



Agency Feasibility and Completeness Analysis

This guide is intended to facilitate the agency review of rocky habitat site management designation proposals during the Initial Proposal Period of the Territorial Sea Plan – Part Three (TSP3) amendment process. Proposals will be assessed for completeness to determine if all necessary information has been included in the proposal, and that it is sufficient in nature to conduct agency review. Agency representatives (e.g. ODFW, OPRD, DSL, DLCDC, or others based on the details of individual proposals) will then provide analyses of the practical feasibility of implementing the proposal under relevant agency authority and jurisdiction, including alignment with the goals and policies of the Rocky Habitat Management Strategy.¹ Oregon Coastal Management Program staff will also forward proposals to federally-recognized Oregon Tribal Nations with interests in the coastal zone², and may engage in consultation as necessary.

Questions

Please fill in information and answer the questions below for *each* rocky habitat site designation proposal, and provide a brief summary report at the end. Please provide additional information, interpretation, concerns, or context where necessary. Some of the information may be duplicative with the Working Group evaluation to ensure consistent interpretation, transparency, accountability, and historic preservation.

Evaluator Information

Evaluator name(s): Andy Lanier, Michael Moses, David Fox, Laurel Hillmann, Andrea Celentano, Shawn Stephensen

Evaluator role/position(s): Rocky Habitat Working Group Agency Staff

Evaluator affiliation(s): DLCDC, ODFW, OPRD, ODSL, USFWS

Date of evaluation: January, 2021

¹ TSP3 Sections E. 3. & 4. Step 2 – Agency Feasibility & Completeness Analysis

² Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians, Coquille Indian Tribe, Confederated Tribes of Siletz Indians, Confederated Tribes of Grand Ronde, and Cow Creek Band of Umpqua Tribe of Indians



Site Information

Proposed site location: Coquille Point

Designation category:

Marine Research Area

Marine Garden/Education Area

Marine Conservation Area

Is this a proposal to add, delete, or modify a rocky habitat site designation?

New Site Designation (addition)

Existing Site Removal (deletion)

Alteration to Existing Site

Name of principal contact: Bill Stenberg

Affiliated organization(s): Shoreline Education for Awareness

Date of proposal submission: December 30, 2020

Proposal Completeness

Please answer each of the following questions as it relates to the completeness of the proposal.

1. *Is the proposal complete? Have sufficient responses been provided for all questions, including indications or explanations for those questions which are not relevant or applicable? If not, please indicate which question(s) are of concern.*

Yes

2. *Have sufficient data, information, and/or other relevant materials been provided in order to facilitate proper review and evaluation of the proposed designation?*

Yes

3. *Is a rationale provided for any incomplete or missing information?*

N/A

4. *Does the proposal consist of one place-based submission? (A small network of designated sites is acceptable, provided they are all the same designation category.)*

Yes

Feasibility Analyses

Please provide a brief analysis of the feasibility of proposal implementation as it relates to each of the following areas within the scope of your agency's mission.

Agency Jurisdiction. *Consider broadly how the proposal fits in with factors such as your agency goals, strategic plan, management/regulatory authority, etc.*

Shoreline Education for Awareness (SEA) is well-established at this location and already has a Friends partnership agreement with USFWS. USFWS staff are comfortable with their volunteer efforts expanding. There are no issues or concerns with installation of signage on Refuge property.

OPRD staff are comfortable with the capacity and demonstrated ability of SEA to conduct the work proposed, but would not necessarily be able to increase capacity or resources to assist.

Implementation. *What are the practical and logistical implications or limitations of your agency implementing the proposed site management?*

Implementation would require rulemaking by several agency commissions, particularly ODFW to adopt administrative rule changes to harvest regulations for invertebrates. The site and designation boundaries would be an appropriate fit for consideration of a Marine Garden. The site has high visitation, visibility, and use, and is near a population center (Bandon) which could help facilitate stewardship activities and enforcement.

Volunteers conducting on-site education would need to be properly vetted and trained to conduct outreach activities appropriately. The vetting process may be likely to include background checks, which would need to be coordinated with the appropriate agencies.

Programmatic and Budgetary Impacts. *How will implementing this proposal affect your agency's programmatic work? What are the estimated costs or budgetary impacts as you see them (approximately)?*

Baseline costs will be staff time associated with rulemaking and site implementation activities.

Anticipated impacts to agencies would be staff time to support volunteer coordination, vetting, and training efforts, potentially including costs associated with background checks.

There may be an initial increase in enforcement-related costs until there is broader awareness of changes in site management.

Landscape Management. *How would designating this site fit into the broader context of coastwide management, such as the currently designated rocky habitat sites or the Marine Reserves Program?*

The proposed designation fits well into the current network of Marine Gardens and other rocky habitat managed areas, and would be a good complement to other areas already under management in the region. There are few rocky habitat managed areas on the south coast, with the next closest at Cape Arago to the north, and Brookings to the south. USFWS feels a Marine Garden designation at Coquille Point would complement the management and other efforts at the USFWS Refuge nearby.

Administrative Rule and Enforcement. *What are the implications as you see them for any requisite changes to rules and regulations, and the ability of your agency to enforce them at the proposed site?*

Requisite changes to harvest and other proposed rules would need to be adopted through the standard agency rulemaking process if implemented.

There is some concern that implementation of a Marine Garden could initially increase enforcement response needs until there is broader awareness of the change in site management, which may include OSP, beach rangers, OPRD, USFWS, NOAA, or others. However, the proximity to town is likely to make it easier to provide a more regular volunteer presence at the site which may serve to ease and/or reduce enforcement efforts over the long term.

Territorial Sea Plan. *In what ways does the proposal align with the goals and policies of the Rocky Habitat Management Strategy?*

No concerns expressed. The proposed designation and associated site goals align with the Strategy goals and objectives, and fit well with the existing Marine Garden designations.

Harvest restrictions for algae and marine invertebrates are consistent with Marine Garden management prescriptions in the Rocky Habitat Management Strategy.

Other Considerations. *Are there additional site considerations that should be noted? (e.g. size, shape, placement, or designation category of the proposed site; historical or institutional context; established relationships with communities, organizations, the public at large, or Tribal Nations; etc.)*

Applying harvest restrictions to subtidal areas is unusual, though not impossible, and would be difficult to enforce given the irregular boundaries surrounding the offshore rocks. Since the bulk of the human use and habitat impact concerns are in the intertidal area, there appears to be no justification to extend the harvest restrictions to the subtidal environment. Questions arose during analysis about site boundary choices that excluded or bisected rocks on the SW side of the designation. At the direction of the agency representatives, the proposer was contacted to clarify site boundaries to more appropriately reflect their intentions. The agency representatives reviewed the boundary change and are comfortable with forwarding it for further evaluation. See below:



Original site boundaries



Updated site boundaries

Reviewer Comments and Feedback

In the space below, please provide a (brief) summary of the feasibility of this proposal, and a rationale for recommendation. If more space is required, please attach additional pages.

The proposal is complete, and includes sufficient information and rationale to facilitate agency review. The rocks at Coquille Point are a high visibility, high visitation site, and near a population center. In coordination with well-supported volunteer stewardship programs, the site is suitable for a potential Marine Garden designation.

At this time, the state agency representatives agree that this proposal warrants additional, merit-based evaluation by the Rocky Habitat Working Group, with the understanding that any further evaluation and potential recommendation should consider the following:

- Additional clarification will need to be made about expectations and responsibilities associated with volunteer vetting and training with respect to the role of state agencies
- There is no need for harvest restrictions in subtidal areas

The agencies participating in the rocky habitat site management designation process (DLCD, OPRD, ODFW, DSL, USFWS), acknowledge the significant effort made by Shoreline Education for Awareness to develop this proposal, and thank them for their careful efforts to highlight the needs and concerns at this site.