

# Rocky Habitat Proposal Working Group Evaluation

The Rocky Habitat Management Strategy Initial Proposal Period (June – December, 2020)



## Working Group Evaluation

Evaluation by the Rocky Habitat Working Group is intended to be a merit-based process, the final product of which is a packet of recommended proposals and other evaluation materials that is forwarded to OPAC. Following the Agency Feasibility and Completeness Analysis, rocky habitat site designation proposals are forwarded to the Working Group, which will review them and sort them as “**Recommended**” or “**Not recommended**”. Recommended proposals will be made available for a formal 30-day public comment period, after which the Working Group may modify the recommendation prior to submitting the full packet of materials to OPAC for review. The following summary is an aggregate of the rocky habitat proposal evaluations conducted by the Working Group in winter, 2021.

### Site Information

Proposed site location: [Crook Point-Mack Reef](#)

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 principle contact: [Larry Basch](#)

Affiliated organization(s): [South Coast Rocky Shores Group](#), [Oregon Shores Conservation Coalition](#)

Date of proposal submission: [December 30, 2020](#)

## Evaluation Criteria Matrix

The following rubric is a simplified way to objectively evaluate key aspects of rocky habitat site designation proposals that can be assessed categorically. The criteria listed below largely correspond with each section of the proposal questionnaire form. This rubric should be used to evaluate how well the components of the proposal come together, rather than evaluating answers to individual questions in isolation. The rubric can also be used to compare reviewer evaluations and ensure consistency of interpretation across reviewers, and across proposals over time. While this matrix can aid in making final recommendations, as this is a merit-based process, it should not be the *only* criteria by which a final determination is made. As part of the Initial Proposal Process, this is a pilot effort and therefore subject to change for future iterations of the evaluation process.

For each of the criteria below, indicate your selection and add notes as you see fit.

Criteria	Does not meet criteria	Has merit, needs work	Meets criteria
<b>Goals, objectives, or other criteria for site success</b> should be clearly stated and reasonably achievable.		X – Well-stated and reasonably achievable; conservation criteria for site success needs work for adaptively managing to site expectations. Designation not required to accomplish goals.	
<b>Measurable results and outcomes</b> should be reasonably measurable and achievable.			X – Well outlined, measurable, and achievable with local and state fiscal investments. Designation not required to accomplish goals.
<b>Site Uses</b> should be characterized appropriately, with reasonable expectations for potential impacts.			X – Site uses were well characterized. Reasonable (no) regulatory impacts. Impacts associated with increased use may need further discussion in keeping with conservation goals and site sensitivity.

<p><b>Key Natural Resources</b>, should be characterized appropriately, including features, values, and anticipated impacts.</p>			<p>X – Well characterized and good discussion of key natural resources in the area, values, etc.</p>
<p><b>Regulations &amp; Enforcement</b> should be clearly stated with reasonable expectations.</p>		<p>X – No regulatory enforcement given beyond volunteer monitoring, no regulations recommended. Challenging site access has some existing enforcement challenges identified by state/federal agencies.</p>	
<p><b>Non-Regulatory Management Mechanisms</b> should be clearly stated with reasonable expectations.</p>		<p>X – Clearly stated and highly ambitious. Education program has yet to be developed. Needs further clarification of leadership, reporting, and adapting to management and monitoring measures.</p>	
<p><b>Stakeholder Engagement</b> should be characterized appropriately, and include clear and actionable outreach.</p>		<p>X – The proposer put forth a good effort to engage a variety of stakeholders in development. Notably the Pistol River community should be prioritized for engagement. The demographic of the area and the nature of access at the site may prove extremely challenging for ongoing and future stakeholder engagement. Further engagement with tour operators, Pistol River community, and those involved in the Mack Reef Marine Reserve proposal, is likely needed at this site.</p>	

<p><b>Additional Information</b> should provide relevant context.</p>			<p>X – Mostly relevant, some additional information may be beyond the scope of the TSP3.</p>
<p><b>Goals, objectives, management principles, and policies within TSP3</b> should be adequately addressed and/or advanced.</p>			<p>X – Well aligned with TSP3. Adequate advancement will depend on collaborative capacity, in many cases volunteer.</p>
<p><b>Designation and associated changes to regulatory standards or and management practices</b> should be appropriate for the site and reasonably effective to achieve the stated goals.</p>		<p>X – The goals and objectives are highly educational for a conservation designation. No proposed regulations will conceivably rely solely on this education to achieve outcomes. This isn't untenable, but thoughtful consideration should be given to long-term goals of the site and how/when to adaptively manage for future increased pressures. Challenging to understand what an MCA designation provides for this site. Concerns that spatial extent of subtidal area resembles marine reserve.</p>	

## Questions

Please fill in information and answer the questions below for *each* rocky habitat site designation proposal, and provide a brief summary of your thoughts at the end. Please provide additional information, interpretation, concerns, or context where necessary.

### Working Group Evaluation Questions

1. Please answer the following based on the proposed site designation category:

#### Marine Conservation Area:

- a. What are the primary conservation priorities or concerns at this site (i.e. species, habitats, public use, etc.)? *Prevent or reduce on-site human caused disturbances, threats or impacts to marine resources within the site – directly from people, drones or uncontrollable off leash dogs, listed species of concern – “marine wildlife”, seabird breeding colonies, Black oystercatchers, sea and shore birds during nesting season, trampling of rocky intertidal organisms, overharvest or other disturbances.*
  - b. What are the specific management objectives relating to the concerns above? *Apply adaptive, ecosystem-based management to conserve the ecological structure, function, and resiliency of nearshore rocky habitats and species populations.*
  - c. What are the proposed management measures to help reach these objectives? What is the provided rationale for these measures, and is it appropriate? *All non-regulatory management measures. Relies on collaborative capacity of local volunteer groups with that of state and federal agencies.*
  - d. In what ways would the proposed site management prescriptions limit adverse impacts to habitat and/or wildlife? *Given no regulatory management prescriptions, adverse impacts to wildlife are speculative based on visitor intercept with volunteer programs. Increased signage may help make visitors more aware and informed of their role in limiting adverse impacts to habitat and wildlife, adaptive management and monitoring of activities and impacts over time may support limited adverse impacts.*
2. Regarding the site map(s) provided:
    - a. Is the polygon appropriate for the location (e.g. size, shape, placement, etc.)? *Highly significant habitat, abundant wildlife and relatively undisturbed. Extremely sensitive upland habitat, access already not encouraged due to sensitivity of habitat. Extent of subtidal area may be too broad or unnecessary.*
    - b. Does it reflect the goals or intentions of the proposal? *Yes, but do note the challenges for engaging the public at this site. It is limited and really cannot ecologically handle more visitors according to USFWS, TNC, and other site experts.*
    - c. What are the strengths and/or weaknesses of this particular shape and placement? *This is incredible habitat, highly significant rocky habitat and likely representative of the*

richest biodiversity of all proposals given its location. Largest extent of kelp beds and coverage than any other proposal. It includes a large portion of subtidal area, which encompasses some, but not all, of a once-proposed (and contentiously debated) marine reserve site – engagement with the Pistol River community would be critical in this area.

3. Are the goals and objectives of the proposal clearly stated, and what are their strengths and/or weaknesses? Clearly stated. The goals rely heavily upon the collaborative capacity of local community groups and volunteer programs – this is both a strength and a potential weakness of the proposal.
4. Will the proposed criteria to evaluate site goals, objectives, or success, be reasonably measurable or achievable? How effective will they be? Executing non-regulatory management measures via volunteer programs that are generally already overstretched and at max capacity means that additional funding and capacity will be critical to any success in long-term measures. Progress metrics are described, but in the event that these metrics are not met, there may be some need for detailing expectations/outcomes – this is an essential reminder that the once designated habitat refuges became “paper parks” after a period of time when no actions were taken toward implementation. This is an avoidable outcome for any future designations by setting up clear expectations for intended outcomes. Leadership of these efforts and coordination will be a key determining factor in its effectiveness.
5. How does the proposal change the status quo of management protections at this site? What are the implications of this change as you see it? The management protections are all non-regulatory in nature, thus the proposal doesn’t actively change the status quo of current management. The proposal relies upon the leadership and coordination of a collaborative capacity, largely volunteer, to change any status quo management protections.
6. The rocky habitat site proposal process focuses on allowing for adaptable and holistic management at the site level and is not intended to manage on a species-specific level. With this in mind, are the proposed regulatory goals, objectives, outcomes, or changes appropriate for this process? Yes
7. Does the proposal indicate whether any of the desired outcome(s) cannot be met with a site designation proposal? (If so, proposers are encouraged to outline their concern or desired regulatory change in a formal letter to OPAC.) No. Seabird nesting success is based on many factors that can be far off-site, so site protection may not resolve all issues.
8. Is there any relevant historical or institutional context to this proposed site designation that should be taken into consideration? The site has habitat significance that has led to upland protections and purchasing from TNC and management of those lands and some offshore islands adjacent as part of the National Wildlife Refuge. Formerly proposed as a Marine Reserve, but the current proposal doesn’t seem to draw much on the data or past proposal although, the Marine Reserve proposal was for more subtidal habitat.

9. In what ways does this proposal address and/or further the goals, objectives, management principles, and policies within the Rocky Habitat Management Strategy and/or the TSP writ large? The proposer provides strong linkages between TSP3 goals, objectives, management principles and policies within the proposed designation throughout pg 39-41 of the proposal. These are clearly stated and the ability to further these objectives depends upon the aforementioned executed leadership and local capacity developed from the designation and those that would be fully-vested in any future site management.
10. How would designating this site fit into the broader context of the currently designated rocky habitat sites, and coastwide rocky habitat management?
  - a. Are there other site designations proposals at or near this site that may overlap, interact with, or support this one? If so, what and where are they? Immediately adjacent the USFWS owns and manages the uplands as part of Oregon Islands National Wildlife Refuge, as well as the islands down to mean high water dispersed throughout the site.
  - b. What are the potential links, considerations, or conflicts between them? See above comments with respect to concerns for sensitive habitat upland and visitation. Site does support connectivity concerns along the coast for larval settlement in protected areas, but this wasn't really addressed specifically or directly as a benefit of the proposed site. The site would fill a gap in protected connected intertidal sites and subtidal reefs as there is quite a distance between existing sites on south coast.
  - c. In what ways does this proposed site designation differ from other proposals that overlap or interact with it? USFWS is has similar goals for wildlife disturbance and marine protection.
11. How might this site designation interact or fit in with the broader coastwide regulatory and management context of all habitats, resources, and designations? As with all rocky habitats under TSP3, coastwide regulatory and management applies to this site with or without the proposed designation. It adds no further regulatory management, thus the site may be more of a paper exercise in protection. It serves more as a preventative measure for future increased users, or an exercise in outreach/awareness. Most visitors would be accessing the site via Pistol River State Park, but there is concern that that with increased attention/visitation due to designation could increase illegal access across USFWS lands that are highly sensitive to human impacts.
12. What, if any, practical feasibility concerns might you have about implementing the proposed site designation? Remoteness and sensitivity of the upland habitat, concerns from Marine Reserve opposition in the area. Some of the educational, monitoring, and enforcement activities may not be feasible in when site access is extremely challenging.
13. What are the organizational partnerships involved in this proposal? In what ways have those partnerships contributed to development of this proposal? The South Coast Rocky Shores Group and CoastWatch. While there was much outreach demonstrated to Tribes, government, NGOs,

and local stakeholder groups, it wasn't apparent which of those groups were actively involved in the development of the proposal. The proposal does seek to build on existing partnerships and wholly relies on those partnerships for implementation (see "Using Partnerships to Implement Site Goals).

14. Are there any additional materials or documents provided? If so, what are they and what is their purpose? Yes – the proposer provided many additional materials and documents, generally existing model programs, state and local planning, reference to nearshore strategy, OARs, etc. Supporting information was appropriate.

15. Are there any additional site considerations that should be noted

## Site Attributes and Reports

### Geography

16. Briefly describe how appropriate the area and length of shoreline in the proposed polygon sketch are for the selected designation category and the stated goals. Appropriate, encompasses the majority of nearshore rocky habitat associated with this site south of Crook Point. Furthest proposal to the south.

### Physical

17. Briefly describe how appropriate the distribution of habitat features (such as offshore islands & rocks, substrate types, etc.) in the proposed polygon sketch is for the selected designation category and the stated goals. Highly appropriate distribution of physical features.

18. In what ways does the proposal appropriately address, reflect, or account for the risks associated with potential future sea level rise scenarios? *"While Sea Level Rise (SLR) is a virtual certainty coastwide, we have not determined any specific risks associated with SLR at the proposed site in terms of human safety or threats to habitats or resources. This said, long term effects of SLR are likely to include gradual upward vertical shifts in the distribution and abundance of rocky intertidal (and shallow subtidal) organisms, particularly sessile species, and a corresponding increase in the area or volume of nearshore shallow subtidal habitat adjacent to the low intertidal zone that could be colonized by shallow subtidal species as sea level rises."*

### Biological

19. How well represented by the proposed polygon sketch are the species and/or habitats of interest that are mentioned in the proposal? As mentioned previously, the polygon represents an area of known high density and biodiversity of species.

20. How appropriate is the selected designation category and stated goals for the protection of the species and/or habitats of interest? Appropriate, but limited regulatory management mechanisms while maybe not necessary today, create some conflict with consistency the Working Group was striving for in new designation categories.

21. Are there other species, habitats, or natural resources of relevant management concern that were overlooked by this proposal, or could be negatively impacted by the proposed designation? No

#### Human Uses

22. What are the most likely human use activities to impact, or be impacted by, the selected designation category and the stated goals? Has the proposer demonstrated how they expect these uses to change in the future? This is hard to say – if the goals are reached for this site, it will remain as it is today - no human use activities would be impacted. Many proposals rely on a management “tipping point” to balance use and protection that is not clearly defined.
23. In what ways are the selected designation category and stated goals appropriate for the kinds of human use activities known to occur within the proposed polygon sketch? Appropriate, although there is very little use and activity at the site already. Some current users have raised concerns about increasing users at this site. The new designation does not recommend any restrictions on uses however, proposes monitoring measures to adaptively manage these uses into the future and get “ahead of the curve of the inevitable increase” in human use activities, and the likely impacts to the site from those increased uses.
24. Are there other human use activities not mentioned in the proposal or site report(s) that could be of relevant management concern for the proposed polygon sketch? Professional kayak tours, wildlife and fishing, frequent the area.

### Evaluator Comments and Feedback

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

This is an outstanding natural area, particularly deserving of protection, however noted by many that it is “well protected” as it exists and is used today. Some concern expressed for this currently low-use area that designation may cause increased use on fragile uplands and promote trespass that agencies will have to respond to. Many proposed actions are to be developed in two years, which doesn’t show adequate actions for the site. It is unclear who will run programs, what the roles and expectations are of agencies, and what will happen if there is a designation but no progress of volunteer program development. With no volunteer program in place, and no consistent independent funding sources identified, the success of non-regulatory management measures will depend on the leadership and capacity of local citizens. Past Marine Reserve proposal(s) at this site bring some unfortunate baggage and there were concerns expressed about potentially increasing site visitation or awareness. Deep outreach with the Pistol River community and clear expectations for site performance metrics and evaluation is critical.