/Jan Hodder presentation of the combined outline of their approach with discussion for about an hour. Andy Lanier from DLCD in Salem will then present some information on mapping which fits in with Jim's presentation. The idea tonight is for members to look at the maps and then to share what you would like to see on the maps that aren't there now.

Marine Reserves discussion on proposing consensus and motions: Start the process by saying 'I propose consensus on...; if consensus doesn't go the next step is to make a motion; there can be a second to the motion; there may be discussion. If there is an amendment to the motion, it would go back to the person who made the motion in the first place to accept or reject; then the vote is then taken. The vote will be on the amendment first (if there is one) and then on the amended motion.

Mike Helfrich asked about the 2/3 majority and he was told that the 2/3 majority was for a pivotal decision, an everyday motion was a simple majority.

Gus Gates brought up that we are supposed to be working on consensus so the process should include the opportunity to hear the objections to consensus and see if they can be worked out so there can be consensus; and then if not, a motion and vote.

The facilitator agreed that was the process, she just didn't detail it out.

Jim Pex then presented his combined proposal. He said that Jan and he broke everything down as simply as possible. He then started through the page which everyone received so they could follow along; comments can be made as we go along. Mr. Pex proceeded to read the proposal and then turned it back to Ms. Shoji for discussion. Mr. Pex reminded everyone that we are just looking for a process to proceed.

There was some discussion on point 'e' and Mr. Pex said that maybe we could restructure the sentence to say "any recommendations we produce would allow for salmon and crabbing harvest." There would be no impact to the salmon and crabbing harvest.

John Griffith: In the third bullet he does not think it needs to say "...but may not be the wisest option long term." Do not editorialize. Others agreed with John – scratch that part of the sentence.

Dave Lacey suggested adding sub-groups and working in socio-economic issues.

Mike Boehme asked if there was anyplace to put a "sunset clause". Maybe it should come under 'e' where we are developing recommendations. Dave Lacey's suggestion should also come under 'e' to make both of those comments part of our recommendation.

Mike Helfrich said that this is a pretty small area, what makes it unique – how many reserves do we need? Why would we need one here as opposed to between Brookings and Gold Beach or Seaside and Astoria?

Mr. Pex made the suggestion to address these things to see how they could be written into the plan and then come back with a re-write.

Mike Graybill pointed out that in the top three bullets that this issue is framed stating that Marine Reserves can cause only economic or social harm. He just attended a meeting in Port Orford where a group of fishing constituents gathered for the last nine years to discuss what the benefits of a Marine Reserves or Marine Protected area might be. Mr. Graybill thinks we should look carefully with the wording because the words have underlying assumptions that MR and MPA cause only harm. These things do have the potential for benefit; there are communities within 25 miles of us that are viewing these as tools that have a socio/economic value.

Jamie Doyle commented on the 'sacred spots'. She said that there has been a lot of discussion about whether people would want to share their sacred spots. Maybe they would be more willing to share areas they don't use.

Mr. Pex said that because of the diversity of the group we are going to need a starting place and then put assumptions to it. Up front if we say there can be no impact to salmon and crabbing then the group can move forward. If we impact salmon and crabbing harvest, the likely hood of any positive outlook is slim to none.

Mr. Pex said that in this “recognizing” area, we have to recognize some things in the ground rules and then move on so this process does not go on for two or more years.

Steve Bodnar said that sand sole is harvested in the same exact location the crabbing at approximately 30-32 fathoms. Charleston has maybe 8 small trawl vessels that harvest sand sole in any particular area; however, he would hate to exclude those 8 small vessels from harvesting their sand sole. It is a very lucrative fishery for them.

Mr. Pex said he wanted to avoid talking species specific. Mr. Bodnar said if you are talking about crab and salmon, you are species specific.

Gus Gates said on the 2<sup>nd</sup> bullet that he does not think it is an accurate statement that there is no biological problem between Reedsport and Bandon. To make it accurate we should say “...there is no biological problem that we are aware of...”

Mr. Pex suggested we take this point by point and make some changes. Start with step #2, bullet one.

Dr. Rumrill said after high economic add ecological. Mr. Pex asked, do we have agreement on that? No. Discussion: Communities do not have high ecological value; they have socio-economic value. Dr. Shanks said you have to have healthy ecology or you don't have fish so it does affect the economic value.

Matt LeDoux made a proposal to include both “ecological/economic” values.

Don Peabody said that we can prove the economic value because of the boats, tourists and because of the people. He does not think we can say the same thing about the ecological value except in an ephemeral sense that says if the ecology is good then people will come to fish. That is not a value statement. So he thinks in terms of what this statement is and where the process is going he is not comfortable in calling it a high ecological value because it is not recognized yet.

Gus Gates suggested everyone read a very interesting ODFW report authored by Dean Runyon comparing fishing, \_\_\_\_\_ shellfish gathering and wild life viewing. It looks at the contributions to the economy of gear sales, people coming to the area etc.

One person said on bullet one “... the area between Reedsport.....” should be changed to “the Territorial Sea between Reedsport... “

Mr. Pex said his suggestion on bullet one was: “that the Territorial Sea between Reedsport and Bandon has high economic value to the communities.”

He said the high ecological value would be addressed under the second bullet. He suggests: “this area has high ecological values however between Reedsport and Bandon there is no biological problems that we are aware of....

**There was consensus on the first bullet.**

2<sup>nd</sup> Bullet: Bart Stein: His understanding is that there have been some biological problems with certain fisheries and there are controls for some fisheries and mediation is being done right now to bring the numbers of these species back to a sustainable level. We are not recognizing this in here and he thinks it’s important. We should not say there are not biological problems because there are and we are working on them. There are already some measures being implemented and we are trying to decide if we need more measures.

Steve Bodnar agrees with Mr. Stein and said that maybe we should say “...there are no known biological problems that can be solved with a Marine Reserve. A Marine Reserve in the Territorial Sea is not going to help those species with biological problems or stress right now.

John Griffith suggested leaving it the way it is but where ‘moderate’ used to be say ‘additional economic harm.’

Dr. Rumrill suggested modifying it to say ‘the Territorial Sea between Reedsport and Bandon has high ecological value; that some fishery stocks have been declared over fished but the populations are rebuilding ....etc.’

Dr. Shanks said that when he put this proposal together with Jan Hodder they were trying to avoid this argument on species because it will not get us anywhere. The state says that the bottom line is if we are going to put in a MR, it cannot do any economic harm. However, he feels that the community might have to put up with some minimal economic harm. We just have to find out if we can find a place that will provide the minimal amount the community can handle.

Dave Lacey feels that we don’t have to have a problem to consider a MR. Having one is proactive. Why do we have to wait for something bad to happen before we do anything?

Mike Helfrich asked how about if we just insert MR between ‘necessitates and protection’?

“At present there is no known biological problem recognized in the area of the Territorial Sea between Reedsport and Bandon which necessitates MR protections sufficient to cause economic harm.”

Steve Bodnar commented when we try to link our MR in the Territorial Sea so close to shore with some kind of a problem in the species that Dr. Rumrill mentioned, I would not be able to go to my constituents with a straight face if this is part of the proposal. The

people I represent are very aware of where these species live and what a MR, in where it is located, will help. If we link this with any kind of a problem with fish, I will be told to come back and vote no and I don't want that to happen. I do believe there is room for a MR. Please do not link this to any biological problem that this is going to solve. We are trying to save something in a pristine setting for all generations to enjoy in the way it is, minus the pollution... The discussion continued and Mr. Pex suggested the two men discuss it among themselves and everyone take a break.

Break: 6:30pm.

End Break: 6:37pm

The **second bullet** was suggested when things were reconvened.

**“We are not aware of biological problems of the Territorial Sea between Reedsport and Bandon that necessitates MR protection sufficient to cause economic harm.”**

Mr. Pex commented on the above sentence that this does not mean we are not going to have MR or MPA discussions; all we are saying is that there is no known problem that this management group is required to solve. We are aware that this is more of a socio-economic/political issue and we are going to concentrate on that as we proceed.

**There was consensus on bullet #2.**

### **Bullet #3**

Mr. Pex said that the opinion was already dropped out of this bullet and the word ‘option’ becomes the end of the sentence.

**“... the issue of MR/MPA designation is socio-economic and political, but this does not make the issue any less important and that no Marine Reserve or Marine Protected Area is an option.” Consensus**

Potential bullet 4: Current coastal local fisheries concerns are adequately controlled through active management regulations on size, numbers, season length and species.

There are a lot of people with a lot of diverse ideas and this might be good for later discussions. Dr. Shanks said that he thought this one was superfluous – opening a can of worms we don't need at this point. We don't really know this information for sure.

**The three bullets are adopted and the fourth one is not.**

Andy Lanier started the DLCD presentation. Mr. Lanier gave some background information about himself and then said he comes to this process to provide data and information of what went into these maps hung around the room so the committee can make an informed decision. He wants to go over the maps and then ask you what you might need – maybe some different information or layer of focus so he can help the committee move forward in their process.

A question was asked if Mr. Lanier could pinpoint one area of the map and then eliminate the rest of the map and blow the focus area up. Also, can they be made in a pdf format? Mr. Lanier said yes to both of those questions and there would be no cost unless we wanted hundreds of copies. The maps around the room were already provided at no cost.

The maps were done in collaboration with a number of partners, among them, NOAA, ODFW, Oregon State University, USF&W, Terralogic, Oregon Fishermen's cable. Mr. Lanier continued with his presentation describing the information on the maps and how it was obtained. The following is mainly just the questions that were asked and comments made.

One question was asked of another committee member regarding the cable crossings and if there was an exclusion zone. Mr. Bodnar said that it was a trawl exclusion zone. All trawlers signed agreements saying that they cannot fish in those areas. The size is 13 miles wide and goes out beyond the Territorial Sea. Mr. Bodnar added that other fisheries, crabbers and long liners and hook and lines, are still allowed to fish there; it is just the trawl that is excluded.

Mr. Lanier talked about some of the areas that were closed by fishing regulations and seasonal closures and areas of the stellar sea lion breeding areas; Margie added that the areas were closed to commercial, **non-profit?** and also sport fishing.

All of this data is available through the DLCD website at:  
[www.oregonocean.info](http://www.oregonocean.info)

Mr. Lanier suggested that Kathy Wall could better explain the SOORC map. The SOORC map was put together by the local fishermen and completed by EcoTrust. It is a combined fishing value map that resulted from just the local fishing fleet; it was not the Newport fleet or Brookings fleet or any out of state people. It is combined information over the history of the Charleston fishermen's careers. Someone asked if this map was commercial salmon, crab and recreational halibut, ground fish, crab, salmon and tuna. Yes. The map shows combined fisheries but is protecting their proprietary areas by not getting into details or breaking the information down any more.

Mr. Lanier was asked if he would speak to the verification process for the EcoTrust and the fact that they are allowed to use the log books to verify the associated value. They were allowed to go to ODFW and look at landings and dollars for each of the fisherman during those times. This is as close as you will get to actual community dollars that come from the different areas. About 50% of the fleet individuals participated.

A question was asked about releasing some of the specific information from the SOORC map. Mr. Peabody said that he participated and about 5 others participated because Mr. Peabody recommended it. He would be livid if any of that information was released other than the general map. The only reason he participated in the first place was because he

was told that it would never be released. There would be a big hurdle in trying to get specific information broken out.

Mr. Peabody then asked a question about the sea floor/shoreline study map. He said about 5% was done with resolution studies; where did the rest of that data come from? The reason for his question was that he heard that some of that data on the sea floor is 100 years old and was gathered with a lead weight and a line. Mr. Lanier said, yes, some of it; however, the 2004 and 2008 maps incorporated a number of different data sets; The Goldfinger Lab at OSU includes soundings from much earlier surveys, that weren't as sophisticated as the echo sounder of today. In some places the quality is higher and some places it is much lower. There is a map of that product and the density of information that went into it, so there is a quality assessment. The more data points, the more likely for it to be accurate. Some areas have a lot more data than others but you don't see that in a general map.

Mike Helfrich went back to the SOORC information in which he participated also. There was an actual contract the participants signed and Mr. Helfrich said that you are wasting your time trying to go back and get the specific information.

Mr. Lanier said that he felt there were ways of getting general information you might need without showing a map and just pulling data figures. It all came down to the fact that you would have to go to EcoTrust and SOORC to clear any of this information.

Cristen Don said that ODFW could provide a table that would show percentages of fish without the map if that was what you wanted.

Steve Bodnar made the comment that if you are considering allowing crab and salmon to be fished in our Marine Reserve; that is not a Marine Reserve; it is a Marine Protected Area. If we have a Marine Protected Area, the trawl fleet will oppose it because they are the ones who will be excluded.

Mr. Pex said that we have not decided yet what we are going to do. We might find an area for an MR; and it might be a combination of MR and MPA. At this point in time we have not made any decisions. We do not want to go to the community and say we are not talking MR, we are talking MPA. We want to keep this open until this group reaches some sort of a consensus.

We will take another break so everyone can look at the maps and decide what we would like to ask for from Andy Lanier. Mr. Lanier suggested that when you are looking at the maps and you would like it on a base map to use, that you mark it on the layer you want. Also if you see discrepancies which you have knowledge of, you might circle it so it can be corrected.

There was a 15 minute break to look at maps.

Upon returning to the table, Ms. Shoji had some questions to be addressed:

Data Maps: What kind of information do we need? What kind of format? Who will we ask? Who is responsible to get it for us? When do we want it? Where? Can we get it by the next meeting? How will we get it?

Don Peabody said he would like to see the maps limited from Reedsport to Bandon so we can raise the definition of the area we are looking at. Keep them simple and keep the data related to each other so we don't have maps that are not relevant to what we are interested in.

Mr. Lanier said that all of the data that is on the map is online on a website - PACUS; he will get us a link. It is a site run by Oregon State University and sponsored by the integrated ocean observing system, which is part of NOAA so it is Federal. If you get online you can navigate and get one layer or another to layer by itself.

Alan Shanks said that conceivably we could go south of Bandon because there might be a good area for a MR there, but someone else said that going south of Bandon was not our charge.

Mr. Pex said that the boundaries are the communities of Reedsport, Coos Bay and Bandon and we don't have any further clarification. We will get an answer regarding specifics by the next meeting.

Margery Whitmer said that there might be less economic impact south of Bandon and it is a rich habitat. She thinks Dr. Shank's idea should be considered.

John Griffith recommended that we stick with the boundaries we have been given Cape Blanco is not in Coos or Douglas Counties. Mr. Pex said that we would get a definition of what our charge is.

Mike Lane asked for a clarification of where we have a cable outlay in our area. Since Wave Energy is not popular as far as a MR or MPA, would a MR area be allowed over the top of the fibre-optics cable? No they are not compatible – you could never cross permits on the same area. It is the Wave Energy permit land unless the Governor revokes it. Wave Energy would definitely want a say.

Andy Lanier asked if you want a blow up of the Territorial Sea between Bandon and Reedsport. Yes.

Mr. Pex asked Reg Pullen, since he represents Bandon, what is his reaction for the area south of the Coquille entrance and if anyone is here from Reedsport, how they feel on the area north of the entrance to the Umpqua.

Mr. Pullen said that there was certainly a lot less fishing effort to the south of Bandon of both sport and commercial fishermen. The hottest areas are the north of Bandon and the west.

Gus Gates said that for ecological reasons it does make sense to go to Cape Blanco. It may be a little sensitive. He had a conversation with Lisa. Mr. Gates feels that their thought process for not choosing that area was that it was harder to access for a research prospective. He thinks we just need a better definition of the southern line.

For Consensus: Jim Pex suggested that Kathy contact representatives of this committee that are in those areas at Reedsport and Bandon and have them contact their constituents and see where they want to draw the line.

Discussion: John Griffith would like to see us go back and see what the charge is. He checked HB3013. It says you are looking at putting forward a proposal on Cape Arago and the 7 Devils area and then whatever the Port has should give us definition on the boundaries. He would not want to be talking too much about Port Orford. Mr. Griffith said he did not think he would get too much definition from HB3013 but the Port who set up this committee should have the definitions.

What does the land use say? From our meeting on May 27, 2009: "OPAC made recommendation to the Governor that any interested parties from Cape Arago or 7 Devils areas have future discussions led by the Port of Coos Bay". That is why we are here tonight. I think we are already limited to those two areas.

Dr. Shanks was involved in the 7 Devils discussions and they considered Coos Bay all the way to Cape Blanco.

Mr. Pex said the purpose of his recommendation is to get some clear definition of where our boundaries are. Let the people on our committees from those areas go and come back with some answers as to what our communities agree is the North and South boundaries.  
**There was Consensus.**

What else do we need? Dr. Shimotakahara said he would like Mike Lane to ask SOORC to create the shadow evaluation with regard to economic value of these areas from Reedsport to Cape Blanco for ground fish.

Ms. Shoji said from a procedural level, we need to get into asking for specific maps and talking about them because Mr. Lanier will be gone after tonight. Mr. Lanier suggested that we designate a few individuals who can speak for the committee to work with Andy over the next month. Suggest: Jim Pex, Kathy Wall and Don Peabody.

Don Peabody said he would like to see a map from Reedsport to Bandon of the sea floor and shoreline with an overlay of current marine managed areas including the RCA; a specific map of the cable zone – maybe 10miles north and 10miles south out to three miles on a large scale map; a map with a single plot of the potential energy sites between Reedsport and Bandon; on the first map (Sea Floor /Shoreline) he would like to also see the dredge sites; then he would like to see a map with the density of soundings and where the soundings came from.

Margery Whitmer would like to add a sport rock fish area for a shadow map – in other words, where they are not doing the sport rock fishing.

Don Peabody said that under full disclosure – he would oppose a shadow map from SOORC. As a personal fisherman, he will oppose the breakdown of any of that information SOORC/EcoTrust obtained.

Bill Poppe said if we do ask for the shadow map, could we ask for some economic value of the shadow area.

Mike Lane unofficially asked the chair to come to SOORC next month so he could ask for information. He has a better handle on asking the right questions and he can then get a first hand idea of the situation.

Mike Lane also said that we seem to be putting all our effort into looking at rocky reef areas and his understanding is that the desire in siting a MR is to take in all types of areas.

Dr. Shimotakahara: The shadow map would not be the rocky area and that is the area we would be interested in so a MR would be based on other types of topography.

Gus Gates thanked Andy Lanier for the maps and information.

The meeting was adjourned at: 8:37pm.