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

**Re: Comments on the Draft Rocky Habitat Management Strategy**

Dear Chair Chuck and members of the Council:

The Oregon Shores Conservation Coalition strongly supports the overall thrust of the state's emerging Rocky Habitat Management Strategy as drafted. Oregon Shores has argued for many years that the 1994 policies that have governed management of our rocky intertidal resources had never been fully implemented and were badly in need of revisiting and updating. Indeed, it was at our instigation that the Ocean Policy Advisory Council created the initial Rocky Shores Working Group and launched the process that has led to this draft. A lot of good work has gone into creating the new strategy, and Oregon will be much better served once it is in place.

Oregon Shores signed onto the collaborative comment by conservation groups, submitted Feb. 28. We strongly endorse the suggestions for improvements to the draft made in that comment, which cover many of the points we might have made. We won't go into any detail reiterating them, but incorporate them by reference here. We will simply make a few additional points.

We urge that the name of the strategy itself be changed. We consider the switch from "Rocky Shores" to "Rocky Habitat" to be very ill-considered. We understand the reasoning behind the change—that the strategy is for all rocky habitat within the territorial sea, not just the intertidal habitat on the shore. However, "Rocky Habitat" says nothing—there is rocky habitat at the crest of the Cascades, in the Columbia Gorge, and in the middle of Portland. The vague "Rocky Habitat" does not convey the subject of the strategy, and does not invite public engagement; people relate to "rocky shores," but "rocky habitat" will just sound abstract and bureaucratic to many people. If it is really felt that using the more communicative "Rocky Shores" is not inclusive enough, then accept the cumbersomeness of clarity, and call it the "Rocky Intertidal and Offshore Marine Habitat" strategy, or something along those lines. But we consider "Rocky Shores" to be adequate. Anyone concerned enough to pay attention at all will know what is meant, and it is a more communicative term likely to engage interest, important given that the strategy admirably provides for public involvement.

One point made in the joint comment by conservation groups that we will reiterate is that before we proceed with an expanded set of policies, we need to backfill to at least achieve what had been promised by the original 1994 plan. Many of the sites identified in the original planning process never actually received designated levels of protection. Before we begin the site designation process, these areas should be given levels of protection reflecting the 1994 plan (whatever designation is most appropriate within the new plan) in the strategy as it is adopted. We would also say this in relation to areas designated for review (but not given specific recommended designations) in the original plan. After this much delay, they should be considered high-value area given specific levels of protection by default. In some of these cases, Oregon Shores may advocate for higher levels of protection in the site designation process than the initial level given, but meanwhile, just as the physician's injunction is "First, do no harm," let us say that first let us make sure that these areas, already designated as worthy of protection, receive at least the minimum level they should have received in the 1990s.

Oregon Shores has advocated for several decades that the precautionary principle be applied in all regulatory decisions. We applaud the incorporation of this principle within the plan, and urge that it be vigorously enforced. It should be clearly stated that before any activity takes place in rocky intertidal or subtidal habitat, the burden of proof should be on those proposing to conduct the activity.

We very strongly disagree with the intention to exclude areas adjacent to marine reserves. For one thing, marine reserves are politically vulnerable, and protection of the adjacent rocky intertidal habitats, and the subtidal and emergent rocky habitats within the reserves, provides a fail-safe for protecting these areas should for any reason marine reserve or MPA status be withdrawn for these areas. For another, while they certainly overlap and are complementary, the Rocky Habitat (or, as we would prefer, Rocky Shores) Management Strategy is not the same thing as the regulations creating marine reserves, so it would not be at all redundant to provide these areas with designated levels of protection within the rocky habitat strategy. These areas are of particular interest to Oregon Shores, and are places where we focus our volunteer monitoring and citizen science activities, and our members and volunteers will want to campaign for maximum protection of these areas. We protest any decision that would prevent them from doing so.

Periodic review of this strategy should be incorporated within the strategy itself. The site designation process, open-ended and available to the public, will help to keep the strategy updated, but doesn't substitute for an overall review on a definite schedule.

We recommend that the word "stakeholder" be excluded from this document. The word is much overused, and is dubious in this context. In situations where landowners, for instance, have a special stake, the term may be appropriate. But the territorial sea belongs equally to all Oregonians. There is no one who can claim a special stake in these common resources. Commercial or recreational fishing or harvesting interests, and businesses onshore that process their products, are allowed essentially free access (aside from modest fees) to these public resources, but this is entirely subject to the public's will. No Oregonian should be credited any special stake in territorial sea resources.

With regard to the “Education & Public Awareness” section, we are one of the organizations (primarily through our CoastWatch volunteer program) that fall within the category of “already established locally-based and regionally supported programs” which “are needed to disseminate accurate and timely rocky habitat knowledge and stewardship messages.” So, we will acknowledge up front that we have a special interest here. That said, we are concerned that this section speaks very loosely about which groups, new or existing, will provide education and public information, and very loosely indeed about the state’s role in supporting these efforts. There are already many organizations on the coast, including ours, that provide public education services, and organize citizen science projects. There are enough organizations working on the coast now. We do not need a further proliferation sponsored by the state. We urge that the plan state clearly that any support available to will go to strengthen existing public education programs on the coast, with collaboration on the content of educational materials, to be sure, but with the understanding that the existing, already complex infrastructure of public interest groups on the coast will be reinforced, not undermined through dissemination of any available funding to opportunistic new candidates for funding. We are concerned about the provision “Support existing education and interpretive programs as well as creation and implementation of new education and interpretive programs to fill gaps.” The first clause is fine, the second is problematic. Again, there are more than enough organizations and programs on the coast seeking to provide public education about coastal resources; the state should focus on collaborating with and supporting them, not fostering still more organizations with overlapping missions. We proposed earlier, and will propose again, that the strategy’s language in this regard be “Support the extension of education and interpretation programs conducted by existing organizations to cover sites that are not currently covered.”

We urge that the language of the strategy still with the internationally recognized term “citizen science,” rather than pander to political correctness by referring instead to “community science.” Citizen science is a growing movement around the world; don’t sow confusion by using a different term. Plus, “community science” has a different and useful meaning, referring to broad efforts that really do involve communities rather than individuals. An individual or small team working on a beached bird or marine debris survey are practicing citizen science; the Christmas bird count, for instance, is community science. Citizen science is the broader term, with “community science” being one type of citizen science, a distinction that is lost in the language of the draft.

The strategy should incorporate by reference the Oregon Marine Debris Action Plan. NOAA is mentioned in the draft, but not its role in convening the agencies and NGOs that collaborated on the marine debris plan and are in the process of implementing it.

The group comment to which we signed on fully discussed the need to strengthen the draft strategy’s provisions when it comes to protecting kelp forests and other submerged aquatic vegetation, so we will not take up space reiterating these points. Among other things, protecting kelp forests helps to contribute to the resilience of territorial sea habitats in the face of climate change. But we would also add another point that should be incorporated as a statement of principle concerning adaptive responses to climate change: The state should have a policy concerning development of onshore buffers that will facilitate the upslope migration of intertidal habitats as sea level rises, i.e., it should be a stated policy that as part of the state’s responsibility

for conserving rocky habitats on the shoreline, provision should be made for continuity of these habitats as sea level rises.

Thank you for the opportunity to submit these comments. We look forward to playing an active role in implementing the adopted strategy.

Sincerely,

A handwritten signature in black ink, appearing to read "Phillip Johnson", with a long horizontal flourish extending to the right.

Phillip Johnson, Executive Director  
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