

Rocky Habitat Site Proposal Initial Recommendation

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

Proposed Site

Site Name: Chapman Point Marine Conservation Area

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

Proposal Materials: <https://bit.ly/2NNVUy6>



Initial Recommendation

This document is a draft summary of the site proposal evaluations conducted by the Rocky Habitat Working Group. The final drafts will be included in a recommendation packet that will be forwarded to the Ocean Policy Advisory Council (OPAC). The summary below represents an initial draft of the recommendations made by the Working Group for Chapman Point Marine Conservation Area. Proposal recommendations will be made available for a 30-day public comment period, during which proposers and other members of the public are invited to submit their feedback. The Working Group will review the feedback for consideration prior to making their final recommendation determinations.

Initial recommendations were crafted using a ranking system whereby the members of the Working Group entered a vote for each proposal where 1 = *Recommend*, 2 = *Recommend, with considerations*, 3 = *Reservations, even with considerations*, and 4 = *Do not recommend*. Considerations are those components of a proposal, identified through the evaluation process, which must be addressed to facilitate its implementation. A vote of modified consensus was agreed upon where no more than 20% of the voting Working Group members could vote *Do not recommend* (4) in order for a proposal to receive a recommendation to move forward for consideration by OPAC.

Average Vote Ranking: 2.8

Initial Recommendation: Recommend, with considerations

Summary of Considerations

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

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

- No additional restrictions on climbing/walking on intertidal and offshore rocks, off-leash dogs, fireworks, access maintenance improvements, subtidal invertebrate harvest
- No regulatory buffers (500 ft. buffer for boats, 2000 ft. buffer for airplanes, drones, kites)
- Reconciliation of boundaries with respect to the statutory vegetation line (SVL)

Situated adjacent the City of Cannon Beach, Chapman Point is a high-use rocky site that offers many opportunities to appreciate rocky habitats and coastal wildlife. The highly-visible seawalls, active seabird colonies, and easy access from town make it a popular site for visitors, many of whom pass by on their way north to visit nearby Ecola Point. The site is well-suited for volunteer stewardship groups to intercept the public to provide education and awareness about the sensitive nature of the organisms and habitats present at both sites, and the potential impacts associated with increasing and improper human use.

The concerns expressed in the proposal are primarily focused on the impacts of increasing site use on seabird nesting sites and pinniped haulouts, as well as trampling of the rocky intertidal habitat. Site goals include preserving and strengthening the ecological integrity of the site, and providing an opportunity for public outreach and education, including in support of visitors to nearby Ecola Point. There is merit in many of the recommended management prescriptions and the goals and objectives may be appropriate for measuring site success. The proposal demonstrates good foresight with respect to increasing site use in the area, including at nearby Haystack Rock. Proposed restrictions on harvest of invertebrates and algae in the rocky intertidal habitat could help reduce human impacts. However, extending those restrictions into the subtidal area would not address an identified need since the primary human use impact to invertebrates is only in the intertidal area. Impressive efforts were made for stakeholder outreach and community engagement. Both stakeholder support and concerns were well characterized, and incorporated into actionable management recommendations.

Many of the proposed management measures are intended to address wildlife disturbance, including the restrictions on climbing/walking on intertidal and offshore rocks, off-leash dogs, detonation of fireworks, the buffers on boats, airplanes, drones, and kites, and avoiding access improvements. However, most of these proposed restrictions are already addressed in rule, statute, federal law, or not implementable as proposed. Wildlife disturbance is already prohibited in existing statute and rules (e.g. ORS 498.006, 736-021), as well as federal law (e.g. Marine Mammal Protection Act, Migratory Bird

Treaty Act). This includes disturbing wildlife through the use of low-flying aircraft, drones, kites, and fireworks. The need to implement additional site rules to further restrict these activities is unnecessary, duplicative, and in some cases problematic for agency authority and enforceability.

The proposed restriction on climbing or walking on intertidal rocks could restrict north-south access along the Oregon Coast, which is protected in state statute as implementation of Oregon's landmark 1967 Beach Bill (ORS 390.610). Climbing on USFWS refuge rocks above the intertidal is already prohibited. A restriction on access and use of this nature is also not in line with TSP-3 objectives of balancing site use and access with ecological protection. This would represent a large departure from current site management, and would be the only site on the coast with such restrictions. It would also halt all current human use of the rocky habitat including tidepooling, on-site education, shore angling, recreational mussel collection, and other forms of allowable harvest and use.

The proposed sea and airspace buffers are problematic for implementation and enforcement, and would require coordination with state and federal agencies not engaged in this process (e.g. Oregon State Marine Board, US Coast Guard, Federal Aviation Administration). USFWS already recommends, but does not require, these buffers for rocks, islands, and cliffs within Oregon Islands NWR to avoid disturbing wildlife and incurring related violations. Implementation of the proposed 500 ft. boat buffer would create a *de facto* marine reserve, and it would be unclear to which offshore rocks it would apply and how it could affect the nearby crab fishery. The site boundaries do not reflect this buffer, and would necessarily expand the footprint of the site if implemented in rule. Creating vessel closures around the offshore rocks may be justifiable with documentation of occurrences of vessel disturbance, but none have been provided. Even if there were a documented problem, the closure would only need to occur during the marine mammal breeding and seabird nesting seasons, which would balance access with protection. Additionally, if the 500 ft. vessel closure applies to small non-motorized watercraft such as kayaks and stand-up paddle boarders, then there could be a safety concern about requiring the watercraft to paddle further out to sea to get around the buffer. This would also limit nearshore fish harvest.

Other proposed restrictions would be difficult to enforce, and could be better addressed through education and awareness efforts without the need for rule changes. The restriction on off-leash dogs presents many enforcement challenges. Harassing wildlife is already prohibited in state rule (736-021-0070). The restriction on detonation of fireworks already exists in rule (736-021-0100), and is also potentially covered by wildlife disturbance rules.

The proposed volunteer stewardship and education program for on-site activities would be administered at sites including Ecola Point and Sea Lion Rocks, for which Chapman Point is one of the main access routes. Such a program could help to reduce bird and pinniped disturbance if clear support can be identified, implemented, and sustained over time. The proposal seeks to build off of many existing partnerships and the strength of the local community network. The City of Cannon Beach has invested in the Haystack Rock Awareness Program, but it's unclear whether they would be able to support additional capacity for efforts at Chapman and/or Ecola Points at this time. Clear timelines and benchmarks should be identified to ensure desired outcomes are being met by management measures.

The landward site boundary was requested to be the statutory vegetation line (SVL), rather than the Oregon mean high water shoreline (MHW), which the site polygon is automatically clipped to by the Rocky Habitat Web Mapping Tool. While a landward boundary above MHW may be considered for a

rocky habitat site designation, the proposed site abuts John Yeon State Natural Site along a significant portion of its landward boundary. OPRD does not define an SVL for designated State Parks lands, so any consideration for a landward boundary above MHW would need to be sufficiently justified and reconciled with the agency. At this time, a boundary of MHW appears to be sufficient to meet stated site goals. The southern portion of the proposed site abuts several residential properties, and care will need to be taken to avoid any potential conflicts with private property owners as well. Inclusion of the subtidal habitat as proposed would extend management protections in the area, but would be more comprehensive than most other existing rocky habitat designations and require strong justification for implementation. Further, there does not seem to be sufficient rationale or benefit for extending the proposed harvest restrictions into the subtidal areas. A significant portion of the site is sandy habitat. Since a primary goal is to protect rocky habitat, invertebrate harvest restrictions in the sandy beach area are unwarranted without further justification. Final site boundaries will need to be reconciled with the involved agencies to ensure site goals focused on preservation are balanced with proper site access, use, and management.

The Rocky Habitat Working Group recommends OPAC consider Chapman Point Marine Conservation Area for potential recommendation to LCDC, with an understanding that this recommendation hinges on appropriately addressing the considerations described above. These considerations include:

- not implementing some of the provisions on human use activities (climbing/walking on rocks, off-leash dogs, fireworks, access maintenance improvements, subtidal invertebrate harvest),
- not implementing the recommended sea and airspace buffers (500 ft. for boats, 2000 ft. for airplanes, drones, kites),
- and reconciling site boundaries with respect to the statutory vegetation line.

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

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Charlie Plybon, Chair
Rocky Habitat Working Group
c/o Michael Moses, Rocky Habitat Coordinator
Department of Land Conservation and Development
635 Capitol St. NE, Suite 150
Salem, OR 97301-2540

April 15, 2021

Re: Rocky Habitat Site Proposal Initial Recommendation
For Chapman Point Marine Conservation Area

Dear Chair Plybon and members of the Rocky Habitat Working Group,

We are pleased that the Rocky Habitat Working Group's review supports our proposal of Chapman Point Marine Conservation Area for a potential recommendation. Thank you for providing the evaluation comments, which we reviewed and discuss in detail below. We are concerned about some of the considerations presented by the Rocky Habitat Working Group (Working Group) that, according to DLCD staff, would need to be addressed in order for the proposal to be considered for any further recommendation. We also provide several clarifications on some apparent misunderstandings regarding the proposers' intentions. Finally, we would like to share our concerns about this process so that these can be resolved and improve the process moving forward.

Response to Working Group Recommendation

Below we provide our issue-by-issue response to the Rocky Habitat Site Proposal Initial Recommendation (Recommendation) published on March 15, 2021. We have sorted the many considerations presented into the three categories in the bulleted list at the beginning of the Recommendation (items 1-3, below), and an additional issue presented in the Recommendation but not included in the bulleted list (item 4).

(1) No additional restrictions on climbing/walking on intertidal and offshore rocks, off-leash dogs, fireworks, access maintenance improvements, subtidal invertebrate harvest

(1.a) Subtidal invertebrate harvest:

“Proposed restrictions on harvest of invertebrates and algae in the rocky intertidal habitat could help reduce human impacts. However, extending those restrictions into the subtidal area would not address an identified need since the primary human use impact to invertebrates is only in the intertidal area.”

Response: Our group is amenable to this recommendation and so retract our interest in extending proposed regulations to subtidal rocky habitats. However, in this case we propose to add a goal to our stewardship program to monitor human activity in the subtidal for any potential disturbance impacts.

(1.b) Climbing and walking on intertidal rocks:

“The proposed restriction on climbing or walking on intertidal rocks could restrict north-south access along the Oregon Coast, which is protected in state statute as implementation of Oregon’s landmark 1967 Beach Bill (ORS 390.610). Climbing on USFWS refuge rocks above the intertidal is already prohibited. A restriction on access and use of this nature is also not in line with TSP-3 objectives of balancing site use and access with ecological protection. This would represent a large departure from current site management, and would be the only site on the coast with such restrictions. It would also halt all current human use of the rocky habitat including tidepooling, on-site education, shore angling, recreational mussel collection, and other forms of allowable harvest and use.”

Response:

- Access: We understand the concerns and recognize that this restriction would make some rocky habitat areas inaccessible to people. However, due to the geography of the Chapman Point site, with five intertidal/offshore islands with steep sides, most rocky intertidal areas at Chapman Point are typically accessible from the sand. There are many locations where one can walk on sand right up to a nearly vertical rock face covered with mussels and other intertidal life. While the sand shifts every year, sand “paths” typically provide passage through the area at one or two spots (depending on the water depth at low tide), allowing for north-south travel. There is sufficient access for on-site education. Regarding shore angling, the shoreline is mostly sand at this site.
- Beach Bill: While the Beach Bill contains provisions on north-south travel and unfettered access to beaches, it also “declares that it is in the public interest to do whatever is necessary to preserve and protect scenic and recreational use of Oregon’s ocean shore” (ORD 390.610 (4)). Protection of some sensitive ecological areas is essential to preserving and protecting what makes Oregon’s ocean shore so treasured for its scenic and recreational value. Many surrounding and nearby areas would still be available for the public to climb and walk on intertidal rocks for tidepooling and other activities.
- Balancing site use: If this restriction is not in line with TSP-3 objectives of balancing site use and access with ecological protection, how does the Working Group recommend that intertidal animals that live on rocks be protected from trampling?

The Strategy states:

“Rocky habitat areas account for millions of annual visits to the Oregon Coast. Oregon’s rocky habitats are a tremendous resource for recreation, exploration and hands-on, field-based learning, especially the easily accessible rocky intertidal areas (e.g. tidepools). Like sandy beaches, access to these rocky shoreline resources is critical to the bioregional identity of Oregonians. With ecotourism and experience-based vacations becoming more popular, the number of visitors to rocky coastal areas continues to increase along with the potential ecological impacts of recreation. This strategy recognizes that recreation in rocky habitat areas is critical to Oregonians and coastal economies. Balanced management is needed to ensure long-term stewardship of these important resources. The strategy further recognizes that it is the diversity of landscapes and natural resources that drives this strong recreational interest, supporting the need for a balanced approach.” (p.17)

Balance means equal weight is given to both site access and ecological protection. Yet, the Working Group appears to be taking a position that unfettered site access in rocky shore areas is the only way to honor the Beach Bill, putting all the weight on the side of site access to the detriment of ecological protection. This is contradictory to the Working Group's own stated goal of long-term stewardship and conservation of natural resources by lessening the potential ecological impacts of recreation, as quoted above. Conserving biodiverse areas that are "in the line of fire" of increasing visitation, like Chapman Point's rocky intertidal and offshore rocks, *now* before serious degradation occurs, is a great way to do this.

We ask the Working Group to reconsider their view of "balanced site use" to put a bit more weight on the side of ecological conservation, bringing it into closer *balance* (equilibrium) with access, by keeping our proposed restriction on climbing and walking on intertidal rocks.

(2) No regulatory buffers (500 ft. buffer for boats, 2000 ft. buffer for airplanes, drones, kites)

(2.a) Boats:

"The proposed sea and airspace buffers are problematic for implementation and enforcement, and would require coordination with state and federal agencies not engaged in this process (e.g. Oregon State Marine Board, US Coast Guard, Federal Aviation Administration). USFWS already recommends, but does not require, these buffers for rocks, islands, and cliffs within Oregon Islands NWR to avoid disturbing wildlife and incurring related violations. Implementation of the proposed 500 ft. boat buffer would create a de facto marine reserve, and it would be unclear to which offshore rocks it would apply and how it could affect the nearby crab fishery. The site boundaries do not reflect this buffer, and would necessarily expand the footprint of the site if implemented in rule. Creating vessel closures around the offshore rocks may be justifiable with documentation of occurrences of vessel disturbance, but none have been provided. Even if there were a documented problem, the closure would only need to occur during the marine mammal breeding and seabird nesting seasons, which would balance access with protection. Additionally, if the 500 ft. vessel closure applies to small non-motorized watercraft such as kayaks and stand-up paddle boarders, then there could be a safety concern about requiring the watercraft to paddle further out to sea to get around the buffer. This would also limit nearshore fish harvest."

Clarification: Our proposed vessel closure only applies to recreational boats, and thus would not create a "de facto marine reserve," as stated by the Working Group. This is clearly stated on pages 4, 10, 17, and 23 of our proposal.

Response: It was not our intention to extend the boundaries of the site through the 500-ft. buffer. Our intention is to prevent disturbance of marine mammals, seabirds, and shorebirds, during nesting and pupping season. For commercial vessels, the USFWS recommendations and awareness of commercial fishermen are likely sufficient to prevent wildlife disturbance. For recreational vessels, a seasonal closure as proposed by the Working Group may work well. We did not intend for the vessel closure to apply to small non-motorized watercraft and would welcome the inclusion of an exception for them.

We ask the Working Group to retain our restriction on recreational vessels within 500 ft. of the offshore rocks, with the exception of small non-motorized watercraft. While we do not have data from this specific site regarding wildlife disturbance, there are many studies and published recommendations on seabird and marine mammal disturbance and use of buffers as solutions (e.g. Rodgers and Schwikert 2003¹, Burger et

¹ Rodgers, J.A. and S.T Schwikert. 2003. Buffer zone distances to protect foraging and loafing waterbirds from disturbance by airboats in Florida. *Waterbirds* 26: 437-443.

al. 2010², Faulhaber et al. 2016³) and evidence from nearby areas (e.g. Three Arch Rocks, see TSP Appendix I) that such a buffer will help limit negative wildlife disturbance impacts at this site. In addition, the Rocky Habitat strategy emphasizes a precautionary approach to Ecosystem-based Management (pg. 30) which supports a conservative approach to habitat protection even if site-specific data is lacking at present.

(2.b) Kites, drones and aircraft:

“Wildlife disturbance is already prohibited in existing statute and rules (e.g. ORS 498.006, 736-021), as well as federal law (e.g. Marine Mammal Protection Act, Migratory Bird Treaty Act). This includes disturbing wildlife through the use of low-flying aircraft, drones, kites, and fireworks. The need to implement additional site rules to further restrict these activities is unnecessary, duplicative, and in some cases problematic for agency authority and enforceability.”

Response: The Working Group correctly states that wildlife disturbance is already prohibited. But, existing state and federal prohibitions on wildlife disturbance, including by kites, drones, and fireworks, have proven to be ineffective at this site, where disturbance of wildlife is a current and ongoing problem that will only worsen as visitation increases. If new restrictions are not possible, the state should increase resources dedicated to enforcement, post additional signs, and launch an extensive awareness campaign, so that visitors to all parts of the coast are more likely to be aware of the existing rules.

We ask the Working Group to include in its recommendations to OPAC a statement of support for additional enforcement of existing rules and a coast-wide awareness campaign of those rules and the reasons for them. We are amendable to removing these restrictions from the site proposal.

(2.c) Dogs:

“The restriction on off-leash dogs presents many enforcement challenges.”

Response: We agree that a restriction on off-leash dogs would be difficult to enforce, however we do not believe that is a valid reason to not include it in the site management prescriptions. Disturbance and injury to birds, marine mammals, other wildlife, and people by off-leash dogs has frequently been observed at this site, including killing and maiming of birds. This problem will only worsen as visitation increases.

The purpose of the rocky habitat proposals was to help the state craft site level management goals, both an objective of the Rocky Habitat Management Strategy (Strategy) and of Statewide Planning Goal 2. Community groups were asked to consider what is needed from a resource perspective, and asked specifically to explain how what is needed is different from current management. Outside of the proposal process and the Strategy are common agency restrictions like enforcement and funding that can be relieved, whether funded by public or private sources.

It is crucial for the state to be forward-looking in this process. The rocky habitat site designation proposals were meant to lay out the public’s recommended long-term efforts and goals to improve site management. While the resources to enforce this restriction are not presently available, if protection of marine wildlife is a priority for the state, the state should have a plan to allocate resources to their

² Burger, J., M. Gochfeld, C.D. Jenkins, F. Lesser. 2010. Effect of Approaching Boats on Nesting Black Skimmers: Using Response Distances to Establish Protective Buffer Zones. *Journal of Wildlife Management* 74: 102-108

³ Faulhaber, C., A. Schwarzer, K. Malachowski, C. Rizkalla, and A. Cox. 2016. Effects of human disturbance on shorebirds, seabirds, and wading birds: Implications for Critical Wildlife Areas. Technical Report Florida Fish and Wildlife Conservation Commission.

protection in the near future, including increasing enforcement of existing restrictions on dogs and implementing and enforcing new restrictions in critical areas such as Chapman Point.

In our proposals for Chapman Point and Ecola Point, we purposely left Crescent Beach and Indian Beach out of the site boundaries to provide ample space for people to let their dogs run off-leash. This meets the TSP-3 objective of balancing site use with ecological protection.

We would like the restriction on off-leash dogs to be maintained if the Chapman Point proposal moves forward. We received 27 letters of support from local citizens, businesses, and other organizations supporting the dog restrictions in our site proposal.

(2.d) Harassment of wildlife; fireworks

“Harassing wildlife is already prohibited in state rule (736-021-0070).”

Response: The purpose of the proposal process was to identify specific issues at specific locations along the coast. We understand wildlife disturbance is already prohibited in state rule, however it still occurs and is a problem at this location. The acknowledgment that it is a problem at this site provides strategic direction for the future for both the state and coastal organizations that would like to see it reduced, whether via a volunteer stewardship and education program, increased state capacity for enforcement, and/or other creative solutions. Stewardship programs have often proven to be effective in limiting human disturbance to wildlife including coastal birds.

We would be open to revising the proposal to remove the proposed rule while still acknowledging that harassment of wildlife is a problem at this site and that Chapman Point is prioritized for additional enforcement and/or volunteer programs.

(2.e) Restriction on access maintenance and improvement:

Clarification: This issue was listed in the first bullet point in the list at the beginning of the Recommendation for Chapman Point. However, it is not included in the body of the Recommendation. Our site proposal for Chapman Point did not include any proposed restriction on access maintenance and improvement. We ask the Working Group to revise the Recommendation to remove this item from the bulleted list.

(3) Reconciliation of boundaries with respect to the statutory vegetation line (SVL)

Response: We defer to the state on this issue and are amenable to your recommendation.

(4) Concerns with education program:

“The proposed volunteer stewardship and education program for on-site activities would be administered at sites including Ecola Point and Sea Lion Rocks, for which Chapman Point is one of the main access routes. Such a program could help to reduce bird and pinniped disturbance if clear support can be identified, implemented, and sustained over time. The proposal seeks to build off of many existing

⁴ Michel, N.L., S.P. Saunders, T.D. Meehan, and C.B. Wilsey. 2020. Effects of stewardship on protected area effectiveness for coastal birds. *Conservation Biology*.
<https://conbio.onlinelibrary.wiley.com/doi/10.1111/cobi.13698>

partnerships and the strength of the local community network. The City of Cannon Beach has invested in the Haystack Rock Awareness Program, but it's unclear whether they would be able to support additional capacity for efforts at Chapman and/or Ecola Points at this time. Clear timelines and benchmarks should be identified to ensure desired outcomes are being met by management measures."

Clarification: We do not propose to run an education program at Ecola Point, only at Chapman Point. If the Ecola Point proposal is approved but the Chapman Point proposal is not, we would still plan to run an education program at Chapman Point to provide an outreach interception point for members of the public accessing Ecola Point from the beach to the south.

Response: The updated Strategy clearly states that proposals cannot be rejected based on funding or the capacity of agencies' programmatic support for implementation (pg. 64, Appendix C). The proposals were meant to lay out the public's recommended long-term efforts and goals to improve site management. Including this recommendation in the site-level prescription, like occurred in the 1994 plan for Coquille Point (TSP Part 3-G, item 25 (1994)), would help community groups secure grants to create and run an outreach and education program. Support from a state-approved document is helpful and can help garner additional resources.

Some site proposal areas have the benefit of an existing education program. At Chapman Point that is not the case, although limited public outreach about nesting seabirds has been conducted by the volunteer Black Oystercatcher monitor for Portland Audubon. While it would be ideal to have an existing education program and/or a fully-fleshed out funding and support plan for such a program at Chapman Point, we do not believe that our proposal should be downgraded due to lack of these. And, while it is unclear whether the City of Cannon Beach's Haystack Rock Awareness Program (HRAP) would be able to support an education program at Chapman Point, both the City Council and the HRAP director have been supportive of that idea and interested in exploring the possibility.

We ask the Working Group to reconsider this consideration in light of the clarification and response we have provided here, and refer to page 64 of Appendix C of the Strategy.

The Process

Rather than asking for the Working Group's comfort level or the proposers' comfort level, we would prefer that we all weigh the proposal on the objectives of the Strategy, the guidance already presented in the approved Draft, and including site level prescriptions that will guide the state and public's work into the future for these well-loved and used sites. We think a better outcome would result from a collaborative back-and-forth between the Working Group, agencies, and proposers, than the approach taken so far.

The proposal development process has been challenging for our group due to a confusing proposal form, getting access to historical documents and helpful reports only during that last few weeks before the December 31 deadline, and confusing and in some cases erroneous data in the Web Mapping Tool. Moving forward, we recommend that (1) erroneous data be removed from the Web Mapping Tool and that all available good data be added, (2) relevant historical documents and reports be organized and provided to proposers on one easy-to-find website, and (3) the proposal form be revised to remove redundancies, increase clarity on what each question is looking for, and add an executive summary field.

We recommend DLCD hold a lessons-learned session with the public (particularly members of the public that have submitted site designation proposals) so that the process and evaluation can be improved and

run more smoothly and transparently in time for the maintenance phase and future of the rocky habitat process. This would include a review of previously submitted public comment that included recommendations on improvements to the process.

Conclusion

We ask the Working Group to reconsider their recommendations for restrictions on climbing and walking on intertidal rocks per our input in item 1.b. Furthermore, due to ongoing disturbances we strongly recommend actions to minimize the environmental trauma caused by off-leash dogs, as stated in item 2.c. Additionally, we ask that the recommendations regarding site access and boats be revised based on the clarifying information presented in items 2.a and 2.e., respectively. We ask that concerns regarding funding or the capacity of agencies' programmatic support for implementation be removed per the Strategy's Appendix C, page 64, and that the Working Group recommend increased funding for enforcement of and outreach about existing wildlife disturbance laws.

For subsequent proposal periods, we suggest that the state revise the process considering the feedback from proposers on the Initial Proposal Period that has already been provided in multiple venues and that may be provided in the future.

Finally, we ask that the Working Group allow a presentation and Q&A session during the last Working Group meeting on April 29, and possibly also at the next OPAC meeting, to allow proposers to directly discuss the proposals with the decision-makers.

Sincerely,

Margaret Treadwell
Proposal Coordinator, North Coast Rocky Habitat Coalition

North Coast Rocky Habitat Coalition Members:

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