

PHASE 2

JULY 2019 PROCESS UPDATES
Initial Proposal Process Guide (DRAFT)

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PROJECT TIMELINE (as of July 12, 2019)

The Rocky Habitat Working Group is currently in the second phase of its work which focuses on updating the site-based management designations of the Rocky Habitat Management Strategy. [Read the adopted general strategy policies and principles here](#) (Phase 1 text).

MONTH (2019)	MAIN WORKING GROUP TASK(S) & MILESTONES
<i>July 25</i>	Review & finalize designation language & goals, draft process criteria
<i>August 26</i>	Finalize process criteria, draft proposal process.
<i>September 12</i>	Begin outreach and communication campaign to inform public on upcoming proposal process. Finalize draft of Rocky Habitat Web Mapping Tool for expert review
<i>October</i>	Finalize proposal process, determine necessary recommendations to OPAC, and continue outreach to communities. Incorporate expert review into Rocky Habitat Web Mapping Tool and publish.
<i>November</i>	Beginning of initial proposal process - accepting community proposals, re-assess necessary outreach, and aid proposing entities with proposal process.
<i>December</i>	Draft working group recommendation & incorporate agency input, continue to assess outreach needs and support to proposing entities. Issue “request for proposals” for contractors to begin work on the Rocky Habitat Management Communication Plan (Phase 3 task)
<i>January 2020</i>	Review submitted community proposals and asses working group recommendation and agency input for consistency. Draft recommendation to OPAC
<i>February 2020</i>	End of initial proposal process , finalize recommendation to OPAC.

Learn more about the Territorial Sea Plan and the Rocky Habitat Management Strategy at www.OregonOcean.info.

ROCKY HABITAT DESIGNATIONS

The Territorial Sea Plan: Part 3, also known as the Rocky Habitat Management Strategy, aims to be Oregon’s coordinated strategy for management of coastal rocky habitat resources. This management aims to balance human use and ecological conservation consistent with [Oregon’s Statewide Land Use Planning Goal 19](#) the ocean resources goal. The strategy applies [general management principles and policies](#) to all coastal rocky habitats, while also incorporating site specific management designations to high priority locations. The following table outlines the five management designation types as well as their goals, and characterizations.

<u>MARINE GARDEN</u>	
<u>Goal</u>	Protect rocky habitat resources for educational use. These sites should be prioritized for providing enhanced education, enjoyment, and resource awareness. Equitable physical access to these sites should be supported through an accessibility plan.
<u>Characterized by</u>	High public visitation and high educational potential.
<u>RESEARCH RESERVE</u>	
<u>Goal</u>	Maintain the natural system for scientific research and monitoring efforts. Sites with this designations should be geographically dispersed when possible.
<u>Characterized by</u>	Relatively intact system that has, or may benefit from scientific study and monitoring.
<u>MARINE CONSERVATION AREA</u>	
<u>Goal</u>	Conserve the natural system to the highest degree possible by limiting adverse impacts to habitat and wildlife. Equitable physical access to these sites should be supported through an accessibility plan. Sites with this designations should be geographically dispersed when possible.
<u>Characterized by</u>	Relatively intact system with high ecological value.
<u>LIMITED ACCESS CONSERVATION AREA</u> (access to these sites are inhibited due to natural features)	
<u>Goal</u>	Maintain limited physical access to the areas as a de facto conservation measure.
<u>Characterized by</u>	Relatively intact system with high ecological value, but naturally difficult area to physically access.
<u>FEDERAL DESIGNATION</u>	
Federally designated sites cannot be created through the Rocky Habitat Management Strategy, but the strategy recognizes these designations in order to provide a more consistent framework of coastal management areas. These areas include the Oregon Islands and Three Arch Rocks National Wildlife Refuges.	

SITE BASED PROPOSAL

Purpose: To best incorporate local knowledge and maintain an up-to-date management strategy, members of the public and local entities are invited to submit site-based management proposals for review and potential incorporation into the strategy. These proposals may outline desired *additions, deletions, and alterations* to rocky habitat site designations. All management measures in the Rocky Habitat Management Strategy are recommendations and require adoption by the appropriate agency commission(s) to be incorporated into state law or rule.

Proposals will be accepted in a two part process outlined below-

1. **Initial Proposal Process (current amendment process):** This initial process will accept proposals during a limited duration period beginning in the fall of 2019 (exact dates TBD) and will act as a trial for accepting and reviewing proposals. Outcomes learned from this initial process will help to inform the maintenance process to follow.
2. **Maintenance Proposal Process (future amendment process):** This is intended to be a rolling process where proposing entities can submit proposals at any time for review. Proposal criteria and review procedures followed during this process will have been informed by the outcomes of the initial proposal process.

HOW TO PROPOSE A SITE FOR DESIGNATION

The following information only pertains to proposals being submitted during the Initial Proposal Process.

All proposals are to be submitted via the online Rocky Habitat Mapping Tool which offers much of the information and data necessary to complete a proposal. Nominating entities are highly encouraged to work in communication with agency staff to complete proposals. Agency staff are available to answer questions throughout proposal development.

Agency staff will receive and review each proposal in a timely manner to assure it's complete and incorporates all information necessary for OPAC and LCDC review. Each proposal package must consist of a place-based submission containing all the information the nominating entity wants considered (one site recommendation per proposal). If any necessary proposal elements are missing, or if clarifying information is needed, the proposal will be returned with a request specifying additional information required.

If a the nominating entity is unable to obtain appropriate supporting information or stakeholder engagement, the proposal itself will be returned to the nominating entity and will not move forward to OPAC review. OPAC will be notified of all proposals submitted for agency review and will be given justification for those rejected in this step.

Due to the depth of agency review, staff cannot guarantee when a proposal will be reviewed by OPAC or LCDC. Please note that a high volume of submissions may increase review timelines.

INITIAL SITE MANAGEMENT PROPOSAL & REVIEW PROCESS

Building a Proposal

1. Individual or organization perceives a necessary change in management at a rocky habitat site in Oregon.
2. Proposing entity builds a proposal using the Rocky Habitat Web Mapping Tool (coming soon!).
 - a) Draws polygon around area of interest - report is generated by the tool.
 - b) Data report and local knowledge is used to fill out the remaining proposal questions.
 - c) Community and agency outreach is conducted to help inform proposal.
 - d) Modification of proposal (as needed) and submit on the Rocky habitat Web Mapping Tool

Agency Pre-Review Process

1. Agencies are automatically notified of proposal submissions.
2. Agencies evaluate proposals & create report determining-
 - a) Proposal completeness and if all criteria were met.
 - b) Feasibility analysis (proposal implementation, cost, etc.)
3. Gain tribal input from federally recognized Oregon coastal tribal nations.
4. Makes agency recommendation on proposals based on analysis and report.
5. Proposal packet is submitted to working group for review (including original proposals, agency report, and agency recommendation)

Rocky Habitat Working Group Review

1. Working group receives & reviews the proposal packet(s).
2. Summarizes proposal(s) and makes working group recommendation(s).
3. Conducts public comment period
4. Working Group amends recommendation where appropriate and submits materials to OPAC for consideration.

Ocean Policy Advisory Council (OPAC) Review

1. OPAC receives & reviews proposal packet including -
 - a) Folder of all submitted proposals
 - b) Agency review and feasibility report, and recommendation.
 - c) Working Group summary and recommendation(s)
 - d) Public comment summary
2. Collects public comment at meeting
3. **Determines and submits recommendation for plan amendments to LCDC**

Land Conservation & Development Commission (LCDC) Review

1. Receive & reviews OPAC recommendation
 - a) The proposal packet will be available to commissioners in its entirety for review.
2. **LCDC makes final decision**
 - a) Accept OPAC Recommendation
 - b) Return OPAC Recommendation with requested revisions

Communication with Proposing Entity During Review

The proposing entity will be informed at each stage of review on the status of their proposal. If a proposal is not recommended to move on during any stage of review, the proposing entity will be given rational and may submit a revised proposal which will be treated as a new proposal.

Please contact [Deanna Caracciolo](#) at the Oregon Coastal Management Program for information on necessary accommodations, technical assistance, or general questions.

PROPOSAL CONTENTS

The following proposal contents are generated in the online tool through interactive forms, and generated report and must be addressed in submissions for the proposal to be deemed complete. Nominating entities should read [Part 3 of the Territorial Sea Plan](#), as well as the entirety of this section prior to determining if a rocky shores proposal is applicable. Each proposal should include the information outlined in the contents below to the maximum extent possible, as well as any pertinent information not included in the criteria that the nominating body would like reviewers to consider. Please provide rationale for any unavailable information or answers. Contact [Deanna Caracciolo](#) at the Oregon Coastal Management Program for information on any necessary accommodations, technical assistance, or general questions.

Questions with (*) indicates information that will be generated in part or in full by the Rocky Habitat Web Mapping Tool

PRIMARY CONTACT INFORMATION & PROPOSAL RATIONAL

1. Name of proposed site
2. Name of principal contact
3. Affiliation/organization (if applicable)
4. Phone, email, and mailing address
5. Please describe the context for why this proposal is being brought forward.
 - a. What are the goals of this proposal?
 - b. Why is this change in site management necessary?
6. How does the proposed site improve upon or fill a gap in addressing objectives/policies that isn't currently addressed by other designated sites? Please address this question in relation to the listed topics below-
 - a) Maintenance, protection, and restoration of habitats and communities
 - b) Allowing for the enjoyment and use of the area while protecting from degradation and loss
 - c) Preservation of public access
 - d) Consideration for the adaptation and resilience to climate change, ocean acidification, and hypoxia.
 - e) Fostering stewardship and education of the area or coast-wide
7. Please include any additional information that you would like reviewers to consider (optional)

GENERAL PROPOSED SITE INFORMATION

To the best of your knowledge, please provide the following information.

1. Current site name (if different from proposed name)*
2. General site description
3. Site location and boundaries
 - a. Please use common place names, latitude/longitude, and geographic references to identify the site*

- b. All proposals must include a map of proposed site boundaries*
- 4. Site access information
 - a. How is this site commonly accessed?*
- 5. Proposed management designation addition, deletion, or amendment.
 - a. Must be a management/designation alteration, addition, or removal listed by the Rocky Shores Management Strategy.
- 6. Current site management and authorities
 - a. How is this site currently managed?*
 - b. Include current site ownership, management authorities, and other key players*

SITE USES

To the best of your knowledge, please provide the following information based on the current site management.

- 1. Current site uses and users
 - a. Please include the current users and uses present at the site.*
 - b. Uses may encompass recreational, commercial, cultural, and scientific aspects. Include if a use is not currently present at a site.
- 2. Potential future uses and users
 - a. Please include potential future users and uses of the proposed site.
 - b. Much like current uses, future uses may encompass recreational, commercial, cultural, and scientific aspects, as well as others not listed.
- 3. How will altering this sites management designation impact existing and potential future uses and users?
 - a. Please outline the potential positive and negative impacts to current and future users as well as the degree of impact.
- 4. How is the proposed site management compatible with the needs of coastal communities?

KEY RESOURCES

- 1. Rocky habitat type present throughout the site.
 - a. Please include as much information as possible on the specific types and composition of rocky habitat present at the site (ex. Rocky intertidal with extensive tidepools, adjacent rocky cliffs, and rocky subtidal, etc.)*
- 2. Key resources are present at the site
 - a. Describe current rocky shore resources present at the site in as much detail as possible. These may include, but are not limited to-
 - i. kelp beds; pinniped haul out or pupping areas; seabird colonies; presence of threatened/endangered/protected species*;
 - ii. Intertidal diversity and score/metric (invertebrates, marine plants, etc.)*

3. List the animal and plant species you know exist at this site along with relative abundance.*
4. Does this site include any unique or special features in relation to the Oregon coast?
 - a. This may include high quality examples of rocky shore habitats, etc.
 - b. Please discuss these site values and how a change in designation will impact them.

REGULATIONS & ENFORCEMENT

Proposing entities should fill out this section to the best of their knowledge. Due to the complexity of site regulation and enforcement, this section will not be used to evaluate proposal completeness.

1. How does the proposed site improve upon or fill a gap in addressing objectives/policies that isn't currently addressed by coastwide regulations or management?
2. What regulations and enforcement would be necessary to implement this change in management?
 - a. What regulatory changes would be needed?
 - b. Which state and/or federal agencies would be impacted by this change in site management?
3. In comparison to current site management, what changes would be necessary to enforce the proposed management measures.
 - a. This may include the addition or removal of infrastructure, personnel, etc.
 - b. Include the estimated financial impact of the proposal.
 - c. Some designations incorporate larger financial support, please identify any funding sources and entities that will continually support this proposal.
4. How was enforcement/compliance of management considered in the design of this site proposal?
 - a. If possible please estimate the cost to implement this change in site management.

COMMUNITY ENGAGEMENT

1. Describe the steps taken to develop this proposal in collaboration with coastal communities, users, and interested parties.
 - a. Please describe the community support for this proposal?
 - b. Please list the people, organizations, and/or groups that have worked to develop and support this proposal.
2. List and explain any opposition or negative opinions received regarding this proposal.
 - a. While preparing this proposal and performing community outreach, what were the main issues and concerns voiced regarding this proposed change in site management/designation?
3. List engagement opportunities this proposal has been presented at for public outreach? (Conferences, meetings, tabling events, etc.)
4. **Before submitting your proposal**, please attach any public process materials gathered through this proposal process. (May include meeting resources, campaign materials, etc.)

ADDITIONAL INFORMATION

1. How does this proposal incorporate local knowledge into site management?

2. How does this proposal incorporate scientific knowledge into site management?
3. How does this proposal align with the goals and policies of the Rocky Shore Management Strategy?
4. What existing or proposed infrastructure/development are located within and adjacent to the site?
 - a. These may include submarine cables, residential developments, ocean outfalls, etc.*
5. What land or watershed activities/conditions exist adjacent to this site?
6. Are there any other overlapping protected areas within the site?*
7. Additional Information-
 - a. Include other characteristics of the site or adjacent area you wish to describe.*
 - b. Please describe any other reasons you think this site warrants a change in designation.
 - c. What other information would you like to include about this site or your proposal.

Please contact [Deanna Caracciolo](#) at the Oregon Coastal Management Program at for information on necessary accommodations, technical assistance, or general questions.

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GEOGRAPHIC PRIORITIES

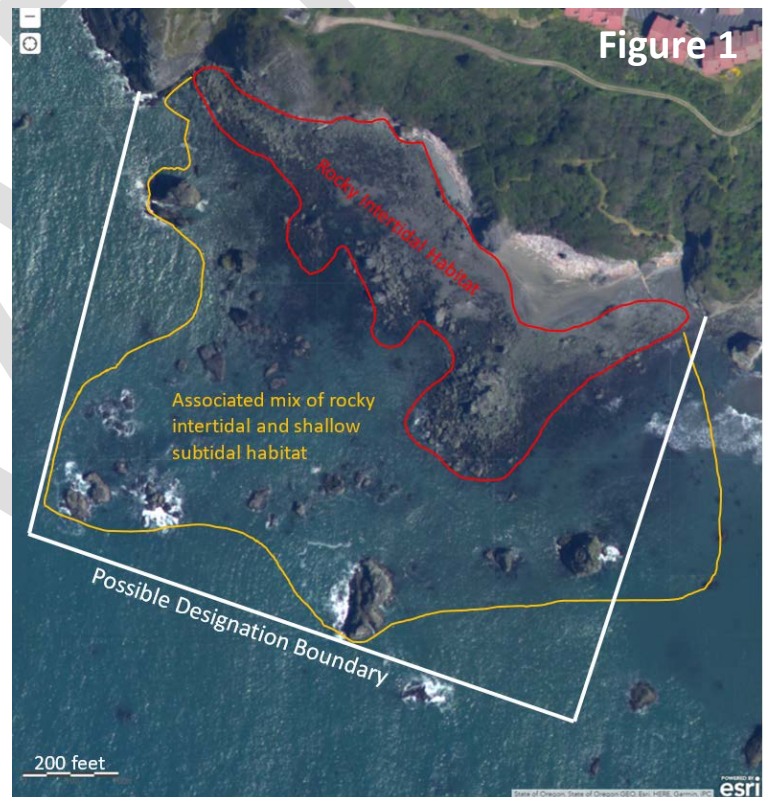
These priorities act as general geographic criteria for submitted proposals and place priorities on which habitat types are most important for the initial proposal process. Although these priorities will act as general guidance for the review bodies, each proposal will be reviewed and judged based on merit on a case-by-case basis.

PRIORITY 1 - ROCKY INTERTIDAL HABITATS

Since rocky intertidal habitat is relatively rare (narrow strip along the shoreline), ecologically unique and productive, and is the most accessible marine rocky habitat to human use and visitation, these habitats have the highest priority for consideration in the strategy. In addition, the Part 3 process underwent an extensive inventory and evaluation of these habitats, and provides the most thorough basis for proposing designations.

PRIORITY 2 – ASSOCIATED SHALLOW ROCKY SUBTIDAL HABITATS

Some rocky intertidal areas blend with adjacent subtidal rocky habitat through a gradual transition zone consisting of a mosaic of shallow subtidal and intertidal features. These occur where there is a gently sloping bottom with no abrupt changes in substrate type. In these areas it may be justified to include the transitional area in the designation along with the intertidal habitat. The maximum depth of this transitional area should not exceed 5 meters. See Figure 1 for example.



PRIORITY 3 – DEEPER ROCKY SUBTIDAL HABITAT

Subtidal habitat deeper than 5 m and any subtidal rocky habitat not associated with shore differ in both environmental characteristics and human use pressures from rocky intertidal areas. For example, excessive visitation and trampling impacts occurring in rocky intertidal areas do not occur in subtidal habitat. Sites in deeper subtidal areas will be the lowest priority for considering designation in this initial process for the following reasons:

- The Territorial Sea Plan already protects rocky subtidal areas from development impacts through Part 3, Section A, Policy J and by policies in Part 5.
- The primary human use of these areas is fishing, and an extensive state and federal fishery management system controls and sustains fisheries within the habitats.

- Several of these areas are designated as marine reserves and MPAs as part of the marine reserve process, which will undergo a legislative evaluation in 2023.
- In contrast to rocky intertidal habitat, rocky subtidal habitats have not been evaluated at the level needed to support fully informed review of proposals.
- The priority for deeper subtidal rocky habitat will be re-evaluated once the 2023 marine reserves evaluation is complete.

GENERAL PROPOSAL REVIEW CRITERIA

In addition to the geographic proposal priorities, the following process criteria should also be considered during proposal review.

- Regarding the Marine Reserves Program evaluation (see process criteria for further explanation)-
 - Proposals overlapping Marine Reserves or Protected Areas should not be approved until the completion of the 2023 program evaluation.
 - Priority for deeper subtidal habitat designations will be re-evaluated following the completion of the 2023 program evaluation.
- Only complete and officially submitted proposals are eligible for review. Review entities should not modify proposals to make them acceptable.
- Proposal review must consider how each proposed site, both individually and in a context of all designated sites, addresses and furthers the objectives and policies stated in strategy section A.
- Proposals should be reviewed in the context of current knowledge of rocky habitats along the coast, with emphasis on addressing knowledge gaps in areas lacking adequate data and/or monitoring efforts.
- Marine Gardens should be equitably accessible (physical access), i.e. ramps, staircases, safe accessibility.
- Priority should be given to marine gardens that have partnership opportunities with local organizations. Intentions of potential partner organizations should also be considered in order to avoid negative impacts.
- Proposals also need to be reviewed in the broader coastwide regulatory and management context. Management goals and objectives will be achieved with a combination of coastwide management and site-by-site management. Groups and their proposals must show knowledge of and take into consideration current regulations, restrictions, enforcement and protections.
- Proposals must state objectives, goals, criteria and state measurable results and outcomes from proposals. They must also state how protection will be increased from status quo. Area of proposal must increase protection over status quo or should not be considered.

PROCESS CRITERIA (GUIDANCE)

The following criteria are intended to help inform and guide proposal review bodies and contextualize current events or external factors that must be considered during the initial review process.

- All designations and management measures must be defined by the Rocky Habitat Working Group prior to the public proposal process.

- An extensive evaluation of the Oregon Marine Reserves Program is anticipated to take place in 2023. No site designations proposed by the Rocky Habitat Management Strategy should interfere with the ongoing scientific study and research at these sites which is critical for the successful program evaluation.
- Any site designation containing proposed restrictions are inherently recommendations and will be required to follow the appropriate agency processes for adoption into administrative rule or law (e.g. Harvest restrictions through Oregon Department of Fish and Wildlife; Access restrictions through Oregon Parks and Recreation Department)
- Governmental consultation with the 4 federally recognized Oregon coastal tribes will be required to avoid impacts to tribal resources.

NARRATIVE TO BE INCORPORATED INTO PHASE 2 TEXT

This section is for notetaking purposes only. The information listed is intended to be incorporated into the overarching text supporting the site designations.

- Access restrictions should not interfere with traditional tribal harvest sites
 - Consultation with Oregon's federally recognize coastal tribes will be requested on all proposals.
- Access restrictions should be rooted in ecological structure of area, i.e. endangered/sensitive species or habitat, ideal monitoring or study environment, potential for long term projects (to serve as control)