



February 5, 2024

Representative Ken Helm, Chair, House Committee on Agriculture, Land Use,
Natural Resources, and Water
900 Court St. NE, H-490
Salem, OR 97301

Dear Chair Helm and Members of the Agriculture, Land Use, Natural Resources, and Water Committee:

On behalf of Surfrider Foundation and our extensive network of chapters, members and volunteers in Oregon we enthusiastically support HB 4132, a bill to further invest in our state's Marine Reserves Program, housed within the Oregon Department of Fish and Wildlife. The bill is timely in acting upon a recently completed and statutorily mandated decadal assessment of the Program, a review conducted by Oregon's leading ocean and social scientists that make important legislative recommendations. Supported by the Ocean Policy Advisory Committee and Oregon's Scientific and Technical Advisory Committee, these recommendations are not only backed by strong science, but have bipartisan and bicameral support and the endorsement of these diverse ocean stakeholder bodies.

Never Before in Oregon:

Oregon's Marine Reserves and Protected Areas are a unique treasure. The marine reserve "system" is comprised of five nearshore ocean sites developed to promote marine conservation and science, and were carefully sited with a goal to avoid significant negative social and economic impacts to Oregon's coastal communities and ocean users. This is the first long-term, nearshore ocean conservation and monitoring program executed by the state of Oregon. It is the only ecosystem-focused, nearshore monitoring program designed to track and understand ocean changes in Oregon's state waters. It is also the first comprehensive human dimensions research program focused on examining the social, economic, and cultural dynamics of the Oregon coast and coastal communities.

Why Now:

Connecting the science of our changing ocean with the economy, social and cultural science (human dimensions research) is imperative for managing not only existing uses, but modeling the impacts of new and arising uses of our ocean. Now is an important time to invest in Oregon's marine reserve program and with so many uncertainties of changing ocean chemistry, species decline and potential reintroductions and the massive uncertainties of certain industrial developments like offshore wind on our ocean economies. In 2012 the Oregon Legislature passed Senate Bill 1510 which implemented recommendations to establish, study and monitor Oregon's marine reserve system. The bill also mandated that a decadal review of the program be provided to the legislature by March 2023. The Oregon Department of Fish and Wildlife (ODFW) Marine Reserve Program Synthesis Report and subsequent Oregon State University Assessment respond to this direction and provide valuable findings and recommendations for advancing and investing in the Marine Reserve Program. HB 4132 would require ODFW to carry out the report's recommendations and provide funding for implementation of the recommendations.

Attachment 1 provides a summary of this legislative history, links to reports and specific details on the legislative recommendations.

Marine Reserve Program Science Contributions – Data Being Used in the Real World:

Marine reserves research is actively supporting ocean management and policy decisions and the understanding of emerging ocean issues of high interest to Oregonians. Some examples include tracking changing ocean conditions such as **hypoxia** (low oxygen) events and **ocean acidification**, monitoring the impacts of major ecosystem disruptions such as the outbreak of **sea star wasting disease**, providing data that supported the recent listing of **sunflower sea stars** as endangered, and providing Oregon specific data to stock assessors to help **improve fisheries management**.

Marine Reserves the Oregon Way:

Surfrider Foundation and our Oregon chapter network is extremely proud to have participated in the extensive, nearly 8-year public process that led to the establishment of Oregon's marine reserve system. Additionally, over the past decade Surfrider, fishers, scientists and thousands of Oregonians have been deeply involved in the implementation of the program. Some examples include:

- Over \$750,000 in ODFW contracts with local fishermen for collaborative research
- Nearly 13,000 individuals engaged in community science initiatives
- Local marine reserve community groups connected with over 500,000 Oregonians through Marine Reserve activities

These marine reserves are special places that have brought together many Oregonians who care deeply about our coast. In 2023, rather than build on these important investments, the Oregon legislature cut community engaged staffing from the program, on top of nearly 30% budget cuts to the program's services and supplies over its first decade of implementation.

Marine reserves and protected areas come with both sacrifice from ocean users and careful planning and siting that requires a thoughtful, Oregon way approach. HB 4132 invests in the program the Oregon way ensuring the marine reserve system and program:

1. Is adaptable to changing ocean conditions as well as community and stakeholder needs.
2. Ensures that any future consideration of marine reserves in Oregon happens through diverse representation of ocean stakeholders and ocean users.
3. Ensures that communities and stakeholders, such as commercial and recreational fishers, are included in marine reserves science and that marine reserves present useful science to these communities.

The State of Oregon has long recognized the importance of our coast and the value of protecting healthy ocean resources through the State's Planning Goal 19. Today we reinforce that commitment to protect these important resources through conservation, research and collaboration the Oregon way - HB 4132 is a reflection of that commitment. With increasing pressures on our ocean ecosystem and natural resources from climate change, ocean acidification, warming temperatures, hypoxia and increasing human uses, it's imperative that we continue our long-term investments to protect Oregon's important ocean habitats and special places.



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Attachment 1

Marine Reserves and HB 4132 Background

Marine Reserve Program History and Establishment

In 2012, Oregon completed the planning and designation of five marine reserves. The implementation and management of these marine reserves is led by the Oregon Department of Fish and Wildlife (ODFW) and is based on guidance from Executive Order 08-07 (2008), House Bill 3013 (2009), Senate Bill 1510 (2012), and agency administrative rules.

Required Program Assessment

Senate Bill 1510 mandated that the ODFW Marine Reserve program complete a decadal assessment in 2022, both internally and externally, to evaluate the program and make administrative and/or legislative recommendations. ODFW published their internal assessment, [ODFW Marine Reserve Program Synthesis Report](#), in early 2022 and the [external assessment, performed by Oregon State University](#) (OSU), was recently published in September of 2022.

Stakeholder and Government Review

In the fall of 2022, the [Ocean Policy Advisory Council](#), the original stakeholder and government policy forum for Marine Reserves and Protected Areas, endorsed the legislative and administrative recommendations from the decadal assessment. The [Council's endorsement](#) of the decadal Marine Reserve Program assessment and associated legislative recommendations marks a significant milestone for Oregon in conservation and collaboration of ocean resource management through deep community engagement.

Legislative Recommendations

The Decadal Program Assessment and associated legislative recommendations [was transmitted](#) to the Senate Interim Committee on Natural Resources & Wildlife Recovery And the House Interim Committee on Environment & Natural Resources in September of 2022 as statutorily required. Additionally the recommendations were [presented to the Coastal Caucus](#) in October of 2022. An [executive summary](#) of these recommendations can be found here.

The Coastal Caucus worked to track the recommendations from the report and drafted HB 2903 in 2022-2023 as a reflection of the report's recommendations, now **HB 4132** in the 2024 session. The legislation nearly mirrors the reports' key legislative recommendations:

Recommendation 1(a)

Appropriate funds to allow ODFW to continue the Marine Reserves Program at the necessary capacity. This includes funding for new human resources and programmatic activities, including: management, policy, and program administration; ecological monitoring; human dimensions monitoring; and outreach and community engagement.¹

¹2022 Assessment of Oregon's Marine Reserves, White, et al., Sept. 2022, Oregon State University <https://www.oregonocean.info/index.php/opac-documents/workinggroups/stac/2688-revised-or-marine-reserves-report/file>

Required Action 1(a): Support full allocation of *current* ODFW Marine Reserve Program (6 FTE and Program Fiscal: \$1.8M) and *increase* with additional allocation of \$800,000 for additional positions to meet recommendations: Economist 3, Ecologist Project Leader NRS3, Applied Research Fellow (OSU/ODFW)

These positions are necessary for the following reasons to meet new mandates:

Economist 3 - More adequate and new mandates for socioeconomic evaluation of Marine Reserve impacts

Ecologist Project Leader NRS3 - Increased frequency, reporting and analysis of field data to support fisheries and applied research

Applied Research Fellow (OSU/ODFW) - To support applied research

Recommendation 1 (b)

Provide a mandate that supports the development of an Adaptive Management plan (as described below) for the ongoing management and evaluation of the marine reserves program.²

- a) Develop specific, measurable, achievable, relevant, and time-oriented objectives for ecological and socioeconomic monitoring and research.
- b) Develop consistent measurable indicators of social impacts.
- c) Implement efficient ecological sampling protocols that remain consistent over time and space.
- d) Assess the capacity for the marine reserves to enhance ecological resilience to environmental disturbances. This requires a longer time-series of data and evaluation of how well the reserves operate as a network.
- e) Develop defined goals for outreach and engagement, including with Tribes, and undertake assessments to evaluate the effectiveness in achieving these goals.

Recommendation 1 (c)

Define a detailed collaborative process through which social monitoring data can be interpreted to affect policy decisions. This process should include steps for decision making, conflict management, and clarity on who the state of Oregon is concerned with impacting (through the Marine Reserve Program).³

Required Action for 1(b) and 1(c): Include as new mandates (per HB 2903) within ODFW's Marine Reserve Programs work plan, amending original marine reserve bill.

Additional Coastal Caucus Recommendations

In addition to the recommendations from Oregon State University's decadal assessment of the program, the Coastal Caucus wanted to ensure a couple of key Oregon values were upheld the future planning and science of marine reserves, this the following are also reflected in HB 4132:

²2022 Assessment of Oregon's Marine Reserves, White, et al., Sept. 2022, Oregon State University <https://www.oregonocean.info/index.php/opac-documents/workinggroups/stac/2688-revised-or-marine-reserves-report/file>

³Same as above

Recommendation 1: Ensure that any future consideration of marine reserves in Oregon happens the Oregon way, through diverse representation of ocean stakeholders and ocean users. (Section 2 (c)).

Recommendation 2: Ensure that communities, specifically commercial and recreational fishers, are included in marine reserves science and that marine reserves present useful science to these communities (Section 2 (e))