

# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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## Adoption of Resolution 5002 Endorsing Ocean-Marine Reserves

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Meeting Date: March 8, 2010  
Department: Central Services  
*www.eugene-or.gov*

Agenda Item Number: 2D  
Staff Contact: Beth Forrest  
Contact Telephone Number: 541-682-5882

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### **ISSUE STATEMENT**

This consent item is for the City Council to take action on a request to adopt a resolution endorsing ocean-marine reserves. The resolution is included as Attachment A.

### **BACKGROUND**

At the Public Forum on November 23, 2009, several people testified in support of establishing marine reserve sites along the Oregon coast and requested that the council pass a resolution endorsing this initiative (see minutes from November 23 meeting in Attachment B). A similar resolution was passed by Lane County in April 2009.

Councilor Zelenka and Mayor Piercy requested that this resolution be scheduled for council consideration.

### **COUNCIL OPTIONS**

The council may adopt the resolution, amend the resolution or decline to adopt the resolution.

### **CITY MANAGER'S RECOMMENDATION**

The City Manager has no recommendation on this item.

### **SUGGESTED MOTION**

Move to adopt Resolution 5002 endorsing Ocean-Marine Reserves.

### **ATTACHMENTS**

- A. Proposed Resolution
- B. Excerpt from November 23, 2009, Minutes

**FOR MORE INFORMATION**

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RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION ENDORSING OCEAN-MARINE RESERVES.**

**The City Council of the City of Eugene finds that:**

**A.** The City Council of the City of Eugene recognizes that a system of marine protected areas, including marine reserves, are management tools that ensure the health and sustainability of Oregon's ocean for current and future generations.

**B.** The Governor's Executive Order 08-07 directed the Ocean Policy Advisory Council (OPAC) to recommend sites for consideration as marine reserves that, individually or collectively, are large enough to allow scientific evaluation of ecological benefits, but small enough to avoid significant economic or social impacts.

**C.** OPAC has recommended that six areas move forward for further consideration for development as marine reserves. Specifically, OPAC recommended that Otter Rock and Redfish Rocks be designated as pilot marine reserves, but that the other four areas (Cape Falcon, Cascade Head, Cape Perpetua and the Cape Arago region) require additional time for ecological and socioeconomic information to be gathered, and require further collaboration among ocean users, coastal communities, and other interested parties.

**D.** On July 1, 2009, House Bill 3013 became effective. The Bill directed that the Oregon Department of Fish and Wildlife (ODFW) implement OPAC's recommendations on marine reserves and develop a marine reserves work plan.

**E.** ODFW has developed a marine reserves work plan in consultation with scientists, relevant state agencies, ocean users, coastal communities, and the general public. The plan consists of two major sections which: (1) outline work to be conducted for the Otter Rock and Redfish Rocks pilot sites; and (2) outline work for further evaluation of Cape Falcon, Cascade Head, Cape Perpetua and the Cape Arago region.

**F.** Oregon's marine waters are a vital and treasured resource, and the City of Eugene should endorse the establishment of a marine reserve system.

**NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:**

**Section 1.** The City Council of the City of Eugene recognizes the importance of maintaining a healthy ocean environment and, therefore, endorses OPAC's recommendations on marine reserves and ODFW's implementation of OPAC's recommendations and development of a marine reserves work plan.

**Section 2.** This Resolution is effective immediately upon its passage by the City Council.

The foregoing Resolution adopted the \_\_\_\_ day of \_\_\_\_\_, 2010.

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**Acting City Recorder**

## MINUTES

Eugene City Council  
 Regular Meeting  
 Council Chamber—Eugene City Hall  
 777 Pearl Street—Eugene, Oregon

November 23, 2009  
 7:30 p.m.

COUNCILORS PRESENT: Chris Pryor, George Brown, Andrea Ortiz, George Poling, Mike Clark, Betty Taylor, Jennifer Solomon, Alan Zelenka.

Her Honor Mayor Kitty Piercy called the meeting of the Eugene City Council to order. She wished everyone a happy Thanksgiving.

## 1. PUBLIC FORUM

Mayor Piercy reviewed the rules of the Public Forum.

**Pauline Hutson**, 1025 Taylor Street, noted that she was also speaking on behalf of Josef Siekiel-Zdzienicki and the Residents for Responsible Rapid Transit (3RT). She supported the suggested EmX Bus Rapid Transit (BRT) route that would go along the 6<sup>th</sup>/7<sup>th</sup> Avenue/7<sup>th</sup> Place corridor. She believed it would cost the least amount in easement costs and would facilitate the future development of a spur to Highway 99 or to the River Road area. She thought a spur along Highway 99 North could also go out to the airport, where there was no bus service. She believed a non-dedicated lane would be less disruptive to residences due to less construction. She thought some signal intersections could have bus stops. She related that the 3RT survey of residential addresses in the 6<sup>th</sup>/7<sup>th</sup> Avenue environs, indicated that there were 197 residential units on 6<sup>th</sup> and 7<sup>th</sup> Avenues from Olive Street to Garfield Street, 274 residential units on cross streets within one block of 6<sup>th</sup> and 7<sup>th</sup> Avenues, and 200 motel units. She opined that the goal of the Lane Transit District (LTD) to promote economic development along the BRT routes and the City's Multiple Unit Property Tax Exemption (MUPT) ordinance coincided. She related that a 2003 survey conducted by the Whiteaker Community Council had found that the neighborhood had a high rate of transportation-disadvantaged persons residing there. She noted that this was a federal transportation term defined to mean people who were either low-income, disabled, senior citizens, mass transit dependent, and/or too young to drive. She felt the BRT system would benefit them the most.

**Riley West**, 434 Brookside Drive, owned a store on West 11<sup>th</sup> Avenue called Riley's Furniture. He had lived in Eugene for 32 years. He was against development of an EmX route on West 11<sup>th</sup> Avenue. He said the 6<sup>th</sup>/7<sup>th</sup> Avenue alignment made sense to him. He felt that it could easily go out to Seneca Street, or out to the River Road area or the Highway 99 North area from Chambers Street. He related that when he picked up people at the airport he took them on a scenic route and avoided Highway 99 because it was unsightly and he did not want it to be their first impression of Eugene. He thought development of the EmX route would beautify the highway. In closing, he commended the councilors for their hard work.

**Bob Rees**, P.O. Box 1196, Tillamook, thanked the council for listening to public comments. He explained that he was a licensed charter boat operator and fishing guide on the north Oregon coast. He was also co-author of two of the four sites on the Oregon coast that had moved forward for consideration as marine reserves. He noted that the process had been long and arduous. He found it refreshing that the inland communities took an interest in the ocean conservation issues. He averred that the ocean resources belonged to all Oregonians. He said as a professional fisherman who spent approximately 150 days on the water annually, conservation played a large role in his long-term business plan. He stated that an established network of marine reserves would allow them to understand

the impacts humans had on marine ecosystems and how to protect the economic, social, and ecological benefits that the resources should provide for years to come. He said they were at a key crossroads because the Department of Fish and Wildlife was selecting advisory members for the remaining four near-shore sites that were forwarded for further review to be implemented as marine reserves. He averred that this key commitment by the state agencies assured that fishermen like himself were seated at the table working in collaboration to ensure they were moving forward with an ecologically significant designation without causing significant economic harm to the communities that depend on these resources. He hoped that the City of Eugene would join other communities such as Cannon Beach, Yachats, and Lane County in declaring public support for the collaborative process and to embrace the nearly unanimous support that House Bill (HB) 3013 received in the State Legislature.

**Dennis Gabrielson**, 360 South 10<sup>th</sup> Street, Creswell, had wanted to rebut City Manager Jon Ruiz' assertion, made at the meeting held two weeks earlier, that a \$250,000 savings had been achieved at the library. He was not going to dispute his figures, but he still believed that the \$100,000 job that was being posted externally could have been avoided. He believed that all Mr. Ruiz had to do would be to appoint another exempt employee to fill that position until they knew the position would be needed.

**Guadalupe Quinn**, 3820 Greenwood Street, asked the council's support for forwarding a resolution in support of federal legislation called the Dream Act. She explained that the legislation would create an opportunity for undocumented immigrants to be able to continue their education and, with some criteria, to adjust their status. She said they were asking the council to join hundreds of other organizations that have signed on for this. She understood that immigration was a hot issue in this country and this community, but she wanted the councilors to consider the request for support of the Dream Act as a way to invest in the future of the country's young people. She underscored that the people that this would help were people who had only known this country and community as their home and had lived nowhere else since coming to the country and who would hopefully be able to be contributors to the community in the future. She left some information regarding the Dream Act for the council's review.

**Joy Marshall**, 5166 Alpine Way, thanked the councilors for their service on the council. She spoke regarding the Ballot Measures (BM) 66 and 67, which she said were small revenue measures that were very seriously needed. She related that School District 4J had cut \$20 million from the budget "just to keep the doors open." She said the Bethel School District had to cut \$9 million from its budget. She stated that her daughter had come home with a chemistry problem that she was unable to answer and she had been unable to get her teacher's help because the classroom was crowded with 40 students. She noted that a friend's math classroom contained 56 students. She averred that this was hurting the quality of life in the community. She asked the councilors to help get the word out. She underscored that the budget cuts also impacted the University of Oregon and Lane Community College (LCC) as well as cutting millions from human services and public safety. She said the first measure would only impact the top 2.5 percent of Oregonians and the second measure was in two parts and would ask people to pay a little bit more. She asserted that presently the \$10 minimum corporate income tax was being paid by two-thirds of corporations. She said they were asking them to step up and pay the extra \$150 per year. She noted that her family's business taxes would be increased from \$10 to \$150. She added that the most profitable businesses would experience a 1.3 percent tax increase on profits over \$250,000 and most of the tax increase would be temporary and in the year 2013 would go to profits over \$10 million. She called the ballot measures modest, fair, and "incredibly necessary." She hoped the council would consider endorsing a measure to get the word out to the community.

**Debbie Schlenoff**, P.O. Box 51347, conservation coordinator for the Lane County Audubon Society, spoke in support of establishing a network of marine reserves off the coast of Oregon. On behalf of the Audubon Society, she encouraged the City of Eugene to adopt a resolution of support for Oregon's marine reserve system and to support the evaluation and potential designation of Cape Perpetua as an important component of that network. She said they

were fortunate to live close to the coast and recognized the importance of ocean health on its citizens' environment, economy, and public health. She stated that research had shown that the decline of ocean health negatively impacted the success of bird populations. She averred that marine reserves acted as an insurance policy

for sustainable fishing by preserving healthy thriving marine life and provided places for scientific research and the tourist industry. She said the establishment of marine reserves aligned with Oregon's participation with the West Coast Governance Agreement on Ocean Health, noting that Oregon was the only state so far not to set aside areas for the recovery of fish and wildlife. She declared that all Oregonians had a stake in the health of the ocean. She reiterated the request for the council's support in protecting the ocean ecosystem.

**Diego Hernandez**, 1722 Hilyard Street, stated that he was in his fifth year at the University of Oregon working on a triple major. He related that they had held two showings of *Papers: The Movie* during the previous week and both had been well attended. He had come before the council to talk about the Dream Act and a possible council resolution in support of it. He said it was important because it affected students in the community. He had been born in the United States and was an American, but his parents were immigrants. He underscored the importance of having opportunities to go on to higher education and the contributions and investments that people who went on to higher education made to their communities. He related that he was going to graduate school and would ultimately seek a master's degree in social work.

**Jairo Castañeda**, 1722 Hilyard Street, added his support for passing a resolution to support the Dream Act. He stated that over 930 organizations currently supported the Dream Act. He listed some of them, including Microsoft and the city councils of Portland, Chicago, and Oakland. He said the act was also supported by over 105 members of the House of Representatives and 36 members of the Senate. He thanked the councilors for their support, reiterating his hope that they would also pass such a resolution.

**David Wade**, 1366 Lawrence Street, Apt. 6, stated that he was a recent graduate from the University of Oregon. He spoke in support of establishing the Cape Perpetua marine reserve. He also wanted to go on record as being in support of the Dream Act. He had moved from Virginia two years earlier to obtain a master's degree in public administration. He had chosen to go to the University in part because of wanting to live in a state that valued its natural resources. He related that he had been surprised by the abundant sea life in tide pools on the coast of Oregon, noting that one did not find such abundance in Virginia. He stated that Virginia was trying to "win back" the ecological health of its coastal waters. He averred that Oregon had the opportunity to avoid the mistakes that Virginia had made by establishing protections that the near shore coastal waters needed to adapt and thrive in the face of climate change. He asked the City of Eugene to demonstrate its citizens' commitment to the natural resources of Oregon by passing a resolution in support of the establishment of marine reserves.

**Derek Campbell**, 1289 East 28<sup>th</sup> Avenue, stated that he was a recent graduate of the University of Oregon and also wanted to add his voice on behalf of the establishment of marine reserves at Cape Perpetua. He read into the record a portion of a letter he had written in support of this. He provided packets of information on the ecology that included maps and the house bill, the work plan for the Oregon Department of Fish & Wildlife, and resolution language from three coastal communities and the County. He averred that though this was a coastal issue it was important for all the communities in Oregon like Eugene to remind people that this was a statewide issue.

Mayor Piercy closed the Public Forum. She thanked everyone for taking the time to come from the coast. She considered the items brought to their attention to be important. She believed the marine reserves to be an issue of national importance. She stated that BM 66 and 67 were about how the state would be able to fund the future of Oregon and the Dream Act resolution was about the future of a lot of young people in the country. She added that she also wished to thank the people who spoke about the EmX route.

## **ATTACHMENT B**

Councilor Pryor expressed appreciation for all of the people who spoke. He had not been aware of the marine reserves issue and he looked forward to reading the material that had been provided. Regarding the ballot measures, he stated that they were in the process of preparing a memorandum to outline the impacts that the failure of BM 66 and 67 would have on the City. He had also been pleased by the interest people were taking in the EmX. He appreciated the comments Ms. Hutson had made regarding the Whiteaker neighborhood.

Councilor Ortiz said she would like to look at the language in HB 3013. She thought it was “kind of a slam dunk.” She believed the resolution on BM 66 and 67 would be nearly as easy to discuss. She intended to look at bringing forward language in support of them, as well as in support of the Dream Act.

Councilor Brown thanked everyone. He hoped they could craft a resolution in support of the Dream Act and for HB 3013 and that they could support both unanimously. He said he wholeheartedly supported BM 66 and 67, noting that he had a child who attended public schools. He averred that his business would have to pay a total of 38 cents per day more for the corporate fee. He wanted to pass a resolution in support of the measures.

Councilor Taylor thanked everyone and, in particular, Ms. Hutson for her persistence. She felt that the resolutions that had been discussed were good. She said things on the coast still affected everyone.