



Oregon

Tina Kotek, Governor

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February 22, 2023

Oregon Land Conservation and Development Commission
635 Capitol Street NE, Suite 150
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LCDC Chair Hallová and Members of the Commission:

We are sending this letter on behalf of the Ocean Policy Advisory Council (OPAC) to communicate the Territorial Sea Plan (TSP) recommendations made during the December 9, 2022, and January 27, 2023, meetings of the Council. The OPAC recommendations are related to OPAC's work in completion of the amendments to Territorial Sea Plan Part Three – the Rocky Habitat Management Strategy, as mentioned in the February 1, 2022, transmittal letter to the Commission.

Background: TSP Part Three – Rocky Habitat Management Strategy

On March 31, 2022, the Commission approved comprehensive amendments to the Strategy, thereby completing the rulemaking amendment process. Since then, agency staff and the OPAC have worked diligently to complete the further evaluation of sites that were not completed during the initial site designation proposal process. The sites required further agency consultation with the community groups who proposed the sites and OPAC review and consideration. DLCD staff hosted and facilitated workshops in April 2022 for all six sites, where the marine management agencies provided guidance and feedback on the management recommendations associated with each of the proposals. In most cases, this resulted in improvements to the proposals which were then incorporated into their designs. The site proposals were again presented to the Council during the Council's September 27, 2022, meeting. The Council subsequently met on December 9, 2022, to provide a final review and recommendation for each site. The Council met again on Jan. 27, 2023, to finish discussion and business related to the six sites approved in December.

OPAC Recommendations:

The Council deliberated and acted to recommend all six sites that were being evaluated as part of the conclusion of the Rocky Habitat Management Strategy initial proposal process. Each site was discussed and acted on individually, and there were varying degrees of support, which are documented in the list below.

The Council recognizes the importance of these sites to Oregon's indigenous peoples and therefore also recommends that consultation, per Oregon Territorial Sea Plan policies, and local engagement continue to ensure that implementation meets commitments to tribal nations in Oregon.

Territorial Sea Plan Part Three site designation motions (with the vote count) in the order upon which the decision was made:

- Recommend designation of Ecola Point as a Marine Conservation Area (Vote: 9:1).
- Recommend designation of Chapman Point as a Marine Education Area (Supported by a consensus of the Council).
- Recommend designation of Cape Lookout as Marine Conservation Area (Vote: 8:2).
- Recommend Fogarty Creek as a Marine Conservation Area with an allowance of subtidal research with a preference for observational research (Vote: 8:1).
- Recommend Cape Foulweather Complex as a Marine Conservation Area with no change to commercial invertebrate harvest (Vote: 9:1).
- Recommend Blacklock Point as a Marine Conservation Area (Vote: 6:4).

The Council understands and recognizes the importance of supporting the new designations through efforts of the agencies, communities, and tribal governments. In recognition of this need, the Council is accompanying this transmittal letter for the recommendations with a complementary letter to Governor Kotek's Office with a request to support the implementation of the Strategy via support to the agencies, consistent with the letter the Council sent to Governor Brown on February 1, 2022.

Thank you,



Chair Susan Chambers

The Ocean Policy Advisory Council



Vice-Chair Tara Brock