

April 28, 2020

Re: OPAC Territorial Sea Plan Part Three: Rocky Habitat Management Strategy agenda item

Dear OPAC members:

In 1994, there were extensively inventoried sites that both OPAC and LCDC recommended for "Habitat Refuge" and "Research Reserve" status in the Territorial Sea Plan. The Territorial Sea Plan is the managing document for marine waters, so these designated sites already exist, at least on paper.

Public testimony to the Rocky Shores Working Group (WG) over the last year has overwhelmingly called for these six "habitat refuge" sites to be moved forward as the parallel "Marine Conservation Areas"; additionally the public asked for two "Research Reserves" also to be moved forward with appropriate implementing rules, without having the public have to go through the onerous process that has been laid out to re-nominate these sites (and requiring a lot of time for agencies and OPAC to review these redundant nominations).

However, the WG did not decide to do that and it has caused a lot of frustration to the public who has been long involved in this process. The main concern that I heard for moving these sites forward was from ODFW. As I understand it, the concern was not with the background inventory that supported the importance and vulnerability of those sites, but that those areas were just "drawn on the maps of the time" and were not appropriately precise boundaries for designation.

Therefore, I ask that OPAC request that ODFW work (perhaps with Oregon State Parks) to provide those appropriate geographic delineations (polygons) for the sites and then move them forward directly.

I went back and reviewed the inventory information that was submitted to OPAC in 1994 for the Oregon's Territorial Sea Plan. This inventory produced for OPAC ("Oregon Rocky Shores Natural Resource Inventory" was written by ODFW (David Fox, et. al) and involved an extensive mapping, including aerial surveys and on the ground site by site natural resource inventorying of the organisms in these rocky shore areas. The document is 168 pages long and I could not find a pdf or it, but did find a pdf of the summary of methodology for the rocky intertidal field work and photo interpretation of the aerial surveys (attached). The full document also talked about the issue of resource degradation from trampling and inventoried the level of threats to the resources from trampling and additionally, the threats and potential solutions from human/marine mammal and bird interactions (see, for example page 161, attached).

In 1994, through those suggested designations, the agencies and OPAC acknowledged the need for strengthening (above the basic ODFW harvest regulations) regulatory protections at many sites. Due to lack of capacity ODFW/Oregon State Parks never got around to implementing in rule many of the recommended designations. However, those same needs exist today for at least the eight sites that were discussed at the last working group meeting.

Though threats to these areas have not decreased, we are now moving backwards. Through this current process, the Rocky Shores Working Group (RSWG) is basically saying that unless an area is already designated and has management prescriptions associated with them in rule,

a community group has to again thoroughly analyze each site and specifically ask for greater regulatory protection, otherwise only the basic harvest regulations apply. The WG presents no resource or management explanation and certainly no new inventory information that would justify removing the recommended designations and requiring them to be re-designated.

Please automatically include the 1994 recommended management designations that were never captured in regulation, with new mapping as provided by ODFW, into the new Rocky Habitat management strategy.

Also, please ask DLCD to capture the extensive inventory information from that 1994 document, if it hasn't already done so, into the mapping tool.

Sincerely,

Fran Recht

Fran Recht
P.O. Box 1344
Depoe Bay, OR 97341
541-765-2234

Attachments

Rocky Shores Inventory and Assessment

Cover page 1994 Rocky Shores Natural Resources Inventory

Page 161, human/bird/mammal interactions