



April 5, 2011

Rep. Ben Cannon, Co-chairman
Rep. Vic Gilliam, Co-chairman
Oregon House Energy, Environment and Water Committee

Re: Marine Reserves, House Bill 2009

The Oregon International Port of Coos Bay is committed to fulfilling its charge from the state of Oregon to complete the Cape Arago Marine Reserves Recommendation Committee process. It is the Port's expectation, and now a formal request, that the state of Oregon and 2011 Oregon Legislature support the Port Board of Commissioners through the completion of this comprehensive and transparent public process.

The Port became involved in the Marine Reserves community discussion for the Cape Arago region in 2008, when the Oregon Ocean Policy Advisory Council (OPAC) notified Gov. Theodore Kulongoski that "... OPAC recommends that the interested parties in the Cape Arago/Seven Devils area, led by the Oregon International Port of Coos Bay, be encouraged and supported to engage in further collaboration to develop a marine reserve proposal." This action followed an OPAC refusal to endorse a Cape Arago Proposal Area and a Seven Devils Marine Reserve proposal.

In March 2009, the Port authorized and seated a recommendation committee representing research, conservation, commodity commission, city, commercial and recreational fishing, county, tribal and business interests. Over the past 24 months, the committee members have hosted 21 public sessions. The committee members were given no specific area to consider; rather through collaboration, members selected 10 area/concepts. Through consensus, they eliminated six proposals and presented the four remaining proposals to the public through a series of town hall meetings in December 2010.

In March 2011, following review of the public testimony and discussion with constituent groups, the 34 voting committee members selected Proposal H "No New Marine Reserves." However, that is not the end of the committee's work or the Port of Coos Bay's process. The Committee is preparing majority and minority reports that will be submitted along with a staff report to the Port Commission.

From the outset, it has been the Port's intention to evaluate the committee's recommendation and forward a decision after further community input to OPAC. The Port has upheld its mission to facilitate a transparent, community stakeholder process in conformity with Gov. Ted Kulongoski's executive order that possible sites are "large enough to allow scientific evaluation of ecological benefits, but small enough to avoid significant economic or social impacts."



As this committee considers House Bill (HB) 2009, the Port requests committee members adopt language that respects this stakeholder process. As it stands, the proposed language states that OPAC merely evaluate a Cape Arago-Seven Devils proposal, after considering input from the Port's Marine Reserves Recommendation Committee. That language ignores the fact that OPAC, with Gov. Kulongoski's support, charged the Port, facilitating further collaboration among interested parties toward a community-based Cape Arago-area Marine Reserves recommendation.

- A. The Port respectfully requests the language in **Section 1 (3)** be changed to honor that mandate to: "consider input from the Oregon International Port of Coos Bay Board of Commissioners."


In addition, the Port asks that HB 2009 require the state of Oregon and Oregon Department of Fish & Wildlife to fully fund enforcement and monitoring of any implemented Marine Reserves and – equally important – fully fund mitigation of any negative socioeconomic effects of marine reserves on impacted users. As is the policy with environmental mitigation, likewise there can be no net negative economic impact on coastal communities and their residents without mitigation.

- B. The Port respectfully requests the language in **Section 2(1)(i)** require the state to "fully mitigate all negative socioeconomic effects of marine reserves on impacted users. ..."
And further, in **Section 4(2)** to ensure language indicating any designation of marine reserves in Oregon's Territorial Sea requires the state to obligate funding and fully mitigate all negative socio-economic effects.

It's important to note that Coos County has carried an unemployment rate chronically above the state average for two decades. The county's median wage is 26% percent less than the state median wage. In Coos County, one in four children live in poverty. Commercial and recreational fishing, and fisheries-related tourism is a substantial economic driver in the community. The Charleston Marina alone is home to approximately 165 commercial fishing vessels and three fish-processing facilities. Oregon must apply the same standard for economic mitigation as it applies for environmental mitigation, to ensure this already bad economic situation is not made worse.

The Port of Coos Bay respectfully submits that it's imperative the language in HB 2009 require the state to fully mitigate for socioeconomic harm and that the language be changed to honor and recognize the state's commitment to support the completion of the Port Board of Commissioners' public process to submit a recommendation to OPAC.

Sincerely,


Jeffrey T. Bishop
Chief Executive Officer



Timeline

Oregon International Port of Coos Bay

Marine Reserves Recommendation Committee Process

2008

March 26: Oregon Ocean Policy Advisory Council (OPAC) recommends no further consideration of Cape Arago Proposal Area.

March 26: OPAC recommends interested parties led by Port of Coos Bay be encouraged and supported to engage in further collaboration to develop a marine reserve proposal.

Nov. 29: OPAC submits March council recommendations to Gov. Ted Kulongoski.

2009

Jan. 14: Port Board of Commissioners approves process for Port Marine Reserve Recommendation Committee, after vetting the process with Southern Oregon Ocean Resource Coalition, Charleston Marina Advisory Committee and Our Ocean. Committee is to develop a recommendation to forward to the Port Commission.

March 19: Port Commission appoints individuals to Marine Reserves Recommendation Committee.

- Committee hosts six public meetings in 2009.

2010

- Committee brings forward and evaluates 10 areas/concepts proposed by members.

October 20: Through consensus, the Committee brings forward four areas/concepts.

December 8-13: The Committee hosts three town hall/public comment meetings on four proposals in Bandon, Charleston and Reedsport.

- Committee hosts 13 public meetings in 2010.

2011

January 19: The Committee decides to take pivotal votes on each of the four proposals, after committee members have consulted constituent groups.

March 16: A majority Committee vote of 23 selected Proposal H “No Marine Reserve.” The Committee appoints members to write majority and minority opinions to be presented to the Port Commission.

Next: Port staff will present the majority, minority and staff reports to the Port Commission for consideration of a recommendation to OPAC.