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Ocean Policy Development in the State of Oregon

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Abstract *The Oregon Ocean Resources Management Program is an unprecedented effort by a state to protect the long-term values and benefits of renewable ocean resources and activities. The program extends Oregon's comprehensive statewide planning and coastal zone management program seaward to provide a coordinated, comprehensive policy and management framework for state and federal agencies and Oregon's local governments. Its objective is to produce a framework for decisions that recognize both the environmental links between the marine ecosystem and ocean resources and the economic importance of ocean resource use to coastal communities and the nation.*

Oregon's initiative is an attempt to redefine the relationship between the federal and state governments with respect to resource management within a part of the U.S. exclusive economic zone. The Oregon program asserts the state's right and responsibility to plan for and jointly manage ocean resources and uses that affect the state, through creation of an Ocean Stewardship Area.

Keywords ocean management, Oregon, policy, territorial sea

Background

In 1987, Oregon's legislature and governor reaffirmed the state's historic commitment to the protection, conservation, and wise development of its natural resources. Enactment of the Oregon Ocean Resources Management Act (ORS 196.405–196.515) geographically extended the state's commitment to coordinated, comprehensive resource planning 200 miles into the Pacific Ocean. The act established the Oregon Ocean Resources Program and calls for the development and adoption of a comprehensive, coordinated ocean resources management plan as a needed improvement to Oregon's Coastal Management Program.

Oregon's legislative leadership took advantage of an opening window of opportunity to enact ocean policy legislation. Ocean resource problems (a scheduled oil/gas lease sale in the federal waters on the outer continental shelf (OCS) and industry interest in marine mining), politics (well-positioned legislative leadership from a coastal constituency genuinely committed to resource protection and managerial reform), and policy (discussion of ocean management schemes coupled with considerable guilt over the failure of the state to address the "wet" side of coastal zone management) did, in fact, converge. The result was enactment of the Oregon Ocean Resource Management Act, which has thrust Oregon into a unique effort to protect the long-term values and benefits of renewable ocean resources and activities. To Oregonians who follow natural resource issues, the legislation is merely a logical extension of the state's comprehensive land use planning program that was created in 1973. The Oregon Ocean Resources Management Program reflects the bipartisan belief of Oregon's political leaders and citizens that an innovative public/private/citizen planning partnership can improve the way in which the state manages its ocean resources.

Preliminary Ocean Planning 1977–1986

Oregon's present ocean resource planning efforts are based on substantial work completed by the state over the past 10 years. Results of these previous efforts provide a valuable information base and policy foundation for the extensive requirements of the 1987 legislation. These earlier efforts include the following resources:

1977: The Oregon Coastal Management Program. The Oregon Coastal Management Program (OCMP) was approved by the U.S. Department of Commerce after a five-year process of program development and public review. Oregon's OCMP is based on three separate but coordinated sets of planning and regulatory authorities: (1) statewide planning goals adopted by the state's Land Conservation and Development Commission (LCDC); (2) local comprehensive plans acknowledged by LCDC as complying with the statewide planning goals; and (3) specific statutory authorities of several state agencies. The OCMP includes Statewide Planning Goal 19, Ocean Resources, which contains many of Oregon's policy assumptions for the use of ocean resources.

1978: Oregon and Offshore Oil. Written for the interested layperson, *Oregon and Offshore Oil* reviews the role oil and gas play in the nation's energy supply. It describes how petroleum is formed, and how industry finds and develops the resource. The document describes how offshore exploration may affect Oregon and concludes with thoughts on improving Oregon's ability to manage offshore development.

1978: Concerns and Recommendations: Oregon and Offshore Oil. The report was prepared by Oregon State University (OSU) to support the work of the governor's OCS Oil and Gas Task Force. The report summarizes information available to state agencies on living marine resources and ocean conditions and uses. It identifies information gaps and data needed by the state before leasing or production begins.

1979: Final Report of the Outer Continental Shelf Oil and Gas Task Force. The Interagency OCS Oil and Gas Task Force created by executive order issued a final report detailing information on OCS oil/gas activities providing recommendations for improving Oregon's participation in OCS planning and development. The contents of this report were used extensively in the preparation of the 1987 legislation.

1985: The Oregon Ocean Book. This is a comprehensive review of the resources and dynamic conditions of the Pacific Ocean off Oregon. Written for the layperson and extensively illustrated, the book provides basic ocean resource information.

1987: Oregon Territorial Sea Management Study. An exhaustive compilation and analysis of Oregon's management authority for ocean resource use as well as a description of existing and potential uses of the ocean and its resources. This key study is a comprehensive evaluation of Oregon's current ocean management capability. The study was prepared jointly by OSU/Sea Grant's Marine Resource Management Program and the Ocean and Coastal Law Program at the University of Oregon Law School. The study serves as a basic reference for the task force's evaluation of the state's management capability.

1984–86: Governor's Letters. Letters from the governor to the secretary of the interior express Oregon's policies on OCS development. The letters draw on comments, analyses, and recommendations of state agencies and the public.

Creating a New Approach to Ocean Resource Management

Oregon's ocean resources management program is an unprecedented attempt by a state to develop a comprehensive management plan as well as to implement measures for managing ocean resources. Many states, in response to the 1972 Coastal Zone Management Act, have developed coastal management programs for shoreline, beach, and estuarine resources. No state has a comprehensive plan to manage ocean resources, nor has any other state attempted to integrate areawide comprehensive land use planning, coastal zone management, and ocean resource planning and management.

As described in other articles in this issue, the approaches of other coastal states to ocean planning and management have varied greatly. North Carolina has relied principally on its Marine Science Council, California on its Joint Review Panel process, Alaska on its project consistency process, while Washington has emphasized data gathering. However, under the influence of Oregon, there has been some convergence. California and Hawaii legislatures recently enacted laws modeled after Oregon's Ocean Resources Management Act; implementation has just begun. Similar bills have been introduced in other states including Alaska. A 1989 Washington statute includes a preference for renewable over nonrenewable ocean uses in cases of conflict similar to Oregon's legislation.

As is often the case, Oregon's innovation in public policy was driven in part by real world events. There are several significant events and forces that have influenced Oregon's ocean resource planning process.

(1) Gorda Ridge: In late 1983, the U.S. Department of Interior proposed a lease sale for polymetallic sulfide minerals on the Gorda Ridge. The draft Environmental Impact Statement (EIS) revealed an absence of information on mineral resources, major gaps in knowledge about ocean conditions, marine resources, and the impacts of development. Natural resource agency staff, academics, environmentalists, and some coastal residents reacted strongly to DOI's seeming haste to move forward with the leasing process. In early 1984, Oregon Governor Victor Atiyeh and Secretary of Interior William Clark created a technical state-federal task to determine the implications of a lease sale on the Gorda Ridge. The Gorda Ridge Task Force coordinated annual summer research dives from 1984 through 1988. Upon advice of the task force, DOI, the major research funding contributor, has now determined that leasing would be premature and has officially terminated the lease sale process and the task force.

(2) Placer Minerals: Promising research findings and entrepreneurial interest in mining nearshore placer sand deposits (chromium and titanium) caused the 1987 Oregon Legislature to enact framework legislation to allow private sector exploration for hard minerals. S.B. 606 (ORS Chapter 274) gives the Division of State Lands authority to enter into contracts with private parties for the purpose of exploration for mineral resources. While the 1987 law neither commits the state to marine mineral development nor allows such development to occur until authorized by the Territorial Sea Management Plan (due to be completed in mid-1991), fisheries interests and coastal citizens have voiced strong opposition to the very idea of marine mineral exploration or development. Public opposition to marine mining concern has increased to the point where there is considerable opposition to even public sector or academic data collection and analysis.

Those speaking out fear that discovery of commercially valuable mineral resources would inevitably lead to resource exploitation, causing space use conflicts with fishermen and loss of marine habitat with no offsetting benefits.

(3) Offshore Oil and Gas Development: The failure of the U.S. secretary of the interior to respond adequately to the concerns of Oregonians regarding the scheduled 1992 OCS lease sale in the Oregon-Washington Planning Area was the most publicized ocean resource management issue. For many Oregonians the raison d'etre for the whole ocean resource management program was to develop a strategy to prevent oil and gas leasing in federal waters. That strategy received recognition in the deliberations of the Pacific Northwest OCS Task Force described here and President Bush's June 1990 decision to delay any leasing off Oregon and Washington until the year 2000.

(4) Exxon *Valdez*: Public outrage at the consequences of major oil spills has added a new constituency supporting ocean planning. The nightly television images of oiled birds and dead otters in Prince William Sound focused the interest of many Oregonians on the more than 1400 offshore rocks and islands that provide important habitat for both birds and mammals. A latent belief that these and other marine habitats should be adequately protected has erupted into an issue of widespread public concern.

These specific driving forces, increased awareness of other problems such as ocean dumping, driftnets, and marine debris, as well as an increase in environmental awareness generally, provide a context for public consideration of abstractions such as ocean stewardship, marine resource conservation, and priority consideration for living marine or renewable resources.

The Oregon Ocean Resources Management Act

The Oregon Ocean Resources Management Act is more than a mere legislative directive to start a general ocean planning process. The act cites the findings (reasons) for establishing the program, states the legislature's policy assumptions for ocean resource management, establishes clear priorities among competing ocean uses and activities, and requires the development of management plans.

The findings include recognition of the dynamic nature of the ocean and the migration of its living resources, the lack of a comprehensive state management system, existing federal laws that already give states a role in ocean resource management, and the need for additional scientific understanding of the ocean environment.

Legislative policies call for the ocean resource management plan to

(1) give priority to the use of renewable marine resources
(2) encourage environmentally sound, economically beneficial ocean development
(3) incorporate the ocean management program into Oregon's Coastal Management Program
(4) assert Oregon's interests as a partner in ocean management within the U.S. exclusive economic zone
(5) protein marine research and scientific understanding and
(6) encourage marine technology research

Full implementation of S.B. 630 will result in two planning documents to guide state and federal decisions concerning offshore activities. The two plans are

(1) The Oregon Ocean Resources Management Plan: An overall management plan for ocean resources and uses within the 200-mile U.S. exclusive economic zone, includ-

ing the Oregon territorial sea, which was completed in June 1990 and submitted to Oregon's Land Conservation and Development Commission for its approval by December 1, 1990 as part of Oregon's coastal management program.

(2) The Territorial Sea Management Plan: A more detailed plan to manage resources in Oregon's territorial sea (0–3 miles), originally mandated to be completed and adopted by the State Land Board by July 1991.

The Oregon Ocean Resources Management Plan has four major elements: (1) an analysis of state and federal laws, programs, and regulations affecting ocean resources within the planning area, including gaps, overlaps, and conflicts; (2) a study of present and future ocean uses off Oregon, and an analysis of the state's management regime for such uses; (3) maps and other information about ocean conditions, uses, and resources, computerized to facilitate plan decisions; and (4) recommendations to develop or improve state agency programs for managing ocean resources.

The plan also recommends that the 1991 Oregon Legislature extend the deadline for and broaden the scope of the more detailed Territorial Sea Management Plan. Such changes would allow fuller consideration of developments since the passage of the Oregon Ocean Resources Management Act in 1987 such as President Reagan's December 1988 Proclamation widening the United States territorial sea from 3 to 12 nautical miles and the 1989 Oregon Legislature's decision to prohibit any leasing of the state's territorial sea for oil and gas development prior to June 30, 1995 (1989 Oregon Laws ch. 895 (1989 S.B. 1152)). The Plan recommends extending that prohibition indefinitely and also prohibiting commercial mineral exploration in the state's territorial sea for five years.

The Planning Process

Planning Participants

The Ocean Resource Management Task Force, a 21-member task force chaired by the Governor's Assistant for Natural Resources, is preparing the Oregon Ocean Resources Management Plan. Membership on the task force includes nine natural resource agency directors, a representative from each of the major private sector ocean user groups (recreational fisheries, commercial fisheries, oil/gas development, marine mineral development, ocean navigation), two coastal local government representatives, an Indian tribal representative; and three citizen members.

The task force is supported in its work by a Scientific and Technical Advisory Committee. Staff from several federal agencies with ocean resource management interests and authorities, local government planners, Indian tribal representatives, oceanographers, biologists, economists and other academics, ocean law experts, environmental groups, and citizens are represented on the advisory committee. Also, the task force has an especially close relationship with Oregon State University's Sea Grant Program and the University of Oregon's Ocean and Coastal Law Center.

Program Staffing and Funding

The Oregon Ocean Resources Management Act was a legislative, rather than an executive branch initiative. Ocean resource management issues were not originally part of Governor Goldschmidt's legislative agenda, although he actively supported the legislation. The principal author, state Senator Bill Bradbury from the coastal community of

Bandon, was supported in his efforts by all senators and representatives of both parties from coastal cities and counties. DLCD and the Division of State Lands staff provided assistance in legislative drafting. Legislative spokespersons for other affected state agencies did not take any advocacy position on the legislation. Four environmental lobbyists offered general support; no one testified in opposition.

The ocean program budget provided resources for only one full-time position, the program manager. Start-up funding for the 1987–1989 biennium was placed in the budget of the State's land use planning and coastal zone management agency, the Department of Land Conservation and Development (DLCD). The initial budget totaled $114,452, $4000 of which was earmarked for direct pass-through to the Oregon Coastal Zone Management Association, an association of coastal cities, counties, ports, and special districts. No other state agency received any appropriation for ocean planning. The Division of State Lands (DSL), the state's landlord for the 0–3 mile state territorial sea, received authorization to add a marine geologist to work with the task force on marine mineral issues. DSL passed through $100,000 to Oregon State University to analyze core samples previously taken from the seafloor in state waters.

The legislation designates DLCD to be the primary agency for coordination of the ocean resource program. DLCD is directed to assist the governor in his duties and opportunities to respond to federal agency programs and activities affecting coastal and ocean resources. DLCD is also directed to provide technical, clerical, and other necessary support for the Ocean Task Force.

At the governor's request the DLCD deputy director, a senior state program executive, who was assisting the governor's office on OCS issues was reassigned to the position of ocean program manager. To provide the needed support and to fully fund the manager's position, DLCD administrative funds were transferred into the ocean resources section of the DLCD budget.

Even though they received no funds to underwrite agency participation on the task force, agency directors strongly supported the program from the beginning. Agency directors on the task force have willingly added the assignment to their workload. Agency managers have slowed or postponed the work assignments and used a variety of creative management techniques to assure full staff participation in the program.

DLCD revised its agency work program to provide some 32.2 person months of DLCD program staff time to the ocean planning effort in order to meet the tight time lines imposed by the legislation.

DLCD's total contribution to the ocean planning effort during the 1987–1989 biennium is estimated to be $250,000 beyond the $114,442 base amount. DLCD's contribution includes outer continental shelf coordination and other nearshore ocean planning activities that were already programmed as work items under the State's coastal zone management responsibilities.

The other resource agencies represented on the task force expended an estimated $222,000 on ocean planning during the 1987–1989 biennium. In summary, state agencies have spent approximately $866,000 for ocean planning and related activities during the 1987–1989 biennium. The legislature's direct appropriation was $374,452.

The governor's recommended ocean budget for the 1989–1991 biennium totaled $1.05 million for all agencies. The legislature understood the real costs of the program incurred in the previous biennium, agreed with the agencies' priority consideration of ocean issues, and approved the governor's recommended amount with almost no discussion. In response to the Exxon *Valdez* disaster, the legislature appropriated an additional $40,000 to accelerate oil spill response planning.

Agency Participation

Agency directors shared a belief that Oregon's ocean resource management capabilities needed to be improved. Agency willingness to participate in the program was also a function of both a nonthreatening decision-making structure and new opportunities for agency program enhancement. Each affected agency had a seat at the decision-making table and equal ownership in the process and the product. Agencies actively used the process as an opportunity to raise new, multidisciplinary ocean resource issues. The task force served as both an interagency discussion forum and as a useful sounding board for ideas with the ocean user representatives, public members, academic representatives, and citizens who regularly attended task force meetings.

The task force's only assignment is to prepare the ocean plan and make recommendations for its implementation. Plan policy recommendations are not self implementing. The task force itself has no authority to adopt regulations. The Oregon Ocean Resources Management Act did not confer new authority on any agency to adopt specific regulation of ocean resources or ocean uses, although the plan makes legislative recommendations for new agency authority.

While the task force was directed to produce a plan with only policy recommendations, it seemed clear that the legislature intended the recommendations would articulate the State's ocean resource management values and provide a vision to carry the state's ocean resource agencies into the 1990s.

Governor Goldschmidt has made it clear he personally supports the development and implementation of a comprehensive management plan and process to insure state interests are protected and promoted both within state waters and beyond. The governor has forcefully conveyed his expectation that agencies will provide him with coordinated responses, whenever legally possible, to ocean resource issues, project proposals, and budget strategies.

Planning Milestones

On July 1, 1988 the task force filed its Interim Report with the legislature. The Interim Report suggested shortcomings in the state's existing ocean management regime. It recommended the creation of adaptive management systems, which set priorities and resolve conflicts among both ocean users and governmental agencies at all levels. The Interim Report also expressed the need for the state to move from management by conflict resolution to management by objectives. The Interim Report echoed the governor's call for a process that could serve as a constructive alternative to expensive lawsuits and legislative moratoria.

In the fall of 1988, the task force held eight public workshops sharing the findings of the Interim Report and soliciting ideas and issues to be considered in developing the ocean plan. Most citizens attending the meetings voiced nearly unanimous opposition to offshore oil/gas development in either state or federal waters. Upon hearing the discussion of the state role in the OCS oil/gas leasing process and other ocean resource issues facing the state, attendees expressed strong support for Oregon's ocean management planning effort. Citizens were equally supportive of the state's efforts to establish co-management responsibilities with the federal government.

In the summer of 1989, the task force completed work on a preliminary set of draft policies. Public review of the draft policies began in November 1989. The task force evaluated the public record in early February 1990. A second draft of the plan policies was offered for public review on May 24, 1990. The plan document was filed with the legislature by June 1, 1990. The plan was reviewed by the Land Conservation and Development Commission, in a series of public meetings, held from September to November of 1990. If approved, the plan becomes part of Oregon's coastal management program. If not approved, the plan is sent back to the task force for needed changes.

The Ocean Resource Management Plan: Four Program Innovations

Boundary Innovation: The Ocean Stewardship Area

The task force has concluded that Oregon's *primary* coastal and ocean resource management interests extend from the coastal mountains to the seaward edge of the continental margin, not necessarily to the full extent of the 200-mile EEZ boundary. Activities in this dynamic and integrated zone directly affect Oregon and Oregonians. Oregon's statewide land use planning program, enacted in 1973, addresses activities on the landward side of this zone. The Ocean Resources Management Program of 1987 addresses the water side. The Ocean Resources Management Act directs attention to the resources of the entire exclusive economic zone and mandates the conservation of long-term values, benefits, and natural resources within this planning area.

The task force has endorsed an ecosystems-based ocean resource management approach by asserting Oregon's ocean stewardship responsibilities through creation of an Ocean Stewardship Area. The Ocean Stewardship Area includes the entire continental margin from mean high water, across the continental shelf, and down to the bottom of the continental slope. The width of the continental margin varies from about 35 miles at Cape Blanco to about 80 miles off the northern coast. Depth to the ocean floor at the edge of the margin varies from about 3000 meters off the southern coast to about 2200 meters off the northern coast. A straight line drawn at about 125°20′W approximates the seaward edge of the continental margin.

Within this Ocean Stewardship Area, the task force asserts

(1) that uses and activities within the entire Ocean Stewardship Area directly affect the interests of the state of Oregon
(2) a state management interest in ocean fisheries, habitat protection, seabirds and marine mammals, nonenergy minerals, oil and gas, water quality, and air quality
(3) a state management responsibility with federal resources management agencies
(4) a commitment to coordinate with federal agencies to ensure that ocean resources in the Ocean Stewardship Area are managed consistently with the policies of the Oregon Ocean Resources Management Plan
(5) the need to coordinate and cooperate with adjacent states to establish regional approaches to management of ocean areas
(6) a commitment to consider establishing special marine management areas to provide increased opportunities for public recreation, to protect biological communities and habitats, and to advance scientific understanding of the ocean.
(7) the need for more scientific research on marine ecosystems, ocean resources, and oceanographic conditions to develop better information with which to make management decisions.

Innovations in Management: Marine Parks, Gardens, and Reserves

Oregon's coastal area has long been recognized as a national treasure. Oregon's ocean resources are interconnected, interdependent, valuable, and vulnerable. The Oregon

Ocean Resources Management Task Force recognizes the need for an ecosystem-based approach to ocean resource management. Statewide Planning Goal 19 and the Oregon Ocean Resources Management Act of1987 both call on the task force to make recommendations that will give priority to the proper management and protection of renewable resources. To carry out its legal mandate and meet its ocean stewardship responsibilities, the task force has recognized the need to institute special protective measures to maintain the integrity of the marine ecosystem and to assure the survival of threatened and endangered species.

Nearly 1.2 million seabirds, including endangered species such as the American peregrine falcon, bald eagle, Aleutian Canada goose, and California brown pelican depend on Oregon's coastal area for breeding, loafing, and feeding. Pinnipeds dependent on these areas include the harbor seal, northern elephant seal, northern sea lion, and the California sea lion. Oregon is host to some of the largest northern sea lion breeding areas in the continental United States.

The U.S. Fish and Wildlife Service (USFWS) conducted a comprehensive study of over 1400 offshore islands, rocks, and reefs to determine which areas were in need of special management. The criteria used included species diversity, concentration, and density of animals; presence of sensitive, threatened, and endangered species; and vulnerability to human activities. Based on this analysis, which it has shared with the task force, the USFWS proposes that 33 areas be defined as special management areas and that these areas be protected by buffer zones of varying sizes.

The task force considered a recommendation that could lead to the establishment of Rocks and Island Critical Habitat Areas. Such areas would include some or all of the 33 areas recommended by USFWS. Most of the areas are located in Oregon's National Wildlife Refuge System, with the above water area managed by USFWS as ecological preserves to protect the habitat and wildlife dependent on the habitat. The water area around the rocks and islands fall under state jurisdiction. The establishment of access controls, buffer zones, or other protective measures will require a close federal/state cooperation.

During the public hearings held in November 1989, the task force witnessed the head-on collision between fishermen concerned about any reduction in fishing areas and individual citizens and representatives of wildlife protection organizations who just as vigorously supported additional techniques to protect threatened wildlife from the effects of human disturbance. A basic conflict of values surfaced, to no one's real surprise. It turned out to be the most divisive issue the task force would face. In the end, the task force agreed to accept the status quo in state and federal fisheries management; the general thrust of the plan is to protect commercial and recreational fishing from any possible effects from other ocean uses.

The task force also considered proposing a system of marine gardens to protect critical intertidal habitat. The task force encouraged the State Parks Department to prepare a Marine Park Master Plan to guide development of a system of marine parks and educational and interpretive programs. Potential sites for both marine gardens and parks are identified in the plan.

Governance Innovations: An Ocean Advisory Council

Expanded use of renewable ocean resources and new proposals to find and develop nonrenewable resources will present increasingly complex policy, planning, and management decisions. The task force has concluded that a permanent mechanism is needed to retain the values of a multidisciplinary, interagency, joint public-private approach to ocean planning, policy formulation, and coordination. The task force recommends legislative establishment of an Ocean Policy Advisory Council composed of state agencies, ocean users, coastal local government, and citizen representatives. The council would coordinate preparation of a more detailed Oregon Territorial Sea Management Plan within the framework of the Oregon Ocean Resources Management Plan. The council also would serve as a visible forum for discussion of ocean policy issues and proposed ocean development projects. The Council will coordinate the ocean resource interests and expertise of state and federal agencies. The council will also assure that local governments are full participants in ocean policy discussions.

Oregon currently does not have an interagency process for the technical review of complex, multiple, or multiphased offshore development projects. The task force recommends that the Ocean Policy Advisory Council use, where necessary, teams of technical experts, project review panels (PRPs). to assist in the council's review and coordination functions. PRP membership would depend on the nature of the proposal being reviewed. They would not have any new or independent authority, but would advise agencies with existing authority. The task force believes that project review panels can be an efficient and flexible resource management tool to advance comanagement of Oregon's ocean resources and assure that all voices are heard in project decisions.

Innovations in State-Federal Relations: The Struggle for Comanagement

Both the Oregon Legislature and the governor expect Oregon's ocean program to be an experimental laboratory and an agent of change in ocean governance within the federal system. Efforts to change the customary ways of doing business with federal agencies are seen as a formidable challenge, requiring great patience and a willingness to accept partial victories. The legislation expects federal agencies to enter into a full partnership relation with task force's planning process. The governor anticipates the emergence of a totally new intergovernmental relationship, the ultimate objective of which would be state-federal comanagement of all ocean resources within the Ocean Stewardship Area if not the entire EEZ. Steps toward comanagement have been taken in the case of potential placer mining and OCS oil and gas development.

Placer Mining. An Oregon/U.S. Department of Interior Placer Task Force has been established and is investigating the economic and environmental feasibility of placer mining in both state and federal waters off Oregon. The preliminary investigation will provide key information for developing both state and federal approaches to placer mining. The state has prevailed on the Department of Interior to include federal funds to study the environmental risks of placer mining as well as assessments of market conditions.

OCS Oil and Gas Development and Environmental Studies. At the request of Oregon, Washington, and northwest Indian tribal governments, Congress instructed the Department of Interior to constitute a Pacific Northwest Regional Outer Continental Shelf (OCS) Task Force. Created in January of 1989, the OCS Task Force marked the first successful state initiative to cause a restructuring of Interior's framework dealing with states on OCS issues. Unfortunately, progress on substantive issues was slow at first. Then new political leadership at Minerals Management Service (MMS), appeared to take the Northwest Task Force seriously, assigning the MMS Deputy Director to represent the agency.

Pursuant to congressional direction requested by the two states, Interior signed a cooperative agreement with the Pacific Marine Fisheries Commission to subcontract with the Oregon Department of Fish and Wildlife, Washington Department of Fisheries, and the Pacific Northwest Intertribal Fish Commission for a three-year commercial fisheries data study. The work includes elements both states think are essential to meet state ocean resource management needs even if an oil and gas lease sale is not held until after the year 2000 pursuant to the President's June 1990 decision.

State/Federal Agency Cooperation

As Oregon's program gains visibility and generates policy recommendations on a variety of ocean resource management issues, federal agencies have begun to listen more carefully and respond more positively to Oregon's ocean resource management concerns.

Citing interest in Oregon's unique ocean planning program, the National Oceanic and Atmospheric Administration (NOAA) assigned a senior staff member to coordinate federal agency participation in Oregon's program.

The Oregon Ocean Resources Management Task Force established excellent working relations with the U.S. Fish and Wildlife Service, various NOAA agencies, especially the National Marine Fisheries Service, the U.S. Environmental Protection Agency, and the U.S. Army Corps of Engineers. These agencies, having been active in the plan preparation phase, will eventually carry out the letter and spirit of new state agency programs that are developed as a result of the plan's recommendations.

The ability of the state to point to a comprehensive planning document, prepared with the active participation of federal agencies and carrying the combined weight of both state and federal agency agendas, strengthened the state in its dealings with Minerals Management Service. The work of the Oregon Ocean Resources Management Task Force also demonstrated to Oregon's congressional delegation that state agencies, federal agencies operating in Oregon, and Oregon's citizens were taking their stewardship responsibilities seriously. Oregon is willing to use its scarce fiscal resources to collect data, conduct careful analyses, and carefully articulate public policy in an open process. Moreover, the governor wanted to move beyond litigation, continued reliance on the congressional appropriations process, and political confrontation as the customary ways to achieve Oregon's ocean resource management objectives.

Conclusion

Certain themes have emerged from these efforts. Not all of them are surprises. Oregonians are increasingly conscious of and willing to voice a stewardship responsibility for ocean resources, that is: the need to protect the quality and productivity of the ocean environment for future generations, while sustaining the economy that currently depends on these resources. Citizens want state officials to assert the state's right to participate in ocean resource allocation decisions that impact their way of life, coastal communities, and economy, both within the state's territorial sea and the EEZ.

Sound planning will be necessary to protect, conserve, or to bring an optimal economic return from Oregon's ocean resources. Planning can ensure a collaborative, efficient, and balanced decision-making process. The private sector is often the prime mover in ocean resource development. What does or does not happen offshore and at what pace usually depends on market conditions and the judgment of ocean users. However, resource allocation decisions are best made in advance of development requests if at all possible. New offshore uses may represent economic trade-offs that diminish existing ocean uses rather than simply adding to existing levels of income now derived from ocean resources.

Oregon's Ocean Resource Management Task Force is developing a plan that clearly states an ocean resource management vision and basic resource management values. The plan will recommend a clear policy direction. The plan will be based on sound, accessible information that ocean users need, agencies require, and the public expects. The plan can be implemented by networking local, state, and federal agencies. No new operating agency will be needed to implement the recommendations, although a new and permanent coordination mechanism is recommended.

Both the task force and the governor are committed to establishing an effective, joint participation process with the federal government that recognizes the legitimate interests of Oregon and its citizens. Oregon's example has helped open the ocean policy window of opportunity in other states and at the national level and its ocean planning process is open to all and is comprehensive in scope. But, like Oregon's statewide land use planning, the state's experiment in ocean resource planning and management may not be totally exportable to other states.

Oregon's ocean planning program is viewed nationally and internationally as a forward looking and innovative approach to ocean governance. The state's strategic geographic location and outstanding ocean resource diversity and productivity presents Oregonians with an opportunity to play an increasingly important role in Pacific rim affairs. With its own ocean policy and management house in order, Oregonians will have prepared themselves to make credible contributions to any future examination of new forms of ocean governance at the national and international levels.