

PHASE 3 Process Doc

Draft updated as of October 30, 2020

CONTENTS

| | |
|--|----|
| PROCESS UPDATES..... | 2 |
| Timeline..... | 2 |
| Public Comment Opportunitites..... | 3 |
| Stay Updated on the Update | 3 |
| PROPOSAL REVIEW AND EVALUATION STEPS | 4 |
| AGENCY FEASIBILITY & COMPLETENESS ANALYSIS | 4 |
| E.3. Initial Proposal Process | 5 |
| E.3. Step 2 – Agency Feasibility & Completeness Analysis | 6 |
| E.5. General Proposal Review criteria..... | 7 |
| ROCKY HABITAT WORKING GROUP REVIEW & RECOMMENDATION | 8 |
| Working Group Proposal Packet..... | 8 |
| Working Group Proposal Modifications? | 9 |
| Working Group Proposal Evaluation Procedures | 10 |
| PROPOSAL EVALUATION GUIDANCE | 11 |
| ROCKY HABITAT COMMUNICATIONS PLAN..... | 13 |
| TRIBAL NATIONS UPDATES | 15 |

PROCESS UPDATES

The Rocky Habitat Management Strategy amendment is currently in the middle of the Initial Proposal Period (June 1 – December 31, 2020), which is the pilot effort for the new rocky habitat site designation proposal process. While members of the public are diligently crafting their site designations proposals, the Working Group is developing guidelines and criteria for proposal evaluations, and continually refining the text of the Rocky Habitat Management Strategy to streamline the complexities of designating sites.

TIMELINE

The following timeline is intended to be adaptable and may change as the process progresses.

| MONTH | MAIN WORKING GROUP TASK(S) & BENCHMARKS |
|-----------------|---|
| November | Key Dates - (11/9) Working Group meeting – discuss proposal evaluation processes |
| December | Key Dates – (12/2) Planners Network meeting (12/31) Initial Proposal Period closes |
| January | Tasks & Benchmarks – Review and Evaluate submitted rocky habitat proposals* Key Dates – (1/20-21, 28) Working Group proposal evaluations |
| February | Tasks & Benchmarks – 30-day public comment period on recommended proposals Once the Working Group has decided on the proposals they will recommend to OPAC, they will be made available for public comment for 30 days. |
| March | Tasks & Benchmarks – Review and incorporate public comment on recommended proposals |
| April | Tasks & Benchmarks – Prepare proposal packet and submit to OPAC |

* Due to uncertainty around the quantity of public proposals that may be submitted, the dates of review completion and recommendation is uncertain.

PUBLIC COMMENT OPPORTUNITIES

Public comment opportunities are available throughout this update process. The main forms of comment are listed below.

1. Directly through email to TSP.Comments@state.or.us. These comments will be accepted into the process record at any time and shared to the Working Group for review.
2. Through oral comment at the beginning and end of all Working Group meetings. More information about meeting public comment protocol is available [here](#).
3. Through oral or written comment to the Ocean Policy Advisory Council. This most commonly takes place during formal meetings which are scheduled in advance and offer time on the agenda for oral testimony.

*Please note that although all public comment received through approved methods will be accepted, due to the complexity of this process and a responsibility to balance viewpoints the Working Group may not be able to incorporate all comments into the final plan.

STAY UPDATED ON THE UPDATE

To stay up-to-date on this process and other marine policy initiatives the state supports an email listserv. This listserv sends out notifications on a weekly to monthly basis based on current events and includes notifications on meeting reminders, public comment period notifications, and other important information.

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Initial Proposal Process Overview



PROPOSAL REVIEW AND EVALUATION STEPS

The order of operations for the new Rocky Habitat Site Designation proposal processes are outlined in the current draft of the Rocky Habitat Management Strategy. Upon submission of a rocky habitat site designation proposal, the first step is for agency staff to review the proposal for feasibility and completeness. As outlined in the Strategy text presently, this step results in a decision with one of the following outcomes: ***'accepted'***, ***'rejected'***, or ***'has merit, needs work'***. Following agency review, proposals are forwarded to the Rocky Habitat Working Group for full evaluation and potential recommendation to OPAC. This step results in a decision outcome of either ***'recommended'***, or ***'not recommended'***. These two steps in the evaluation process are described in several places in the draft Strategy. However, there are a number of details that have yet to be fully described or are conflicting, including some language regarding the final decisions made at each step. **The objective for the Working Group here is to fully describe the expectations and outcomes of these steps of the process, and resolve any conflicts within the Strategy text.**

Outlined below are excerpts from the draft Strategy text that address the steps and criteria for conducting review and evaluation of rocky habitat site management designation proposals. Potential conflicts are highlighted, followed by suggested options for potential fixes. While currently in the midst of the Initial Proposal Process, most of the steps and outcomes will be similar for the Maintenance Proposal Process following conclusion of the TSP amendment (Sep. 2021). Any alteration to these steps should apply equally to both processes unless otherwise stated.

AGENCY FEASIBILITY & COMPLETENESS ANALYSIS

The Agency Analysis step is intended to be an initial first-pass review to catch any outstanding issues proposals may have such as incompleteness or obvious feasibility conflicts that would disqualify them from further consideration. Any proposal that does not meet basic criteria of feasibility will be met with a decision of ***rejected***. Proposals that are fundamentally good, yet require small changes to become feasible, can be sent back for modification with a decision of ***has merit, needs work***. Proposals in this case can be resubmitted and will be treated as a new proposal. ***Accepted*** proposals will be forwarded to the Working Group for evaluation.

The primary unresolved issues with this step, as presently described in the draft Strategy, are: 1) the limits and requirements to make a decision to accept or reject proposals at this stage, 2) a lack of clear descriptions and criteria for what actually constitutes “feasibility” and “completeness”, and 3) the depth of analysis actually required of agency staff.

What the Working Group needs to do: Read through the Strategy excerpts below describing the process and criteria, and consider potential solutions to better describe and constrain this process. Key words and phrases have been highlighted in the Strategy excerpts here to help link them to the issue of concern. The numbering

assigned to the issues and potential fixes below will not necessarily directly correlate with one another due to overlap of concerns and repetition in the Strategy text.

Meeting objective: Arrive at consensus about the steps and constraints of the Agency Feasibility & Completeness Analysis process.

E.3. INITIAL PROPOSAL PROCESS

RELEVANT TEXT:

*If any necessary proposal elements are **missing**, or if **clarifying information** is needed, the proposal will be **rejected and returned with comments** on specific additional information required.*

Communication with Proposing Entity during Review

*The proposing entity will be informed throughout the review process on the status of their proposal. If a proposal is rejected during review, the proposing entity **will be given the rationale**. A revised proposal may be submitted, which **will be treated as a new proposal**. Although proposals may be sorted as “not recommended” during some stages of review, **proposal rejection only occurs during the Agency Feasibility and Completeness Analysis (step 2) or OPAC Review (step 4)**.*

ISSUE(S):

- 1) If a proposal is rejected AND returned with comments on specific additional information required for it to be **accepted**, that is tantamount to a decision of **has merit, needs work**, rather than a decision of **rejected**, which precludes further evaluation.
- 2) ‘Missing information’ and ‘needed clarifying information’ are not necessarily equivalent, and may not warrant similar review decisions. Missing information indicates an incomplete proposal, which should be **rejected**. However, it is conceivable in practice that agency staff will communicate with proposers to obtain the missing information, in which case it is again tantamount to a decision of **has merit, needs work**. But if agency staff are able to obtain the information in a timely manner and it is satisfactory, then it is not necessary to make a decision of **has merit, needs work**. Additionally, once the information is obtained, the proposal can ostensibly be **accepted**. Needing clarifying information would almost certainly result in a similar decision process. This calls into question the necessity for the ‘**has merit, needs work**’ option.
- 3) For a proposal to have missing information implies that clarification has been made as to what is and is not required to produce a complete proposal. To that end, the Working Group previously decided on which proposal questions are required and which are not required (marked with asterisks*). This distinction between required and non-required questions is reflected in the SeaSketch proposal form, *which does not allow submission of incomplete proposals*. For example: questions in the Stakeholder Engagement section are currently not required and thus, proposals may be submitted with these questions left blank. In this situation, would such a proposal be considered *complete* or *incomplete*?
- 4) In practice, providing proposers with rationale for rejection and inviting resubmission will likely also be tantamount to a decision of **has merit, needs work**, again calling into question the necessity to distinguish this option from **rejected**.

POTENTIAL FIX(ES):

- 1) Rejection of proposals should be limited to those which are clearly incomplete, given firm understanding of what constitutes completeness (see next).
- 2) Responses should be required for all proposal questions. If a question is not relevant, proposers may be directed to enter a response of 'N/A' and/or a brief explanation. This will likely eliminate the majority of concerns regarding incompleteness, limiting the possibilities to either insufficient or unclear explanations.
- 3) If responses are not required for all proposal questions, then proposals should only be met with a decision of **has merit, needs work** in the event that proposers indicate they are not able to furnish missing or clarifying information in a timely manner. However, this makes such a decision effectively equivalent to a rejection, as any resubmission would be considered as a new proposal. This once again calls into question the necessity of the '**has merit, needs work**' option.
- 4) Similarly as above, proposals requiring *additional or clarifying* information will not necessarily require an agency decision, but rather additional communication with proposers to obtain the information necessary to facilitate a full review.
- 5) Given the above, the Agency Feasibility & Completeness Analysis could be streamlined by requiring answers on all proposal questions, and eliminating the middle option such that proposals are either **accepted** or **rejected**.

E.3. STEP 2 – AGENCY FEASIBILITY & COMPLETENESS ANALYSIS

RELEVANT TEXT:

E.3. INITIAL PROPOSAL & REVIEW PROCESS

Step 2 – Agency Feasibility & Completeness Analysis

Goal: Analyze proposals and notify Tribal Nations. Agencies include ODFW, OPRD, DSL, OSP, and DLCD, and may include others based on the details of individual proposals.

1. OCMP staff are automatically notified of all submitted public proposals.
2. Agencies evaluate completeness of proposals to determine if all necessary information has been included in the proposal, as well as if the proposer has taken all necessary steps to create a complete proposal.
 - a. Incomplete proposals will be rejected and not move forward in the review process. Proposers will be contacted with necessary information for completing and resubmitting the proposals.
 - b. Rejected proposals may be revised and resubmitted as a new proposal.
 - c. If the deadline for the Initial Proposal Process has passed, resubmissions may occur during the Maintenance Proposal Process.
3. Agencies review complete proposals and create a report presenting an analysis of the proposal's alignment with the goals and policies of the Rocky Habitat Management Strategy and of implementation feasibility.

ISSUE(S):

- 1) 2. – As described in the previous section of this document, the Rocky Habitat Web Mapping Tool does not allow for submission of incomplete proposals, according to which questions have been flagged as required or not required (marked with asterisks*). This again raises the question as to what exactly constitutes completeness of a proposal.
- 2) 2.a. & b. – If proposers submit missing information to agency staff in a timely manner, why should a proposal be **rejected**? (Note: SeaSketch allows for admins to return submitted proposals to *draft* status so that proposers can revise their submissions.)
- 3) 3. – Is the Working Group in agreement that “*presenting an analysis of the proposal’s alignment with the goals and policies of the... Strategy*” should occur at the Agency Analysis step? What exactly are the criteria for, or limits of, implementation *feasibility*?
- 4) Nowhere in this step are the decision outcomes (**accepted, rejected, has merit, needs work**) explicitly described or constrained (this issue is addressed further in the following section).

POTENTIAL FIX(ES):

- 1) Same as in previous section – responses should be required for all proposal questions, and agency staff should provide proposers opportunity to submit missing or additional information in a timely manner prior to any final decision at this step.
- 2) Criteria that constitutes feasibility should be better defined, but are currently somewhat described in Section E.5. The Working Group could address the limits of a feasibility analysis in part through review and discussion of the Evaluation Guidance document provided with the meeting materials.
- 3) Insert text in Step 2.2. outlining the possible decisions outcomes for this step, similar to Step 3.1.

E.5. GENERAL PROPOSAL REVIEW CRITERIA

RELEVANT TEXT:

General Proposal Review & Aligning with the Rocky Habitat Management Strategy

- ...A proposal may be characterized based on merit during review as 1) recommended, 2) rejected, or 3) has merit and requires additional work.

ISSUE(S):

- 1) This is the only place in the Strategy text which describes these outcomes together. The context is not explicit to the Agency Feasibility & Completeness Analysis, however, the Strategy *is* explicit that the Agency Analysis may result in a decision of ‘**rejected**’ (Sections E.3.&4. - Step 2.2.a.), and the Working Group Evaluation results in a decision of either ‘**recommended**’ or ‘**not recommended**’. Thus, the above *must* refer to the possible decision outcomes of the Agency Analysis step.

POTENTIAL FIX(ES):

- 1) The Agency Analysis is not equivalent to a recommendation – this is the objective of the Working Group Evaluation step. To avoid confusion with the Working Group Evaluation decision outcomes, change ‘**recommended**’ in this step to the more accurate ‘**accepted**’. Consider elimination of the ‘**has merit, needs work**’ option.
- 2) Add text to Sections E.3&4. Step 2.2. outlining the possible decisions outcomes for the Agency Analysis.

The Working Group Review & Recommendation (or “Evaluation”) step is intended to provide a preliminary, in-depth evaluation and recommendation for OPAC review. This step is an obligate component of the Initial Proposal Process, but will only occur during the Maintenance Proposal Process if OPAC decides to temporarily convene a rocky habitat Working Group. The Working Group will receive a packet of the **accepted** proposals and agency summaries from OCMP agency staff following the Agency Feasibility and Completeness Analysis.

The primary unresolved issues with this step, as described in the draft Strategy, are: 1) contradictions and inconsistencies in terminology and description of what is and is not included in the packet of proposal information that is ultimately forwarded to OPAC, 2) contradictions regarding whether the Working Group may or may not modify proposals and submit their own “Working Group proposal”, and 3) lack of description regarding whether the Working Group conducts one group evaluation of each proposal, or multiple individual evaluations that are reconciled and consolidated into a single group recommendation.

What the Working Group needs to do: Read through the Strategy excerpts below describing the process and criteria, and consider potential solutions to better describe and constrain this process. Key words and phrases have been highlighted in the Strategy excerpts here to help link them to the issues listed. The numbering assigned to the issues and potential fixes below will not necessarily directly correlate with one another due to overlap of concerns and repetition in the Strategy text.

Meeting objective: Arrive at consensus about the steps and constraints of the Rocky Habitat Working Group Review & Recommendation process.

WORKING GROUP PROPOSAL PACKET

RELEVANT TEXT:

E.3. Working Group Proposal Packet

*As part of the Initial Proposal Process, the Rocky Habitat Working Group will synthesize a suite of site proposals using the Rocky Habitat Web Mapping Tool. This **working group recommendation** will be informed by the best available science **and consist of recommended public proposals**. Additional areas may be evaluated for consideration as time and capacity allows. All public proposals reviewed and recommended by the Working Group will be incorporated into the **Working Group Proposal Packet**.*

*Natural resource agency staff are members of the Working Group and will work collectively to incorporate agency expertise into the **Working Group recommendation**. Once complete, the initial recommendation will be published for public comment and follow the review process outlined in the section “Initial Proposal & Review Process” below.*

E.3. IPP Step 3 – Rocky Habitat Working Group Review & Recommendation

- 2. Build a Working Group Recommendation.*

- a. Review Public Proposals: *Public proposals sorted as “recommended” will be incorporated into the Working Group Recommendation packet, while public proposals sorted as “not recommended” will not be included in the Working Group Recommendation but will remain in the process record*²³. During this review, the Working Group may use public proposals to help inform additional site considerations.
 4. Working Group will modify the recommendation as needed based on public comment and submit the full proposal packet to OPAC for review. *The proposal packet contents will be organized into two sections:*
 - a. *All non-recommended public proposals, agency feasibility reports and recommendations;*
 - b. *Working Group Recommendation and public comment summary.*
-

ISSUE(S):

- 1) Inconsistent and overlapping use of terms “packet” and “recommendation” throughout.
- 2) The text contradicts itself as to whether *only recommended* proposals will be included in the packet or *all* submitted proposals. It also introduces the term “process record” implying that is where *non-recommended* proposals will be relegated.

POTENTIAL FIX(ES):

- 1) Intuitively, one might assume a set:subset relationship whereby the Working Group recommendation is one component of the larger proposal packet submitted to OPAC. The Strategy text should reflect this distinction consistently.
- 2) Similarly, one might assume that all submitted proposals and evaluation materials should be submitted to OPAC. The entire process is a public process, and thus it is all a part of the “process record”. Since the Working Group is tasked with providing a preliminary recommendation on behalf of OPAC, the Strategy text should explicitly and consistently describe the Proposal Packet as consisting of: a) proposals *recommended* by the Working Group (aka the “Working Group Recommendation”), b) proposals *not recommended* by the Working Group, and c) all necessary proposal evaluation materials. While this could be a potentially burdensome amount of materials for OPAC members to sort through, this burden could potentially be reduced by providing group-level summaries for each proposal evaluated, and by making all evaluation materials available online via OregonOcean.info.

WORKING GROUP PROPOSAL MODIFICATIONS?

RELEVANT TEXT:

E.3. IPP Step 3 – Rocky Habitat Working Group Review & Recommendation

1. *Working Group receives and reviews the proposal packet based on the merit of each proposal. Each proposal will be sorted as “recommended” or “not recommended”*²².
2. *Build a Working Group Recommendation.*
 - a. Review Public Proposals: *Public proposals sorted as “recommended” will be incorporated into the Working Group Recommendation packet, while public proposals sorted as “not recommended” will not be included in the Working Group Recommendation but will remain in*

the process record²³. During this review, the Working Group may use public proposals to help inform additional site considerations.

Footnotes 22 & 23 (identical): This sorting process does not constitute a formal adoption or rejection but instead indicates review body support of either rejection or adoption for each proposal. The Working Group may implement certain parts of non-recommended proposals with minor modification as part of the Working Group proposal.

E.4. Maintenance Proposal Process

Agency Proposals

Agencies are also eligible to submit proposals through the Maintenance Proposal Process. These proposals must include the information normally included during the agency review process (i.e. agency analysis report) and will be held to the same standard as other proposals during OPAC review.

E.5. General Proposal Review Criteria

General Proposal Review & Aligning with the Rocky Habitat Management Strategy

- Only complete and officially submitted proposals are eligible for review. Review entities should not modify proposals to make them acceptable.

ISSUE(S):

- 1) Footnotes 22 & 23 clearly carve out room for the Working Group to cherry-pick and modify public proposals for their own means. Although occurring at the Working Group Evaluation step, is this equivalent to *has merit, needs work*?
- 2) Section E.4. also clearly makes allowances for review entities to submit their own proposals, but is explicit that they must pass the same level of rigor.
- 3) Section E.5. however prohibits review entities from modifying proposals to make them acceptable. One could argue that the actions described in Footnotes 22 & 23 are potentially contradictory to E.4. in terms of standards of rigor, and functionally equivalent to that which is prohibited in E.5.

POTENTIAL FIX(ES):

- 1) The Working Group needs to decide how to proceed here – shall review entities such as agencies or the Working Group be allowed to submit their own proposals and, if so, should they be allowed to do so using *rejected* proposals submitted by the public?

WORKING GROUP PROPOSAL EVALUATION PROCEDURES

RELEVANT TEXT:

None.

ISSUE(S):

- 1) The Strategy text only ever refers to the Working Group Evaluation as a collective action. However, in process, each individual member of the Working Group could conceivably be evaluating each submitted proposal.
- 2) In reality, not every member of the Working Group may be able to evaluate every single proposal every single time, particularly if a relatively large number of proposals are submitted within a relatively small time window. A quorum could be imposed to resolve this issue, but then we are faced with problems related to fair and balanced stakeholder representation within said quorum (although, we currently have open seats as well). There is also no text addressing the necessity or conditions for recusals.
- 3) Even if each member of the Working Group conducts their own individual evaluation, how does the group reconcile those individual evaluations into a singular group recommendation? Consider an instance where the members of the Working Group are evenly divided over whether or not to recommend a proposal.
- 4) If the Working Group conducts 12 individual evaluations for every single proposal submitted and then consolidates those into a summary evaluation and recommendation, is it necessary to include all 12 individual recommendations for each proposal in the Proposal Packet forwarded to OPAC?

POTENTIAL FIX(ES):

- 1) The Working Group needs to decide how to proceed here. If each person conducts an individual evaluation, those can be made available on OregonOcean.info for OPAC and others to review if desired.
- 2) A quorum presents some difficulty, and an alternative could simply be that proposals are evaluated by every Working Group member who is reasonably available to do so, barring recusals.
- 3) Constructing an evaluation summary could simply highlight areas of consensus, and outline areas where disagreement occurred among Working Group members. This would provide transparency without the burden of repetition.
- 4) The Proposal Packet could strictly include that which reflects the final decision(s) of the Working Group, and not necessarily each individual evaluation. Bear in mind, evaluations will likely be conducted electronically using the Rocky Habitat Web Mapping Tool.

PROPOSAL EVALUATION GUIDANCE

Included in the meeting materials are several draft documents intended to guide, facilitate, and constrain the proposal evaluation process. The primary document of concern is the **Evaluation Guide** which outlines potential evaluation questions and criteria for both the Agency Analysis and Working Group Evaluation steps. The questions contained within this guide are almost entirely derived directly from text in the Rocky Habitat Management Strategy, as faithfully as possible. Many questions within are common to both evaluation steps to help ensure consistent interpretation and provide transparency. An evaluation criteria matrix has been constructed in order to link the evaluation process with the proposal questions more directly. This also provides a more straightforward scoring of proposals that can be considered in conjunction with the evaluation components that may be more open to interpretation. This document is a draft, and any of these components can be altered and revised as the Working Group sees fit.

Also included in the evaluation materials are two **template summary reports** for each of the evaluation steps, and a **site designation proposal template**. The summary templates are fairly basic, but should provide a standardized way to communicate evaluation results. The proposal template has been repeatedly requested by members of the public as an easier way to develop their proposal responses before putting them into the proposal form. Provided inclusion of a disclaimer about not using it to submit their proposals, this is likely to be a helpful resource to many.

Finally, the Working Group Evaluation has been converted into a **SeaSketch survey form** on the Rocky Habitat Web Mapping Tool, in the same way as the proposal form itself. This virtual evaluation guide is available via invitation only, and will be an invaluable way to facilitate and preserve the evaluation process, particularly in the times of COVID-19. Evaluators will be able to enter their responses remotely, save and come back to them, and have them accessible in a central location. Working Group members have been emailed a link to this form.

What the Working Group needs to do: Review these materials, particularly the Evaluation Guide, return any edits when ready, and be prepared to discuss in the meeting. Much like the Initial Proposal Process, the Evaluation Guide is a pilot effort and will likely not reach its final form until after the evaluation processes are completed in mid-2021. Between now and January is our opportunity to shape these processes and resolve any outstanding issues or conflicts.

Meeting objective: Address any conflicts or concerns within the initial draft evaluation documents, and determine how they should be shaped and structured going forward. While they will likely require multiple rounds of edits through the fall, the more that can be settled and decided now, the better.

After the TSP was adopted in 1994, the Oregon Coastal Management Program hired an independent contractor specializing in interpretive planning services (Bucy Associates, Corvallis, OR) to craft the Rocky Shores Communications Strategy (“RSCS”, 1995). This is the guiding document of a tri-agency communications plan (DLCD, OPRD, ODFW) for the state to communicate to the public about rocky shore resources. The RSCS is an operationalization of the objectives outlined in the TSP in a communications, interpretation, education, and awareness context, outlining **themes** for communication and interpretation about rocky shore resources. These themes are transferrable messages or concepts supported by **visual evidence** (e.g. interpretive signage & panels), and communicated using **stories** to help people understand what they are seeing or learning about. Stories are a vital learning tool which inspire and excite, improving learning outcomes.

The RSCS provides a **media prescription** which outlines *how*, in practice, we can best achieve our communication, interpretation, education, and awareness goals. This prescription provides site-specific concepts and techniques for the management category, site, audience, circumstance, and opportunities. It also provides some generalizable non-site specific concepts and techniques for use in interpretive settings or the classroom. The media prescription also contains functional orientation and interpretive information components, such as how and where to place interpretive signage in relation to the site and one another. Despite being 25 years old, the basic concepts it relies upon have not changed, but the media, audience, and environment have. In addition, the original RSCS is limited in scope to the central coast from Tillamook to Florence.

When the OCMP was awarded the Rocky Shores Project of Special Merit to conduct the TSP amendment, the third and final task outlined was to hire an independent contractor to update the RSCS and other rocky habitat resource communications planning. Following turnover of the Rocky Shores Coordinator position in January, DLCD requested a no-cost extension of the PSM which NOAA granted. One of the consequences of this project extension was elimination of the budget for hiring an independent contractor for this task, leaving it squarely on the Rocky Shores Coordinator to complete. While this PSM task is still achievable, we must adapt our milestones and timeline to this change, as well as conditions imposed by the pandemic.

Below is an excerpt from the rocky shores PSM application which outlines the task as originally conceived:

Task 3:

Title: Development of a Multi-agency collaborative communication plan for the Rocky Shores Management Strategy.

Timeframe: September, 2019 – March, 2020

Description of Activities and Program Capacity: By partnering with the Oregon Department of Fish and Wildlife, and Oregon’s Department for Parks and Recreation, a tri-agency communication plan will be implemented. This plan will include a formal communication planning document, teaching curriculum, on-site informative signage, website development, and a broad-reaching public dissemination plan to provide informative webinars and presentations to other state and national conferences.

Milestone(s) and Date of Completion:

- Issue a Request for Proposals to identify and hire a contractor (September, 2019)
- Establish a Review Panel and Schedule (September, 2019)
- Communication Plan and Strategy Draft (January, 2020)

- Communications Plan & Strategy (March, 2020)

Outcome(s) and Date of Completion:

- Communication Plan and Strategy Adopted (March, 2020)
- Updates to content websites – e.g. OregonOcean.info, OregonTidePools.org (March, 2020)
- Designs for improved interpretive signs (March, 2020)
- Rocky Shores Educational Curriculum (March, 2020)

List of Final Products (Deliverables): Rocky Shores Communication Strategy, Guide to Oregon’s rocky intertidal areas/habitats, interpretive sign design, and the rocky shores educational curriculum.

What the Working Group needs to do: While the Working Group on the whole is not obligated to participate in this component of the project, and it does not require OPAC approval, achieving the subtasks outlined in the Rocky Shores PSM is likely to require the proverbial village to fully complete. DLCD will coordinate primarily with OPRD and ODFW staff, but agency staff capacity for this task is presently extremely limited. Any Working Group members who wish to provide assistance with this update beyond Working Group meeting discussions are welcomed and encouraged to do so.

Meeting objective: Update the Working Group on this task, agree on a rough timeline for completion, and identify opportunities for coordination and collaboration.

DRAFT

In September and October, Rocky Shores project leadership invited natural resources staff from the five Tribal Nations with land in the coastal zone* for a series of two Rocky Habitat Coastal Tribal Work Session meetings. The focus of these meetings was to better engage with Tribal Nations on the TSP amendment process, help OCMP staff better understand Tribal Nation perspectives and concerns related to coastal rocky habitats and resources, and identify opportunities for coordination and collaboration to help ensure these views are appropriately incorporated and represented throughout the process.

Several tasks and opportunities were identified as a result of the meetings. Plans for coordination between OCMP and Tribal staff now include the following:

- appropriate inclusion and representation in relevant sections of the Rocky Habitat Management Strategy text
- appropriate inclusion and representation on SeaSketch and OregonOcean.info, including Tribal lands data layers
- notifications and clearer expectations for engagement in the proposal processes and meetings
- scheduling a follow-up work session meeting in early 2021

As of now, only two suggested changes have been made to the Strategy text as a result of these meetings. The first, a disclaimer for clarification purposes was added to Section D. Rocky Habitat Site Designation Standards & Practices, as follows:

Tribal Nations Rights and Designations

Management of Tribal designations, harvest rights, or other Tribal Nation agreements with the state cannot be altered through the rocky habitat site designation proposal processes. Federally recognized Tribal Nations may have, or obtain, Consent Decrees or other intergovernmental agreements which outline separate rights or harvest regulations.

Inclusion of this passage clarifies for readers the possibility that rocky habitat site management regulations, in some instances now or in the future, may not apply to Tribal Nations who have external harvest agreements with the state.

The second set of changes were made to the Agency Feasibility & Completeness Analysis steps outlined in Sections E. 3 & 4, as follows:

-
4. ***OCMP staff will provide notification of rocky habitat site designation proposals to the federally recognized coastal Oregon Tribal Nations, and invite further discussion. Formal government-to-government consultation with federally recognized Tribal Nations may be required to assure conflicts with cultural and natural resources are addressed.***
-

Revision of this passage is beneficial primarily for two reasons: 1) It necessarily separates the consultation process from the Rocky Habitat proposal processes, and in so doing 2) avoids constraining Tribal Nations staff to the State's timeline, and vice versa, for review and approval of Rocky Habitat proposals. Moving forward, agency staff will provide notification to Tribal Nations of rocky habitat proposals as they are received, and Tribal staff will communicate their feedback to the appropriate entities as time and staff capacity permits.

What the Working Group needs to do: Review changes made to the Rocky Habitat Management Strategy text regarding this item, and provide any necessary feedback. Otherwise, this item is mostly intended to provide an update about DLCD engagement with Tribal Nations regarding the Rocky Shores project, and to set expectations for engagement going forward. The Rocky Shores Coordinator will work with Tribal Nations natural resources staff to develop additional updates to the Strategy and websites, and present them to the Working Group in subsequent meetings.

Meeting objectives: Review textual changes and address any concerns. Achieve consensus on any proposed changes.

*Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians, Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians, Coquille Indian Tribe, and Cow Creek Band of Umpqua Tribe of Indians

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