

Walter Chuck, Chair
Oregon Ocean Policy Advisory Council
C/O Andy Lanier, Marine Affairs Coordinator
635 Capitol St. NE, Suite 150
Salem, OR 97301-2540

December 16, 2020

Re: Comments to OPAC on the Rocky Habitats Management Strategy process

Dear Chair Chuck and members of the Council,

We applaud the work of the Rocky Habitat Working Group (Working Group) and DLCD over the past several years on this landmark process as it nears an important milestone with the initial site proposals being submitted by the end of the year. It has been a long road with many peaks and valleys and many hours spent as the Working Group and the public navigate a new process that we believe has great potential for success. While there have been frustrations on all sides, especially with COVID-19 and wildfires, we are heartened by the perseverance of the Working Group and the public in working through these challenges. We believe the upgraded policies in the new version of the strategy are a vast improvement over the original 1994 policies and they will allow effective management of sites moving forward. We are hopeful that the site designation evaluation process that will unfold in the next year will be consistent and transparent, one that builds public confidence, and that lessons learned will inform a maintenance phase that operates smoothly over the long term.

We particularly thank Michael Moses, the Rocky Shores Coordinator at DLCD, for his engagement with members of the public interested in developing site proposals and for facilitating creation of SeaSketch forums, an expert list, data layers upon request, and offering virtual office hours during the last months of the initial phase. We also thank Charlie Plybon, the Working Group Chair, for his leadership facilitating sometimes difficult and laborious discussions and efficiently guiding the group through this complicated planning process. We are also very thankful for the volunteer Working Group members on their many hours spent providing input on this process.

Comments on Tribal Nations engagement

We are supportive of DLCD's work sessions with Tribal Nations to advance engagement and coordination with the Tribes on the rocky habitat process, incorporating dedicated space on meeting agendas, and facilitating a process by which the Tribes will be able to review submitted site designation proposals. As discussed by the Working Group during the November meeting, we agree with the inclusion of new language in section D of the rocky habitat strategy to explicitly describe the relationship with tribal nations' harvest rights - specifically that existing harvest rights cannot be altered through a rocky habitat designation. We have been informed that appropriate contacts for Tribal Nations will be listed on the SeaSketch splash page so that site proposers can directly contact the tribes to discuss site

designation proposals. We hope that DLCD can share this information with the public soon. In the meantime, many proposers have reached out to Tribes to discuss site designations.

Timeline and Planning Comments

We are supportive of the timeline (Plan B) the Working Group agreed to adopt at the Dec. 10 meeting to evaluate submitted proposals. We believe this will provide evaluators enough time to review proposals.

We also support the Working Group's decision during the November meeting to formally designate October 1, 2021 as the official start date for the maintenance phase. We recommend a maintenance phase annual cycle that includes both a winter and summer submission period with evaluations of proposals at both the spring and fall OPAC meetings. This would provide a bi-annual opportunity for the public and other entities to submit proposals. In addition, the Working Group and DLCD should provide a clear plan to the public on how the maintenance phase will proceed without the Working Group and with the Rocky Shores Coordinator position ending in 2021. We recommend DLCD provide support and leadership to guide the rocky habitat process after the current support structures change, by working with the public, reassembling a Working Group when needed, and facilitating clear interpretation of OPAC operating rules and relevant Statewide Planning Goals.

We also recommend that DLCD and the Working Group Chair host a debrief session specifically with members of the public that submitted site designation proposals during the initial phase. While it is possible for the public to provide feedback on the rocky habitat evaluation process via public comment, gathering a focus group and interviewing the first public participants about process elements of interest to DLCD and Working Group members may identify actions to strengthen the public proposal and evaluation process in the future. We recommend scheduling the interview session between the May OPAC meeting and the beginning of the maintenance phase in October 2021.

Proposal Evaluation Process

At this point we are supportive of the Working Group's decision during the December meeting to opt for an evaluation process that emphasizes a group evaluation rather than including a formal individual review at any point during the evaluation process. However, we do recommend that in subsequent rounds of proposal evaluations the proposal authors be kept anonymous to further minimize potential bias in the evaluation.

In conclusion, we thank OPAC for taking the time to review these comments and recommendations. We appreciate your time and consideration. We look forward to the next stages of the rocky habitat process and to its long-term success.

Thank you,

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North Coast Rocky Habitat Coalition

Larry Basch, Proposal Coordinator
South coast rocky shores group / Oregon Shores Conservation Coalition

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