



Oregon Parks and Recreation Commission

April 16 & 17, 2019
The Oregon Garden
985 West Main St
Silverton, OR 97381
OSU Room

Draft Agenda

Tuesday, April 16th

Location: The Oregon Garden @ OSU Conference Room

TOUR:

8:00 am Depart from The Oregon Garden

8:30 Arrive @ Silver Falls

8:30am – 1:30am Tour (**Lunch – 12:00 pm @ North Falls Meeting Hall**)

WORK-SESSION / TRAINING: 2:00pm @ Oregon Gardens OSU Conference Room

- Acquisitions
- Naming Policy

Wednesday, April 17th

Location: The Oregon Garden @ OSU Conference Room

Executive Session: 8:15am

The Commission will meet in Executive Session to discuss acquisition priorities and opportunities, and potential litigation. The Executive Session will be held pursuant to ORS 192.660(2)(e) and (h), and is closed to the public.

Business Meeting: 10:15am

1. Commission Business

- a) Welcome and Introductions (Information)
- b) [Approval of February 2019 Minutes \(Action\)](#)
- c) [Approval of April 2019 Agenda \(Action\)](#)

2. **Public Comment:** *This is the time for the public to address the Commission.*

*If you wish to make public comment on an item on the agenda you can choose to make your comment either when the item is heard, or during this allotted time. Although written testimony is not required, it is suggested that 15 copies be provided to the Commission Assistant prior to the meeting. **Speaking time is limited to 3 minutes.***

3. **Director's Update**

- a) [Office of Outdoor Recreation Update \(Action\)](#)
- b) [Reservation System Update \(Information\)](#)
- c) [Legislative Update \(Information\)](#)

4. Budget

- a) Budget Update (Information)
- b) 2018 Annual Expense Report for Director (**Action**)

5. Property

- a) Conde B. McCullough State Recreation Site -Transfer to ODOT (Information)
- b) Hilgard Junction State Park - Transfer to ODOT (Information)
- c) Clarno State Park-Boundary Line - Reciprocal Exchange (Information)
- d) Banks Vernonia State Trail - Access Easement to Neighbors (Information)
- e) Iwetemlaykin – Rahmani Property Proposed Acquisition (Information)
- f) Pilot Butte State Scenic Viewpoint– Renewing Lease with T-Mobile (**Action**)

6. Community Engagement

- a) Contracts – ODF & OSP for the ATV Program (**Action**)
- b) ATV – New Committee Members (**Action**)
- c) ATV Grant Recommendations (**Action**)

7. Park Development Division

- a) Pilot Butte (Information)

8. Heritage

- a) Heritage Division Updates (Information)
- b) Veterans and War Memorials Grants (**Action**)

9. Rulemaking

- a) Request to go to rulemaking- Oregon Natural Areas Program Rules (736-045-0300 to 736-045-0505) (**Action**)
- b) Request to adopt rulemaking adding plans for Brian Booth and Wallowa Lake State Parks to list of Master Plans (736-018-0045) (**Action**)

10. Reports (Information)

- a) Update Rocky Shore Management Strategy/Territorial Sea Plan (Information)
- b) Procurement Report (Information)

11. Commission Planning Calendar (Information)

The services, programs and activities of the Oregon Parks and Recreation Department are covered by the Americans with Disabilities Act (ADA). If you need special accommodations to participate in this meeting, please contact the commission assistant Denise Warburton at (503) 986-0719 or Denise.warburton@oregon.gov at least 72 hours prior to the start of the meeting.



Oregon Parks and Recreation Commission

February 20 & 21, 2019
 The Independence Event Center
 555 South Main St
 Independence, Oregon 97351
 Conference Room: Bottom Floor

Draft Minutes

Wednesday, February 20, 2019

Location: The Independence Event Center

TOUR: Downtown Independence

WORK-SESSION / TRAINING: 12:30pm – 3:00pm

- Easement Training
- Government Ethics Commission Training

Thursday, February 21, 2019

Location: The Independence Event Center

Executive Session: 8:15am

The Commission will meet in Executive Session to discuss acquisition priorities and opportunities, and potential litigation. The Executive Session will be held pursuant to ORS 192.660(2)(e) and (h), and is closed to the public.

Business Meeting: 10:15am

• Cal Mukumoto, Commission Chair	• MG Devereux, OPRD Deputy Director
• Jennifer H. Allen, Commission Vice-Chair	• Denise Warburton, OPRD
• Lisa Dawson, Commission	• Chris Havel, OPRD
• Jonathan Blasher, Commission	• Tanya Crane, OPRD
• Doug Deur, Commission	• Cailin O'Brien-Feeney, OPRD
• Vicki Berger, Commission	• Kammie Bunes, OPRD
• Steve Grasty, Commission	• Scott Nebeker, OPRD
• Steve Shipsey, Council for Commission, DOJ	• Trevor Taylor, OPRD
• Lisa Sumption, OPRD Director	• Alice Beals, OPRD

1. Commission Business

- a) Welcome and Introductions (Information)
- b) Approval of November 2018 Minutes (**Action**)

Action: Commissioner Allen moved to approve the November 2018 minutes. Commissioner Grasty seconded. The motion passed 7-0. (Topic starts 00:02:47 and ends 00:03:41)

- c) Approval of February 2019 Agenda (**Action**)

Action: Commissioner Blasher moved to approve the February 2019 agenda with the following changes, Agenda item 7a & 7b are moved up to 3c & 3d and Agenda item 6b is moved up to 3e. Commissioner Grasty seconded. The motion passed 7-0. (Topic starts 00:03:42 and ends 00:04:41)

2. Public Comment: *This is the time for the public to address the Commission.*

Marion Cooper, Farm Bureau

Gene Cho, Residence Tierra Del Mar

Patricia Rogers, Residence Tierra Del Mar

Marie Cook, Residence Tierra Del Mar

Ed Rutledge, Previous residence Tierra Del Mar

Lanai Rutledge, Previous residence Tierra Del Mar

3. Director's Update

- a) Submission of Updated Delegated Authority and Acceptance (**Action**)

Action: Commissioner Grasty moved to approve the changes to the updated Delegated Authority. Commissioner Berger seconded. The motion passed 7-0. (Topic starts 00:26:30 and ends 00:28:30)

- b) Leadership Group Goals (Information)
c) Brian Booth Update (Information)
d) Brian Booth Name Removal Request (**Action**)

Action: Commissioner Berger moved to affirm the name Brian Booth State Park. Commissioner Grasty seconded. The motion passed, 6-1, Commissioner Berger voted no. (Topic starts 00:53:44 and ends at 01:22:00).

- e) Nehalem Scenic Waterway (**Action**)

Public Comment: *This is the time for the public to address the Commission.*

Kathleen Sullivan, Clatsop County Commission

Eric Fernandez, Oregon Wild

Joe Kukluet, Trout Unlimited

Chandra Ferrari, Trout Unlimited

Bob Vandyke, Wild Salmon Center

Action: Commissioner Blasher moved to approve the Nehalem Scenic Waterway Study Report. Commissioner Allen seconded. The motion passed, 7-0. (Topic starts 01:25:00 and ends at 02:01:00).

4. Budget

- a) 2019-21 Budget Update (Information)

5. Property

- a) ODOT Transfers to OPRD (**Action**)

Action: Commissioner Deur moved to approve the ODOT Transfers to OPRD. Commissioner Berger seconded. The motion passed, 7-0. (Topic starts 02:21:00 and ends at 02:26:00).

- b) Carl G. Washburne – Exchange with ODOT (**Action**)

Action: Commissioner Deur moved to approve the Carl G. Washburne – Exchange with ODOT. Commissioner Allen seconded. The motion passed, 7-0. (Topic starts 02:26:00 and ends at 02:33:45).

c) Cottonwood Canyon – Western Rivers Conservancy Property Acquisition (**Action**)

Action: Commissioner Berger moved to approve the Cottonwood Canyon – Western Rivers Conservancy Property Acquisition. Commissioner Grasty seconded. The motion passed, 7-0. (Topic starts 02:33:50 and ends at 02:45:09).

d) Smith Rock – McFarlane Property Acquisition (Information)

6. Community Engagement

a) County Opportunity Grant Awards (**Action**)

Action: Commissioner Allen moved to approve the County Opportunity Grant Awards as presented. Commissioner Deur seconded. The motion passed, 7-0. (Topic starts 02:50:50 and ends at 02:53:25).

b) See 3e

c) Scenic Waterway Program Update (Information)

d) SCORP Adoption (**Action**)

Action: Commissioner Allen moved to approve the SCORP Adoption. Commissioner Blasher seconded. The motion passed, 7-0. (Topic starts 02:57:00 and ends at 03:12:50).

7. Park Development Division

a) See 3c

b) See 3d

c) Construction Contract Awards (**Action**)

Action: Commissioner Dawson moved to approve the new MU Office Construction Contract Award. Commissioner Allen seconded. The motion passed, 7-0. (Topic starts 03:13:30 and ends at 03:18:40).

8. Reports (Information)

a) Actions Taken Under Delegated Authority

i) Contracts and Procurement

ii) Ocean Shores and Scenic Waterway Permits

b) Legislative Update

c) Heritage Division Updates

d) First Day Hike Report

9. Commission Planning Calendar (Information)

a) Updated Calendar

Meeting adjourned at 1:40pm

The services, programs and activities of the Oregon Parks and Recreation Department are covered by the Americans with Disabilities Act (ADA).

Oregon Parks and Recreation Commission

April 17, 2019

Agenda Item:	3a	Action
Topic:	Governor's Task Force on the Outdoors	
Presented by:	Cailin O'Brien-Feeney	

Original brief:

When the Oregon Legislature formed the Office of Outdoor Recreation it identified collaboration – within Oregon Parks and Recreation Department functions, across agencies, and with other public and private sector entities – as a core means to achieve its purpose. With this direction from Governor Brown to form a Task Force on the Outdoors we have a formal body to move that work forward.

The work of this group will be to develop strategic recommendations focusing on economic development of both rural and urban areas, balancing improved outdoor recreational access with resource protection, and increasing outdoor participation especially among youth and traditionally underserved communities. Full details on scope and duties are found in the attached letter, and we are working to finalize a roster to bring forward by the end of March. Commissioner Blasher has graciously agreed to serve as Chairperson.

Update:

As originally envisioned, the Office of Outdoor Recreation would have an advisory group empaneled and empowered by the legislature. That provision was not included in the final legislation, instead directing ongoing consultation with a diversity of stakeholders. Oregon Parks and Recreation Department staff proposed the Oregon State Parks and Recreation Commission create an advisory group for the new Office of Outdoor Recreation using its authority, and rulemaking was opened as a placeholder in November 2017 to both define this group and update agency outdoor recreation goals. The Office director, Cailin O'Brien-Feeney was hired in summer 2018, and recommended this task force as an interim step.

In February 2019, Governor Brown tasked Oregon Parks and Recreation Department staff to convene and support a short-term task force pending appointment of members by the Oregon State Parks and Recreation Commission. A final report with recommended policies, legislation and initiatives is due to the Governor in one year. A draft will be presented to the Commission before being finalized and delivered to the Governor, Commission and Legislative Assembly. The Task Force may also recommend a permanent advisory structure for the Commission's future consideration.

The Commission role throughout this process is to “promote the policy of this state toward outdoor recreation resources” [ORS 390.117 (4)] which includes encouraging “all agencies of government, voluntary and commercial organizations, citizen recreation groups and others to work cooperatively and in a coordinated manner to assist in meeting total recreation needs through exercise of their appropriate responsibilities.” [ORS 390.010 (5)]

Attachment: Governor's Task Force on the Outdoors Letter

Action Requested: Appointment of the membership.

Prior Action by Commission: None.

Prepared by: Cailin O'Brien-Feeney



KATE BROWN
Governor

February 18, 2019

Cailin O'Brien-Feeney
Director Oregon Office of Outdoor Recreation
Oregon Parks and Recreation Department
725 Summer St NE, Ste C
Salem, OR 97301-1266

Dear Cailin:

Elevating outdoor recreation in every corner of Oregon is key to achieving the state's ambition to provide for the well-being of its residents, economic development, and protection of resources that sustain our livelihoods. Investing in a comprehensive approach to outline our strategy will help define the next steps Oregon takes to encourage the outdoor recreation economy, while engaging more people in the great outdoors.

Oregon already has a strong foundation: diverse landscapes, a tradition of outdoor participation, public and private sector organizations with a robust connection to the outdoors, and an array of educational offerings. I signed HB 3350 in 2017 creating the Office of Outdoor Recreation to lead that work. I am excited to see what a comprehensive strategy that capitalizes on these resources and includes input from all stakeholders can do for Oregon.

Now I am tasking you, with support from the Oregon Parks and Recreation Department and staff from my office, to convene a short-term task force to recommend policies, legislation and initiatives to support economic development in both rural and urban areas, balance improved outdoor recreation access with resource protection, and increase outdoor recreation participation, especially among youth and traditionally underserved communities. Members of the Task Force on the Outdoors will be appointed by the Oregon State Parks and Recreation Commission, but should include participation from:

- At least three outdoor recreation participants that reflect the cultural and geographic diversity of this state and the many forms of recreation enjoyed;
- At least three representatives from Oregon's outdoor recreation sector such as brands, manufacturers, retailers, outfitters, guides and community-based organizations;
- A Chairperson designated by the Oregon State Parks & Recreation Commission;
- One member designated by the Tourism Commission;



Cailin O'Brien-Feeney
February 18, 2019
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- One member designated by the Oregon Business Development Department;
- One member designated by the Department of Fish and Wildlife;
- One member designated by the Oregon State Marine Board;
- One member designated by the Oregon Department of Forestry;
- One member designated by the Oregon Department of Transportation;
- One member designated by the Oregon Health Authority;
- One member designated by the Oregon State University Extension Service;
- One member designated by the Association of Oregon Counties;
- One member of the legislature designated by the majority party,
- One member of the legislature designated by the minority party;
- The Director of the Office of Outdoor Recreation and members from the Office of the Governor may serve in an ex-officio role.

One year after members are appointed by the Oregon State Parks and Recreation Commission, the Governor's Task Force on the Outdoors shall produce a report with top strategic recommendations for my office to consider. A copy of these recommendations should also be sent to the Oregon State Parks and Recreation Commission and the Oregon Legislative Assembly.

I want to thank all of the engaged stakeholders, from both the public and private sector, for their efforts to partner in finding innovative solutions to elevate the benefits of outdoor recreation across Oregon. I am eager to see the recommendations and confident we will make great strides to further connect Oregonians to the outdoors and support the outdoor recreation economy through this work.

Sincerely,



Governor Kate Brown

GKB:jm,kl

cc: Oregon Parks and Recreation Department, Director Sumption and Commission
Tourism Commission
Oregon Business Development Department
Oregon Department of Fish and Wildlife
Oregon State Marine Board
Oregon Department of Forestry
Oregon Department of Transportation
Oregon Health Authority

Oregon Parks and Recreation Commission

April 17, 2019

Agenda Item: 3c Information
Topic: 2019 Legislative Session Update
Presented by: Katie Gauthier, Legislative & Policy Coordinator

Background:

We are nearing the mid-point of the 2019 legislative session. So far, 2627 bills have been introduced. The department is tracking 217 bills that have a possible impact to our programs.

Our proactive legislative agenda included six agency sponsored bills that the Commission approved introducing in April 2018.

- Heritage
 - **HB 2081:** Changing responsibility for coordinating statewide anniversary celebrations to commemorations to be more inclusive and reflective of all of the types of events that Oregonians may want to recognize. This bill has passed the House and is awaiting a vote in the Senate.
 - **SB 48:** This bill would extend the special assessment for historic preservation tax program for three years so that local governments and preservation advocates can develop changes to the program. It will likely be schedule for a hearing at the end of March.
- Stewardship
 - **SB 50A:** The two forestry bills, SB 49 and 50 were amended into one bill. This bill will align our forest contracting requirements with those of the department of Forestry and increase the threshold for competitive bids from an appraised value of \$15,000 to \$25,000. **SB 50A** passed out of the Senate and is in the now assigned to the House Natural Resource Committee.
- Community grants
 - **HB 2082** would require ATV safety education cards for riders of all classes of ATVs on public lands. Currently, cards are required for some classes and some ages. This bill brings consistency and increases safety, particularly in growing ATV classes. The bill had a hearing in the Joint Transportation Committee and we are working with committee members to clarify questions in effort to get it scheduled for a work session.
 - **HB 2083** is a fix from 2017 that would outline how OPRD and ODOT would work together on a bicycle/pedestrian grant program instead of OPRD reimbursing ODOT \$4 million for grants. This bill also sunsets this requirement in 2025 instead of requiring funding from our constitutionally-dedicated lottery funding continually be allocated in this manner. We have had discussions with the committee co-chair, but it remains to be seen where this one will go.

- Other bills of interest to the agency:
 - **HB 2195** sites a Vietnam Veterans Memorial on the Capitol grounds, near the WWII Memorial. The bill creates a task force to approve the design of the memorial and allows the task force to apply for OPRD's grant program. Representative Evan's bill has passed out of the House Veterans Committee and is in Ways & Means,
 - **HB 2566** would require all ATVs to be registered. Currently, proposed amendments have registration and titling of ATVs going through the Marine Board. Additional proposed amendments make changes to the width of class IV ATVs. Representative Witt's bill has had a hearing in the Joint Transportation Committee and additional amendments are being developed.
 - **HB 2835** is a bill designed to increase waterway access. Advocates want to increase access to rivers for non-motorized boats and allow portage on private property. They wrote the bill to in attempt to codify a 2005 attorney general's opinion providing public use of land adjacent to waterways. Amendments have been developed to resolve some concerns that have been raised. Representative Helm's bill is scheduled for a public hearing in the House Natural Resources Committee.
 - **SB 308** would require OPRD to develop an advisory committee to review access for service connected disabled Veterans through our Veterans Special Access Program. The advisory committee could recommend changes to reservation processes, a pilot program or legislation. Senator Hansell's bill passed out of the Senate Veterans and Emergency Preparedness Committee and is in Ways & Means.
 - **SB 927** repeals the state law that requires local jurisdictions to obtain owner consent for local designation of historic resources, and it addresses the connection between the National Register of Historic Places and Statewide Planning Goal 5. The primary intent is to remove the requirement for local jurisdictions to automatically apply protections to properties listed in the National Register (without a public process). A companion bill, **SB 929** would create a tax credit program for certified historic properties. Senator Dembrow's bills are in the Senate Environment and Natural Resource Committee, but have not yet had a hearing.

Next Steps:

Our budget will likely be scheduled for a work session in the Ways and Means Natural Resource Sub-Committee in April.

The 2019 session will end by June 30. There will be many more conversations, committee hearings and requests for information in the next few months. Staff will continue to meet with legislators and pursue our proactive legislative agenda while responding to questions and other legislative proposals that develop.

Prior Action by Commission: Update Report in the February Commission Packet

Action Requested: Information only

Prepared by: Katie Gauthier

Attachments: None

Oregon Parks and Recreation Commission

April 17, 2019

Agenda Item: 4a

Information

Topic: Budget Update

Presented by: Daniel Killam, Deputy Director for Administration

The March 2019 Lottery forecast was released February 27, 2019. It reflects an increase in Lottery Fund revenue for the Department of \$282,135. Since the close of session (June 2017), the Lottery Fund revenue forecast has increased by \$14,722,954. The Department’s budget was built on a Lottery Fund revenue forecast of \$93.5 million and the March 2019 forecast is \$108.2 million. The table below reflects the change in the Lottery revenue forecast for the 2017-19 biennium and beyond.

Lottery Forecast History (2017-23 Biennium): OPRD's Share of PNRF						
	2017-19		2019-21		2021-23	
Forecast Date	Forecast	Change from Prior Forecast	Forecast	Change from Prior Forecast	Forecast	Change from Prior Forecast
May 2017 Forecast (released 5-16-17)	\$93,463,000		\$101,234,604		\$109,725,747	
September 2017 Forecast (released 8-23-2017)	\$101,034,075	\$7,571,075	\$104,590,505	\$3,355,901	\$113,468,086	\$3,742,339
November 2017 Forecast (released 11-29-2017)	\$101,845,425	\$811,350	\$104,933,825	\$343,320	\$113,983,224	\$515,138
March 2018 Forecast (released 2-16-2018)	\$104,041,728	\$2,196,303	\$105,850,913	\$917,088	\$114,597,003	\$613,779
June 2018 Forecast (released 5-23-18)	\$104,713,621	\$671,893	\$105,748,566	(\$102,347)	\$114,077,234	(\$519,769)
September 2018 Forecast (released 8-29-2018)	\$106,704,748	\$1,991,127	\$106,465,229	\$716,663	\$114,947,130	\$869,896
December 2018 Forecast (released 11-14/18)	\$107,903,819	\$1,199,071	\$107,396,712	\$931,483	\$115,941,751	\$994,621
March 2019 Forecast (released 2-27-2019)	\$108,185,954	\$282,135	\$107,670,900	\$274,188	\$116,221,227	\$279,476
Total Cumulative Change		\$14,722,954		\$6,436,296		\$6,495,480

Prior Action by Commission: The 2017-19 Legislatively Adopted Budget was presented at the September 2017 meeting. An update was presented at the November 2017, February 2018, April 2018, June 2018, September 2018 and November 2018 meetings.

Action Requested: None.

Attachments: None.

Prepared by: Tanya Crane

Oregon Parks and Recreation Commission
Meeting

Agenda Item: 4b

Action

Topic: Report: Director's Expenses

Presented by: Daniel Killam

Background:

The Oregon Accounting Manual requires annual Commission review of specific financial transactions of the agency head. The review must be documented in the meeting minutes. Those transactions include travel, exceptional performance leave, and vacation payoff. Attached is a summary of Director Lisa Sumption's travel expenses. Travel reimbursement requests for all Department staff (including the director) are reviewed prior to payment by Financial Services Division staff to ensure compliance with state employee travel rules.

Director Sumption had no exceptional performance leave or vacation payout.

Action Requested:

Staff request approval of Director Sumptions's specific financial transactions, per the Oregon Accounting Manual.

Prepared by: Rebecca Jasso

**Oregon Parks and Recreation Department
Report of Director Lisa Sumption Expenses
For the Period January 1, 2018 through December 31, 2018**

Date	Travel Destination and Purpose	Actual Cost	Expense Reimbursement	Document #	Comments
02/13/18 - 02/15/18	Texas State Park Conference - Houston, TX	44.25	44.25	VP051147	Meals at Conference
02/13/18 - 02/15/18	Texas State Park Conference - Houston, TX	30.00	30.00	VP051147	Airport Parking
02/13/18 - 02/15/18	Texas State Park Conference - Houston, TX	65.95	65.95	VP051147	Mileage to PDX and Return
02/20/18 - 02/21/18	February Commission Meetin - Lake Oswego	279.94	-	BT020460 / VP050781	Commission Meeting - Crowne Plaza Hotel
02/20/18 - 02/22/18	February Commission Meetin - Lake Oswego	62.75	62.75	VP051147	Meals at Commission Meeting
2/26/2018	Airfare to Bismark ND	679.99	-	VP051055	RMSPEC Annual Meeting ERA Presentation
03/01/18 - 03/02/18	Port Townsend, WA - Guest Speaker @ Pacific NW Resource Mgmt	347.36	347.36	VP051450	Meals, Parking, and Mileage
3/07/18-03/08/18	Leadership Group - Lebanon-Boulder Falls Inn	291.37	-	VP051363	Lodging and Meals direct bill
3/14/2018	Airline Ticket to Houston, TX for out-of-state travel in Feb. 2018	(433.60)	-	CR014989 / VP049945	Reduction of Expense - received reimbursement (Speaker for Texas State Parks Annual Meeting/ Texas is reimbursing for Airfare-charge was in CY2017)
04/16/18 - 04/18/18	April Commission Meeting - Lincoln City	285.66	-	BT022546	Commission Meeting - Surftide Inn
04/16/18 - 04/18/18	April Commission Meeting - Lincoln City	88.50	88.50	VP051665	Commission Meeting - Meals
4/23/2018	Last minute change in Airfare to Bismark ND - Increase	504.22	-	VP052187	RMSPEC Annual Meeting ERA Presentation
5/1/2018 - 05/03/18	Raddison Hotel - Bismark ND	183.30	-	BT022546	RMSPEC Annual Meeting ERA Presentation
5/1/2018 - 05/03/18	Meals - Bismark, ND	76.50	76.50	VP052320	RMSPEC Annual Meeting ERA Presentation
5/1/2018 - 05/03/18	Parking @ PDX, RT Salem to PDX Airport	95.40	95.40	VP052320	RMSPEC Annual Meeting ERA Presentation
5/5/2018	Vista House - PDX	106.12	106.12	VP052320	Vista House Celebration
05/15/18 - 05/16/18	Eagle Crest - Redmond to PDX	44.25	44.25	VP052320	Leadership Team Meeting-Meals
05/17/18 - 05/18/18	Kennedy School McMinnamens - PDX	357.44	-	BT022546	Lodging @ New Directors Forum - Presentations
05/17/18 - 05/18/18	Kennedy School McMinnamens - PDX	112.00	112.00	VP052320	Meals @ New Directors Forum-Presentations

**Oregon Parks and Recreation Department
Report of Director Lisa Sumption Expenses
For the Period January 1, 2018 through December 31, 2018**

06/11/18 - 06/13/18	June Commission Mtg - Harney County	63.75	63.75	VP053056	Meals
06/11/18 - 06/13/18	June Commission Mtg - Harney County	73.55	73.55	VP053056	Fuel for Rental Car
6/25/19 - 6/29/2018	AIRBUD - Field trips to Eastern Oregon	382.16	-	BT022668	Lodging - Visiting Parks
06/26/18 - 06/30/18	Field Trips to Eastern Oregon	229.50	229.50	VP053056	Meals
7/5/2018	Return from Eastern Oregon Field Visits	38.25	38.25	VP053083	Eastern Oregon Field Visits drive back
7/13/2018	Silver Creek Falls	38.25	38.25	VP054623	Meals during visit to Silver Creek Falls Fire
07/13/18 - 07/14 /18	Silver Creek Falls	61.04	61.04	VP054623	2 RT Mileage Salem/Silver Creek
07/13/18 - 07/14/18	Silver Creek Falls	83.68	83.68	VP054623	Fire Camp Food
7/10/2018	Silver Creek Falls	30.52	30.52	VP054623	RT Mileage Salem/Silver Creek
7/29/2018	Salem to PDX - Milo Mclver 50th Celebration	62.13	62.13	VP054623	RT Mileage Salem/PDX
7/19/2018	City of Portland Parking	4.00	4.00	VP054623	Meeting in PDX
7/20/2018	NASPD Conference - Sonoma, AZ	486.60	-	VP053924	Airfare to Sonoma, AZ
09/04/18 - 09/07/18	NASPD Conference - Sonoma, AZ	129.50	129.50	VP054624	Meals
09/04/18 - 09/07/18	NASPD Conference - Sonoma, AZ	48.00	48.00	VP054624	Airport Parking
09/04/18 - 09/07/18	NASPD Conference - Sonoma, AZ	62.13	62.13	VP054624	RT mileage Salem/PDX Airport
9/4/2018	NASPD Conference - Sonoma, AZ	20.00	-	VP054411	Agent Fee to change flight to Sonoma, AZ
9/4/2018	NASPD Conference - Sonoma, AZ	125.00	-	VP054813	Airfare Increase for changing flight
09/04/18 - 09/07/18	Hilton Hotel- Sedona AZ	519.93	-	BT023248	NASPD Annual Meeting
9/17/18 - 09/19/18	September Commission Meeting - Condon Lodging	198.64	-	BT023248	Opening of Cottonwood Canyon and Commission

**Oregon Parks and Recreation Department
Report of Director Lisa Sumption Expenses
For the Period January 1, 2018 through December 31, 2018**

9/17/18 - 09/19/18	September Commission Meeting - Condon Meals	51.00	51.00	VP055098	Commission Mtg - Meals
10/4/2018	Banks - STIA Meeting	27.50	27.50	VP055098	Meal - Dinner
10/4/2018	Banks - STIA Meeting	68.67	68.67	VP055098	RT mileage Salem/Banks
10/3/2018	Kennedy School McMinnamens - PDX Lodging	155.66	-	BT023349.	New Directors Forum - Presentations
10/09/18 - 10/10/18	Hampton Inn - Bend Lodging	126.78	-	BT023349.	State Park Foundation Meeting
10/09/18 - 10/10/18	Meals - State Park Foundation Meeting	76.25	76.25	VP055098	State Park Foundation Meeting
10/18/2018	North Coast Land Conservancy Meeting	13.75	13.75	VP055098	Meal - Breakfast
10/18/2018	North Coast Land Conservancy Meeting	118.81	118.81	VP055098	RT mileage Salem/Arch Cape
10/24/2018	Coos Bay - Coquille Tribal Meeting	185.30	185.30	VP055098	RT mileage Salem/Coos Bay
11/7/2018	Sunriver Lodge - Sunriver	124.07	-	BT023483	October Leadership Meeting
11/14/2018	Conference in Eugene	30.50	30.50	VP055903	Meals
11/14/2018	Conference in Eugene	71.94	71.94	VP055903	RT mileage Salem/Eugene
11/8/2018	District All Staff Mtg in Nehalem	107.91	107.91	VP055903	RT mileage Salem/Nehalem
11/26/2018	Public meeting in Nehalem	107.91	107.91	VP055903	RT mileage Salem/Nehalem
11/26/18 - 11/28/18	Commission Mtg in Lebanon	68.75	68.75	VP055903	Meals
11/26/18 - 11/28/18	Commission Mtg in Lebanon	40.33	40.33	VP055903	RT mileage Salem/Lebanon
12/04/18 - 12/06/18	Boulder Falls - Lebanon - Lodging	208.30	-	BT023634	All Managers Meeting Group Meeting
12/04/18 - 12/06/18	Boulder Falls - Lebanon - Meals	82.50	82.50	VP056022	All Managers Meeting Group Meeting
		7,543.96	3,048.50		

Oregon Parks and Recreation Department
Report of Director Lisa Sumption Expenses
For the Period January 1, 2018 through December 31, 2018

Oregon Parks and Recreation Department
Report of Director Lisa Sumption Expenses
For the Period January 1, 2018 through December 31, 2018

Mtg

Oregon Parks and Recreation Commission

April 17, 2018

Agenda Item: 5a

Informational

Topic: Conde B. McCullough State Recreation Site-Transfer to ODOT

Presented by: Alice Beals, Right of Way Agent

Resulting from the ongoing review of land records of our State Parks and various request from neighboring land owners, staff have identified several locations of OPRD lands where ODOT's reserved easement for highway purposes encompasses the majority and in a few cases, all of, the property transferred to OPRD.

In several locations, this overlap of property rights has created confusion, not just for ODOT and OPRD staff as we each look at meeting our respective responsibilities but also for the public that has permitting needs in and around State highways.

The location that has recently come to both agencies attention is the land identified as Conde B. McCullough State Recreation Site. At this location, once crossing the inlet over the Hwy 101 north bridge, the majority of OPRD owned lands run northward towards Lone Rock.

Recent review of the records shows that OPRD also owns lands between the two bridges heading southward to North Bend. At this southern location, we find all but a very small square footage of the lands that were deeded to OPRD are encumbered with a highway right of way easement.

Both ODOT and OPRD staff are of the opinion that these lands between the two bridges should not have been conveyed to OPRD as park property since the right of way easement would take precedence in the future use of the lands. Staff are proposing to bring a request to transfer fee title to these lands back to ODOT before the Commission in the near future.

Prior Action by Commission: February 2019, Executive Session

Action Requested: None

Attachments: Maps - 2

Prepared by: Alice Beals

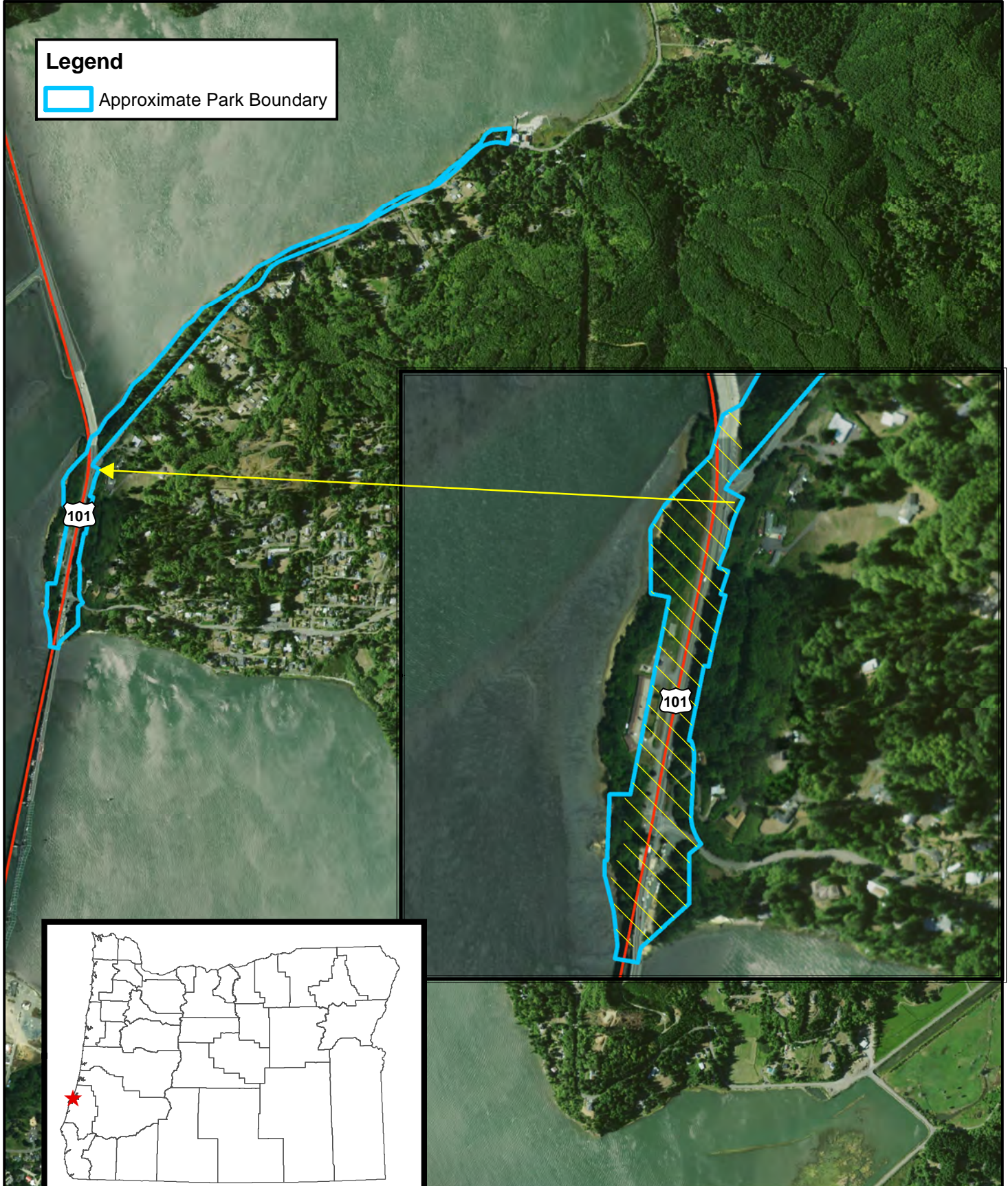
Conde B. McCullough SRS

Oregon Parks and Recreation Dept.
725 Summer St. NE, Suite C
Salem OR, 97301



OPRC April 17, 2019

Agenda Item 5a



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0 650 1,300 Feet

NAD 1983 2011 Oregon Statewide Lambert Ft Intl

NMOB-03089 3/18/2019

E:3/18/2019

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amb 3/18/2019

Oregon Parks and Recreation Commission

April 17, 2018

Agenda Item: 5b

Informational

Topic: Hilgard Junction State Park - Transfer to ODOT

Presented by: Alice Beals, Right of Way Agent

As Commission is aware, staff continue to review our land records and this review has brought forward requests to accept deeds for parcels of land overlooked in the ODOT/OPRD land transfers that were done in the 1990's.

A recent highway project along Highway 84 through the Blue Mountain State Scenic Corridor and Hilgard Junction State Park area resulted in a thorough review of both ODOT and OPRD land records for this area. One result of this review was the February 2019 request of the Commission to approve acceptance of a small parcel thought to already be in OPRD ownership.

ODOT's review of these lands brought forward a request that OPRD consider conveying a small parcel of land, much of which is under the highway and encumbered with a highway right of way easement, back to ODOT and the request for most of a hillside parcel of land, the majority of which is north of the highway. The southern boundary of this request is the toe of the slope just south of the current Highway 84 right of way.

Because this southern boundary is in the proximity of the day use area of Hilgard State Park, ODOT's survey team flagged this southern boundary so OPRD staff could see the exact location to determine if this transfer would have a negative impact on OPRD's facilities. The lands are undeveloped, sloping lands along the roads located in this area. Staff saw no negative impact.

This hillside parcel has been a topic of discussion for OPRD staff in the past several years when reviewing and identifying possible non-essential lands. It came to OPRD in 1992 through a property exchange with BLM. OPRD gave 25+/- acres of land, which primarily consist of the road and right of way lands under I-84 at the Kamela exit and \$700 in exchange for the 38 +/- acre hillside parcel. Although the parcel's deed is for the entire parcel, it came to OPRD subject to ODOT's highway right of way which had been given to ODOT under a permit many years before.

Prior Action by Commission: February 2019, Executive Session

Action Requested: None-

Attachments: Maps

Prepared by: Alice Beals

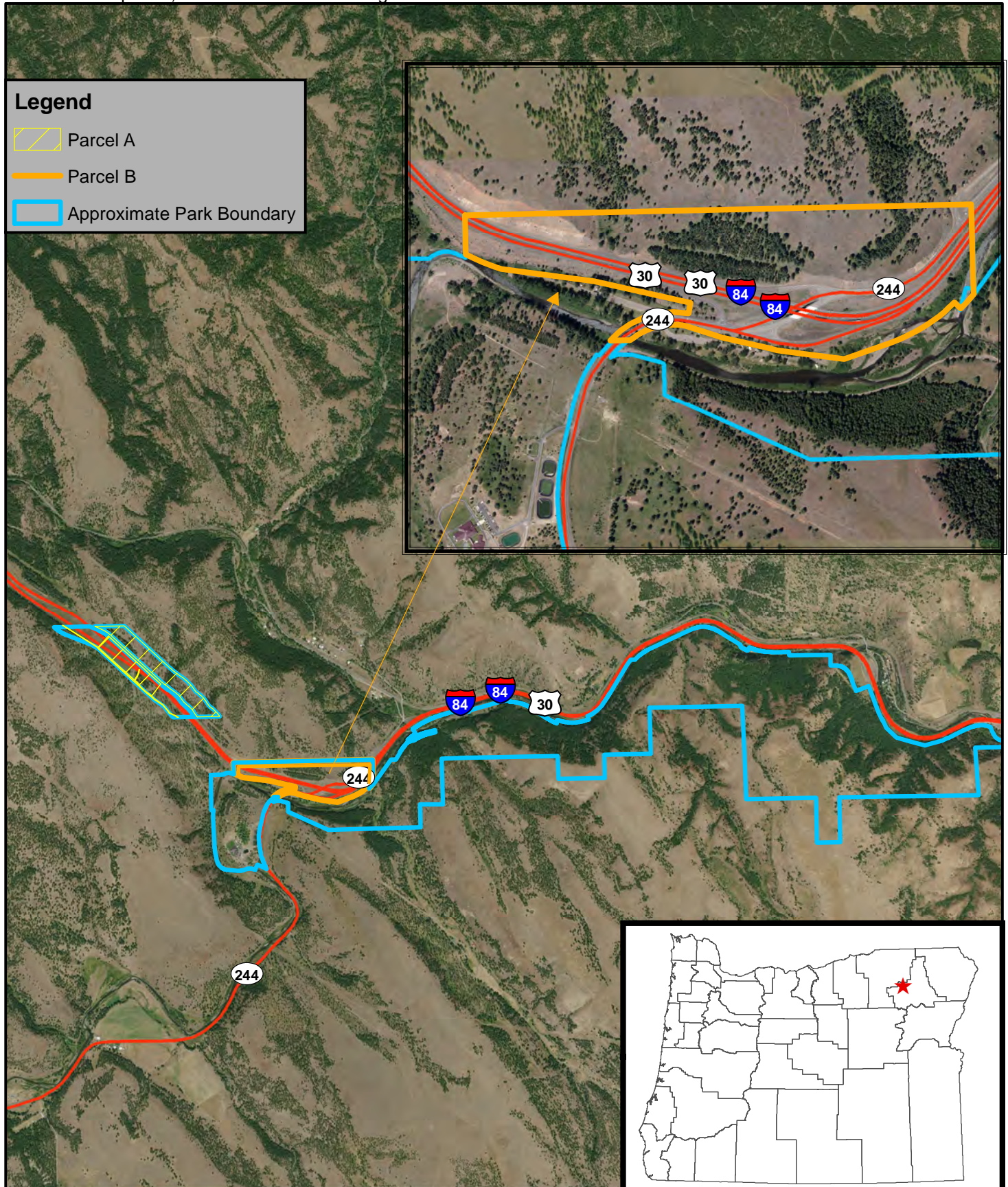
Hilgard Junction State Park

Oregon Parks and Recreation Dept.
725 Summer St. NE, Suite C
Salem OR, 97301

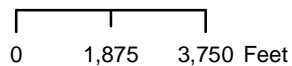


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Agenda Item 5b



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NMOB-03089 3/18/2019

E:3/18/2019

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amb 3/18/2019

Oregon Parks and Recreation Commission

April 17, 2019

Agenda Item: 5c

Informational

Topic: Clarno State Recreation Area – Reciprocal Exchange

Presented by: Alice Beals, Right of Way Agent

BLM manages OPRD's Clarno State Recreation Area in Wheeler County. In 2016, BLM approached OPRD about matching funds for a grant proposal to widen the boat launch at Clarno along the John Day River, which prompted questions about the location of the north property line.

OPRD's surveyor reviewed the deed and performed field measurements in an attempt to re-establish that north line as the 1981 deed references an "existing fence line" as the north property line. Due to unknown circumstances, the "existing fence line" was removed leaving no trace of its placement. Our surveyor was unable to properly locate the north line based on the language in the deed.

OPRD contacted the representative of the neighboring property owner to resolve the north boundary line question. Our surveyor's research was presented to the family and they are agreeable to holding the line of occupation as it exists today. This resolution will eliminate the need for more survey work and resolve any encroachment issues.

In conclusion, the family is willing to resolve the boundary line question by agreeing to a survey prepared by OPRD that would establish the current line of occupation. The parties, after recording a survey with Wheeler County, would then exchange quit claim deeds, therefore eliminating any future ambiguity with regard to the north property line.

Staff are supportive of this resolution and the exchanging of quit claim deeds with the family to firmly establish the north boundary line so future improvements can be made to the boat launch.

Prior Action by Commission: none

Action Requested: None

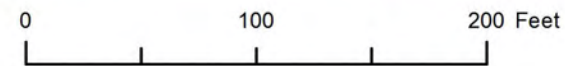
Prepared by: Mike Zdroy

Clarno State Park

Oregon Parks and Recreation Dept.
725 Summer St. NE, Suite C
Salem OR, 97301



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NAD 1983 2011 StatePlane Oregon North FIPS 3601 Ft Intl

NMOB-NB-03319 3/14/2019

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Oregon Parks and Recreation Commission

April 17, 2019

Agenda Item: 5d

Information

Topic: Banks Vernonia State Trail - Access Easement to Neighbors

Presented by: Alice Beals, Right of Way Agent

OPRD received a request for an easement across the Banks Vernonia State Trail in September 2018 from a neighboring landowner. As with many similar requests we receive, these neighbors are seeking vehicular access across park lands to get to their property.

Our practice has been to study the request and it's potential impact on parks, then when appropriate, offer to issue a permit for that access. As a division of ODOT for decades, permitting was the standard practice and many permits had already been issued prior to establishment of OPRD as its own department.

As mentioned in the February workshop, staff is finding this approach to be shortsighted in some situations. Since permits do not "run with the land", they are not land instruments that are recorded with the County Clerk's office so we are often contacted by title companies and private property owners trying to resolve and establish a legal right of access.

With this recent request, staff has determined that there is no other feasible access into this property; the use has been ongoing for many years and that three other property owners must also utilize this same trail crossing in order to access their lands.

Staff has discussed this situation with the party requesting the easement and made them aware that we would like to work with all four property owners that utilize this access prior to coming before the Commission with the request to grant the access easement thereby insuring consistency and eliminating repetitiveness.

Prior Action by Commission: February 2019 Workshop

Action Requested: None

Prepared by: Alice Beals

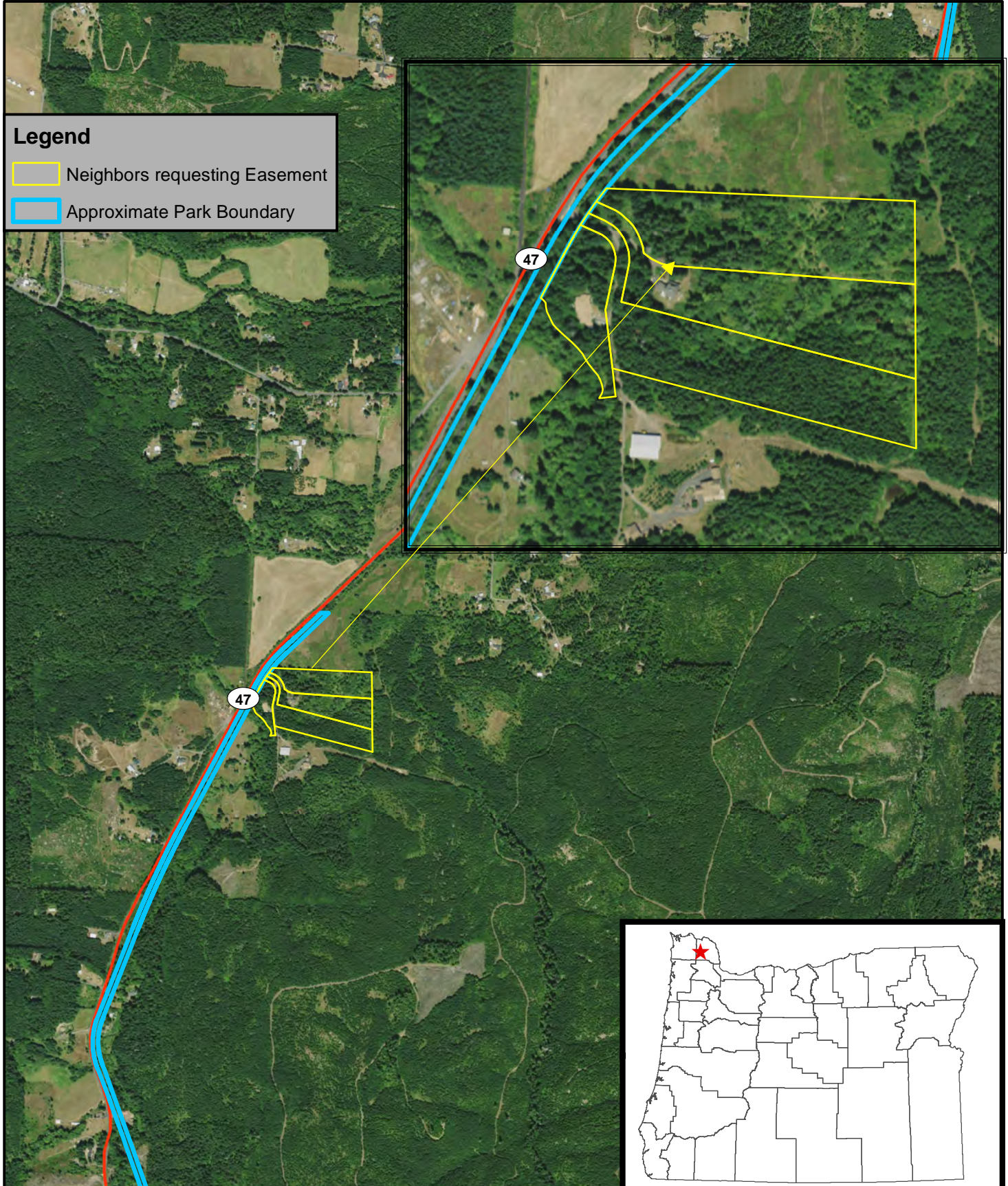
Banks Vernonia State Trail

Oregon Parks and Recreation Dept.
725 Summer St. NE, Suite C
Salem OR, 97301



OPRC April 17, 2019

Agenda Item 5d



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0 700 1,400 Feet

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NMOB-03089 3/18/2019

E:3/18/2019

P:never

amb 3/18/2019

Oregon Parks and Recreation Commission

April 17, 2019

Agenda Item: 5e

Information

Topic: Iwetemlaykin – Rahmani Property Proposed Acquisition

Presented by: Alice Beals, Right of Way Agent

In 2008, OPRD attempted to acquire a 3.23 acre property adjacent to Iwetemlaykin State Heritage Site. Due to a downward turn in land values that was taking place followed by a reduction in available acquisition funding, OPRD was unable to acquire the land.

This property was identified in the 2009 Master Plan for Iwetemlaykin SHS as an “area of concern”. Development of this property could have a visual impact on the area as well as negative impacts to the cultural and natural resources of this site.

To date, there has been little to no change in the actual and proposed use of this land until late 2018 when the owner made application to subdivide this property. This action brought the property to the forefront and resulted inquiries to OPRD with regards to our potential interest in these lands. Both the Nez Perce Tribe and Confederated Tribes of the Umatilla Indian Reservation have expressed strong support for OPRD to consider adding this property to the State Heritage Site.

Staff reached out to the owner and they would still be interested in selling this land to OPRD. Acquisition of this property would insure the conservation of the cultural and scenic resources associated with Iwetemlaykin SHS.

Staff has recently requested an appraisal be done to determine current fair market value of the property and have reviewed land ownership records provided in a Title Report.

Prior Action by Commission: none

Action Requested: None

Prepared by: Alice Beals

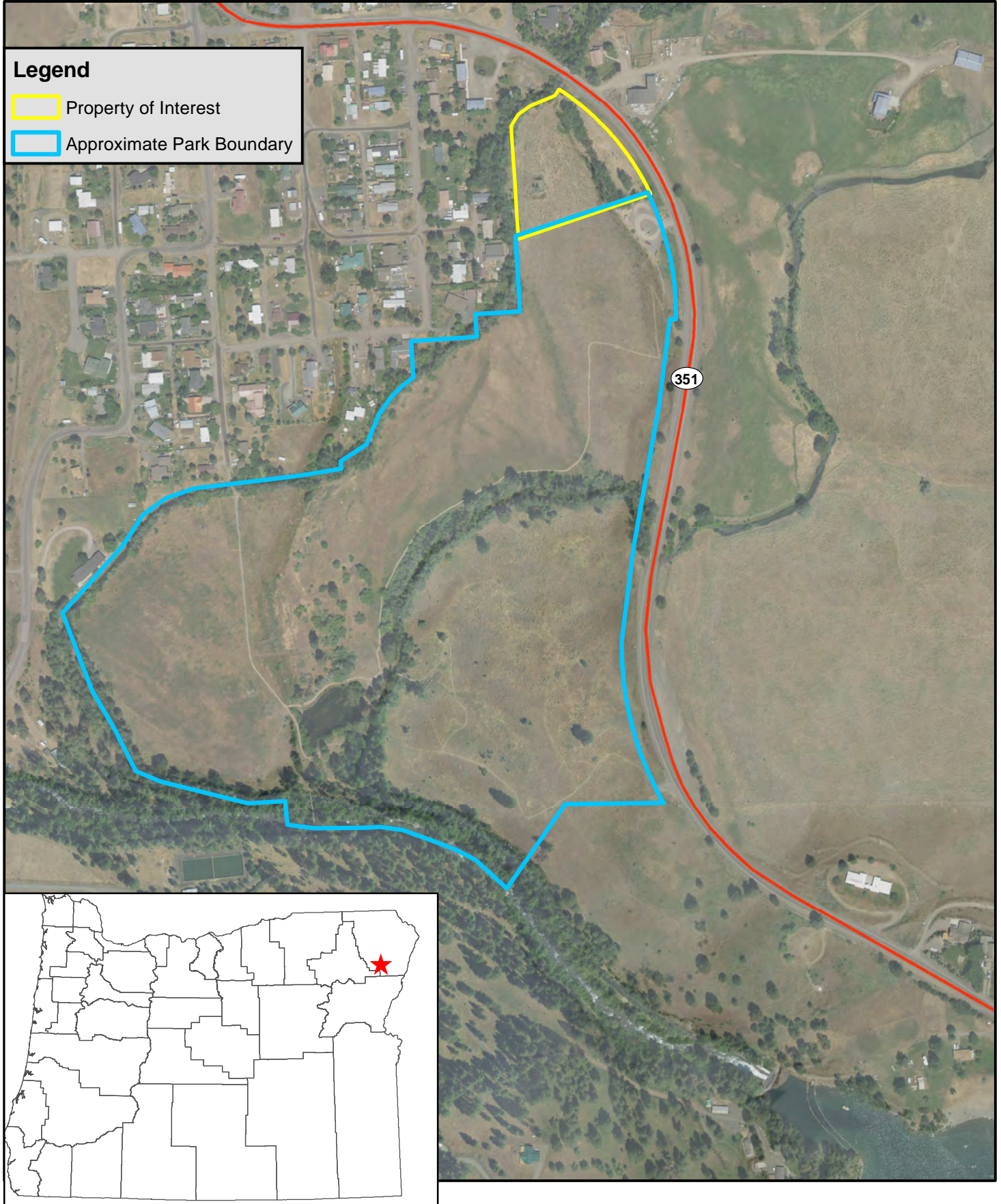
Iwetemlaykin State Heritage Site

Oregon Parks and Recreation Dept.
725 Summer St. NE, Suite C
Salem OR, 97301



OPRC April 17, 2019

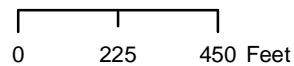
Agenda Item 5e



Legend

- Property of Interest
- Approximate Park Boundary

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NMOB-03089 3/18/2019

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Oregon Parks and Recreation Commission

April 17, 2019

Agenda Item: 5f

Action

Topic: Pilot Butte SRS – T Mobile Agreement

Presented by: Alice Beals, Right of Way Agent

In July 2000, OPRD entered into a long term lease agreement with VoiceStream PCS, LLC which allowed for the installation and operation of three (3) antenna structures and one equipment vault. In 2006, VoiceStream assigned all of its leasehold rights and interest to T-Mobile West. The current agreement between the T-Mobile and OPRD will expire at the end of April 2019. With the assistance of DOJ, a new long term lease has been drafted.

Commission approval will be required as the total revenue expected over the life of the agreement will exceed \$500,000, the monetary threshold upon which Commission approval is a requirement.

The current monthly lease fee is \$4,022. OPRD has been paying the property taxes associated with this lease (currently \$4,200 per year) since its inception. The new agreement proposes \$4,500 per month for the first year with 3% annual increases throughout the term of the agreement and T-Mobile taking on responsibility for paying the property taxes. T-Mobile is in agreement with these new terms.

Staff has found T-Mobile to be a responsible and cooperative tenant for this well-utilized recreational site, seeking OPRD approval for even minor of changes to their equipment, therefore, staff is supportive of continuing this long-term relationship.

Prior Action by Commission: none

Action Requested: Approval of renewing the lease agreement between OPRD and T-Mobile.

Prepared by: Alice Beals

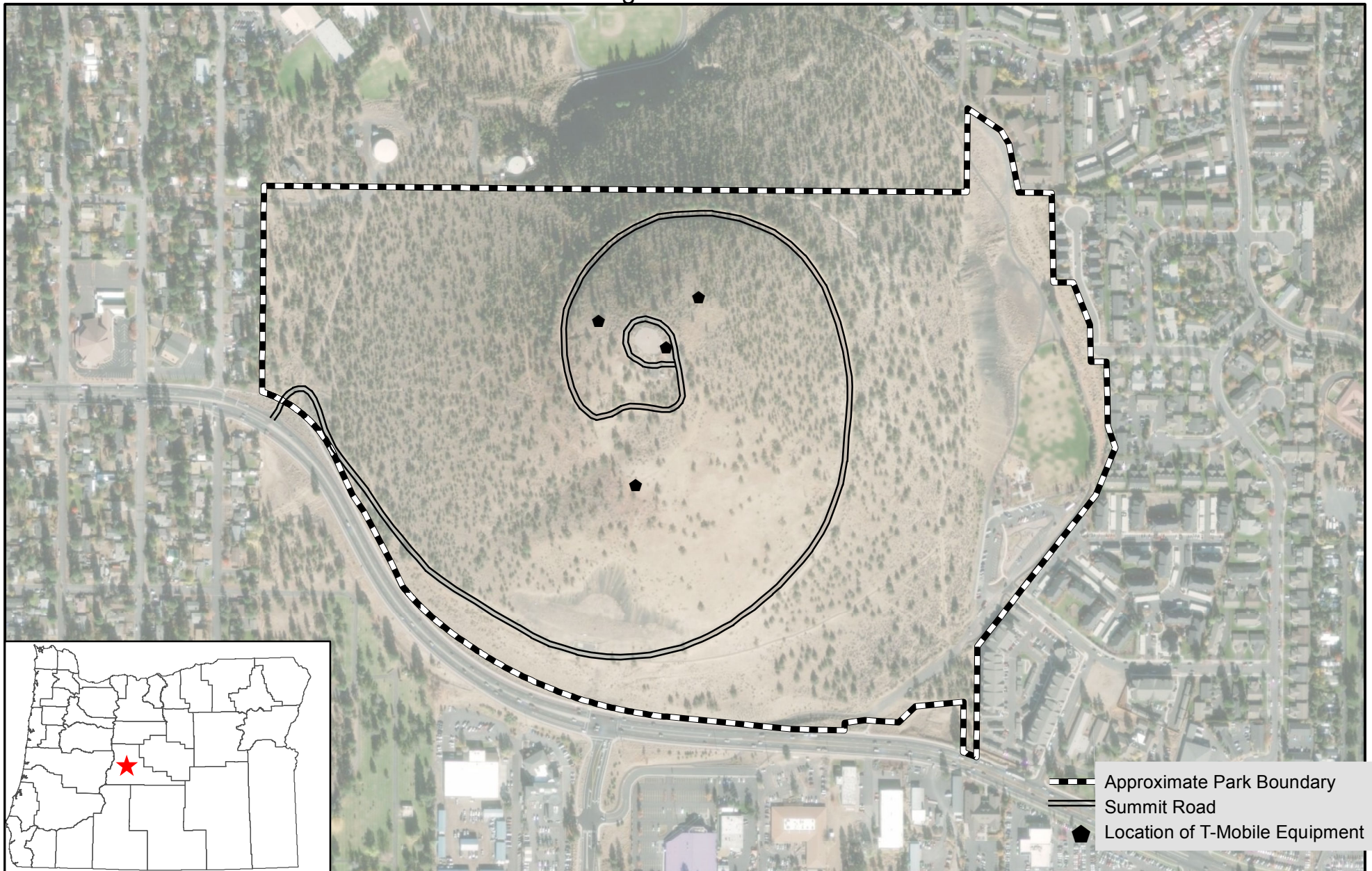
Pilot Butte State Scenic Viewpoint

Oregon Parks and Recreation Dept.
725 Summer St. NE, Suite C
Salem OR, 97301



OPRC April 17, 2019

Agenda Item 5f



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0 260 520 Feet

NAD 1983 2011 Oregon Statewide Lambert Ft Intl



NMOB-03089 3/18/2019

E:3/18/2019

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amb 3/18/2019

Oregon Parks and Recreation Commission

April 17, 2019

Agenda Item:	6a	Action
Topic:	Oregon Dept. of Forestry & Oregon State Police funding	
Presented by:	Jan Hunt, Grants and Community Programs Manager	

GUIDANCE:

By way of continuing legislative direction (75th Legislative Assembly – 2009), the ATV Program is planning to transfer ATV funds to both the Oregon Department of Forestry (ODF) and the Oregon State Police (OSP) Fish and Wildlife Division through Interagency Agreements. The funding transfer will occur within the 19' – 21' Biennium contingent upon available funds as determined by the legislatively adopted OPRD budget.

Proposed ATV Funding Transfers for 19' – 21' Biennium

Oregon Department of Forestry: \$1,374,175

OPRD will assist in funding the Off-Highway Vehicle (OHV) program operations on State Forest lands in Northwest Oregon. The transfer of ATV funds will go towards funding the equivalent of six positions, both full-time and seasonal positions, along with the services and supplies to support ODF's motorized recreation program within the Tillamook and Clatsop State Forests.

Oregon State Police – Fish & Wildlife Division: \$690,898

OSP will provide and administer OPRD ATV Law Enforcement services. OSP Fish & Game Officers will provide over 8,000 program hours spread over 190 Troopers statewide. Program hours include administration and patrol on both public & private lands enforcing ATV rules and Oregon State Laws pertaining to ATV operation. OPRD recognizes that the majority of work conducted by OSP is in conjunction with their duties associated with hunting and angling activities. OPRD and OSP agree that interagency cooperation efforts are necessary to provide a greater enforcement presence on property open or closed to recreational ATV usage.

Prior Action by Commission: None

Action Requested: Approve moving forward with the interagency agreements.

Attachments: None

Prepared by: Ian Caldwell, ATV Program Lead

Oregon Parks and Recreation Commission

April 17, 2019

Agenda Item:	6b	Action
Topic:	ATV Advisory Committee New Member Recommendations	
Presented by:	Jan Hunt, Grants and Community Programs Manager	

GUIDANCE:

The All-Terrain Vehicle (ATV) Advisory Committee is made up of sixteen voting members and one nonvoting member representing a wide variety of agencies and disciplines. Three representative positions within the ATV Advisory Committee are currently vacant: the US Forest Service, the Oregon Health Authority and the Oregon Department of Forestry. All of these vacant positions have been appointed by their respective agencies to serve on the ATV Advisory Committee.

The ATV Advisory Committee as directed by ORS 390.565 is tasked with: reviewing accidents and fatalities resulting from ATV recreation, reviewing changes to statutory vehicle classifications as necessary for safety considerations, reviewing safety features of all classes of ATVs and recommending appropriate safety requirements to protect child operators and riders of ATV's.

Recommended Representative on behalf of the US Forest Service: **Zach Jarrett**

Zach Jarrett has 17 years of experience as a recreation and trails professional in the Pacific Northwest. Zach currently works for the USFS as the regional program manager for trails and dispersed recreation. His position is responsible for providing leadership and oversight for the management of over 5,300 miles of motorized and non-motorized trails within the state of Oregon. Zach's work has focused on enhancing outdoor recreation opportunities through landscape level planning and by providing technical expertise related to recreation management including motorized and non-motorized trail development across the region. He is recognized as a leader for his technical knowledge, his skill at bringing people together in common purpose, and his ability to see projects through that have tangible benefits on the ground.

Recommended Representative on behalf of the Oregon Health Authority: **Laurel Boyd**

Laurel Boyd is currently the Emergency Medical Services (EMS) and Trauma Data Manager for the Injury and Violence Prevention Program at the Oregon Public Health Division. She holds a Masters of Public Health in Epidemiology from the University of Michigan and has worked for 6 years at the State of Oregon, most recently as a preparedness epidemiologist on the statewide syndromic surveillance platform. Laurel manages the technical aspects of the state EMS and trauma systems and works to improve health outcomes for Oregonians through use and dissemination of EMS and trauma data.

Recommended Representative on behalf of the Oregon Department of Forestry: **Jahmaal Rebb**

Jahmaal Rebb has served as an Off-Highway Vehicle (OHV) Program Specialist with the Oregon Department of Forestry on the Tillamook State Forest since 2008 and where he has been responsible for leading the planning, management, and development of the OHV trail system on the forest. Jahmaal graduated with a degree in Environmental Science from Oregon State University and is an avid OHV trail user. He is well respected and supported by the OHV use community and extremely familiar with OHV

program issues and opportunities in the region. He would bring a great deal of passion and expertise to the ATV Advisory Committee and has the agency's support to represent the Oregon Department of Forestry on the Committee.

Prior Action by Commission: Approved previous recommendations in February, 2018.

Action Requested: Approval to move forward with the appointment of recommended ATV Advisory Committee Members

Attachments: None

Prepared by: Ian Caldwell

Oregon Parks and Recreation Commission

April 16-17, 2019

Agenda Item: 6c

Action

Topic: All-Terrain Vehicle Grant Subcommittee (ATV-GS) Grant Approvals

Presented by: Jan Hunt, Grants and Community Programs Manager

Background:

The All-Terrain Vehicle Grant Subcommittee met February 27-March 1, 2019, in Salem to review 22 Operation & Maintenance grant requests and 14 Law Enforcement grant requests totaling \$8.5 million. For the 2019-21 biennium, it is estimated that the ATV Grant program will receive \$10.5 in spending limitation for ATV grants. Based on the forecasted available funding, the committee determined to allocate 60% for Operations and Maintenance, 30% for Law Enforcement, and 10% for other categories such as Acquisitions, Development, and Emergency Medical Services.

The committee scored each grant request based on the applicant's oral presentation and grant application submitted. The scoring criteria were established in the 2016-2025 Oregon Statewide Trails Plan. The grant requests were ranked by the average of the scores given by the committee.

The committee recommends funding of 22 Operation & Maintenance grant requests (\$5.9 million) and 14 Law Enforcement grant requests (\$2.6 million) totaling \$8,532,751.72. Of the \$8.5 million, \$435,162.49 will be used to purchase equipment such as ATVs, side-by-sides, excavators, and other trail construction and maintenance equipment.

Prior Action by Commission: None, other than ATV grant approvals through time.

Action Requested: Commission approval is requested for the attached grant recommendations from the ATV Grant Subcommittee.

Attachment: ATV Grant Project Recommendations
Grant Award Map

Prepared by: Mike Law, Grants & Community Programs Representative

2019 All-Terrain Vehicle (ATV) Grant Program
 ATV Advisory Grant Subcommittee
February 28-March 1, 2019 Meeting - Ranking Results
 Funding Available: \$10,585,885.00

Rank	Applicant	Project Name	Brief Project Description	Grant Funds Requested	Matching Funds	Total Project Cost
Law Enforcement Recommended						
1	Tillamook County Sheriff's Office	Tillamook State Forest Patrol	Provide law enforcement services for the Tillamook State Forest, conduct OHV/ATV patrols, enforce Oregon Revised Statutes, enforce rules and regulations, investigate criminal activity and educate public on OHV/ATV safety.	\$289,834.60	\$340,239.00	\$630,073.60
2	Douglas County Sheriff's Office	2019-2021 Douglas County OHV LE	Provide two full time Douglas County Sheriff's Office Deputies to patrol and respond to incidents occurring in Winchester Bay's ODNRA riding area. These Deputies are employed full time and year round.	\$412,662.58	\$113,136.42	\$525,799.00
3	Coos County Sheriff's Office	Coos County Sheriff's Off-road Patrol	Provide 2.5 Deputies to patrol the Oregon Dunes National Recreation Area, Blue Ridge & Winchester Trail systems and the North Spit of Coos Bay.	\$400,024.60	\$100,006.15	\$500,030.75
4	Lake County Sheriff's Office	Lake County OHV Education and Enforcement	Provide education and enforcement to ATV operators in the Christmas Valley sand dunes, and other recreation areas of Lake County. Provide operator safety training for all ages throughout the county.	\$182,223.20	\$45,555.80	\$227,779.00
5	Tillamook County Sheriff's Office	Sandlake Recreation Area Patrol	Provide overall law enforcement services, conduct OHV/ATV patrols, enforce Oregon Revised Statutes, ATV rules and regulations, enforcement of local ordinances, emergency response and conduct search and rescue	\$132,260.80	\$95,000.00	\$227,260.80
6	Baker County Sheriff's Office	Baker County ATV Enforcement Patrol	To conduct enhanced law enforcement and safety patrols on public lands and roadways in Baker County. Provide training opportunities to youth and adult to facilitate safe operation of ATV related vehicles.	\$111,647.44	\$29,242.48	\$140,889.92
7	Hood River County Sheriff's Office	Hood River County OHV Program	This OHV project is a continuation of the services we have established to keep the law enforcement present in the boundaries of the Hood River County Trail Systems.	\$131,400.00	\$32,850.00	\$164,250.00
8	Lane County Sheriff's Office	Lane County Sheriff's Office Dunes Patrol	The Sheriff's Office Dunes Patrol Program is a specialized law enforcement service provided by the Sheriff's Office. The goal of the program is to ensure safe access to the Florence Area Dunes.	\$240,408.19	\$60,102.91	\$300,511.10
9	Klamath County Sheriff's Office	Klamath County Sheriff	Provide law enforcement patrols for ATV enforcement on numerous areas in Klamath County. Grant funds also assist in the Youth Safety Education Program	\$56,162.76	\$14,040.69	\$70,203.45
10	Morrow County Sheriff's Office	Morrow County Law Enforcement	This project will continue to provide Law Enforcement services to the Morrow/Grant County Off Highway Vehicle Park for another two years.	\$131,945.40	\$32,986.35	\$164,931.75
11	Lane County Sheriff's Office	Lane County SO Shotgun Creek Patrols	Provide Law Enforcement with specialized equipment to the Shotgun Creek Area	\$156,475.00	\$39,150.00	\$195,625.00

12	Deschutes County Sheriff's Office	Deschutes County S.O. OHV Program	The DCSO OHV Grant proposal is designed to provide a continuation of funding for 4 Seasonal Deputies insuring service to numerous riding areas in Deschutes County and one new side by side to replace aging equipment.	\$247,516.00	\$61,879.00	\$309,395.00
13	Union County Sheriff's Office	Union County OHV Trail Patrols	Provide law enforcement and rescue services on the designated ATV trails within Union county.	\$69,777.40	\$17,500.00	\$87,277.40
14	Umatilla County Sheriff's Office	Umatilla County ATV - Law Enforcement/Education	This funding will allow our agency to continue to provide Law Enforcement as well as compliance through continued education/training to the ATV trails in Umatilla County.	\$62,264.80	\$15,566.20	\$77,831.00
Operations and Maintenance Recommended						
1	USFS-Siuslaw National Forest	Oregon Dunes NRA O&M 2019-2021	This project will supplement funding for OHV management at the Oregon Dunes National Recreation Area.	\$439,866.29	\$126,208.00	\$566,074.29
2	USFS-Deschutes National Forest	COHVOPS Operations, Maintenance, and Education	The Central Oregon Combined OHV Operations (COHVOPS) grant provides the resources needed to sustain and improve the Central Oregon OHV trail systems and the COHVOPS program.	\$1,058,144.40	\$264,875.10	\$1,323,019.50
3	USFS-Middle Fork Ranger District	Santiam Pass O&M	This grant will help fund Operations and Maintenance at Santiam Pass OHV area for two years. This will include trail maintenance, grooming and reroutes as well as patrols and facilities cleaning, repair and maintenance.	\$56,747.00	\$14,697.40	\$71,444.40
4	Coos County Parks	Riley Ranch O&M 2019-2021	This project is to fund our current staffing levels of two FTE's and three seasonal employees at Riley Ranch County Park. The duties of our staff at Riley are to assist with registration, maintenance, and park security.	\$226,676.00	\$155,084.00	\$381,760.00
5	BLM Vale District	Virtue Flat O&M	Operation and Maintenance Grant for Virtue Flat and other OHV Staging and Riding areas of the BLM Baker Resource area	\$168,225.00	\$42,445.38	\$210,670.38
6	BLM: Lakeview RA	Christmas Valley Sand Dunes O&M Grant	The grant proposal covers ATV use on the entire BLM Lakeview Resource Area, but will focus mainly on the Christmas Valley Sand Dunes. Funds will be used for labor, vehicles, supplies, toilets, etc.	\$173,780.00	\$52,480.00	\$226,260.00
7	USFS-Umatilla National Forest	2019-21 Umatilla Trails	The intent of this project is to support the operation and maintenance of motorized trails on the North Fork John Day, Walla Walla, and Heppner Ranger Districts of the Umatilla National Forest.	\$584,701.74	\$162,359.18	\$747,060.92
8	Union County Mt. Emily Recreation Area (MERA)	MERA O&M 2019	Funding will assist Union County for operations and maintenance of the MERA OHV Park. Special attention will be given to maintenance of facilities and trails in addition to the sustainable development of new trails.	\$229,068.91	\$75,967.00	\$305,035.91
9	USFS-Willamette National Forest	Huckleberry Flats O&M	Project includes maintenance of trails, bridges, signage, dispersed camps and facilities, patrols, public contacts and usage monitoring at Huckleberry Flats OHV area.	\$118,920.00	\$30,454.12	\$149,374.12
10	Motorcycle Riders Association	MRA O & M 2019	Project provides for the management, maintenance, new and/or reconstruction of trails, together with access roads, campgrounds, parking, and trail heads on lands owned by MRA club West of Medford. Equipment maintenance, and a new Excavator.	\$214,678.00	\$53,687.73	\$268,365.73

11	Oregon Motorcycle Riders Association	OMRA O&M Grant 2019	This grant request is for tools and equipment to maintain and refresh OHV trails throughout Oregon, primarily in the Tillamook Forest, Hood River County, Prospect and other OHV areas throughout Oregon.	\$18,709.00	\$4,713.05	\$23,422.05
12	USFS Forest Service-Mt. Hood National Forest	Mt Hood OHV Operations and Maintenance	Funding to assist the Mt. Hood National Forest with basic maintenance of its OHV trail systems, staging areas and signage as well as education.	\$79,080.20	\$28,018.15	\$107,098.35
13	BLM-Northwest Oregon District	Nestucca OHV Maintenance & Operations	This project would fund salaries, supplies and equipment for maintaining the Upper Nestucca OHV Area.	\$152,784.00	\$41,520.00	\$194,304.00
14	Morrow County Parks	MGCOHV 2019-2021 O&M	Continue funding for trail maintenance, fencing, signage, equipment maintenance, wages, publications, sanitation and fees for the operations and maintenance of staging areas and trail systems at the MGCOHV Park.	\$661,800.00	\$167,173.00	\$828,973.00
15	USFS-Wallowa-Whitman National Forest	Wallowa-Whitman NF O&M 19-21	This project supports operations and maintenance of approximately 230 miles of designated ATV trails and facilities across the Wallowa-Whitman National Forest. Trails are located across three ranger districts.	\$271,404.00	\$90,469.00	\$361,873.00
16	USFS-Siuslaw National Forest	Sand Lake Recreation Area O&M	This project will ensure the continuing management of the highly popular Sand Lake Recreation Area (SLRA) dune complex. This 1,076 acre open sand dune complex has four campgrounds, two day use areas and tremendous visitation.	\$284,304.13	\$79,840.80	\$364,144.93
17	Hood River County-Forestry Department	Hood River County O&M 2019-2021	This project requests O&M funding for Hood River County's OHV trail system which consists of 516 miles of OHV routes.	\$285,512.20	\$72,616.00	\$358,128.20
18	Applegate Rough Riders Motorcycle Club (ARRMC)	2019 ARRMC OHV MAINTENANCE: Upper Nestucca OHV	The ARRMC maintains the Upper Nestucca OHV area. We are asking for a grant to obtain an All Terrain Vehicle (ATV) for trail maintenance activities.	\$15,000.00	\$4,355.75	\$19,355.75
19	BLM-Burns District	Radar Hill OHV	Radar Hill area maintenance and new installation of kiosk. Clean out of existing drainage features and mitigating existing/future resource damage. Monitoring and some trail construction would occur in 2019/2021	\$13,040.00	\$7,900.00	\$20,940.00
20	Douglas County Parks Department	Douglas County O&M FY 19-21	Supplement O&M of Douglas County Parks Department's OHV facilities serving the Umpqua Dunes portion of the Oregon Dunes National Recreation Area in Winchester Bay.	\$334,194.08	\$99,147.20	\$433,341.28
21	BLM-Northwest Oregon District	Shotgun OHV Maintenance & Operations	This project provides for the continued operation and maintenance of the Shotgun OHV Trail System. Funds would go towards staff time, vehicle costs, operations supplies, equipment upkeep, and equipment rental/purchase.	\$214,514.00	\$53,757.00	\$268,271.00
22	USFS-Rogue River-Siskiyou National Forest	2019-2021 Prospect O&M	This project supports continued operation and maintenance of the Prospect Off-Highway Vehicle Trail System located in Jackson and Douglas County	\$307,000.00	\$77,800.00	\$384,800.00
Total Recommended for Funding (All Projects)				\$ 8,532,752	\$ 2,702,823	\$ 11,235,575

Oregon Parks and Recreation Commission

April 17, 2019

Agenda Item:	7a	Information
Topic:	Pilot Butte State Park Plan Update	
Presented by:	Rachel Hill, Park Planner	

Planning + Design Unit Primary Responsibilities

The Planning + Design (P+D) team primarily focuses efforts on the following:

- Park, Management Unit and Regional Recreational Facility Planning
- Design and Trail Services Program Administration
- Statewide Comprehensive Outdoor Recreation Plan (SCORP) Development
- Statewide Trail Plan

Park and Management Unit Plan Update

The Oregon Administrative Rule (OAR 736.018) provides direction to OPRD for the development of park master plans. The need for and process by which plans are developed is stipulated in the OAR. The purpose for parks is generally defined as follows;

“To plan for the protection and public enjoyment of state park resources”

The park planning process as specified in the statute includes the following steps:

- Natural and Cultural Resource Assessments
- Local Government Coordination
- Public Engagement

The master plan process generally takes 12-20 months to complete and minimally includes four public meetings.

Pilot Butte State Park Plan Update – Planning + Design began the update of the 1995 Pilot Butte Plan in October 2018. Since the development of the current park plan Bend has seen unprecedented growth with considerable commercial and residential development occurring on the east side of Highway 97. This urban development has spurred growth in visitation at the park and changed the visitor demographic. To date, the Planning + Design team has hosted 2 public meetings, attended 2 outreach sessions, 1 advisory committee meeting and established a website to receive public comment on desired improvement to the park from interested Oregonians. The Planning + Design team plans to complete the draft updated plan for the park in the winter of 2020/21.

Prior Action by Commission: none

Action Requested: none

Attachments: none

Prepared by: David Stipe & Rachel Hill

Oregon Parks and Recreation Commission

April 17, 2019

Agenda Item:	8a	Information
Topic:	Heritage Division Update	
Presented by:	Christine Curran, Heritage Division Director, Deputy SHPO	

Jordan Cove National Register Nomination Update

The State Advisory Committee on Historic Preservation (SACHP) met in North Bend on February 22 and, after a four-hour deliberation, recommended the *Q'alya ta Kukwis Shichdii me* (Jordan Cove and the Bay of the Coos People) Traditional Cultural Property historic district nomination be forwarded to the National Park Service for listing in the National Register of Historic Places. Submitted by the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians (CTCLUSI), the nomination contains over 16,000 acres, approximately 1,650 property owners, and three jurisdictions within its boundary, which largely follows the contours of Coos Bay. Features important to the CTCLUSI include archaeological sites, gathering sites, named places, fishing weirs, reed beds, village sites, burial grounds, and viewsheds.

The nomination is currently undergoing revisions requested by the SACHP. Within 90 days of the hearing date, the DSHPO will ascertain owner consent and send it to the National Park Service. We anticipate a final decision on listing sometime in July.

2019 Heritage Summit Mobs Medford

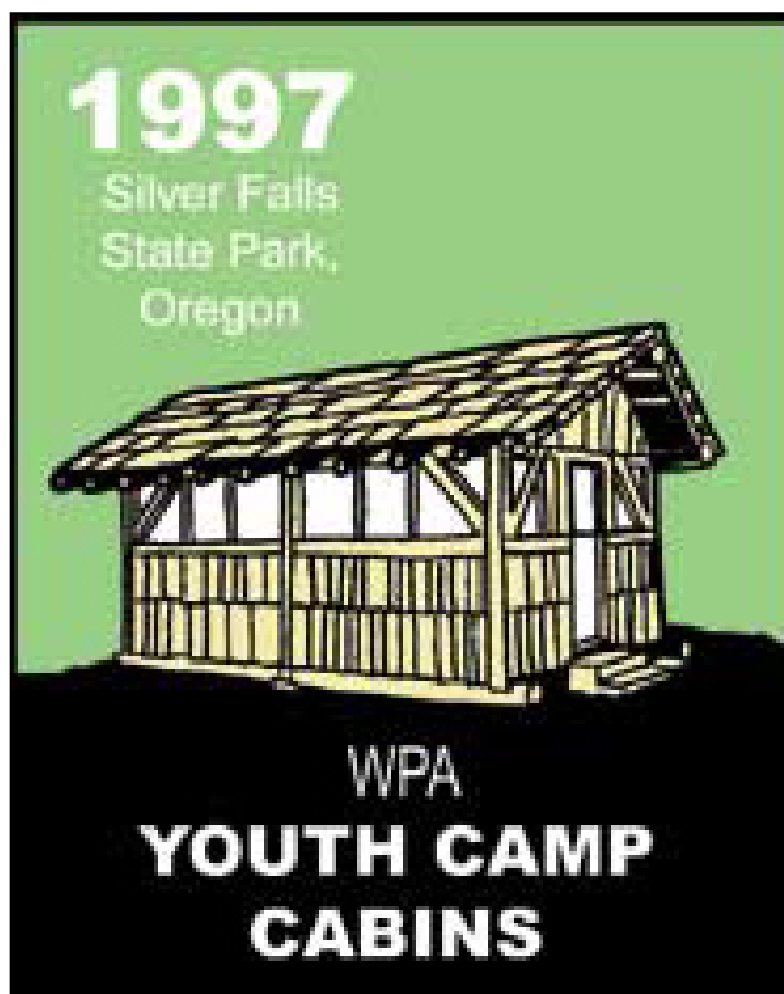
Every other year, in the “off” year of the Oregon Heritage Conference, we host a two-day “summit” focused on a heritage topic of interest. This year, the Oregon Heritage Summit will be held in Medford, April 25-26, and will focus on the “Culture of Board Engagement.” Marc Smiley will facilitate the Summit, which will dig deeply into the theory and practice of great boards – what a good board looks like, how every board needs to reflect the individual purpose and community it serves, and how organizations can build and sustain a strong board team. The annual Oregon Heritage Awards banquet will be held in conjunction with the Summit, on Thursday, April 25th.

Pacific Northwest Preservation Field School at Silver Falls State Park

This year is Oregon’s turn to host the annual Pacific Northwest Preservation Field School, and Silver Falls State Park will be the lucky recipient of much needed preservation efforts. You may remember that Oregon SHPO and OPRD are partners with Washington SHPO, Washington State Parks, Idaho SHPO, University of Oregon, and the Pacific West region of the National Park

Service in a hand-on historic preservation field school begun in Oregon in 1995. The 2019 schedule will consist of three sessions between September 3rd and September 20th at the historic 1938 Silver Falls Youth Camp. Projects will include masonry repair, log work, window rehabilitation, roof repairs, condition assessments, cultural landscape investigations, and specialized historic building maintenance.

The last time the PNWFS worked in Silver Falls State Park was in 1997.



Prior Action by Commission: none

Action Requested: none

Attachments: none

Prepared by: Christine Curran

Oregon Parks and Recreation Commission

April 17, 2019

Agenda Item:	8b	Action
Topic:	Veterans and War Memorials Grant Requests	
Presented by:	Christine Curran, Heritage Division Director, Deputy SHPO	

Background

The Veterans and War Memorials Grant Committee met March 14, 2019 in Salem and recommended the projects in the funded category of the attached list of grants for commission approval.

The Veterans and War Memorials Grant Program was established after the passage of House Bill 2739 in 2005. State funding assistance is available to local governments that are working in partnership with veterans organizations for the construction and restoration of memorials honoring veterans and war memorials located on public property owned or controlled by a local government. Funding for the projects is to be derived from existing OPRD lottery funds.

Grant applications were solicited and OPRD received seven project applications. Three applications were second submittals after not being selected for funding last year. The projects were evaluated based on established criteria and scores. After tabulation of scores and discussion of the grant criteria and purpose, the committee is recommending four of the projects for the Commission's consideration and approval. \$300,000 is allocated per biennium for this grant program. These recommendations include full funding for projects in Happy Valley, Lake Oswego, METRO (Portland) and Pendleton. These projects were particularly competitive due to community engagement in and financial support for the projects, and very strong planning.

Prior Action by Commission: Approval of previous grant requests.

Action Requested: Staff requests commission approval of the advisory committee's recommendations to fund the Veterans and War Memorial projects totaling \$149,454 per Attachment A.

Attachment A: Veterans and War Memorials Grant Project Recommendations

Prepared by: Kuri Gill

Oregon Parks and Recreation Commission

April 17, 2019

Agenda Item: 98a

Action

Topic: Request to open Rulemaking – Oregon Natural Areas Program Rules (736-045-0300 to 736-045-0505)

Presented by: Katie Gauthier and Noel Bacheller

Background: The Oregon Legislature established the Oregon Natural Areas Program in 1979 as a way to protect high quality native ecosystems and rare plant and animal species. In 2010, the Oregon Natural Areas Plan was developed which defines the full range of Oregon's natural heritage and guides the selection of priority areas for the establishment of natural areas. The plan was updated in 2015 and guides the department's actions in the program.

The goals of the Oregon Natural Areas Program are to:

- Create a discrete and limited system of natural areas representing the full range of Oregon's natural heritage resources. These areas are to be used for scientific research, education and nature interpretation.
- Establish a process and means for public and private sector voluntary cooperation in the development of a system of natural areas.
- Provide advice to managers of natural areas on the management and use of such areas and provide information concerning the conservation of natural heritage resources and special species to the state, federal and local agencies that manage lands within Oregon

Staff are requesting permission to open rulemaking in order to update administrative rules to incorporate language that provides for provisional registrations of natural areas under active restoration or creation as discussed at the September 2018 commission meeting in the context of the commission's provisional registration of Greenbelt Land Trust's Kingston Hills property.

Rulemaking would additionally clarify language related to technology changes, nomenclature of State Natural Areas vs State Natural Area Reserves, and improved alignment of program operation directions with current goals.

Prior Action by Commission: Natural Areas Program Registration – Greenbelt Trust's Santiam- Kingston Prairie, September 2018.

Action Requested:

Staff requests approval to open rulemaking on 736-045-0300 to 736-045-0505 to update Oregon Natural Areas Program Rules. A copy of the proposed rule is included in Attachment A.

Prepared by: Katie Gauthier and Noel Bacheller

Attachments: _____

Attachment A – proposed rule

Division 45
OREGON NATURAL AREAS PROGRAM RULES

736-045-0006

Purpose

The purpose of this division is to provide a central and continuing register of areas in Oregon that contain significant natural heritage resources and special species, and describe the process used to register properties on the Oregon Register of Natural Areas.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

736-045-0011

Definitions

As used in this division, the definitions in ORS 273.563 and 390.005 apply, unless the context provides otherwise:

- (1) "Agency" means a local, state or federal, agency, board, commission, or department.
- (2) "Commission" means the State Parks and Recreation Commission.
- (3) "Committee" means the Natural Areas Advisory Committee.
- (4) "Candidate natural area" means a natural resource area that may be considered for registration or dedication.
- (5) "Data bank" means the Natural Areas Program inventory of natural heritage resources classification, data analysis, priority setting, owner and other data maintained by the Institute for Natural Resources under ORS 352.239.
- (6) "Dedicate" means the formal recognition and protection of a natural area for conservation purposes.
- (7) "Department" means Oregon Parks and Recreation Department.
- (8) "Director" means the Oregon Parks and Recreation Department Director.

(9) “Instrument” means any written document intended to convey an interest in real property under ORS 93.710, or an agreement between parties according to the Natural Areas Program or the Oregon Natural Areas Plan.

(10) “Introduced plant species” means exotic or non-native species.

(11) “Managed area” means a registered or dedicated state natural area that, by management agreement between the department and private landowner, or agency, the area and its natural heritage resources are maintained in a manner to protect the natural character.

(12) “Management scheme” means a plan that sets forth in detail the responsibilities for the administration of an individual state natural area.

(13) “Natural area” means a unit of land or water or both that may be considered for dedication under ORS 273.563 to 273.591 and that has substantially retained its natural character, or, if altered in character, shall in addition to its natural heritage resource values, be valuable as habitat for plant and animal species or for the study and appreciation of natural features.

(14) “Natural heritage resources” means the terrestrial ecosystems types, aquatic ecosystems types and unique geologic types as defined in the Oregon Natural Areas Plan or a unit of land or water which contains a natural resource.

(15) “Plan” means the Oregon Natural Areas Plan established under ORS 273.578, which governs the Natural Areas Program in selecting natural areas for conservation.

(16) “Program” means the Natural Areas Program as established in ORS 273.566, which provides for the establishment of a limited system of State Natural Area representing a full range of Oregon’s natural resources and includes special species of plants and animals.

(17) “Register” means the Oregon Register of Natural Areas established under ORS 273.581. The Register contains an official list of areas which have significant natural resources and special species.

(18) “Special species” means those species of plants and animals determined by the department to be of significant value in a state natural area and defined in the Plan.

(19) “State natural area” means an area that an individual, organization or public agency dedicates as a state natural area under ORS 273.586. The department classifies property dedicated as a state natural area under ORS 273.586 and this division and owned by the department as a “State Natural Area Reserve.”

(20) “Wildlife” means any wild or free living vertebrate or invertebrate animal.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 & 390.005

History:

PRD 10-2012, f. & cert. ef. 12-13-12
PRD 2-2012, f. & cert. ef. 5-4-12

736-045-0100

Natural Areas Advisory Committee: Composition and Roles

(1) The director may appoint a Natural Areas Advisory Committee composed of nine members as follows:

(a) Three authorized representatives of state agencies with jurisdiction over a managed areas or natural areas that are appropriate for dedication, including:

(A) The department;

(B) Department of State Lands;

(C) Department of Forestry;

(D) Department of Fish and Wildlife;

(E) Department of Education; and

(F) Oregon Department of Transportation;

(b) Two authorized representatives of federal natural resources management agencies, such as the U.S. Forest Service and Bureau of Land Management; and

(c) Four individuals recognized as experts in the ecology of natural areas. Desirable fields of expertise are botany, zoology, terrestrial ecology, aquatic biology and geology;

(2) Members appointed under subsection (1)(c) may serve two consecutive four-year terms on the committee. However, the director shall appoint the first committee members following the effective date of this rule to serve a two, three, or four-year term.

(3) The director shall appoint the chair from the committee membership, considering the recommendations of the committee.

(4) The committee shall meet at times and places specified by the call of the director.

(5) A majority of the members of the committee constitutes a quorum for the transaction of business.

(6) Function and duties of the Natural Areas Advisory Committee. Upon the request of the director, the committee may assist the department in:

(a) Development of policy for the Natural Areas Program through the review and approval of the Oregon Areas Plan;

(b) Reviewing nominations for registration and the voluntary dedication of State Natural Area Reserves, and review instruments of dedication for such areas;

(c) Providing recommendations to the commission, State Land Board, State Board of Forestry, State Fish and Wildlife Commission, State Board of Higher Education and Oregon Transportation Commission regarding areas under their respective jurisdictions which are appropriate for dedication; and

(d) Advising the commission in the adoption of rules that may be considered necessary in carrying out ORS 273.563 to 273.591.

(7) Members of the advisory committee are not entitled to compensation, but in the discretion of the director may be reimbursed from funds available to the department for actual and necessary travel and other expenses incurred by them in the performance of their official duties in the manner and amount provided in ORS 292.495.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.573

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

736-045-0200

Schedule of Fees and Charges: Acceptance of Funds

(1) The department may accept monies for, but not limited to, documents, including records, reports or maps pertaining to Program data, and services under this division.

(2) The department may apply for and accept grants, contributions and assistance from any federal, state or local government agency and any foundation, individual or organization for the purpose of carrying out the provisions of ORS 273.563 to 273.591.

(3) All money received by the department for the purposes of this division shall be paid into the State Treasury and credited to the Natural Areas Program Account.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

736-045-0300

Oregon Register of Natural Heritage Resources: Criteria for Inclusion in or Removal from the Register

The commission must determine criteria for inclusion in the Register to fulfill not only the definition of a natural area but the natural heritage resources and site considerations within the priorities and criteria for conservation in the Plan. The commission, department, the committee upon request pursuant to OAR 736-045-0100(6)(b), and the Institute for Natural Resources pursuant to ORS 352.239(2)(g) will use the following criteria in evaluating a candidate natural area proposed for inclusion in or removal from the Register:

- (1) The priority for protection in the Plan of the primary natural heritage resources objective and other natural heritage resources in the candidate natural area;
- (2) Whether the natural heritage resource occurrence(s) is an adequate representative of the type; or, whether the site can feasibly be restored to provide adequate representation of the type;
- (3) The extent to which each natural heritage resource has retained its natural character, i.e., a measurement of the degree of human-caused disturbance; or, the degree of feasibility of restoration of the target natural character;
- (4) The health and viability of the natural heritage resource occurrence(s), i.e., the ability of each natural heritage resource occurrence to perpetuate itself or its natural sequence of development in the candidate natural area;
- (5) The number of natural heritage resources that will be adequately represented in the candidate natural area;
- (6) The degree of uniqueness and educational and natural interpretation values of a geologic resource(s);
- (7) The priority of protection given in the Plan to each special species of plant or animal;
- (8) The contribution the particular candidate natural area will make to the protection of the special species;
- (9) Manageability, i.e., the capability of the candidate natural area to be managed to protect and maintain the natural values, as well as to make it available and useful for its designated purposes;
- (10) Whether there are alternative methods of accomplishing the same purposes of this division; and
- (11) The cost effectiveness of including a candidate natural area in the Register.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591 & 352.239(2)

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

736-045-0305**Oregon Register of Natural Heritage Resources: Procedures for Registering**

The department and the Institute for Natural Resources will review and provide recommendations on proposals for registration and dedication of natural areas for the Register, together with field evaluation, maps and sufficient data to complete the register file. Pursuant to OAR 736-045-0100(6)(b), the director may also request that the committee review a nomination for the Register.

- (1) A proposal for the Register of private land shall include the written permission for registration of the landowner.
- (2) The commission may place a natural area onto the Register or remove a natural area from the Register. The department will provide recommendation to the commission for its consideration.
- (3) A voluntary management agreement may be developed between the department and a private landowner or agency of a natural area on the Register. When a candidate natural area is not yet an adequate representative of the target ecosystem element and the area is undergoing active restoration, a management plan will be a required component of the registration petition.
- (4) The Commission may provisionally register sites under active restoration that do not yet adequately represent the target ecosystem element(s) that the registration candidate targets. Provisionally registered properties will have 5 years to pursue restoration, at which time the department will reassess the property to determine whether it should be recommended for full registration or dedication. The metrics to be used to determine restoration success will be provided in the required management plan, assessed by OPRD staff and/or the Natural Areas Advisory Committee (if convened), and approved in a public process through action of the Oregon Parks and Recreation commission. If after 5 years the property still does not provide adequate representation of the target ecosystem element(s), the Commission may either renew provisional registration, or terminate provisional status.
- ~~(4)~~(5) The commission may enter onto the Register any candidate natural area that a federal or state agency establishes by public hearing and dedicates under this division.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591 & 352.239(2)(g)

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

736-045-0310**Oregon Register of Natural Heritage Resources: Register File**

The Register may include file(s) of registered state natural areas or state natural area reserves:

(1) The ~~card~~-file may include name of a state natural area, location, size, ownership, register category, and principal natural heritage resource(s) and special species. The card file may be cross referenced by county and principal resource.

(2) The data file may include:

(a) Data form — comprehensive information compiled for each state natural area;

(b) Instrument of dedication or other documents certifying official dedication;

(c) Consent form — written permission for registration for a state natural areas on private land;

(d) Supportive data — includes maps, photographs, remote sensing imagery, species lists, field notes, reports, research papers, and references to other information available;

(e) Cross references to the data bank maintained by the Institute for Natural Resources pursuant to ORS 352.239(2)(f) — to data file, computer and manual file consistent with data bank components;

(f) Implementation data — written management agreement, [monitoring data, and results of reviews of provisional registrations](#) pertaining to the state natural area; and

(g) Summary sheet — a map and one page summary of information about each area which can be duplicated and circulated to appropriate authorities.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591 & 352.239(2)(f)

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

736-045-0320

Oregon Register of Natural Heritage Resources: Location and Maintenance of Register

The department will maintain the Oregon Register of Natural Areas at the department's office in Salem, OR.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.581(1)

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

[736-045-0330](#)

Oregon Register of Natural Heritage Resources: Register Review

The department may review and update the Register every five years.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

[736-045-0340](#)

Oregon Register of Natural Heritage Resources: Register Withdrawal

The commission may remove natural areas from the Register. The commission will consider ORS 273.586(4) and the factors in OAR 736-045-0300 [and the factors in 736-045-0405\(1\)\(d\) and \(7\)\(a\)\(b\)\(A\)\(B\)](#) in removing a state natural area or state natural area reserve from the Register.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.581(4) & 273.586(4).

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

[736-045-0400](#)

Dedication and Management of a State Natural Area (Reserve): Purpose

The purpose and scope of dedication is to establish and maintain the integrity of the Plan, and the Program, by means of written formal recognition and protection of a natural area of land, water, or both land and water for natural heritage conservation purposes.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

[736-045-0405](#)

Dedication and Management of a State Natural Area (Reserve): Instruments of Dedication

(1) Private dedication — a private individual or organization that is the owner of any registered natural area may voluntarily agree to dedicate that area as a state natural area by executing with the department, an instrument of dedication. Instrument provisions and policies include, but are not limited to, the following:

- (a) An agreement that provides each natural heritage resource in the state natural area with the most secure protection obtainable;
- (b) An unlimited period of time, or a term sufficiently long to warrant dedication protection;
- (c) Permission for conducting scientific research and other activities shall be commensurate with Program objectives; and
- (d) Termination of dedication may occur upon written notification to the commission, including specific reasons for termination, and provision by the commission of opportunity for adequate public notice and hearing.

(2) The department shall file an executed instrument of dedication of a state natural area under private ownership under section (1) in the office of the clerk of the county in which any or all of the state natural area is located, and shall be effective upon its recording.

(3) The department shall provide a copy of the dedication and management agreement(s) to the private owner of a state natural area.

(4) Agency dedication — any public agency may dedicate lands under the provisions of ORS 273.563 to 273.591, this division, and the Plan, after providing the opportunity for adequate public notice and hearing.

(5) The Oregon Transportation Commission, the State Fish and Wildlife Commission, the State Board of Forestry, the State Board of Higher Education, and the State Land Board shall, with the advice and assistance of the department, establish procedures for the dedication of state natural areas on land or water, the title of which is held by the State of Oregon, and which is under that agency's management and control.

(6) Instruments of dedication under sections (1) and (4) shall contain any information or provisions as the private owner, organization or agency and department consider necessary to complete the dedication.

(7) Termination of the dedication of a state natural area by a public agency or a state natural area reserve by the department requires that the terminating agency:

(a) Provide an opportunity for adequate public notice and hearing; and

(b) Makes a finding of either:

(A) An imperative and unavoidable necessity due to natural disaster in the site, need of the natural resource during time of declared war, or the need of the natural resource because of extreme economic crisis of the state; or

(B) That the state natural area or state natural area reserve is no longer needed according to the guidelines of the Plan, or has permanently lost its character, subject to the department's approval.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.586

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

736-045-0410

Dedication and Management of a State Natural Area (Reserve): Publicity

The department and the Institute for Natural Resources may develop and make available to private landowners, researchers, agencies and interested persons information about a state natural area or state natural area reserve and appropriate descriptive material. However, publicity which would tend to encourage the general public to visit a state natural area or state natural area reserve in greater numbers than its carrying capacity will be avoided.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591 & 352.239(2)(f).

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

736-045-0412

Dedication and Management of a State Natural Area (Reserve): Reports

At regular intervals the department may make or cause to be made a record of management activities and other influences affecting each state natural area and state natural area reserve.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

736-045-0414

Dedication and Management of a State Natural Area (Reserve): Instruments

The instruments of dedication shall include, but not be limited to, the following:

- (1) The size, location, purpose, and resources of the state natural area or state natural area reserve;
- (2) A management scheme written for each state natural area or state natural area reserve which describes:
 - (a) The conservation objective of the area;

(b) Proscribed, allowed and prohibited activities on the area; and

(c) Provisions as consistent as possible with OAR 736-045-0410 through 736-045-0448, which, unless otherwise noted, are a part of each management scheme.

(3) Agreements between the department and any agency necessary to establish the state natural area or state natural area reserve.

Statutory/Other Authority: ORS 390.124

Statutes/Other Implemented: ORS 273.563 - 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

736-045-0416

Dedication and Management of a State Natural Area (Reserve): State Natural Area Manager

Notwithstanding the instruments of dedication, managers of state natural areas or state natural area reserves shall not take any action or fail to take any action that is in conflict with an applicable statute, rule, regulation or policy relating to an agency having an interest in or responsibility for the state natural area or state natural area reserve.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

736-045-0418

Dedication and Management of a State Natural Area (Reserve): Fire

Prescribed fire may only be used as a management tool in such areas or situations where fire is needed to maintain or protect a state natural area or state natural area reserve as an ecosystem type specified in the management scheme.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

736-045-0420

Dedication and Management of a State Natural Area (Reserve): Water Level Control

Agencies shall manage state natural areas and the department shall manage state natural area reserves to maintain their natural water levels. Water levels which have previously been altered by man may be changed if provided for in the management scheme as essential for the restoration of natural conditions.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

[736-045-0422](#)

Dedication and Management of a State Natural Area (Reserve): Disturbance of Natural Features

The management of state natural area and state natural area reserves shall not include the cutting or removal of vegetation or the disturbance of other natural features, except that which is essential to carry out the management scheme enumerated in this division.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

[736-045-0424](#)

Dedication and Management of a State Natural Area (Reserve): Visitor Protection

Guard rails, fences, steps, and bridges may be provided when essential to the safety of a reasonable alert and cautious visitor.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

[736-045-0426](#)

Dedication and Management of a State Natural Area (Reserve): Erosion Control

Erosion and soil deposition due to disturbances of natural conditions by man within or outside a state natural area or state natural area reserve may be controlled as provided in the management scheme.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

[736-045-0428](#)**Dedication and Management of a State Natural Area (Reserve): Scenic or Landscape Management**

No measures or actions shall be taken to alter the natural growth or features of a state natural area or state natural area reserve for the purpose of enhancing its neatness, beauty, or amenities.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

[736-045-0430](#)**Dedication and Management of a State Natural Area (Reserve): Control of Succession**

Control of succession may be undertaken only if maintenance or restoration of a particular ecosystem type or preservation of threatened or endangered species is designated in the instruments of dedication as an objective of the state natural area or state natural area reserve. Based on scientific evidence of necessity, successional control measures may be undertaken as provided in the management scheme. Such measures shall be applied with caution and only to that part of the area as is necessary.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

[736-045-0432](#)**Dedication and Management of a State Natural Area (Reserve): Control of Introduced Plant Species**

Control of introduced plant species may be undertaken as provided in the management scheme.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

[736-045-0434](#)

Dedication and Management of a State Natural Area (Reserve): Control of Wildlife Populations

The control of wildlife populations on state natural areas and state natural area reserves shall be by agreements between the commission and Oregon Department of Fish and Wildlife, or other agency. As far as practical, any control measures shall be to correct those situations where wildlife populations are significantly affecting natural conditions on a state natural area or state natural area reserve.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - ORS 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

[736-045-0436](#)

Dedication and Management of a State Natural Area (Reserve): Introduction and Management of Special Species

The introduction into or the management of a state natural area or state natural area reserve for special wildlife species shall be by agreement between the commission and the Oregon Department of Fish and Wildlife, Oregon Department of Agriculture or other agency as provided in the management scheme.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

[736-045-0438](#)

Dedication and Management of a State Natural Area (Reserve): Use Tolerance

The management scheme shall set forth the use tolerance or durability of all or any portion of a state natural area or state natural area reserve and specify the steps to be taken if overuse occurs.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

[736-045-0440](#)

Dedication and Management of a State Natural Area (Reserve): Collecting Permits

A person wishing to collect material from a site for the purposes of research, education or restoration within a state natural area or state natural area reserve shall secure written permission from:

- (1) The department;
- (2) The owner of the land; and
- (3) The appropriate agency if any, including but not limited to the Oregon Department of Fish and Wildlife.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

[736-045-0442](#)

Dedication and Management of a State Natural Area (Reserve): Boundary Markers

When feasible, boundaries of a state natural area or state natural area reserve may be made evident by placing markers at corners or other strategic locations or by boundary signs.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

[736-045-0444](#)

Dedication and Management of a State Natural Area (Reserve): Fences

Fences and barriers may be installed as provided in the management scheme.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

[736-045-0446](#)

Dedication and Management of a State Natural Area (Reserve): Trails

The location and specifications of any trails may be established in the management scheme. Trails shall be adequate to provide for permitted use of a state natural area or state natural area

reserve, but otherwise kept to a minimum. The use of paving materials, footbridges and elevated walks may be permitted when necessary.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

[736-045-0448](#)

Dedication and Management of a State Natural Area (Reserve): Other Structures and Improvements

Signs and temporary research installations may be permitted within a state natural area or state natural area reserve. No other structures or facilities shall be located within a state natural area or state natural area reserve except as provided in the management scheme or this division.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.563 - 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

[736-045-0500](#)

Dedication and Management of a State Natural Area (Reserve): Amendments

The commission may review and approve or disapprove any modification to the Plan submitted by the department.

Statutory/Other Authority: ORS 390.124(4)

Statutes/Other Implemented: ORS 273.578(2)

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

[736-045-0505](#)

Dedication and Management of a State Natural Area (Reserve): Waiver of Rules

The commission may waive all or any part of this division that would prevent the establishment, management, or protection of a state natural area or state natural area reserve if such rule is in conflict with an applicable statute, rule, regulation, or policy relating to an agency having an interest in or responsibility for the state natural area or the department interest in or responsibility for the state natural area reserve.

Statutory/Other Authority: ORS 390.124

Statutes/Other Implemented: ORS 273.563 - 273.591

History:

PRD 10-2012, f. & cert. ef. 12-13-12

PRD 2-2012, f. & cert. ef. 5-4-12

Oregon Parks and Recreation Commission

April 17, 2019

Agenda Item: 9b

Action

Topic: Request to amend 736-018-0045 Adding master plans for Brian Booth and Wallowa Lake State Parks to list of Master Plans

Presented by: Ian Matthews and Katie Gauthier

Background:

Adding master plans to administrative rule is the final step in a long public process that has included numerous public meetings, planning groups and a land use review by city and county officials.

The plans detail current natural and cultural resource conditions, outdoor recreation trends and how to balance recreation and resource protection. They set priorities for the next two decades, such as adding or improving trails, parking, facilities and signs.

Brian Booth State Park

Brian Booth State Park located 7 miles south of Newport, includes Beaver Creek and Ona Beach. Beaver Creek was recently opened with initial improvements as Park of the Year for 2010. Ona Beach was established many years ago. The combined park includes a total of 1261 acres under OPRD's current ownership. As part of the process of drafting the plan, OPRD planners considered comments gathered from an advisory committee, park neighbors and the general public during meetings and written comment periods. The Oregon State Parks Commission approved the content of the draft plan in February 2014. Officials from both Lincoln County reviewed the draft for compatibility with zoning codes, a four-year process.

Wallowa Lake Management Unit

The draft master plan for the Wallowa Lake Management Unit covers a state park, state recreation area and state scenic corridor in Wallowa County. The document replaces the previous plan, adopted in 2000.

Planners gathered comments from an advisory committee, park neighbors and the general public during meetings and written comment periods held in September 2018. The Oregon State Parks Commission approved the content of the Wallowa Lake Management Unit Master Plan at their meeting on November 28, 2018. The draft plan was then reviewed by Wallowa County for compatibility with their comprehensive plans and zoning codes.

Public comments were open from March 1 through March 31, 2019. We will update the Commission on any comments received during the Commission meeting.

Prior Action by Commission: For Brian Booth, the Commission approved the draft plan and opening rulemaking in February 2014. For Wallowa Lake, the Commission approved the draft plan and opening rulemaking in November 2018.

Action Requested: Staff requests adoption of amendment to OAR 736-018-0045 to add the Brian Booth State Park Comprehensive Plan and replace the Wallowa Lake Management Unit Master Plan. A copy of the proposed rule is included in Attachment A. These revisions have been reviewed and approved by Assistant Attorney General Steve Shipsey.

Prepared by: Katie Gauthier

Attachments: Attachment A – marked copy
Attachment B – clean copy

9b Attachment A: Marked Copy

736-018-0045

Adopted State Park Master Plan Documents

(1) The following state park master plan documents have been adopted and incorporated by reference into this division:

- (a) Fort Stevens State Park Master Plan, as amended in 2001;
- (b) Cape Lookout State Park, amended in 2012 as Cape Lookout State Park Comprehensive Plan;
- (c) Cape Kiwanda State Park, renamed as Cape Kiwanda State Natural Area;
- (d) Nestucca Spit State Park, renamed as Robert Straub State Park;
- (e) Jessie M. Honeyman Memorial State Park as amended in 2009;
- (f) Columbia River Gorge Management Units Plan, including: Lewis and Clark State Recreation Site, Dabney State Recreation Area, Portland Womens' Forum State Scenic Viewpoint, Crown Point State Scenic Corridor, Guy W. Talbot State Park, George W. Joseph State Natural Area, Rooster Rock State Park, Shepperd's Dell State Natural Area, Bridal Veil Falls State Scenic Viewpoint, Dalton Point State Recreation Site, Benson State Recreation Area, Ainsworth State Park, McLoughlin State Natural Area, John B. Yeon State Scenic Corridor, Bonneville State Scenic Corridor, Sheridan State Scenic Corridor, Historic Columbia River Highway State Trail, Bridge of the Gods Trailhead, Lang Forest State Scenic Corridor, Wyeth State Recreation Area, Lindsey Creek State Scenic Corridor, Starvation Creek State Park, Viento State Park, Wygant State Natural Area, Vinzenz Lausman Memorial State Natural Area, Seneca Fouts Memorial State Natural Area, Historic Columbia River Highway State Trail Hatfield West Trailhead, Koberg Beach State Recreation Site, Historic Columbia River Highway State Trail Hatfield East Trailhead, Memaloose State Park, and Mayer State Park as amended in 2015;
- (g) Molalla River State Park;
- (h) Champoege State Park;
- (i) Willamette Mission State Park;
- (j) Cascadia State Park;
- (k) Willamette River Middle Fork State Parks Master Plan, 2006, including: Elijah Bristow State Park; Jasper State Recreation Site; Pengra Access; Dexter State Recreation Site; Lowell State Recreation Site; and the parks that comprise the Fall Creek State Recreation Area, including Winberry Park, North Shore Park, Sky Camp, Cascara Campground, Fisherman's Point Group Camp, Free Meadow, Lakeside 1 and Lakeside 2;

- (l) Cove Palisades State Park Master Plan, as amended in 2002;
- (m) Silver Falls State Park Master Plan, as amended in 2009;
- (n) Curry County State Parks Master Plan, including: Floras Lake State Park, renamed as Floras Lake State Natural Area; Cape Blanco State Park; Paradise Point Ocean Wayside, renamed as Paradise Point State Recreation Site; Port Orford Heads Wayside, renamed as Port Orford Heads State Park; Humbug Mountain State Park; Otter Point Wayside, renamed as Otter Point State Recreation Site; Cape Sebastian State Park, renamed as Cape Sebastian State Scenic Corridor; Otter Point Wayside; Port Orford Cedar Forest Wayside, renamed as Port Orford Cedar Forest State Scenic Corridor; and Buena Vista Ocean Wayside; Pistol River State Scenic Viewpoint; Samuel H. Boardman State Scenic Corridor; Harris Beach State Recreation Area; McVay State Recreation Site; Winchuck State Recreation Site; Crissey Field State Recreation Site; Alfred A. Loeb State Park;
- (o) Hat Rock State Park Master Plan, renamed as Hat Rock State Recreation Area;
- (p) Deschutes County State Parks, including: La Pine and Tumalo State Parks; Cline Falls, renamed as Cline Falls State Scenic Viewpoint; and Pilot Butte, renamed as Pilot Butte State Scenic Viewpoint;
- (q) Sunset Bay District Parks, including: Umpqua Lighthouse State Park (this chapter was replaced by the Umpqua Lighthouse State Park Master Plan, 2004); William M. Tugman State Park; Yoakam Point State Park, renamed as Yoakum Point State Natural Site; Sunset Bay State Park; Shore Acres State Park; and Cape Arago State Park;
- (r) Bullards Beach District Parks, including: Seven Devils State Wayside, renamed as Seven Devils State Recreation Site; Bullards Beach State Park; Bandon Ocean Wayside, renamed as Face Rock State Scenic Viewpoint; and Bandon State Park, renamed as Bandon State Natural Area;
- (s) Tillamook County Coastal State Parks, including: Oswald West State Park; Nehalem Bay State Park (this chapter was replaced by the Nehalem Bay State Park Master Plan, 2009); Cape Meares State Park, renamed as Cape Meares State Scenic Viewpoint; Neahkanie-Manzanita State Wayside, renamed as Neahkanie-Manzanita State Recreation Site; Manhattan Beach State Wayside, renamed as Manhattan Beach State Recreation Site; Rockaway Beach State Wayside, renamed as Rockaway Beach State Recreation Site; Twin Rocks State Wayside, renamed as Twin Rocks State Natural Site; Oceanside Beach State Wayside, renamed as Oceanside Beach State Recreation Site; and Neskowin Beach State Wayside, renamed as Neskowin Beach State Recreation Site;
- (t) Beverly Beach District Parks South, including: Boiler Bay State Park, renamed as Boiler Bay State Scenic Viewpoint; Rocky Creek State Wayside, renamed as Rocky Creek State Scenic Viewpoint; Otter Crest State Wayside, renamed as Otter Crest State Scenic Viewpoint; Devil's Punchbowl State Park, renamed as Devil's Punchbowl State Natural Area; Beverly Beach State

Park; Agate Beach State Wayside, renamed as Agate Beach State Recreation Site; and Ellmaker State Park, renamed as Ellmaker State Wayside;

(u) Smith Rock State Park;

(v) Collier District Parks, including: Booth State Wayside, renamed as Booth State Scenic Corridor; Chandler State Wayside; Collier Memorial State Park; Goose Lake State Recreation Area; Jackson F. Kimball State Park, renamed as Jackson F. Kimball State Recreation Site; and Klamath Falls-Lakeview Forest Wayside, renamed as Klamath Falls-Lakeview Forest State Scenic Corridor;

(w) Banks-Vernonia State Park, renamed as Banks-Vernonia State Trail;

(x) Sumpter Valley Dredge State Park, renamed as Sumpter Valley Dredge State Heritage Area;

(y) Illinois River Forks State Park;

(z) Wallowa ~~County State Parks~~ Lake Management Unit Master Plan, 2000;18;

(aa) L.L. "Stub" Stewart Memorial State Park Master Plan, 2005;

(bb) Master Plan for Clay Myers State Natural Area at Whalen Island, 2003;

(cc) South Beach State Park Master Plan, 2003;

(dd) Prineville Reservoir Resource Management Plan/Master Plan, 2003;

(ee) Detroit Lake State Park Master Plan, 2002;

(ff) Umpqua Lighthouse State Park Master Plan, 2004;

(gg) Fort Yamhill State Heritage Area Master Plan, 2004;

(hh) Thompson's Mills State Heritage Site Master Plan, 2006;

(ii) Luckiamute State Natural Area Master Plan, 2009;

(jj) Iwetemlaykin State Heritage Site Master Plan, 2009;

(kk) Kam Wah Chung State Heritage Site Master Plan, 2009;

(ll) Nehalem Bay State Park Master Plan, 2009;

(mm) Bates State Park Master Plan, 2010;

(nn) Cottonwood Canyon State Park Comprehensive Plan, 2012;

(oo) Milo McIver State Park Comprehensive Plan, 2014.

(pp) Sitka Sedge State Natural Area Master Plan, 2016

(qq) Tryon Creek State Natural Area Comprehensive Plan, 2013.

(rr) Brian Booth State Park Master Plan, 2014.

(2) The master plan documents which have been incorporated by reference into this division are available from the State Parks and Recreation Department, 725 Summer Street NE, Suite C, Salem OR 97301.

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 390.180(1)(c)

Statutes/Other Implemented: ORS 390.180(1)(c)

9b Attachment B: Clean Copy

736-018-0045

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(v) Collier District Parks, including: Booth State Wayside, renamed as Booth State Scenic Corridor; Chandler State Wayside; Collier Memorial State Park; Goose Lake State Recreation Area; Jackson F. Kimball State Park, renamed as Jackson F. Kimball State Recreation Site; and Klamath Falls-Lakeview Forest Wayside, renamed as Klamath Falls-Lakeview Forest State Scenic Corridor;

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(y) Illinois River Forks State Park;

(z) Wallowa Lake Management Unit Master Plan, 2018;

(aa) L.L. "Stub" Stewart Memorial State Park Master Plan, 2005;

(bb) Master Plan for Clay Myers State Natural Area at Whalen Island, 2003;

(cc) South Beach State Park Master Plan, 2003;

(dd) Prineville Reservoir Resource Management Plan/Master Plan, 2003;

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[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 390.180(1)(c)

Statutes/Other Implemented: ORS 390.180(1)(c)

Oregon Parks and Recreation Commission

April 16-17, 2019

Agenda Item: 10a Information

Topic: Territorial Sea Plan, Rocky Shore Management Strategy Update

Presented by: Trevor Taylor, Stewardship Section Manager

This briefing to the Commission will provide a status update on the process to amend Part III of the Oregon Territorial Sea Plan (TSP): The Rocky Shores Management Strategy. The TSP uses a multi-jurisdictional framework implemented by the Ocean Policy Advisory Council (OPAC), Oregon's legislatively established stakeholder advisory body, for guiding the plan. OPAC has initiated the process to amend Part III: Rocky Shore Management Strategy in accordance with the requirements established in the TSP. This strategy acts as Oregon's coordinated framework across state and federal agencies for managing the state's rocky ocean shore resources. The strategy was originally adopted in 1994 and focuses on rocky habitat management. The OPAC TSP Rocky Shores Working Group has been tasked with leading the review and recommendation process which is envisioned to require two years to complete.

The amendment process will result in changes to TSP Part III including new recommendations for state agencies that manage rocky shore areas and resources on Oregon's shoreline. While the Oregon Parks and Recreation Department is a non-voting member of OPAC, staff participates actively as the plan may have impacts on resources under OPRD's ocean shore jurisdiction. The Oregon Land Conservation and Development Commission (LCDC) is the formal policy body responsible for adopting the draft recommended amendments received from OPAC.

Phase 1 of this update work plan has encompassed the drafting of general plan text including policies, objectives, management principles, contextual justification, and a community proposal process for site designation updates. This draft is undergoing public comment and will be presented to the OPAC at the April 3rd meeting in Salem. The draft document is attached; additional information is available at www.OregonOcean.info/RockyShores.

Once this draft is recommended by OPAC and adopted by the LCDC, the Rocky Shores Working Group will reconvene to begin Phase 2 work, updating the Rocky Shores Natural Resource Inventory, site based designation language, and community proposal process details. Altogether, plans that cover the rocky shores and territorial sea can affect OPRD policy, investments, and management, particularly on the ocean shore state recreation area. Examples of existing site designations include Haystack Rock Marine Garden and Cape Arago Intertidal Research Reserve.

For further information about the plan update process, please contact Laurel Hillmann, OPRD Ocean Shore Specialist, at 503-986-0700 or at Laurel.Hillmann@oregon.gov.

Rocky Shores Management Strategy

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A. The Rocky Shores Management Strategy

1. Purpose

Strategy Goal: This strategy is a coordination and adaptive planning framework focused on the long term protection of ecological resources and coastal biodiversity within and among Oregon's rocky shores, while allowing appropriate use.

The Rocky Shores Management Strategy is one of several elements of Oregon's ocean-resources management program. It provides clear policies and direction for strong, site based management and the protection of unique ecosystems along the coast. The strategy is a combination of policies, objectives, and recommendations supported by scientific information on the natural resources which exist in rocky shores areas. Strategy recommendations and policies are applied to specific sites within state jurisdiction by the responsible management agency. The strategy relies on authorities and programs of local, state and federal agencies to carry out activities in the field.

2. Objectives

This strategy acts as a framework to support the following objectives:

- a. To maintain, protect, or restore rocky shore habitats and biological communities;
- b. To implement a holistic management program through site designations and management recommendations that allows for enjoyment and use of Oregon's rocky shores while protecting them from degradation, and loss¹;
- c. To enhance appreciation and foster personal stewardship of Oregon's rocky shores through education, interpretation, and outreach;
- d. To improve our knowledge and understanding of rocky shore ecosystems by fostering research and monitoring efforts;
- e. To facilitate cooperation and coordination amongst local, state, and federal resource management agencies, and tribal governments, to ensure that marine resources and habitats are holistically managed.

3. Rocky Shores Importance

Oregon's rocky shores are integral to the unique landscape and seascape of the Oregon coast. From Tillamook Head looming above the Clatsop Plains south to the

¹ Primarily targeted toward rocky shoreline areas, but may apply to adjacent subtidal, and offshore rocks and reefs on a case-by-case basis.

cliffs of Brookings, rocky shores are a trademark of the Oregon coast. These biologically rich and visually dramatic shores have high value to Oregonians as places to enjoy, learn, and use.

Oregon's rocky shores harbor a variety of lifeforms uniquely adapted to live on the margin between the land and sea. Rocky shore natural resources include a productive mix of invertebrates, fish, and algae in the intertidal areas as well as seabirds and pinnipeds that use adjacent cliffs and offshore rocks for breeding and raising young.

Rocky shore habitats provide a window to the marine environment, making them attractive places to visit for educational institutions, marine scientists, curious members of the public, and those interested in harvesting organisms for food or souvenirs. Oregon has long recognized the ecological value of rocky shores, as well as the societal value associated with the variety of human uses occurring at the sites. Oregon's long history of managing rocky shores to balance conservation and use reflects this recognition. Rocky shores management needs to continue to account for human use pressure, which may increase as the number of coastal residents and visitors increases. Additionally, recent advances in the understanding of climate change has exposed new threats including warming temperatures, sea level rise, and changing ocean conditions, as well as potential cumulative impacts.

Oregon's rocky shores belong to the public, with few exceptions. There are several state and federal agencies that are responsible for managing Oregon's rocky shores in the public interest. Agency jurisdictional boundaries and authorities exist in a complex matrix and rely on a suite of management goals, objectives, and strategies. Section C of this plan outlines the authorities of state and federal agencies that have jurisdiction in the rocky shores.

Oregon's Rocky Shores Management Strategy provides policies and direction for strong, site based management and protection of these unique ecosystems along the entire Oregon coast. The creation and stewardship of this strategy embraces this model and incorporates the voices of the diverse groups that share an interest in Oregon's rocky coast. The membership and mission of the Ocean Policy Advisory Council (OPAC) reflects legislative intent to make sure that the many governmental interests of coastal cities and counties, state and federal agencies, coastal tribal nations, and the diverse user groups on the coast are coordinated.

4. Plan Implementation

Interagency coordination and cooperation has been critical to preparing and carrying out the Rocky Shores Management Strategy and will remain essential in executing appropriate management. A collaborative, coordinated effort, based on a commitment to cooperate, increases the likelihood of success and decreases the need to add laws and authorities for any individual management agency. The management agencies

responsible for implementing natural resource protection and managing human uses have reviewed and agreed to prioritize the recommendations within the Rocky Shores Management Strategy. It should be noted that although this strategy includes a substantial suite of recommendations for rocky shore management, not all site management recommendations may be applied through state rule or statute.

a. Amending the Strategy

i. General Strategy Amendments

Due to constantly changing ocean conditions, coastal uses, and advancing scientific knowledge, this strategy will require periodic reconsideration and amendment to remain relevant. While there is not a specific timeline for updating the Rocky Shores Management Strategy, or the Territorial Sea Plan more broadly, management agencies and coastal stakeholders are offered the flexibility of presenting proposed modifications at any time. General amendment initiation criteria for the Territorial Sea Plan are available in [Part 1.F.2](#) and apply to management agencies recommending any modifications to the Territorial Sea Plan (including the Rocky Shores Management Strategy). Community and user amendments specific to the Rocky Shores Management Strategy can be submitted through a community based proposal process, outlined in the section below (A.4.a.ii.) and Appendix I.

ii. Community Based Proposals

The Rocky Shores Management Strategy allows local community groups and the public at large to submit proposals for changes in rocky shore management. Changes may include new recommended site designations, modifications of an existing recommended designation, or deletions of recommended designations. All Oregon community members are eligible to submit a proposal, with proposals representing local multi-stakeholder interests strongly encouraged.

Proposals are subject to multi-agency analysis and review which will be used by the Ocean Policy Advisory Council to evaluate the proposed designation changes. Due to the complex network of regulations and users, only rocky shoreline areas may be proposed for alteration, while shallow subtidal, and offshore rocky reefs and islands are not eligible for alteration under a community proposal (See section B.2.a for recommended designation definitions). Proposals will be collected by Oregon Coastal Management Program staff on a rolling basis and do not require an active TSP amendment period to be submitted.

Proposal Contents

Proposal evaluation are available to guide interested parties on information regarding impacts of a proposed site recommendation, including ecological and socio-economic information, enforcement needs, alignment with strategy goals, arguments of opposition, conservation footprint, etc. Appendix I lists the full suite of prompting

questions to include in a proposal as well as the proposal review process. All proposing entities should review this section and Appendix I carefully before submitting a proposal.

5. Strategy Elements

The management elements of the Rocky Shores Strategy will be carried out primarily by state agencies such as the Parks and Recreation Department (OPRD), the Department of Fish and Wildlife (ODFW), and the Department of State Lands (DSL). The U.S. Fish and Wildlife Service (USFWS) manages offshore rocks and islands as National Wildlife Refuges². In some cases, local governments, federal agencies, tribes, and other partner organizations may be involved. The timing for carrying out this plan will vary with the management needs, conditions and resources of each site, availability of financial and technical resources to agencies, and with the interests and involvement of local citizens and groups. This subsection outlines the major elements of this strategy for the rocky shore³.

a. Management Principles

- i. **Management to Follow Plan.** Management of rocky shore areas should aim to be consistent with the recommended site management designations, management objectives, policies, and management recommendations in this strategy;
- ii. **Ecological Units.** The interconnected relationship between rocky shoreline areas, offshore sites, and associated rocky features warrants related areas to be managed as an ecological unit;
- iii. **Ecosystem Based Management.** Management recommendations and prescriptions should follow ecosystem based management and adaptive management principles;
- iv. **Planning and Management.** Planning or recommended management actions by the Ocean Policy Advisory Council (OPAC) or any agency with respect to rocky shoreline areas should:

² Oregon Islands, Three Arch Rocks, and Cape Meares National Wildlife Refuge Comprehensive Conservation Plan and Wilderness Stewardship Plan. U.S. Fish and Wildlife Service, Oregon Coast National Wildlife Refuge Complex, Newport, Oregon.

³ These objectives focus primarily on rocky shoreline areas but in some cases may include adjacent subtidal, and offshore rocks and reefs. The intent of these principles is not to replicate or expand Oregon Marine Reserves under ORS196.540 – 196.555.

- a. involve all appropriate management agencies, city or county planning agencies, affected tribal nations, and interested citizens and organizations;
- b. be based on the best available scientific information and local knowledge, about the site, its resources, and uses as obtained through detailed site studies or as provided through comment and testimony by agencies and interested parties;
- c. include provisions for encouraging periodic monitoring of site use and condition of habitats and resources, where feasible, for the purpose of updating site management actions;
- d. comply with state and federal regulations and permitting;
- e. incorporate public educational, awareness, citizen science, and outreach programs as integral parts of local site management, where attainable.

b. Education & Public Awareness

An informed and aware public is critical to protecting rocky shore resources and carrying out the goal, objectives, and policies of the Rocky Shores Management Strategy. It is essential for the continued ecological health and functioning of Oregon's rocky shores that coastal visitors interact with rocky shore resources in a manner that protects the ecological, cultural and economic resources of rocky shores, and understands ways they can take action as individuals and in groups to positively affect these areas.

Successful implementation of the Rocky Shores Management Strategy needs a strategic communication plan focused on both coast-wide and site-specific efforts that will foster stewardship of rocky shore resources. Current education program providers should collaborate on a systematic approach to targeting audiences with agreed upon messages. This will require both financial and institutional support and coordination to achieve maximum effectiveness.

As part of a strategic communication effort, new and already established locally-based and regionally supported programs are needed to disseminate accurate and timely rocky shores knowledge and stewardship messages. The principles, policies, and objectives in the Rocky Shores Management Strategy should be used as a guiding framework for the development of state funded rocky shores educational programs. Priority communication messages should focus on visitor best practices, current events, site based information, experience opportunities, and awareness of threats to the rocky shores. Communication strategies should range from on-site signage to broader-reaching tools such as digital information products and social media campaigns.

Research and monitoring of rocky shores ecosystems is crucial to understanding human impacts, both immediate and long-term. These efforts will require financial and structural support to assess and inform adaptation to emerging threats to rocky shore ecosystems (e.g. ocean acidification). Citizen science programs are a recommended strategy for engaging visitors while increasing their awareness of and commitment to protecting rocky shores.

Education Actions

In addition to general site management principles, this strategy also recognizes that the following actions should be used to build a successful public awareness and engagement component into rocky shores management:

1. Creation of a coast-wide network and communication strategy that links private, local, tribal, state, and federal education and interpretive programs.
2. Fostering of existing education programs, as needed, to ensure they meet management and stewardship goals, and contributes to the understanding and long-term support of Oregon's rocky shores resources.
3. Creation and implementation of new education and interpretation programs to cover sites where none exist.
4. Work with education providers, interested users and groups to plan and implement coordinated educational programs, messaging, and awareness campaigns.
5. Support volunteer-based organizations in the conduct of outreach activities that assist agencies and are consistent with the communication strategy.
6. Use a variety of communication tools including digital and social media to meet the diverse needs of schools, agencies, public facilities, local governments, and non-governmental organizations.
7. Seek additional funding in order to provide financial assistance to agencies and organizations whose education program support Rocky Shores Management Strategy objectives.
8. Work with agencies, researchers, tribal governments, and stakeholder groups to identify and support research and monitoring needs while also developing a citizen science program that engages local communities and visitors

6. Policies

The policies for rocky shores have been crafted to ensure consistency with state goals and priorities. These policies are mandatory and all actions of local or state agencies in

relation to managing rocky shore areas and resources shall be consistent with them. A subset of these policies will be used for federal consistency review purposes and can be viewed in Appendix J.

a. Policy Statement

Oregon's rocky habitats, in the broadest definition, are unique and carry coast wide importance ecologically, economically, culturally, and recreationally. The Rocky Shores Management Strategy recognizes the importance of these interconnected habitats and the resources within them regardless of designation or recommendation. Therefore, this strategy recommends management actions that protect ecological values and biodiversity within and among Oregon's rocky shores while allowing appropriate use.

b. Policies

- A. Consistent with Statewide Planning Goal 19, actions that are likely to affect rocky shores shall be developed and conducted to conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social values benefits.
- B. Protection of rocky shores (i.e. living marine organisms and their habitat) shall be prioritized over development of non-renewable ocean resource uses.
- C. Education about rocky shores should be fostered through the implementation of principles outlined in Section A.5.b.
- D. Rocky shores shall be managed to preserve public access to the maximum extent practicable and minimize user conflict.
- E. Agencies may create temporary access restrictions at individual rocky shore sites, when necessary, to ensure visitor safety, ensure resource and habitat protection, and to manage for user conflicts. Any non-emergency temporary access restriction must be accompanied by a scientific basis or decision rationale that describes the management concern and the duration of the access restriction.
- F. Standards and practices for designations described in Section D of this plan shall apply to activities occurring in the rocky shore. Managing agencies shall incorporate management recommendations outlined in Section D into administrative rule or site management practices.
- G. Managing agencies shall administer regulations, permits and other agreements in a way that considers the long-term conservation of rocky shore habitats and organisms.
- H. Managing agencies' education and information efforts for visitors to rocky shores shall be conducted in a manner consistent with site-based management recommendations, Statewide Land Use Planning Goal 19, and education actions outlined in Section A.5.b.

- I. Harvesting, gathering, or scientific collection of marine plants and animals in rocky shores shall be conducted in a manner that minimizes impacts and disturbance to habitats or other organisms.
- J. Marine development activities, not currently managed by a specific Part of the Territorial Sea Plan, that significantly alter and/or cause permanent⁴ impacts to the form and function of submerged rocky habitats, or the fisheries dependent upon them, are prohibited.
- K. Management actions shall consider adaptation and resilience to climate change, ocean acidification, and hypoxia effects on the rocky shores.
- L. Foster and promote research and monitoring, compatible with the Rocky Shores Management Strategy, including effects of climate change, ocean acidification, and hypoxia.
- M. All affected Oregon federally recognized tribes shall be provided the opportunity for consultation regarding any development action taking place in the rocky shore.
- N. Impacts of management actions to **cultural resources**⁵ in rocky shores shall be minimized, or mitigated, as determined by the State Historic Preservation Office
- O. Management measures in this plan will take no action to affect hunting and fishing consent decrees or other agreements between the State of Oregon and any Oregon federally recognized tribe.

⁴ “Temporary Impacts” are adverse impacts to waters of this state that are rectified within 24 months from the date of the initiation of the impact. As defined by: ORS 141-085-0510 (88)

⁵ **Add accepted definitions – awaiting tribal input**

B. Oregon's Rocky Shore

1. Defining Oregon's Rocky Shore

Rocky shores account for approximately 41% of Oregon's 362 mile coastline and include headlands, tide pools, rocky beaches, and cliffs, as well as offshore rocks, islands, and reefs.

Rocky Substrate Definitions

The rock in rocky habitat consists of geologic substrate comprised of:

- Bedrock, or
- Megaclasts (rock > 4 meters in size), or
- Rock fragments, boulders, or cobble which, individually, are greater than 64mm (2.5") in size, or
- any combination of the above

The rocks can comprise the substrate surface, rise above the substrate surface, or in some cases be covered with a thin layer of sand or mud (e.g. in the case of surfgrass beds – the surfgrass is anchored on rock but the presence of surfgrass can cause a thin layer of sand to be deposited on the rock, thus obscuring the rock from the view on the surface).

Rocky habitat consists of outcrops or deposits of the above-described material either along the shoreline or in subtidal areas. The individual rock structures or fragments within a rocky habitat area are often interspersed with gravel or sediment and overlain with biogenic habitat features. This creates a complex mix of substrate characteristics that all contribute to the form and function of the rocky habitat. Thus, a rocky habitat can have non-rock (sand, gravel, biological) components. These habitats are variously referred to as rocky reefs, rocky banks, rocky beaches, rocky intertidal areas, rocky subtidal areas, boulder fields, rocky debris fields, benches, rock pavement, sea stacks, wash rocks, pinnacles, and many other names.

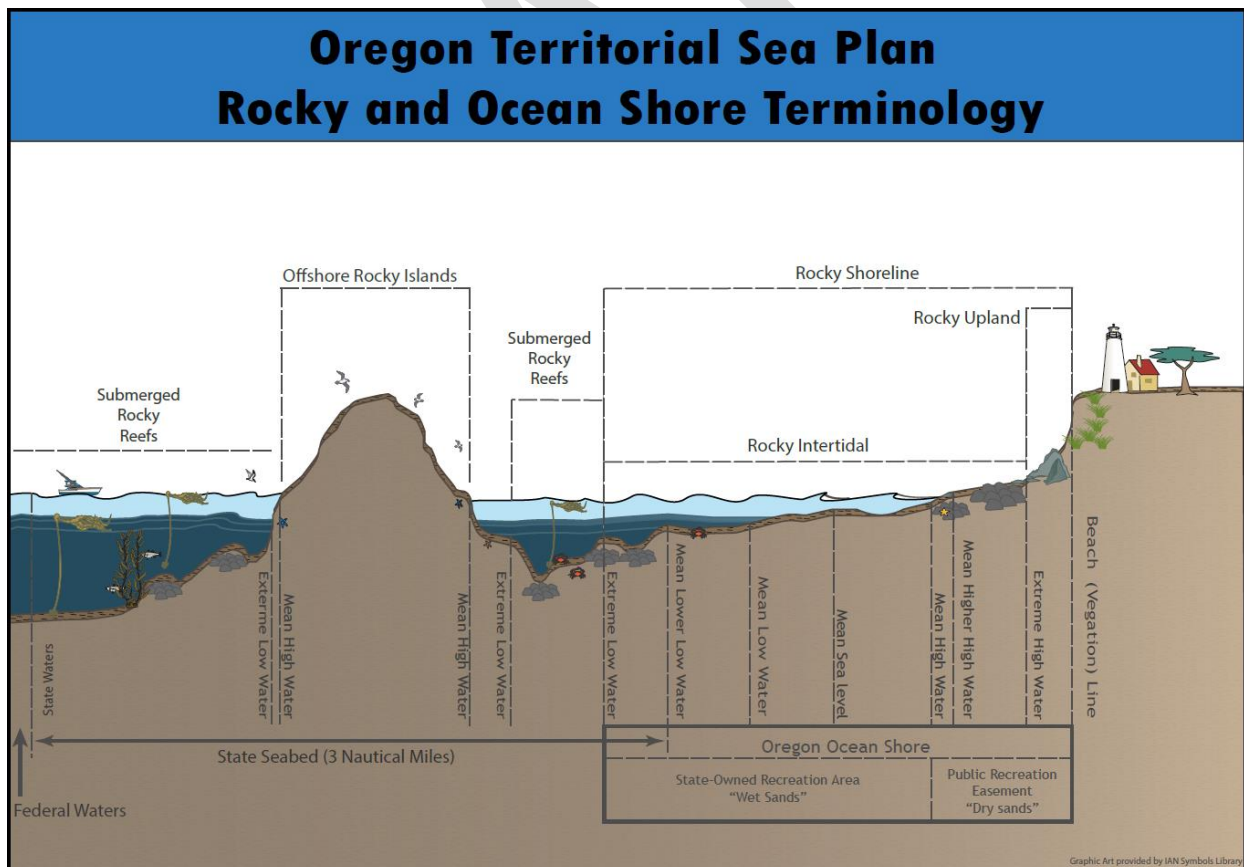
Rocky Shore Type Classifications

To appropriately manage the resources within these rocky areas, the differences and similarities between the many shoreline types must be recognized. For the purpose of this management strategy, Oregon's rocky shores are grouped into three major classifications based on proximity to shore, jurisdictional boundaries, and ecological zone⁶. Within these main classifications many other sub-classifications may be present

⁶ Only rocky shoreline areas are applicable for the community proposal amendment process. See Section ___ for additional details.

including rocky intertidal and subtidal, cliffs, tidepools, etc. Additional descriptions of rocky shore environments can be found in Appendix H.

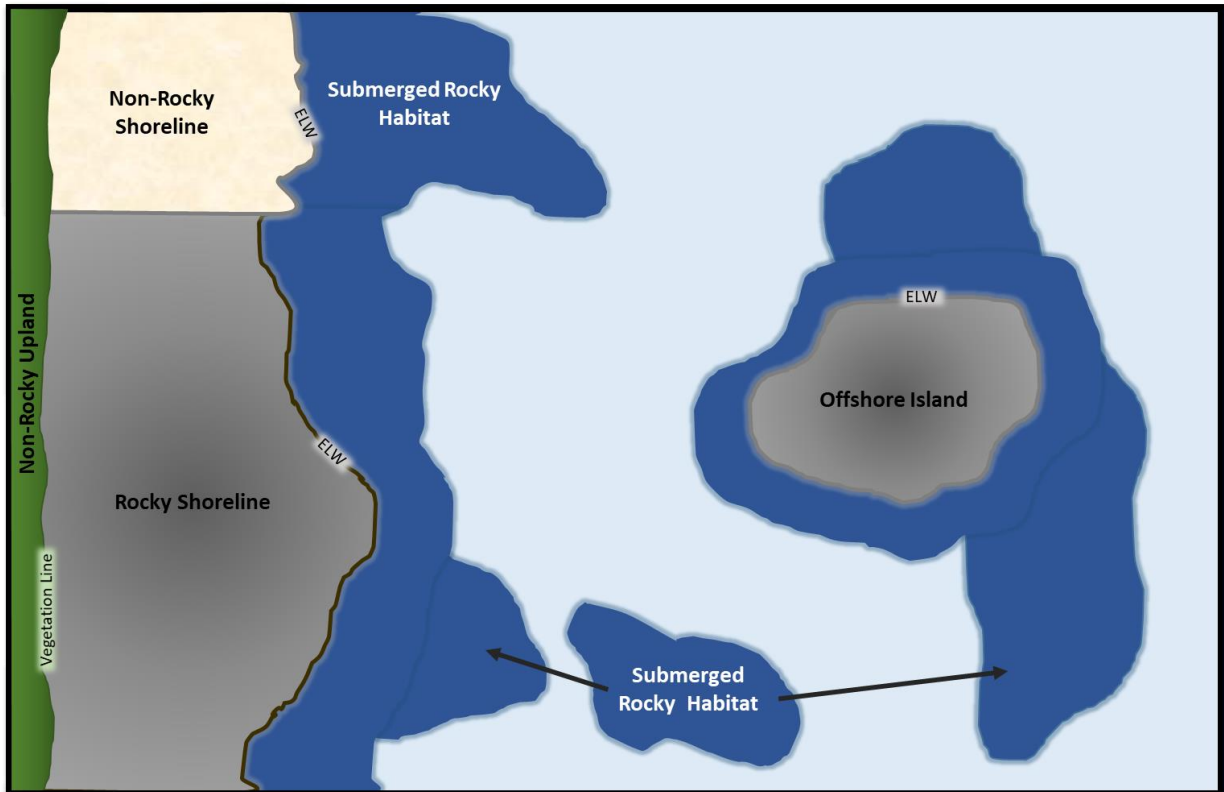
- a. **Rocky Shoreline** – all rocky habitat (encompasses cliffs, tidepools, and rocky intertidal) between the upland vegetation line and extreme low water. These areas may be reached by foot from shore (regardless of hazard or convenience).
 - i. **Rocky upland** – rocky habitat area between the upland vegetation line and extreme high water line.
 - ii. **Rocky intertidal** – rocky habitat area between extreme high water line and extreme low water line.
- b. **Submerged Rocky Habitat** – all rocky habitat below extreme low water, out to the deepest limits of the Territorial Sea. This area includes submerged rocky reefs, shallow rocky subtidal, and other submerged rocky habitats.
- c. **Offshore Rocks and Islands** - Any rock or landform within the territorial sea separated from the mainland at mean high water which remains above the surface of the sea at mean high water⁷.



⁷ As defined by the U.S. Fish and Wildlife Service

[All graphics will be updated to be consistent with the text prior to submission to OPAC]

Generalized Graphic of Oregon TSP Rocky Shores Terminology



2. Setting Context

This section provides a contextual overview of some key factors that influence and shape rocky habitat along the Oregon Coast

a. **Ocean Currents**

Oregon's rocky shores are part of the California Current Large Marine Ecosystem (CCLME), an eastern boundary upwelling system situated at the land-sea interface. This dynamic system is responsible for making Oregon's broader territorial sea both immensely productive, and yet vulnerable to disturbance. Scientific study and exploration has taken place to better understand this system, yet the unique ocean currents, geology, and ecology of the area are still actively being investigated to build a better understanding of the system and potential impacts on the rich ecological and economic resources associated with the CCLME.

Oregon's coastal waters are part of the much larger CCLME oceanographic current system that connects cold subarctic waters from the Gulf of Alaska with tropical waters near the equator. The California Current is responsible for moving water southward

along the Oregon Coast, while a deeper northward counter current is called the Davidson Current. In the most general sense, the California Current, along with seasonal northerly winds are responsible for spring/summer upwelling in the narrow ribbon of sea along the coast⁸. This upwelling water is tremendously productive due to deep nutrient rich water being exposed to light and oxygen near the surface and is responsible for feeding the regions fertile coastal ecosystems and fisheries. Although this upwelling brings great prosperity to the nearshore environment, it also makes the Oregon Coast more vulnerable to hypoxic events and exacerbates the impacts of ocean acidification. This risk is due ongoing ocean deoxygenation associated with climate change and the naturally elevated carbon dioxide in the surfacing deep sea water. The addition of carbon dioxide being absorbed from the atmosphere results in decreased buffering capacity of the system to moderate the natural production and respiration in these surface waters⁹. The impacts of global changes effects on the CCLME and Oregon's coastal waters are still being actively researched by scientists locally and worldwide in order to better predict impacts to Oregon's marine resources.

⁸ A wide array of characteristics may impact local and regional upwelling including bathymetry, terrestrial inputs, etc. Oceanographic fluid dynamics is an evolving science and is still an open body of work.

⁹ Hypoxic conditions occur when oxygen levels in the water column become too low for marine life to survive, while ocean acidification is the shift of ocean chemistry to become less basic. This creates an environment where marine organisms have difficulty forming calcium carbonate structures (i.e. shell material).

b. Geology

Much like the ocean currents that support Oregon's coast, the regions rocky formations are also complex and have been evolving over a geologic timescale. The iconic headlands that protrude into the sea along the north coast, including Yaquina Head, Cape Lookout, and Seal Rock, are composed primarily of basalt. Many of the offshore rocks and islands in this area were once headlands that have since been eroded by wind and waves leaving only the disconnected hard basalt islands behind. Some of the most iconic of these remnant structures include Haystack Rock (both Cannon Beach and Pacific City), Gull Rock, and Otter Rock.

Coastal geology changes along the coast. Cape Arago, south of Coos Bay on the south-central coast, is composed of uplifted and tilted sedimentary rock, while south of the Coquille River rocky headlands and offshore rocks are primarily composed of ancient metamorphic rock¹⁰.

Although the coast has seen millennia of oceanographic processes, more periodic events have also helped to form the coast as we know it today. This has included the rise and fall of sea level, tectonic uplift and subsidence, and episodic earthquakes and tsunamis from the Cascadia subduction zone as well as distant faults.

c. Biology

Oregon's rocky shores are home to uniquely adapted organisms that have evolved to live in the harsh environment on the border of land and sea. Rocky shore plants and animals are often exposed to disturbances including high wave energy, changing water levels, freshwater inflow, and many others. Distribution of these organisms is often dependent on physical factors including temperature, and exposure (to air and



¹⁰ Metamorphic features on the south coast have been dated to have been in the region for over 200 million years.

water), as well as biological factors such as predation and competition. These factors often help to characterize the rocky intertidal and subtidal into distinct zones. The zones are often based on dominant species such as mussels, barnacles, sea stars, anemones, and urchins, but these zones can also be used to define less common organisms such as nudibranchs, limpets, sponges, and red, green, or brown algae. Highly mobile species must also be considered in rocky habitats, including pinnipeds (seals and sea lions), cetacean (whales), marine fishes, and sea birds, who utilize rocky shores for food, protection, isolation, and more.

An exhaustive list of rocky shore organisms is outside the scope of this document, and species are still actively being discovered and identified. The full scope of biological diversity in Oregon's rocky shore is still not fully understood and continued scientific study will only aid in revealing the magnitude of variety in this dynamic niche environment.

d. Stressors & Sustainability

The environment that sustains rocky shore life also makes the resources in these areas uniquely vulnerable to trampling, pollution, marine debris, and changing oceanographic conditions. The Rocky Shores Management Strategy acknowledges the fragility of rocky shore areas and is focused on promoting sustainable and adaptable management and conservation of rocky shore areas and associated resources.

As coastal populations increase and Oregon becomes a more popular tourist destination, concerns regarding degradation of coastal resources are becoming exacerbated. Although rocky shore organisms are adapted to living in a harsh and dynamic environment, they are also susceptible to trampling. This can take place when visitors are not aware of the organisms beneath their feet. Additionally, vehicles, bikes, and pets can impact entire ecosystems in tidepools or on rocks. As these areas become more accessible to foot traffic, visitors must become more aware of the dangers their steps may have on the ecosystem.

Recreational and commercial harvest of organisms, as well as collection of organisms for scientific and educational purposes, often raises concerns about overuse. Current rocky shore harvesting is primarily recreational. Although there is actively little commercial harvest of marine organisms in rocky intertidal areas, this strategy recognizes that harvest species and techniques are dynamic and the future may bring new commercial and recreational harvest ventures. Developing fisheries and plant harvest should be well studied and understood prior to the implementation of broad-scale open harvest to avoid unnecessary stress on the ecosystem and species.

More recently, the impacts of unmanned aerial vehicles (i.e. drones) use have been recognized in rocky areas. Drones give visitors a glimpse into rocky shore areas never seen from public view points and have begun to be used by managing agencies to better understand areas with limited access. Yet without an understanding of nearshore

ecosystems, recreational drones may inadvertently disturb seabird colonies and pinnipeds and may impact reproductive success, and animal health.

Oceanographic stressors, such as ocean acidification and hypoxia, disease outbreak, warming waters, and increased frequency of severe storms will also have a growing impact on rocky shore areas. It is estimated that rocky habitats may be the first areas to see change due to these shifting regional and global trends. These shifts may also increase opportunities for non-native and invasive species to colonize rocky shore areas. In addition, land based runoff and pollution, as well as marine debris can also increase the susceptibility of these organisms to broader stressors.

All of these stressors can cumulate to impact the overall health of Oregon's iconic rocky areas. With the implementation of appropriate education resources, visitors can become knowledgeable stewards of the area and promote a sustainable future for our rocky shores.

This strategy encompasses a broad view of the entire coast to provide a larger ecosystem context for meeting local management needs and setting priorities for action. A coastwide ecosystem context is important due to the inherent interconnection between sites on the Oregon coast, as well as throughout the Pacific Ocean. The management and use of one site can affect the ecological function and resiliency of another site. This requires management actions to be scale-dependent with applications ranging from site level, to the regional or coastwide scale.

3. Rocky Shore Uses

Due to the vast diversity of rocky shore activities and their variation based on ecological zone, this section only offers a summary of human uses within rocky intertidal areas and may not be applicable to rocky subtidal regions.

a. **Cultural Significance**

Oregon's rocky shores are home to a unique cultural landscape with a history long predating European settlement. Archeological studies have found many ancestral tribal villages dating back 6,000 to 7,000 years, with experts estimating tribal settlement of the coast nearly 15,000 years ago. This legacy is connected to place and many rocky areas along the coast harbor a special meaning to past and present tribal communities. Much like mudflats in estuaries, some rocky habitats were also found to be easily accessible areas where resources could be gathered predictably. Additionally, Oregon's rocky shores have provided locations for ceremony, traditional cultural practices, and general sense of identity. The Rocky Shores Management Strategy cannot begin to appropriately summarize the rich lineage of tribal nations use of the coast and traditional connection to rocky shores. Tribal nations should be contacted to learn more about the individual cultural history surrounding these areas.

Modern day Oregonians as well as out of state visitors continue to be attracted to the dynamic rocky habitats along the coast. These areas provide a variety of opportunities for different onlookers including tidepooling, SCUBA diving, harvesting, and wildlife viewing. These activities often provide a window into the sea where onlookers can learn firsthand about the exotic marine life hiding just below the water's surface. Even for those visitors unable to leave the road, Oregon's rocky shores are often visually accessible from Highway 101, which runs parallel to much of the Oregon coast allowing drivers to easily gain a sense of the inspiring views. Regardless of activity, visitors quickly find a place-based connection to the coastline and its diverse habitats and organisms, which has helped to shape Oregon's unique coastal culture.

Overall, the rocky shore cultural landscape is one of tradition, recreation, discovery, inspiration, and scientific research. This strategy intends to honor the cultural significance surrounding rocky shore resources and to respect traditional uses in consultation with tribal nations.

b. Recreation

Rocky shore areas account for millions of visits to the Oregon coast annually. More commonly known by the public for their tidepools, Oregon's rocky shores are a tremendous resource for recreation, exploration and hands-on, field-based learning. Like Oregon beaches, access to these coastal resources is critical to the identity of Oregonians. With ecotourism and experience-based vacations becoming more popular, the number of visitors to the rocky shore continues to increase as does the potential ecological impacts of recreation. This strategy recognizes recreation on the near rocky shores is critical to Oregonians and coastal economies; and, that those activities must be appropriately managed to balance the preservation and stewardship of these important resources. The strategy further recognizes that it is the diversity of flora, fauna, and challenging fishing that drives this strong recreational interest, supporting the need for a balanced approach.

Offshore rocky reefs contain some of Oregon's premier recreational fishing grounds in the Territorial Sea. Recreation fishers primarily target various rockfish species, lingcod, and cabezon on offshore reefs. Oregon's recreational charter boat industry also depends on healthy fish populations on these reefs. In addition to providing a recreational resource, these fisheries are essential to the coastal economy.

c. Research & Monitoring

Sound information is necessary to prepare, carry out, and evaluate management programs. Oregon's rocky shores have long provided a location for scientific discovery and research. Research at rocky shore sites has improved our understanding of marine environment and illuminated some of the defining ecological principles of the marine ecosystem. Long term monitoring at rocky shore sites has allowed us to better

understand coastal ecosystems, and observe changes from natural and human-caused events, including changes related to climate change.

This strategy recognizes that the key to effective assessment and adaptive management is active, responsive research and monitoring programs. The strategy encourages additional support for existing research and monitoring programs as well as the development of new programs capable of detecting and responding to rapidly emerging challenges.

d. Education

Rocky shores provide a window into the marine environment that most people, other than SCUBA divers or fishermen, will never encounter. For many, this is the first and sometimes only place that they may encounter the rich biodiversity of the Pacific Ocean. Providing a living classroom like no other marine ecosystem can, the rocky shores inspire a sense of wonder and spark curiosity in children and adults alike.

The Oregon coast has long supported the educational mission of schools, aquariums, universities, and life-long learners. Rocky shore habitats are living laboratories which host a suite of these institutions throughout the year. These educational programs directly aid in the appropriate management of the diverse and fragile rocky shore system by instilling a sense of knowledge and stewardship in all who visit.

An informed citizenry with a strong connection to and sense of personal stewardship of the resource will be the most effective means of managing, protecting, and conserving Oregon's rocky shore resources. The strategy supports education and interpretation initiatives that increase awareness of and engagement with marine resources.

Overall, this strategy recognizes that to meet growing usage and impact issues in rocky-shore areas, a robust, coast-wide awareness and engagement strategy is essential. This strategy encourages additional support for existing education and interpretation programs as well as the development of new programs as necessary.

e. Commercial Uses

Oregon's offshore rocky reefs support vibrant commercial fisheries. The primary commercial fisheries occurring on offshore reefs in the Territorial Sea include the nearshore groundfish fishery and sea urchin fishery. The nearshore groundfish fishery targets a number of rockfish species, kelp greenling, cabezon as well as other rocky reef species. Fishermen sell the fish to both live fish and fresh fish markets. A number of other commercial fisheries occur in the Territorial Sea, but not necessarily on rocky reefs, including Dungeness crab, salmon, trawl-caught groundfish, and sardine. Commercial fisheries occurring in the Territorial Sea and beyond have long been an integral part of the fabric of Oregon coastal communities and are critical to Oregon's coastal economy.

In contrast to the use of offshore rocky areas for commercial fishing, commercial harvest in rocky shoreline areas has historically focused around invertebrate fisheries, with mussels being the most common commercial species over the past 30 years. Past commercial harvest has also included sea stars and other invertebrates for gift shops and the aquarium trade. Total harvest of invertebrates in rocky shoreline areas has decreased dramatically from 20,000 – 40,000 pounds per year in the early 1990s to <100 - 1800 pounds per year since 2010. This strategy recognizes that adapting global markets and changing environments may ignite interest in the development of more substantial commercial ventures in these habitats. For example, recent interest in gooseneck barnacle harvest has initiated discussion of the needs required to manage a sustainable commercial fishery. Impacts of commercial harvest of rocky shoreline species or use of the rocky shore requires an extensive understanding of potential risks and impacts to the ecosystem as a whole.

C. Rocky Shores Management

1. Statewide Land Use Planning Goal 19

Oregon's land use planning is founded on 19 Statewide Planning Goals. These goals express the state's policies on land and sea use related topics. Goals 16-19 address marine influenced environments, with Goal 19 focusing on ocean resources (Appendix F). In addition to addressing matters such as dumping of dredge spoils and discharge of waste products into marine waters, Land Use Planning Goal 19 frames management of rocky shore habitats and specifies that agency action regarding resources in the territorial sea "shall be developed and conducted to conserve the long-term values, benefits, and natural resources of the nearshore ocean and the continental shelf."

2. Agencies & Governments

a. Federal Agencies

- **U.S. Fish and Wildlife Service (USFWS)** is in charge of managing several National Wildlife Refuges and enforcing fish and wildlife laws. It is jointly responsible for enforcing the Endangered Species Act (ESA) and Marine Mammal Protection Act (MMPA) with the National Oceanic & Atmospheric Administration. The list of endangered and threatened species can be found online. National Wildlife Refuges (NWR) along the coast include the Oregon Islands NWR including all offshore islands in Oregon's Territorial Sea along with several mainland portions: Coquille and Crook Points, Three Arch Rocks NWR, and Cape Meares NWR.

- **The National Oceanic and Atmospheric Administration (NOAA).** Multiple offices within NOAA have a role in coastal and rocky shore management in Oregon. Primarily, this includes NOAA Fisheries and NOAA's Office for Coastal Management. NOAA Fisheries (also known as the National Marine Fisheries Service or NMFS) is in charge of fisheries management as well as being jointly responsible for implementation of both the ESA and the MMPA with USFWS. In Oregon's marine environments, NOAA Fisheries is the agency primarily responsible for activities related to marine mammal species and their habitats including the pinnipeds that rest on Oregon's rocky shores. NOAA's Office for Coastal Management (OCM) is responsible for implementation of the National Coastal Zone Management Program, providing annual funding, federal consistency authority, technical and policy assistance, as well as access to a variety of data, tools and training.
- **Bureau of Land Management (BLM)** owns and manages public lands throughout the state, including some that front Oregon's rocky shorelines, primarily Yaquina Head Outstanding Natural Area (YHONA).
- **USDA Forest Service (USFS)** owns and manages public lands in national forests and grasslands throughout the state, including several large forests (Rogue River, Siskiyou and Siuslaw) within the coastal zone and one that fronts the coast, the Siuslaw National Forest, home to Cape Perpetua Scenic Area and Cascade Head Scenic Research Area.
- **Environmental Protection Agency (EPA)** is responsible for developing and enforcing environmental laws to protect human health and the environment, such as the Clean Water and Clean Air Acts. The EPA also conducts environmental research to further its mission of protecting human health and the environment, as well as promoting education, volunteer efforts and offering financial assistance to state-level environmental programs.

b. State Agencies

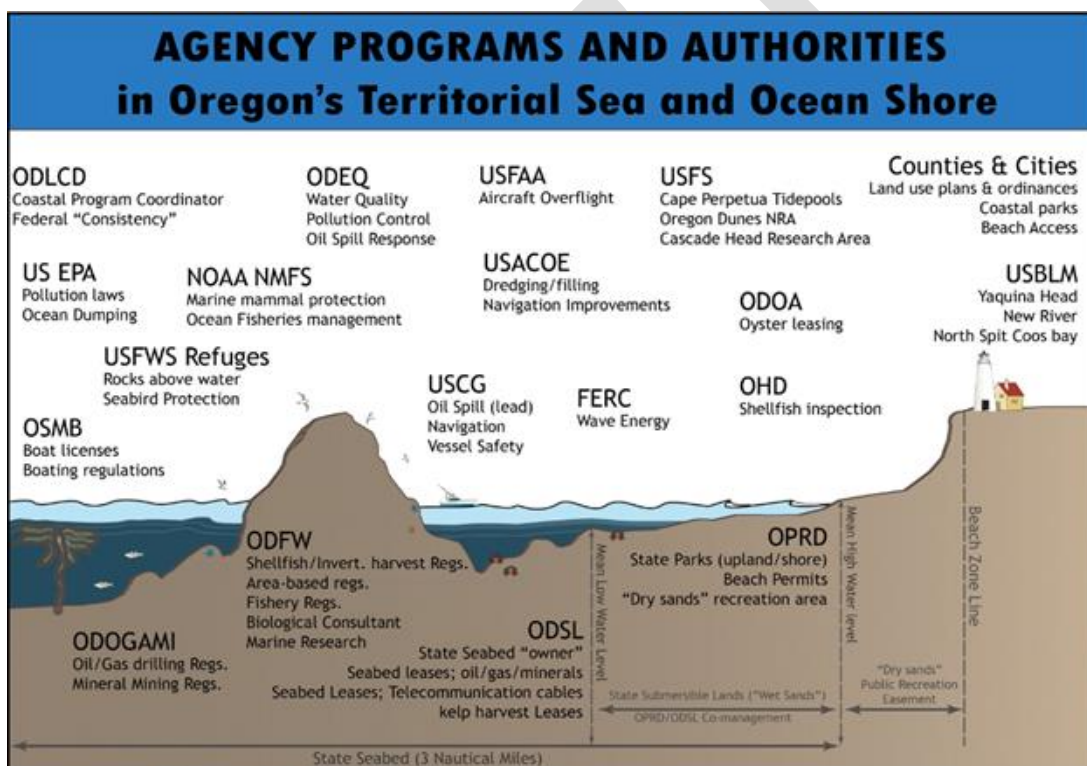
- **Oregon Parks and Recreation Department (OPRD)** has two main roles in managing areas within Oregon's coastal zone. The first is as a landowner. OPRD manages more than 70 parks, waysides, and other facilities along the coast that offer shoreline access. The second is the agency's statutory authority for managing Oregon's ocean shore recreation area. The "ocean shore" is defined as the land lying between extreme low tide of the Pacific Ocean and the statutory vegetation line or the line of established upland shore vegetation, whichever is farther inland, and does not include estuaries (ORS 390.605). Within the Ocean Shore Recreation Area, OPRD issues ocean shore alteration permits, including those for shore protective structures (e.g., riprap), natural product removal use permits and scientific research and collection permits. OPRD developed the

Ocean Shore Management Plan for this area. OPRD is responsible for protecting a variety of natural and cultural resources, managing many shoreline uses, and providing public access, recreational facilities, and recreational opportunities.

- **Oregon Department of Fish and Wildlife (ODFW)** manages fish and wildlife. It implements fish and wildlife laws and programs (including recreational and commercial fishing rules), issues scientific collection permits, and advises other agencies on biological issues. ODFW also manages seven intertidal marine gardens, six research reserves, one habitat refuge (OAR 635-011-0100), and five marine reserves with nine associated marine protected areas (ORS196.540 – 196.555)
- **Oregon Department of State Lands (DSL)**. DSL has jurisdiction over the submerged and submersible land of the territorial sea. DSL has both proprietary ownership and regulatory responsibilities within the territorial sea. DSL authorizes uses of the seafloor, including placement of submarine cables, installation of wave and wind energy devices and research equipment, kelp removal, and the placement of other structures. DSL also administers Oregon's removal-fill law which governs the removal, fill, and alteration of sediments, rock, and other materials comprising the submerged and submersible land underlying the territorial sea (SB11, 1999). Additionally, DSL has rules that designate marine reserves and MPA's. See the jurisdictional figure below for spatial context.
- **Oregon Department of Land Conservation and Development (DLCD)** houses the state's Ocean and Coastal Management Program (OCMP). It ensures that projects from the federal to local level are consistent with the state's federally-approved Coastal Zone Management (CZM) program, which includes the 19 statewide planning goals. In partnership with several other organizations, DLCD has developed Oregon's Coastal Atlas, which has information on rocky shores and other coastal areas in Oregon. OCMP is also the main staff agency supporting the Ocean Policy Advisory Council.
- **Oregon Department of Environmental Quality (DEQ)** has authority for protecting water and air quality in Oregon's Territorial Sea, including oil spill prevention and response, and enforcing laws such as the Clean Water Act.
- **Oregon Marine Board (OSMB)** regulates boating activity within the territorial sea.
- **Oregon State Police (OSP)** enforces fish and wildlife regulations and other state environmental laws and rules.

c. Oregon's Coastal Tribes

While many tribes claim ties to areas along the Oregon Coast, federally recognized tribal nations within the states coastal zone include the Confederated Tribes of Coos, Lower Umpqua & Siuslaw, the Coquille Indian Tribe, the Confederated Tribes of Siletz Indians, and the Confederated Tribes of the Grand Ronde Community of Oregon. Oregon's federally recognized tribes are each their own sovereign government and have treaty-protected gathering rights, consent decrees, and other legal mechanisms that shall be respected (in consultation with the tribes as appropriate) when making any resource management decision. Additionally, it may be appropriate to expand definitions of cultural sites to include all those that have associated traditionally used resources, such as gathering sites.



[All graphics will be updated prior to public comment]

3. Rules & Regulations

Much like Oregon's diverse coastal ecosystems, the associated rules, regulations, and authorities governing the use of rocky shore resources are also complex in nature. This section includes a brief description of the primary coastwide and site-based state and federal rules and regulations regarding Oregon's rocky shore habitats.

The site management goals and recommendations in Section D should not be confused with applied agency management designations. Instead, the intent of this strategy is

that agencies will work towards implementing the site management recommendations outlined in the strategy.

*An exhaustive description of all of the regulations is beyond the scope of this plan; instead, this section offers a summary of current regulations and management measures enforced within Oregon's rocky shore habitats with references to more detailed materials.

a. Coastwide Rules and Regulations

[Specific OARs will be referenced and hyperlinked in this section where applicable.]

i. Marine Fish and Invertebrate Harvest

The ultimate goal of managing fish and invertebrate harvest is to allow for public use and enjoyment of these resources while ensuring their long-term sustainability. Oregon Department of Fish and Wildlife (ODFW) manages marine fish and invertebrates through a program of harvest or take regulations, area closures, collection of research and monitoring data to determine species or habitat status, and recommending habitat protections to permitting or land management agencies. This section provides a general summary of the regulatory aspects of management that were in place as of May 2019. Refer to [Oregon Administrative Rules Chapter 635](#) for a full listing of the regulations.

Managing species harvest employs multiple layers of regulations tailored to the purpose, species, and area of harvest. Separate sets of regulations apply to sport (recreational) harvest, commercial harvest, and take for scientific or educational purposes. ODFW draws on a suite of tools to accomplish management goals including license and permit requirements, limiting participation in fisheries, restrictions on harvest gear or methods, limits on catch (annual or seasonal quotas, trip limits, daily bag limits, etc.), size or sex restrictions, seasonal closures, and area closures. ODFW applies these tools singularly or in combination depending on the species, area, fishery, and many other factors. For some species, harvest regulations may remain constant for years, while for others, regulations change on an annual or shorter timeframe. The summaries below focus on ODFW harvest regulations that are most germane to the rocky shoreline environment.

Sport Harvest of Marine Fish and Invertebrates

Marine sport fishery regulations apply to the Pacific Ocean, coastal bays, and beaches. An angling (fishing) license is required to take and land marine fish, including halibut, lingcod, rockfish, flounder, surfperch, greenling, cabezon, sole, salmon, and others. Special tags are required for some species. A shellfish license is required for recreational harvest of shellfish and other marine invertebrates.

Management of sport harvest in Oregon's rocky shores relies primarily on the rules and regulations placed on daily catch limits (bag limits), type of equipment or harvest

method used, seasons, and area closures. ODFW's Oregon Sport Fishing Regulations and supplemental materials, available at license sales locations or on the ODFW website, provide details of the regulations.

Commercial Harvest of Marine Fish and Invertebrates

Commercial fisheries management employs a wide array of regulations, many of which are specific to the individual fishery. Commercial fisheries most likely to occur in Oregon's rocky intertidal and adjacent subtidal areas include intertidal invertebrate harvest, subtidal harvest of urchins and some other invertebrates, harvest of nearshore fish species, and a sporadic and small-scale harvest of fish in intertidal areas for the aquarium trade.

Harvest of intertidal invertebrates requires a Commercial Shellfish Harvest Permit or Intertidal Animal Harvest Permit, in addition to other licenses that are required of a commercial fisher. These permits contain standard language indicating areas closed to commercial harvest, and ODFW has the authority to place additional requirements on the permit concerning allowable species, seasons, harvest areas, catch limits, and harvest gear and techniques.

Management of subtidal fisheries varies by species. For invertebrates, species such as urchins, Dungeness crab, and pink shrimp are controlled with longstanding limited entry systems along with a myriad of other regulations. Commercial urchin harvest is not allowed in waters shallower than 10 feet, so there is no commercial urchin harvest in rocky intertidal areas. There are also seasonal urchin harvest closures on Orford Reef and around Pyramid Rock on Rogue Reef. Harvest of subtidal invertebrate species not regulated with a limited entry program or other specific regulations are subject to the Commercial Shellfish Harvest Permit described above. Management of fish species caught in subtidal environments includes a complex array for regulations set both regionally by the Pacific Fishery Management Council and by the West Coast states.

ii. Marine Plant Harvest

The removal of natural products, including plants from the ocean shore state recreation area (otherwise known as the "ocean shore," the area between extreme low tide and the line of vegetation) is prohibited by law except in compliance with regulations of the Oregon Parks and Recreation Department (OPRD) ([ORS 390.705](#)).

There are no permits required for the souvenir collection of marine plants on the ocean shore; however, OPRD has rules that apply to collection and that defines and restricts souvenir collection in protected areas ([OAR 736-021-0090](#); [736-029-0010](#)). Commercial harvest on the ocean shore is uncommon and regulated under ocean shore alteration permit requirements outlined by [ORS 390.725](#) and OAR Chapter 736 Division 20. Below extreme low tide removal of marine plants is regulated under [ORS 274](#), and administered by the Division of State Lands (DSL). Individuals may harvest up to 2000

pounds of wet kelp per year for personal consumption from submerged lands (below extreme low tide) within the Territorial Sea without a lease from DSL (ORS 274.895).

iii. Rocky Shoreline Access

The ocean shore is, by law, a public recreation area, managed by the Oregon Parks and Recreation Department (OPRD) who is charged with preserving and maintaining the public's free and uninterrupted use of Oregon's shoreline ([OAR 736-021](#)). In addition, OPRD is also mandated to manage the Ocean Shore area for the preservation and protection of recreational uses and natural resources. To achieve the goal to preserve and protect the recreational uses and natural resources on the Ocean Shore, OPRD has the legislative authority to regulate certain activities and "improvements" within its jurisdiction between extreme low tide and the line of vegetation. Such regulation of uses or activities may result in certain restrictions in response to safety or resource concerns. These regulations may restrict construction of shoreline protection structures, beach accesses, pipelines and conduits, signage, removal of natural products, and other issues that may have an impact on the Ocean Shore. ([OAR 736](#))

b. Site-Based Regulations

i. State Site Designations

Marine Gardens

ODFW has designated seven Marine Gardens in rocky intertidal areas along the coast. ODFW's regulations in these areas protect the rocky intertidal invertebrate community from harvest impacts ([OAR 635-005-0260](#)). Currently ODFW designated Marine Gardens include:

Site Name	Town/City, County
Haystack Rock	Cannon Beach, Clatsop County
Cape Kiwanda	Pacific City, Tillamook County
Otter Rock	Otter Rock, Lincoln County
Yaquina Head	Agate Beach, Lincoln County
Yachats	Yachats, Lincoln County
Cape Perpetua	Lincoln County
Harris Beach	Brookings, Curry County

Marine Gardens are closed to the take of marine invertebrates with two exceptions: single mussels may be taken for bait, and razor clams (a sandy beach species) may be taken at Cape Perpetua. The Cape Perpetua Marine Garden has some small stretches

of sandy beach among the rocky areas where razor clams can be harvested without affecting rocky habitat areas. Sport fishing is allowed in and from Marine Gardens, while commercial harvest of invertebrates is prohibited. No collection of marine plants is allowed within the ocean shore in these areas, except by scientific research permit from OPRD. These regulations may differ in areas where Marine Gardens overlap with Marine Reserves or Marine Protected Areas (Section E.2.b)

Research Reserves

ODFW has designated Research Reserves in both rocky intertidal areas and subtidal areas. ODFW’s Research Reserve regulations vary by site and are designed to limit sport harvest of most invertebrate species and manage scientific/educational take through a permit program ([OAR 635-005-0260](#); Section E.3.). The designated Research Reserves include:

Site Name	Town/City, County
Boiler Bay (intertidal only)	Depoe Bay, Lincoln County
Pirate Cove (intertidal and subtidal)	Depoe Bay, Lincoln County
Neptune State Park (intertidal only)	Florence, Lane County
Gregory Point (subtidal only)	Charleston, Coos County
Cape Arago (intertidal only)	Charleston, Coos County
Brookings (intertidal only)	Brookings, Curry County

At most intertidal-only research reserves, sport harvest of most invertebrate species is closed. However, harvest of abalone¹¹, clams, Dungeness crab, red rock crab, mussels, piddocks, scallops, and shrimp is allowed. The regulations divided Cape Arago into three zones (Areas A, B, and C – North to South); Area B employs the research reserve regulation described above, while Areas A and C prohibit take of all marine invertebrates. Pirate Cove and Gregory Point research reserves are close to the take of all marine invertebrates. Sport fishing is allowed in research reserves, while commercial harvest of invertebrates is prohibited. No collection of marine plants is allowed within the ocean shore in these areas, except by scientific research permit from OPRD. These regulations may differ in areas where Research Reserves overlap with Marine Reserves or Marine Protected Areas (Section E.2.c).

Habitat Refuge

¹¹ All abalone harvest was closed coastwide for at least a 3-year period beginning in 2018 due to population concerns. As of the date of this document, it is not known if and when harvest will re-open.

ODFW has designated one Habitat Refuge on the coast, the intertidal and subtidal areas of Whale Cove in Lincoln County. ODFW’s regulations at Whale Cove prohibit harvest of both marine invertebrates and fish ([OAR 635-005-0260](#)). No collection of marine plants is allowed within the ocean shore in these areas, except by scientific research permit from OPRD ([OAR 736-020-0003](#)).

ii. Marine Reserves and Protected Areas

There are five Marine Reserves designated in Oregon, four of which have one or more associated Marine Protected Areas (MPAs). All of the Marine Reserves contain subtidal habitat and four of the Marine Reserves contain rocky intertidal habitat. ([OAR 635-012](#))

The Marine Reserves include:

Site Name	Town/City, County
Cape Falcon (subtidal and rocky intertidal habitat)	Tillamook and Clatsop Counties
Cascade Head (subtidal and rocky intertidal habitat)	Tillamook County
Otter Rock (subtidal and rocky intertidal habitat)	Otter Rock, Lincoln County
Cape Perpetua (subtidal and rocky intertidal habitat)	Lincoln County
Redfish Rocks (subtidal habitat only)	Port Orford, Curry County

ODFW’s regulations for Marine Reserves prohibit the take of fish and invertebrates. ODFW’s regulations for its nine MPAs vary by site and can be found in [OAR 635.012](#). Only two MPAs have regulations that materially affect rocky intertidal areas: Cascade Head North MPA and Cape Perpetua North MPA. Regulations pertaining to rocky intertidal areas of Cascade Head North MPA and Cape Perpetua North MPA prohibit take of fish from shore and prohibit take of invertebrates except crab. The regulations may differ where the MPAs overlap with Marine Gardens and Research Reserves (Section E.2.c).

iii. Areas of Overlap between Designations

There are some rocky intertidal areas where Marine Reserves or Marine Protected Areas (MPA) overlap with Marine Gardens or Research Reserves. ODFW designated Marine Gardens and Research Reserves in years prior to designating Marine Reserves, and their designations were for different purposes. Even though many of the regulations are redundant in areas of overlap, ODFW chose not to change the status or rescind the underlying Marine Gardens and Research Reserves in favor of the newer Marine Reserve regulations because the longevity of the Marine Reserve designations is not known. The Oregon Legislature will evaluate Marine Reserves in 2023, with an option of maintaining, changing, or removing designations. Maintaining the Marine Garden

and Research Reserve designations in areas of overlap ensures that these long standing rocky intertidal area protections will remain should the overlying Marine Reserve or MPA designations be removed.

Areas of overlap include:

- partial overlap between the Otter Rock Marine Garden and Otter Rock Marine Reserve
- partial overlap of the Yachats Marine Garden and Cape Perpetua North MPA
- partial overlap between the Cape Perpetua Marine Garden and Cape Perpetua North MPA
- partial overlap between the Cape Perpetua Marine Garden and Cape Perpetua Marine Reserve (note, sandy beaches are not in the Marine Reserve)
- complete overlap of the Neptune State Park Research Reserve and the Cape Perpetua Marine Reserve (note, sandy beaches are not in the Marine Reserve)

The general interpretation of rules in areas of overlap is that the more stringent regulation (by species) applies. For example, the Otter Rock Marine Garden allows fishing and taking single mussels for bait. The Otter Rock Marine Reserve does not allow any take; therefore, the more stringent marine reserve regulations (i.e., no take) apply for those species where the two areas overlap. For a full detailed description of Marine Reserves and Marine Protected Areas rules and regulations visit <http://oregonmarinereserves.com/>.

iv. **Federal Laws and Regulations**

Threatened and Endangered Species

Endangered Species Act ([16 USC 1531-1543](#))

A number of bird and mammals species that use Oregon's rocky shore areas, either as residents or when migrating, are protected as threatened or endangered species under federal law. The [U.S. Fish and Wildlife Service: Environmental Conservation Online System](#) should be consulted for the most up to date list of listed species, and consult with USFWS and NMFS as appropriate.

Federal regulations prohibit the unauthorized "taking" of any species listed by federal regulation as "threatened" or "endangered." The term "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct. These federal regulations determine the protection standards for these animals or plants even when they occur in state waters. Federal regulations authorize the designation of "critical habitat" for threatened or endangered species that can have consequences for human activities within or adjacent to such designated areas.

National Wildlife Refuge System/National Wilderness System

National Wildlife Refuge System Administration Act ([16 USC 668dd-668ee](#)) and Oregon Islands National Wildlife Refuge; Wilderness Act ([16 USC 1131-1136](#))

Almost all the rocks and islands along the Oregon coast are in the Oregon Islands National Wildlife Refuge, Three Arch Rocks National Wildlife Refuge, or Cape Mears National Wildlife Refuge, which are administered by the U.S. Fish and Wildlife Service. There are extensive regulations for managing these rocks and islands under many different laws. The chief regulations of interest for rocky shores relate to prohibiting trespass (no climbing or landing on), or harassing wildlife, whether intentional or unintentional. In addition, the operation of unmanned aircraft (i.e. drones) is illegal on refuge islands. Most rocks under National Wildlife Refuge System jurisdiction are also in the Oregon Islands Wilderness designated by Congress.

Migratory Species

Migratory Bird Conservation Act of 1929 ([16 USC 715-715r](#)) and Migratory Bird Treaty Act of 1918 ([16 USC 703-712](#))

Oregon's rocky shores are habitat for many migratory species that are covered under federal law, including the Migratory Bird Conservation Act of 1929 and the Migratory Bird Treaty Act of 1918. Thus, these habitat areas are of interest not just to the State of Oregon or the United States but to other nations, too. Federal regulations protecting migratory species are an important part of Oregon's rocky shore management.

Marine Mammals

Marine Mammal Protection Act ([16 USC 1361-1407](#))

Several species of marine mammals make Oregon's rocky shores their home for all or part of the year. All these mammals are protected under federal law, the Marine Mammal Protection Act. Under this law it is unlawful to "take" a marine mammal; this means that it is unlawful to harass, hunt, capture, or kill, or attempt to do these things to any marine mammal.

v. Boating/Closure Areas

The State Marine Board has authority to adopt regulations for boating activity in state waters. The Marine Board has adopted regulations ([OAR 250-20-309](#)) to establish a seasonal boating closure around Three Arch Rocks to protect wildlife.

c. Scientific and Educational Permitting

Oregon Department of Fish and Wildlife (ODFW) and Oregon Parks and Recreation Department (OPRD) administer permitting programs for scientific research and education programs proposing projects in the rocky shore. ODFW scientific research

permits are required for any project proposing the take of marine organisms for scientific or educational purposes. An OPRD permit is necessary for any project proposed to take place on lands owned and managed by the department and is required for activities pertaining to natural and cultural resources involving the collection and take of organisms. Take can include actions that cause mortality of the organism, capture and release (regardless of whether or not there is mortality), and tagging and release. In some cases, observation of organisms can also require the take permit, but this applies mostly to wildlife or listed threatened or endangered animals where observational studies can disturb the organisms.

Both programs requires permittees to submit documentation prior to the beginning and after the conclusion of projects. Departmental websites should be consulted for a full description of permitting rules and requirements.

Additional permits may be required by state or federal agencies based on the proposed activity and location. Users are encouraged to contact local site authorities to determine appropriate permitting.

d. Rapid Response

The dynamic and unique features that make the Oregon Coast most memorable also present many challenges to managing disaster and threat response. An extreme wave climate and low accessibility can hamper response attempts, while the interconnectivity of marine ecosystems allows for accelerated spread of potential issues. Due to this complex nature, this strategy recognizes that no single plan or method may be appropriate for responding to all events. Therefore, to best respond to sudden and unforeseen events, agencies and stakeholders shall coordinate individual response plans to imminent threats and impacts to rocky shore areas in a timely manner once recognized¹².

Two key factors to successful threat mitigation is early detection and rapid deployment of response efforts. Sustained monitoring should follow these efforts to track the threat and any recovery or changes that may have occurred in the environment. Foreseeable threats to the rocky shore should be discussed and preemptively planned for by agencies. Early detection can greatly reduce the overall damage caused by a threat and potential cost in combatting it.

Oregon's rocky shore are not unfamiliar to expeditious onsets of threats, all of which could have benefitted from greater coordination in rapid response. Beginning in 2013, an outbreak of sea star wasting syndrome substantially impacted sea star populations in Oregon and along the West Coast. The impacts of this sudden decline in sea star

¹² Agency action prior to rapid response planning may be required to assure immediate safety of life and resources.

populations has led to substantial and persistent impacts to the rocky intertidal ecosystems along the west coast that are still being studied and actively monitored by a number of institutions. More commonly, rocky shore habitats must combat sudden onsets of marine debris washing ashore into intertidal areas. In these instances, a more general plan may be created to determine appropriate removal and jurisdiction.

i. Oil Spill Response Planning for Oregon's Rocky Shores

Oil spill response planning in Oregon is the responsibility of both the Oregon Department of Environmental Quality (DEQ) and facilities that store, transport, or process large amounts of oil products. Vessels and facilities have their own plans for stopping spills before they can spread. Oregon DEQ regulates these facility plans and also develops plans for areas that contain many potential sources of oil spills or that are especially vulnerable to harm from oil spills. The Oregon Coast is one such area. Updated oil spill response plans released by DEQ in 2019 provide new strategies for the containment and collection of spilled oil in the Oregon coastal region. These strategies intend to keep oil away from sensitive natural, cultural, historic, and socioeconomic resources. Where possible, these oil spill response plans for the coast will include strategies to protect rocky shore areas for the species that live there and the people who visit them. These plans include information for notifying resource managers and effected facilities when spills happen. View DEQ [web resources](#) for more information on DEQ's work to update the coastal oil spill response plans.

e. Ecosystem Based Management

This strategy intends management to be adaptable to changing information and conditions with the goal of maintaining long term ecosystem viability and sustainability. To do this, management prescriptions shall be applied following principles of ecosystem based management (EBM). Although EBM is an ever-evolving concept, the general principles and takeaways have been agreed upon since the 1970's. This interdisciplinary framework considers ecosystem connections, coupled social ecological influence, system uncertainty, adaptive and integrative management, stakeholder involvement, and sustainability, all using the integration of scientific knowledge and appropriate monitoring¹³. More broadly, ecosystem-based management is a holistic management approach informed by science and monitoring, which managers use to better consider the tradeoffs in resource uses and protections in order to sustain biodiversity and productivity in a system¹⁴. The adaptive component of EBM is comprised of a suite of flexible strategies and tools that can be applied where

¹³ Long, R. D., Charles, A., & Stephenson, R. L. (2015). Key principles of marine ecosystem-based management. *Marine Policy*, 57, 53-60.

¹⁴ National Oceanic and Atmospheric Administration (NOAA), Ecosystem Based Management Chore Characteristics; <https://ecosystems.noaa.gov/EBM101/WhatIsEcosystem-BasedManagement.aspx>

uncertainty exists. This management structure can be altered based on the intricacies of an issue.

This plan contains no direct prescriptions for applying EBM into the management of rocky shore resources. Instead, the key principles and elements of EBM have been woven into each section of the Rocky Shores Management Strategy, and as additional scientific knowledge and monitoring takes place, agencies shall incorporate best practices into site based management prescriptions and actions. Additionally, this strategy supports-

- a) Continued update and refinement of the coastwide rocky shores resource inventory using information from ongoing scientific research and monitoring.
- b) Regional communication and collaboration with coastal partners including California, Washington, British Columbia, and Alaska in order to appropriately manage and understand larger ecosystem events and trends;
- c) Ongoing inventory and monitoring of rocky shore ecosystems and organism populations to quickly account for variations and adapt management accordingly;
- d) Increasing understanding of rocky shore ecosystems through scientific study and gathering of local ecological knowledge;
- e) Incorporation and growth of monitoring activities to support best management measures for ecosystem sustainability and use. Scientific study and monitoring should be implemented through a diversity of forms based on level of information, cost, and frequency of need.

Oregon's rocky shore environment lends itself well to EBM due to its inherent complexities, vulnerabilities, and interconnection with land, sea, and society. Without the use of an applied and adaptable management system, rocky shore habitats cannot be properly managed and sustained for future generations.

Acknowledgement – Ocean Current section reviewed for accuracy by George Waldbusser (Oregon State University).

D. Rocky Shore Site Inventory & Site Recommendations

[Phase 2 of update - Site designation, context, characterization, history, trends, and recommendations]

a. Site Recommendation Guide

[Phase 2 & 3 of work plan (drafted April, 2019-November, 2019): Designation/recommendation categories explained; summary list of sites by recommendation category.]

Appendices in Separate Document

Oregon Parks and Recreation Commission
April 16, 2019

Agenda Item: 10b

Information

Topic: Procurement Report

Presented by: Daniel Killam, Deputy Director of Administrations

The attached report includes:

- 1 New agreement for a total of \$1,500
- 11 New contracts for total of \$552,236
- 14 Amendments for a total of \$377,757

Action Requested: None.

Attachments: Procurement Report

Prepared by: Sarah Santos

OREGON PARKS AND RECREATION DEPARTMENT

**Procurement Report
January - February 2019**

Executed	Contractor	Location	Project	FIP	Original Contract \$	Current Amend-ment	Amend-ments To Date	Current Contract Value	Comments
GOODS AND/OR SERVICES CONTRACTS									
01/07/19	Billeter Marine, LLC	Nehalem Bay State Park in Tillamook County	Dune grading		\$37,179			\$37,179	New Contract
02/28/19	Maksimum Inc.	Joseph H. Stewart State Recreation Area and Tou Velle State Recreation Site in Jackson County	Law enforcement services		\$36,872	\$17,137	\$17,137	\$54,009	Amendment 2 increases funding to allow continuation of services.
02/12/19	Northside Ford Truck Sales	Willamette Mission State Park in Marion County	Ford F350 Chassis Cab and Dump bed truck		\$30,856			\$30,856	New Contract
02/01/19	Northside Ford Truck Sales	Willamette Mission State Park in Marion County	Ford F350 Truck for the ATV Program		\$34,648			\$34,648	New Contract
PERSONAL SERVICES CONTRACTS									
01/22/19	Concessions Hospitality Management Government Services	Statewide	Concession program analysis and consultation		\$149,736	\$0	\$0	\$149,736	Amendment 2 reallocates budget among phase 2 tasks.
PUBLIC IMPROVEMENTS CONTRACTS									
01/09/19	R & G Excavation, Inc.	Beverly Beach State Park in Lincoln County	Water Treatment Plant Replacement	X	\$504,590	\$0	\$155,166	\$659,756	Change Order 4 extends completion date. No additional cost items added.
01/10/19	Waste Equipment Sales & Service, Inc.	Beverly Beach State Park in Lincoln County	Trash Compactor Purchase and Installation		\$53,995			\$53,995	New Contract
01/22/19	Pleasant Hill Development, LLC	Banks-Vernonia State Trail in Washington County	Manning trailhead upgrades		\$38,900	\$0	\$0	\$38,900	Change Order 1 extends completion date. No additional cost items added.
01/22/19	Farline Bridge, Inc.	Silver Falls State Park in Marion County	Replacement of two vehicle bridges	X	\$796,233	\$96,885	\$62,825	\$859,058	Change order 3 adds additional materials and flagging hours to widen existing roadway to match new bridge width.
01/23/19	LTM Inc. dba Knife River Materials	Humbug Mountain State Park in Curry County	2018 Paving improvements	X	\$409,835	\$228,557	\$228,557	\$638,392	Change Order 1 adds ADA improvements, additional culvert replacement and unit cost adjustments for final payment.
01/28/19	Morello Construction, LLC	Banks-Vernonia State Trail in Washington and Columbia County	Culvert Replacement Project	X	\$91,325			\$91,325	New Contract
01/28/19	ZT Rahcs, Inc	Smith Rock State Park in Deschutes County	Burma trail reroute		\$31,381	\$4,658	\$4,658	\$36,039	Change Order 1 adjusts for actual construction quantities and additional trail construction/demolition treatment methods.
02/07/19	B.B. Smith Heating & A/C LLC	French Glen Hotel State Heritage Site in Harney County	Hotel HVAC Project	X	\$78,640			\$78,640	New Contract
01/29/19	Banzer Construction Co.	Sarah Helmick State Recreation Site in Polk County	Septic System Replacement	X	\$58,660			\$58,660	New Contract
02/12/19	Banzer Construction Co.	Thompson's Mills State Heritage Site in Linn County	Water System and RV Host Site Improvements	X	\$363,415	\$2,763	\$70,241	\$433,656	Change Order 3 extends the completion date and adds pump house flood proofing building code requirements.
02/12/19	Northwest Quality Roofing, LLC	Silver Falls State Park in Marion County	Conference Center Blueberry and Dogwood Lodge Roof Replacements		\$84,537			\$84,537	New Contract
02/21/19	Road and Driveway Co.	East Devil's Lake State Recreation Area in Lincoln County	Parking Lot Repairs	X	\$44,971			\$44,971	New Contract
02/22/19	ZT Rahcs, Inc	Silver Falls State Park in Marion County	South falls trail rehabilitation		\$61,388	\$3,800	\$3,800	\$65,188	Change order 1 modifies the type of rock to used on the project
ARCHITECTURAL AND ENGINEERING SERVICES CONTRACTS									

OREGON PARKS AND RECREATION DEPARTMENT

Procurement Report
January - February 2019

Executed	Contractor	Location	Project	FIP	Original Contract \$	Current Amend-ment	Amend-ments To Date	Current Contract Value	Comments
01/11/19	Quincy Engineering Incorporated	Champoeg State Heritage Area in Marion County	Design of foundation system to support boardwalk for new Ryan Creek Bridge.	X	\$14,358			\$14,358	New contract
01/04/19	Terry Hsu, LLC	Banks-Vernonia State Trail in Washington County	Design a fish passage culvert	X	\$23,067			\$23,067	New contract
02/05/19	Environmental & Engineering Services, Incorporated	Thompson's Mill Heritage Site in Marion County	Design services for water and electrical system:	X	\$16,500	\$0	\$3,000	\$19,500	Amendment 3 reinstates the contract and extends the term.
02/26/19	Quincy Engineering Incorporated	Silver Falls State Park in Marion County	Design of conference center vehicle bridges	X	\$98,951	\$0	\$79,692	\$178,643	Amendment 6 extends the term to incorporate the as-built drawings.
RELATED SERVICES CONTRACTS									
02/07/19	Pacific Groundwater Group	Sitka Sedge State Natural Area in Tillamook County	Hydrological analysis	X	\$149,992	\$23,957	\$27,507	\$177,499	Amendment 4 increases funding for additional tasks and clarifies existing tasks due to unforeseen technical issues.
INTERGOVERNMENTAL AGREEMENTS									
01/02/19	University of Oregon	Lowell State Recreation Site in Lane County	Use of boathouse		\$1,500			\$1,500	New agreement (revenue)
01/24/19	City of Portland	Forest Park in Portland, Multnomah County	Lottery bond sale to complete design and construction of iconic entrance		\$1,500,000			\$1,500,000	Amendment 1 extends time to expend grant funds
01/25/19	Wasco County Sheriff's Office	Lower Deschutes River in Wasco County	Law enforcement services		\$692,500			\$692,500	Amendment 2 extends term date to allow continuation of services.

Oregon Parks and Recreation Commission

2019 PLANNING DATES

January						
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2019 Commission Meetings		
Date	Location	Packet Out
Feb 20 - 21	Independence/Salem	Jan 25
Apr 16 - 17	Silver Falls or Estacada	Mar 22
Jun 11 - 12	Prineville	May 17
Sep 17 - 18	South Coast	Aug 23
Nov 19 - 20	Medford/Ashland	Oct 25

2019 COMMISSION MEETING
Huddle Meetings
Packet Materials DUE!
Agenda & Packet Posted to OPRD Site
MAIL OUT PACKETS
State Holidays
Presentation Material Due/Business Meeting
All Managers Meeting
Leadership Group Meeting
Legislative Days
Legislative Session: January 22nd - June 30th

Revision Date: 01/18/2019