

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: [Ecola Point](#)

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: [Margaret Treadwell](#)

Affiliated organization(s): [North Coast Rocky Habitat Coalition](#)

Date of proposal submission: [December 31, 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
Goals, objectives, or other criteria for site success should be clearly stated and reasonably achievable.			X – Good conservation goals. Goal of maintaining lower visitation, wilderness character, might not be achievable, and/or discontinuous w/education goals.
Measurable results and outcomes should be reasonably measurable and achievable.		X – BLOY nesting success is reasonable/achievable, but baseline monitoring and criteria may likely need to occur prior to proposed harvest restrictions and human activities rules in order to measure any intended outcomes.	
Site Uses should be characterized appropriately, with reasonable expectations for potential impacts.		X – Characterized appropriately, but some proposed restricted uses are beyond management authorities, TSP3, and as new management strategies, the efficacy and potential impacts are not well understood and will require monitoring. Fishing from rocks, using mussels for bait, does occur at site.	

<p>Key Natural Resources, should be characterized appropriately, including features, values, and anticipated impacts.</p>			<p>X – Appropriately characterized, however some anticipated impacts included some concern and consideration should be given to the anticipated impact of this becoming “on the map”.</p>
<p>Regulations & Enforcement should be clearly stated with reasonable expectations.</p>		<p>X – Needs work and revision. Many proposed regulations not enforceable or within state authority, some unreasonable expectations and some rules already exist, or do not require a designation to enforce.</p>	
<p>Non-Regulatory Management Mechanisms should be clearly stated with reasonable expectations.</p>		<p>X – Needs identification of funding sources. Lacks existing education and volunteers. Support for dog training an interesting idea, but achievability, measurability unclear.</p>	
<p>Stakeholder Engagement should be characterized appropriately, and include clear and actionable outreach.</p>			<p>X – Impressive. Both support and concerns were well characterized, accounted for, and actionable conditioned recommendations.</p>
<p>Additional Information should provide relevant context.</p>			<p>X – Management of Ecola SP and habitat quality lends value to connection with the designation.</p>

<p>Goals, objectives, management principles, and policies within TSP3 should be adequately addressed and/or advanced.</p>		<p>X – Some management principles are outside the scope of current designation, but goals, objectives and policies within the TSP were adequately addressed. Lack of education and reliance on another site designation may fall short in meeting some TSP3 goals, obje., etc, However, consideration for how MCA designations should be evaluated given conservation goals and balance of public use/awareness - the designation plays interestingly off of nearby and associated designations (Chapman / Haystack Rock).</p>	
<p>Designation and associated changes to regulatory standards or and management practices should be appropriate for the site and reasonably effective to achieve the stated goals.</p>		<p>X – Fundamentally some scientific take is destructive and may be at-odds with an MCA. Reviewers should consider long-term intended goals of designations and especially how certain research practices may not be appropriate if at odds with conservation policies. May be more consistent with rules for Marine Gardens.</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.)? *Disturbance of wildlife, trampling, general site preservation from increasing human use, seabird nesting, limited public use. There is some mention of trampling through tidepools and the desire to preserve the ecological integrity of the site.*
- b. What are the specific management objectives relating to the concerns above? *Maintain and protect habitat.*
- c. What are the proposed management measures to help reach these objectives? What is the provided rationale for these measures, and is it appropriate? *Restricting certain activities: a) commercial/recreational invertebrate and algae harvest, b) shoreline recreation: no access improvements, leash dogs, no climbing on intertidal rocks, no drones and no kite flying. Additional restrictions proposed on airplanes and boats. Some proposed management measures are already in place (e.g. fireworks). No change to current access limits. Intercept and inform public at Chapman Point.*
- d. In what ways would the proposed site management prescriptions limit adverse impacts to habitat and/or wildlife? *There are several measures that are intended to separate people and uses from bird nesting areas and marine mammal haulouts. Most of these are not implementable. Restrictions to invertebrate and algae harvest are also proposed. These will have no effect on protecting birds and mammals, so if the measures to restrict access, vessels, etc. are not implemented, the remaining management measures (invertebrate and algae harvest restrictions) will not meet the primary goal of protecting marine birds and mammals. Invertebrate and algae harvest may occur in the intertidal area, but there is no benefit to closing harvest in the subtidal area. Volunteer education/stewardship efforts are also proposed and these could have some effect on reducing bird and mammal impacts. If successfully implemented and enforced, restricting certain uses, limiting disturbances (and educating visitors at adjacent site) may be able to limit adverse habitat and wildlife impacts. While the rationale for the management prescriptions is well provided for in the proposal, many management prescriptions will require monitoring plans to determine whether they will limit adverse impacts. In certain cases, management prescriptions may adversely impact habitat and wildlife and adaptive strategies should be considered (heightened awareness of designation, some research activities).*

2. Regarding the site map(s) provided:
 - a. Is the polygon appropriate for the location (e.g. size, shape, placement, etc.)? Yes – good boundaries and size, although unclear how it may interact with a 500 ft. regulatory boat buffer.
 - b. Does it reflect the goals or intentions of the proposal? Yes
 - c. What are the strengths and/or weaknesses of this particular shape and placement? The shape maximizes rocky habitat with natural tidal barriers to the north and south. Given its isolation and steep upland terrain, it currently affords some protection from heavy traffic. Increasing traffic from the north and south is inevitable with growing coastal tourism and uses.
3. Are the goals and objectives of the proposal clearly stated, and what are their strengths and/or weaknesses? Yes, however, the second goal is oddly stated and presents an inclusive challenge – “to preserve...low visitation in the face of increasing tourism” may not be realistic through a special designation, and is converse to some public testimony from our public scoping and more recently within the proposal process (e.g. fears of designations *increasing* tourism).
4. Will the proposed criteria to evaluate site goals, objectives, or success, be reasonably measurable or achievable? How effective will they be? This is unclear. Given many of the management principles proposed to meet the sites goals and objectives may not be feasible, it’s not likely that these are *fully* achievable goals. However, there is merit in many of the management prescriptions recommended, and some goals and objectives may very well be able to measure success.
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 restriction on access to the rocky intertidal would be a large departure from current management at the site. People would need to be kept off the rocks using patrols, signage, and/or fencing. It would be the only site on the coast with such restrictions and is contrary to Rocky Habitat Strategy policies on access. Harvest restrictions would likely be the most influential management measure, pending understanding of current harvest activity. Other management measures do more to prevent future changes and restrict uses beyond current agency authorities, so require deeper discussion. All proposed management measures to realize desired outcomes and change status quo will require state and local investments, monitoring and management plans, timelines for checkpoints and evaluation.
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? See comments above - All proposed management measures to realize desired outcomes and change status quo will require state and local investments, monitoring and

management plans, timelines for checkpoints and evaluation. While certain species are called out as indicators in the proposal, particularly seabird, shorebird and mammals, careful consideration of appropriate monitoring plans should be considered given the broad impacts on these species uncontrollable by designation/management (predator, available prey/diet, oceanographic influences, etc.)

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.) Yes, however, proposal does not acknowledge FAA role in regulation of airplanes/drones – not implementation ready for those recommended rules, thus desired outcomes for those activities should be outlined separately. This may be the case as well for regulating boats with OSMB.
8. Is there any relevant historical or institutional context to this proposed site designation that should be taken into consideration? Yes. The 1994 recognition of Ecola Point and Sea Lion Rocks is significant historical context and deemed ecologically significant. Additionally, this is a long-term monitoring site for MARiNE.
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 proposal aligns well with many of the goals, objectives, management principles and policies within the Rocky Habitat Management Strategy. However, the proposed restriction of access to the rocky intertidal is contrary to the Strategy policies and objectives. Further discussion is needed on access and recreation with respect to proposed rules and management measures, especially over time as site changes occur from natural erosion, sea level rise, etc.
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? Not overlapping any current designations or proposals. See comments on polygon question regarding general isolation between two heavily used areas. Good “foresight” designation for growing tourism and uses at Chapman Point (proposed to south) and Haystack Rock (existing to south). This site would be supported by education to the south at Chapman Point.
 - b. What are the potential links, considerations, or conflicts between them? See above – big reliance on Chapman Point as point of visitor intercept.
 - c. In what ways does this proposed site designation differ from other proposals that overlap or interact with it? This proposal seeks to maintain the site’s great ecological character and limit increased human uses and visitation, and relies on another site for interpretation and, to some degree, management.

11. How might this site designation interact or fit in with the broader coastwide regulatory and management context of all habitats, resources, and designations? Covers all rocky habitat categories of Strategy, proposed area would be more comprehensive in covering habitat area than existing designations given subtidal inclusion.
12. What, if any, practical feasibility concerns might you have about implementing the proposed site designation? Reliance on citizen groups and local money high, but a clear mechanism for sustainable funding is not identified. Some of the proposed rules may not be feasible, enforceable, or are beyond the statutory authority of agencies, and may conflict with existing statute and rule. Given challenges at existing sites, state budget reconciliation should be highly considered, at minimum for rulemaking and any additional RACs that may be required, if implemented. Reliance on local community for compliance and monitoring is high – clear timelines and benchmarks should be identified to ensure desired outcomes are being met by management measures.
13. What are the organizational partnerships involved in this proposal? In what ways have those partnerships contributed to development of this proposal? This area seeks to build off of many existing partnerships and the strength of the local community network. There is a willing city that has invested in the Haystack Rock Awareness Program, but it's unclear whether they would be able to support capacity efforts at Ecola Point or Chapman Points at this time.
14. Are there any additional materials or documents provided? If so, what are they and what is their purpose? Yes, many, including a number of strong letters of support.
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. The shoreline area is bounded by rocky intertidal habitat, which makes the site relatively inaccessible – some of the proposed rules/recommendations may make the shoreline potentially entirely inaccessible. The polygon does not reflect proposed 500 ft. buffer around the rocks, and does not indicate which rocks would have the 500 ft. buffer.

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. The physical nature of the site is outstanding for covering all habitat categories within the TSP3. The polygon captures the major rocky intertidal areas at Ecola Point, as well as adjacent offshore rocks.

18. In what ways does the proposal appropriately address, reflect, or account for the risks associated with potential future sea level rise scenarios? This is a challenging area to evaluate in proposals, however consideration is adequately provided for. Some considerations that might be important for evaluation: future access to the site may become completely obsolete pending various impacts of sea level rise and climate change impacting accessible.

Biological

19. How well represented by the proposed polygon sketch are the species and/or habitats of interest that are mentioned in the proposal? This is a relatively well-intact rocky habitat ecosystem. The area selected balances the extent of ecological/biological representation in the area while still allowing for other areas to be more accessible. Questions about proposer intentions for how the seaward boundary interacts with the proposed 500 ft. regulatory boat buffer.
20. How appropriate is the selected designation category and stated goals for the protection of the species and/or habitats of interest? Conservation designation is appropriate for the goals of the site. Given many existing rules are intended to address current concerns, it's important to think carefully through any new management measures, and the criteria for evaluating of those measures, to understand what may be most appropriate for the protection of the species and/or habitats of interest.
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? Tidepooling or the limited fish harvest that occurs at the site could potentially be negatively impacted by the proposed provisions to restrict climbing on rocks.

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? Most all human activities (and potentially presence) would be impacted based on the current proposed management prescriptions – in particular the 500 ft. buffer and the disallowance of accessing the rocky intertidal area. Because a number of these proposed management measures are in conflict with many of the allowed activities, intention of the proposer (and associated outreach) will be critical to understand in evaluation. A distinction between guidance and required rule for management should be determined, particularly as it relates to wildlife disturbance recommendations.
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? Limited current use of the site has led to its relatively intact nature as a conservation designation. It is important however to note that many of the current human use activities at this site, while not heavily impacting the site now, may be disallowed in the future.
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? See comments above in #22. In particular, many of the human use activities that were mentioned to not be impacted,

indeed would be impacted. Without further outreach and engagement from the impacted users, both this and enforcement may present relevant management concerns for the proposed 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.

Ecola Point is a biologically rich area that will likely see increasing human use. This proposal had many strengths in both the selection and identified area for designation and the outreach and community engagement was generally impressive. The proposal is smart foresight for growing uses and impacts but many of the management measures are not implementation-ready and will require extensive further work to go from designation to implementation. This area and designation idea has merit and ecological value for further evaluation and consideration, but requires a high number of conditions and coordination with state and federal agencies to develop further management plans with clear expectations and measures for success in order to move this forward today.

Most of the proposed use restrictions intended for reducing marine bird and mammal disturbance are likely not implementable. The proposed volunteer stewardship and education program can help to reduce bird and mammal disturbance if it can be implemented and sustained over time. The program can also inform the users about tidepooling etiquette, which would help reduce human impacts to the rocky intertidal habitat. However, there is no consistent independent funding sources identified or who will be paying for education programs. Further, many of these recommended actions do not require designation to be implemented. Educational programming is proposed to be conducted at nearby Chapman Point. The reasoning for this is understandable, but if the site is left unattended then the presence of an educator elsewhere won't necessarily reinforce good behavior for those who don't access the site via Chapman Point. The Working Group recommends proposers invest in volunteer program to determine problems around these areas with milestones and expectations in place for all parties.

Restrictions on harvest of invertebrates and algae in the rocky intertidal habitat could also reduce human impacts. There doesn't seem to be a reason for restricting harvest in subtidal habitat. Creating vessel closures around the offshore rocks would only be justifiable if a problem with vessel disturbance could be documented. Even if there is a documented problem, the closure would only need to be during the seabird nesting season. Additionally, if the 500 ft. vessel closure applies to small non-motorized watercraft such as kayaks and SUPs, then there could be a safety concern about requiring the watercraft to paddle well out to sea, around the point. Because there are already mechanisms in place to address many of the issues the proposed regulations are targeting, it appears there is an issue of public education/awareness, rather than a need to create new rules/regulations for these activities.

Regardless of management prescription, criteria for evaluating site success should be mutually agreed upon prior to implementation of any designation at this site. This is critical in meeting both the human and ecological expectations/outcomes of the site designation. Efforts for state coordination should come with some budget reconciliation from the State given likely rulemaking and agency coordination of potential interagency RACs. Primary sticking points are related to recommended management measures for human activities - in particular, FAA, OSMB, and Coast Guard authorities were identified. Creating rule and management for dogs and climbing on intertidal rocks may present challenges and alternative



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disturbance/harassment management may be more appropriate from a management context to achieve desired outcomes. These wildlife disturbance concerns are not insurmountable, and OPAC should consider these “thematic”, repeated in both public scoping and in desired outcomes from proposed and designated areas.