

Oregon's Statewide Planning Goals & Guidelines

GOAL 19: OCEAN RESOURCES

OAR 660-015-0010(4)

To conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social value and benefits to future generations.

To carry out this goal, all actions by local, state, and federal agencies that are likely to affect the ocean resources and uses of Oregon's territorial sea shall be developed and conducted to conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social values and benefits and to give higher priority to the protection of renewable marine resources—i.e., living marine organisms—than to the development of non-renewable ocean resources.

OCEAN STEWARDSHIP AREA

The State of Oregon has interests in the conservation of ocean resources in an Ocean Stewardship Area, an ocean area where natural phenomena and human uses can affect uses and resources of Oregon's territorial sea. The Ocean Stewardship Area includes the state's territorial sea, the continental margin seaward to the toe of the continental slope, and adjacent ocean areas. Within the Ocean Stewardship Area, the State of Oregon will:

- Use all applicable state and federal laws to promote its interests in management

- and conservation of ocean resources;
- Encourage scientific research on marine ecosystems, ocean resources and uses, and oceanographic conditions to acquire information needed to make ocean and coastal-management decisions;
- Seek co-management arrangements with federal agencies when appropriate to ensure that ocean resources are managed and protected consistent with the policies of Statewide Planning Goal 19, Ocean Resources, and the Territorial Sea Plan; and
- Cooperate with other states and governmental entities directly and through regional mechanisms to manage and protect ocean resources and uses.

The Ocean Stewardship Area is not intended to change the seaward boundary of the State of Oregon, extend the seaward boundaries of the state's federally approved coastal zone under the federal Coastal Zone Management Act, affect the jurisdiction of adjacent coastal states, alter the authority of federal agencies to manage the resources of the United States Exclusive Economic Zone, or limit or otherwise change federal agency responsibilities to comply with the consistency requirements of the federal Coastal Zone Management Act.

INFORMATION AND EFFECTS ASSESSMENT REQUIRED

Prior to taking an action that is likely to affect ocean resources or uses of Oregon's territorial sea, state and federal agencies shall assess the reasonably foreseeable adverse effects of the action as required in the Oregon Territorial Sea Plan. The effects assessment shall also address reasonably foreseeable adverse effects on Oregon's estuaries and shorelands as required by Statewide Planning Goal 16, Estuarine Resources; Goal 17, Coastal Shorelands; and Goal 18, Beaches and Dunes.

IMPLEMENTATION REQUIREMENTS

1. Uses of Ocean Resources

State and federal agencies shall carry out actions that are reasonably likely to affect ocean resources and uses of the Oregon territorial sea in such a manner as to:

a. maintain and, where appropriate, restore the long-term benefits derived from renewable marine resources;

b. protect:

1. renewable marine resources—i.e., living marine organisms—from adverse effects of development of non-renewable resources, uses of the ocean floor, or other actions;

2. the biological diversity of marine life and the functional integrity of the marine ecosystem;

3. important marine habitat, including estuarine habitat, which are areas and associated biologic communities that are:

a) important to the biological viability of commercially or recreationally caught species or that support important

food or prey species for commercially or recreationally caught species; or

b) needed to assure the survival of threatened or endangered species; or

c) ecologically significant to maintaining ecosystem structure, biological productivity, and biological diversity; or

d) essential to the life-history or behaviors of marine organisms; or

e) especially vulnerable because of size, composition, or location in relation to chemical or other pollutants, noise, physical disturbance, alteration, or harvest; or

f) unique or of limited range within the state; and

4. areas important to fisheries, which are:

a) areas of high catch (e.g., high total pounds landed and high value of landed catch); or

b) areas where highly valued fish are caught even if in low abundance or by few fishers; or

c) areas that are important on a seasonal basis; or

d) areas important to commercial or recreational fishing activities, including those of individual ports or particular fleets; or

e) habitat areas that support food or prey species important to commercially and recreationally caught fish and shellfish species.

c. Agencies, through programs, approvals, and other actions, shall

1. protect and encourage the beneficial uses of ocean resources—such as navigation, food production, recreation, aesthetic enjoyment, and uses of the seafloor—provided that such activities do not adversely affect the resources protected in subsection 1.,

above; avoid, to the extent possible, adverse effects on or operational conflicts with other ocean uses and activities; and

2. comply with applicable requirements of the Oregon Territorial Sea Plan.

2. Management Measures

Management measures for ocean resources and uses shall be appropriate to the circumstances and provide flexibility for future actions. Such management measures may include:

a. Adaptive Management: to adapt management programs to account for variable conditions in the marine environment, the changeable status of resources, and individual or cumulative effects of uses;

b. Condition Approvals or Actions: to place conditions or limit actions to protect or shield other uses and resources;

c. Special Management Area Plans: to develop management plans for certain marine areas to address the unique management needs for resource protection, resource utilization, and interagency cooperation in the areas;

d. Intergovernmental Coordination and Cooperation: to coordinate, integrate, and co-manage programs and activities with all levels of government, including Indian tribal governments;

e. Regional Cooperation and Governance: to cooperate with other coastal states, countries, organizations, and federal agencies within the larger marine region to address common or shared ocean resource management issues;

f. Public Involvement: to involve the public and affected groups in the

process of protecting ocean resource, especially through public awareness, education, and interpretive programs;

g. Precautionary Approach: to take a precautionary approach to decisions about marine resources and uses when information is limited.

3. Contingency Plans:

State and federal agencies, when approving or taking an action that could, under unforeseen circumstances, result in significant risks to ocean resources and uses, shall, in coordination with any permittee, establish appropriate contingency plans and emergency procedures to be followed in the event that the approved activity results in conditions that threaten to damage the marine or estuarine environment, resources, or uses.