

**Enrolled**  
**Senate Bill 1510**

Sponsored by Senators JOHNSON, KRUSE, Representatives COWAN, KRIEGER; Senators VERGER, WHITSETT, Representatives BOONE, HUNT, ROBLAN, WITT (Presession filed.)

CHAPTER .....

AN ACT

Relating to ocean resources; creating new provisions; amending ORS 196.540; and declaring an emergency.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1. (1) On or before February 1, 2013, the State Department of Fish and Wildlife shall report to the Legislative Assembly regarding:**

**(a) The development of the work plan described in ORS 196.545; and**

**(b) The receipt and use of moneys necessary to carry out the provisions of ORS 196.540, including any gifts, grants or contributions accepted by the department pursuant to ORS 196.550.**

**(2) The department shall make the report described in subsection (1) of this section available to the public on its website.**

**SECTION 2.** ORS 196.540 is amended to read:

196.540. The State Department of Fish and Wildlife, State Fish and Wildlife Commission, State Land Board and relevant state agencies shall, consistent with existing statutory authority, implement:

(1) The November 29, 2008, recommendations from the Ocean Policy Advisory Council on marine reserves by[.]

[(1)] adopting rules to establish, study, monitor, evaluate and enforce a pilot marine reserve at Otter Rock and a pilot marine reserve and a marine protected area at Redfish Rocks[.].

**(2) [Studying and evaluating potential marine reserves] The January 25, 2011, recommendations, limited to those related to boundaries and allowances, from the State Department of Fish and Wildlife on marine reserves by adopting rules to establish, study, monitor, evaluate and enforce:**

**(a) A marine reserve and two marine protected areas at Cape Falcon[, Cascade Head and Cape Perpetua; and];**

**(b) A marine reserve and three marine protected areas at Cascade Head; and**

**(c) A marine reserve, two marine protected areas and a seabird protection area at Cape Perpetua.**

[(3) Supporting the development of a marine reserve proposal at Cape Arago-Seven Devils.]

**SECTION 3. (1) The State Fish and Wildlife Commission may not impose prohibitions on fishing by rule pursuant to ORS 196.540 until the baseline data specified in ORS 196.545 (2)(f) have been collected consistent with scientifically based monitoring plans.**

(2) In implementing the activities described in ORS 196.540 pursuant to ORS 196.545, the State Department of Fish and Wildlife shall use local resources where feasible and practical.

**SECTION 4.** (1) The scientific and technical advisory committee of the Ocean Policy Advisory Council established under ORS 196.451 shall submit a draft report to the interim committees on environment and natural resources of the Legislative Assembly no later than October 1, 2022, and a final report to the Legislative Assembly in the manner provided by ORS 192.245 no later than March 1, 2023, regarding the establishment, study, monitoring, evaluation and enforcement of the pilot marine reserves, marine reserves, marine protected areas and seabird protection area described in ORS 196.540.

(2) The reports described in subsection (1) of this section shall:

(a) Be researched and prepared, within existing resources and without additional appropriation, by a public university listed in ORS 352.002 chosen by the scientific and technical advisory committee; and

(b) Include:

(A) An assessment of social, economic and environmental factors related to the reserves and protected areas;

(B) Recommendations for administrative actions and legislative proposals related to the reserves and protected areas; and

(C) Any other scientifically based information related to the reserves and protected areas that the public university described in this subsection deems relevant or material.

**SECTION 5.** This 2012 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2012 Act takes effect on its passage.

Passed by Senate February 7, 2012

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House February 21, 2012

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Received by Governor:

.....M.,....., 2012

Approved:

.....M.,....., 2012

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M.,....., 2012

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Kate Brown, Secretary of State