

Rocky Habitat Site Proposal Final Recommendation

The Rocky Habitat Management Strategy Initial Proposal Process (2020-2021)

Proposed Site

Site Name: Cape Lookout Marine Conservation Area

Site Map: http://seasket.ch/y0uvvr4X_7

Proposal Materials: <https://bit.ly/3e2laKw>



Final Recommendation

This document summarizes the site proposal evaluations conducted by the Rocky Habitat Working Group. The summary below represents an evaluation and recommendation synopsis for Cape Lookout Marine Conservation Area. During evaluations, the agencies and Working Group identified considerations for potential recommendation by the Ocean Policy Advisory Council (OPAC). Consideration are those aspects of a proposal, identified through the evaluation process, which the Working Group believes should be addressed to facilitate implementation of the designation as proposed. These considerations were outlined in draft initial recommendation summaries, which were made available for a 30-day public comment period. Proposers were invited to submit written responses to the initial recommendations, and present their proposals and responses in the April 29, 2021 Working Group meeting. Following discussion with proposal presenters, the Working Group deliberated and crafted their final recommendations.

Final Recommendation: *Continuing Consultation (10:2)*

Summary of Considerations

The Rocky Habitat Working Group identified the implementation considerations listed below for the proposed Cape Lookout Marine Conservation Area. Any potential recommendation from OPAC should address these considerations as outlined in the following summary to ensure that implementation of the proposed site is a) consistent with state agency authority and coastal policy, b) appropriately inclusive and representative of stakeholder interests, c) reasonably achievable within the existing framework of rocky habitat site management, and d) in balance with the merits and goals of the proposed site.

Any potential recommendation for implementation of this site should address the following considerations:

- Clarifications on management effectiveness with respect to status quo, site monitoring, enforcement issues
- Level of support with respect to capacity, coordination, and costs for stewardship activities; stakeholder engagement
- Reconciliation of boundary issues (landward site boundaries, north side boundary)

The south side of Cape Lookout was recommended for designation as a Habitat Refuge in the original 1994 Territorial Sea Plan. The upland area, Cape Lookout State Park, experiences moderate visitation levels with a parking area at the main trailhead for access to the cape. With the exception of the south side of the cape, and some limited intertidal on the north side, most of the rocky shore areas are inaccessible or hazardous to access, and experience little or no use. The rocky intertidal area on the south side of the cape can be accessed by a maintained trail, but the hike is difficult enough to limit general public use of the area. Camp Meriwether, located near the south side of the cape, provides relatively easy access to the intertidal area for groups that use the camp. The rocky headland is home to nesting seabird colonies and pinniped haulout areas, and provides shelter for one of the largest kelp beds on the north coast.

The concerns expressed in the proposal are primarily focused on the impacts of increasing site use on seabird nesting sites and pinniped haulouts, as well as ecological integrity of the kelp beds. The primary goal aims to conserve the natural character of the site to provide long-term benefits. The proposal emphasizes education and stewardship as means of protecting rocky habitats and ecological communities while allowing for use and enjoyment to enhance appreciation and foster personal stewardship of rocky habitats. The recommendations and metrics are clear and well-outlined, and highlight current site management well. There is also a strong focus on protection of kelp beds, and promoting community science efforts.

The proposal maintains status quo management at the site and does not place any restrictions on commercial or recreational fish harvest. Invertebrate harvest would be closed except clams, Dungeness crab, red rock crab, piddocks, scallops, squid, shrimp, and sand crab, which could be harvested under normal coastwide regulations. In addition, the proposal states that ODFW could allow harvest of other invertebrate species as appropriate. Preservation and conservation of existing site conditions is a stated goal, and also aligns with TSP-3 goals. While Cape Lookout may be likely to benefit from site-specific management, some of the proposed regulatory standards and management practices may be in conflict with preservation and conservation of existing site conditions. Clarifications and expectations for allowable invertebrate harvest and how it would be used to measure site success would need to be

made prior to any designation. Success of this change in site management will also be dependent on community and state investments and capacity to engage in the proposed monitoring and management actions.

Enforcement of management changes may be logistically challenged by capacity, response needs, safety, and costs. The relative remoteness of the site and difficulties associated with access of the rocky habitat would be challenging and potentially dangerous to ensure consistent and effective enforcement. Volunteer programs could aid with enforcement if implemented, but firm support and expectations would need to be established up front. Initial and long-term enforcement costs will vary depending on which organisms are being regulated, and the landward extent of site boundaries.

The non-regulatory management measures were excellently outlined, but may very well be too ambitious or benefit from revision through agency coordination. Long-term monitoring will be required to determine efficacy of these measures, however, they are measurable and achievable. Some of the proposed management measures will require time and monitoring to fully understand how effective they will be at achieving site goals (e.g. drone and boater education). Recommendations may need to be scaled back and managed adaptively to meet expectations and the intended goals.

Recommendation 9 (coastwide monitoring of invasive species), is not site-specific and would be problematic for implementation. It is unclear who would conduct this work, the roles of the entities involved, who will develop it and what it would look like in practice, and how it would be implemented at a coastwide scale. It would also place an unfunded mandate on agencies to complete this work in the given time period. The role of agencies in this work and other broader long-term objectives in the proposal, is unclear. Note: the proposer has requested withdrawal of this recommendation from the proposal.

The proposal relies heavily on community organizations and other groups to develop and execute the proposed education, outreach, and other stewardship activities. It is unclear who will conduct the proposed monitoring and research in practice, and what the role of agencies will be. OPRD and ODFW are listed as potential cooperators in these efforts, as well as Camp Meriwether and several other organizations. At this time, there is concern from the agencies over lack of agency funding and staff capacity to engage in monitoring activities or other forms of site support (e.g. development of signage). Coordination with Camp Meriwether will likely be key for successful site interpretation, but it will be important to garner firm commitments from the camp as well as other organizations to engage in these efforts. The level of stakeholder engagement is good, but there are groups whose engagement and feedback are not reflected in the proposal materials such as the Pacific City Doryman's Association and other fishing groups which rely on the cape for shelter during hazardous conditions. If the site were implemented, additional outreach and engagement may need to be conducted at agency cost to ensure comprehensive inclusion of relevant stakeholder groups.

The proposal recommends consideration of the landward site boundary to be the Statutory Vegetation Line (SVL), rather than the Oregon mean high water shoreline (MHW), which the site polygon is automatically clipped to by the Rocky Habitat Web Mapping Tool. While a landward boundary above MHW may be considered for a rocky habitat site designation, the proposed site abuts Cape Lookout State Park along most of its landward boundary. OPRD does not define an SVL for designated State Parks lands, so any consideration for a landward boundary above MHW would need to be sufficiently justified and reconciled with the agency. Currently, the MHW boundary appears sufficient given the adjacent



lands are managed as a state park. Additionally, inclusion of the subtidal habitat as proposed would extend management protections in the area, but would be more comprehensive than most other existing rocky habitat designations and require strong justification for implementation. Final site boundaries will need to be reconciled with the involved agencies for additional clarification or refinement, particularly with respect to choices made on the north side of the cape.

Where possible, the Working Group supports addressing the considerations and concerns above through statewide and site-specific non-regulatory management plans, where appropriate, with a focus on volunteer monitoring, interpretation, education, and awareness efforts. Additional considerations for potential recommendation include the other merits and perspectives identified above and in the full packet of evaluation materials, in balance with the proposed site goals.