

**Chapter**  
**3**

**Discussion**

**Impact of the Territorial Sea Plan**

The TSP, which is part of the state’s costal management program, describes and designates thirty-nine sites, and suggests management practices for them. Few of the suggestions have been implemented. However, since the TSP was published in 1994, rocky shores protection has increased. Each of the 39 sites is listed in Table 41 below, showing its specially managed status before and after TSP was published.

**Table 42.** Specially managed status of Territorial Sea Plan sites before and after TSP adoption. Key: HR=Habitat Refuge, MG=Marine Garden, NYD=Not yet designated, NWR=National Wildlife Refuge, POA=Permit only Area, PR/R=Priority Rock/Reef, RR=Research Reserve. South Coast sites continue on the next page.

<b>North Coast Sites</b>				
<b>Site Name</b>	<b>Pre-1994</b>	<b>TSP</b>	<b>2005</b>	<b>Change?</b>
Tillamook Head	×	HR	×	0
Ecola Point	×	NYD	×	0
Haystack Rock	MG	MG	MG	0
Cape Falcon	×	NYD	×	0
Three Arch Rocks	NWR	HR (NWR)	NWR	0
Cape Lookout	×	HR	×	0
Cascade Head	×	HR	×	0

<b>Central Coast Sites</b>				
<b>Site Name</b>	<b>Pre-1994</b>	<b>TSP</b>	<b>2005</b>	<b>Change?</b>
Boiler Bay	Intertidal POA	RR	Intertidal RR	0
Pirate Cove	×	RR	Subtidal RR	+
Whale Cove	No harvest research area	HR	HR	0
Otter Crest	MG	MG	MG	0
Gull Rock	NWR	PR	NWR	0
Yaquina Head	MG	MG	MG	0
Seal Rock	×	NYD	×	0
Yachats State Park	×	MG	MG	+
Cape Perpetua	MG	MG	MG	0
Neptune SSV	×	NYD	×	0
Strawberry Hill	Intertidal POA	RR	Intertidal RR	0
Heceta Head	×	NYD	×	0

<b>South Coast Sites</b>				
<b>Site Name</b>	<b>Pre-1994</b>	<b>TSP</b>	<b>2005</b>	<b>Change?</b>
Gregory Point	×	RR	Subtidal RR	+
Sunset Bay	Intertidal POA	MG	Intertidal RR	+
Simpson Reef/N Cove Cape Arago	Intertidal POA and seasonal closure	HR & PR/R	Intertidal RR & seasonal closure	+
Middle Cove Arago	Intertidal POA	RR	Intertidal RR	+
South Cove Arago	Intertidal POA	MG	Intertidal RR	+
Rocks off of Coquille Point	×	HR	×	0
Blacklock Point	×	NYD	×	0
Cape Blanco	×	RR	×	0
Orford Reef	Voluntary seasonal closure	PR/R	Voluntary seasonal closure	0
Redfish Rocks/Island Rock	×	PR/R	×	0
Humbug Mt/Lookout Rock	×	RR	×	0
Sisters Rock/Devil's Backbone	×	NYD	×	0
Nesika Head to Otter Point	×	NYD	×	0
Rogue Reef	Seasonal closure	PR/R	Seasonal closure	0
Crook Pt/Mack Reef	×	HR	USFWS owned & closed to public entry	+
Hooskanaden Cr	×	HR	×	0
Cape Ferrelo	×	HR	×	0
South Boardman SSC	×	NYD	×	0
Twin Rocks/ Goat Island	NWR	PR/R	NWR	0
Harris Beach	Intertidal POA	MG	Marine Garden	+

After the TSP was published in 1994, several areas without *any* prior protections got varying levels of special protection (Table 42). The TSP does not mention Cape Kiwanda, near Pacific City. The site had no designation before 1994. It is now a marine garden. Pirate Cove (near Lincoln City) is now a subtidal research reserve. The area next to Yachats State Park is now a marine garden. Gregory Point (south of Coos Bay) is a subtidal research reserve.

A few areas that had specially managed designations before the TSP have a different designation today. Some of those new designations afford additional protections. All areas next to Sunset Bay, Shore Acres, and Cape Arago State Parks were intertidal permit-only areas before the TSP. They are now research reserves with varying levels of protection. Harris Beach, previously an intertidal permit-only area, is now a marine garden.

**Table 43.** Changes in management designation enacted since adoption of the Territorial Sea Plan.

Site Name	Pre-1994	TSP proposal	2005 designation
Cape Kiwanda	×	Not mentioned	Marine Garden
Pirate Cove	×	Research Reserve	Research Reserve
Yachats SP	×	Marine Garden	Marine Garden
Gregory Point	×	Research Reserve	Subtidal Research Reserve
Cape Arago Headland	Intertidal permit only area	Sunset Bay: MG North Cove: HR Middle Cove: RR South Cove: MG	Sunset Bay: RR, area “A” North Cove: RR, areas “B” & “C” Middle Cove: RR, area “C” South Cove: RR, area “C”
Harris Beach	Intertidal permit only area	Marine Garden	Marine Garden

For most research reserves, the old ODFW designation of “intertidal permit-only area” has changed in name only. Before the TSP, people using these areas were required to have a permit for scientific and/or educational collection of “other marine invertebrates” but not for shellfish. Shellfish include abalone, clams, crabs (Dungeness, Red Rock), mussels, oysters, piddocks, scallops and edible shrimp. These species are off the list of prohibited (permit only) species in most research reserves (Boiler Bay, Neptune State Park, Cape Arago Area B (Shore Acres), and Brookings). Species in Pirate Cove and Gregory Point subtidal research reserves now have more protection, as do species at Cape Arago headland intertidal research reserve areas A (Sunset Bay) and C (north, middle, and south cove) where *no* collection of shellfish or marine invertebrates is allowed without a permit.

Major accomplishments of Oregon Parks and Recreation Department since the TSP was published include:

- OPRD added five seasonal rocky shore interpreters since 2001. OPRD works with BLM annually to train rocky shore interpreters
- The Ocean Shores Management Plan was completed in 2005
- OPRD added three new beach rangers
- OPRD is addressing marine intertidal seaweed management
- OPRD is addressing rocky shores management as part of agency planning processes

Visitor use is likely to continue to increase. It is important for OPRD to take a proactive management approach to protect the rocky shores, not only for recreation, but because rocky shores are vital parts of our unique coastal ecosystems. As OPRD reviews and updates ocean shore administrative rules, considers coastal planning, and looks at budgeting needs, it will be prudent to consider the needs of Oregon’s rocky shores.

Three sets of recommendations follow:

- Overall recommendations for OPRD
- Recommendations for the other agencies with management authority in the territorial sea
- Recommendations included in the Devil’s Punchbowl survey report and the seaweed management report (see Appendices)

#### **Territorial Sea Plan Sites**

- Endorse the TSP site-specific management recommendations in the rocky shores report.

#### **Research**

- Conduct baseline and issue-focused research on rocky shore ecosystems and their species. This crucial data is not available for many sites. Existing data is housed in different places, not easily accessible to natural resource managers. Work with non-profit groups, universities and volunteers to conduct research.
- Monitor and measure the impact of human recreation on Oregon’s rocky shores. Appropriate agencies such as OPRD and ODFW need to discuss methods for *long-term* monitoring. Studies of visitor use should begin at:
  - Research reserves that visitors use heavily, such as the south cove of Cape Arago
  - Sites the TSP has “not yet designated,” such as Seal Rock and Cape Falcon
  - Sites the TSP designated but that were not adopted and/or where the TSP prescriptions are not being followed
- Examine sites with and without restrictions on collection to determine collection pressure and target species.

#### **Education**

- Coordinate non-profit groups, volunteer groups and similar organizations to create a network of “rocky shore docents” to deliver interpretive programs at high-use sites. With increased school group coordination, docents could be on-site during peak school group use periods, to not only provide increased protection for the resource (via interpretation) but to enhance visitors’ experiences.
- Expand the rocky shore interpreters’ season to include spring, when school groups most often visit the coast. Currently, seasonal rocky shore interpreters do not begin working until early summer, after most school groups visit. Add more interpretive rangers as use increases. Also, ensure that these programs continue by providing funding. Currently, funding for these seasonal staff salaries is up to individual park management units. As a result, shifting park needs may result in these important positions being cut.

Develop seaweed collection guidelines; teach the public about sustainable personal harvesting.

- ❑ Review, improve, and replace rocky shore interpretive panels.

**Caveat:** Treaty rights protect Oregon tribal members' traditional, usual and accustomed uses (e.g., cultural and subsistence fishing and gathering) of these resources.

### **Management**

The TSP expressly points out that the Ocean Policy Advisory Council (OPAC) will not implement the strategy. OPAC is an advisory body. However, most of the designations and many of the prescriptions are not being implemented by the responsible agencies.

Therefore, OPRD should:

- ❑ Complete and implement site-specific management plans for priority rocky shores sites.
- ❑ Incorporate the TSP management objectives and prescriptions into any new and/or revised coastal park plans, including but not limited to, master plans, natural resource management plans and interpretive plans.
- ❑ Apply the same rules to intertidal algae (seaweed), kelp and seagrasses as apply to intertidal invertebrates in ODFW specially managed intertidal areas (e.g., marine gardens, research reserves, and habitat refuges). This includes:
  - Prohibiting intertidal algae (seaweed), kelp, and seagrass collection in marine gardens. Although informally enforced by OPRD staff, the prohibition of intertidal algae (seaweed) collection is not a formal rule, nor is it mentioned on signage. As interest increases, both recreational and commercially, sites without protections are likely to be targeted for intertidal algae collection.
  - Prohibit collection of intertidal seaweeds, kelp, and seagrass from research reserves without a scientific research permit issued by Oregon Parks and Recreation Department.
  - Prohibit intertidal seaweed, kelp, and seagrass collection in habitat refuges, currently this is only Whale Cove Habitat Refuge.
- ❑ Decide whether management of marine plant resources within and adjacent to state parks and the rest of the ocean shore will be different.

### **Recommendations for other agencies**

- ❑ Contrary to TSP recommendations, ODFW allows collection of many species, including shellfish, at several of the intertidal research reserves. This interferes with the research objectives for which these "reserves" were developed. ODFW should review its management of these specially managed marine areas.
- ❑ DSL should consider not issuing subtidal kelp harvest permits within or next to current or proposed special management areas, including marine gardens, research reserves and habitat refuges.