

**THE OREGON COASTAL MANAGEMENT PROGRAM  
COASTAL AND ESTUARINE LAND CONSERVATION PLAN**

Version 5.0

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**The Oregon Coastal Management Program**

Department of Land Conservation and Development

Salem, Oregon

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**THE OREGON COASTAL MANAGEMENT PROGRAM**  
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**I. Overview of the Coastal and Estuarine Land Conservation Program**

The Coastal and Estuarine Land Conservation Program (CELCP) is a national program to provide grants to states for coastal conservation land acquisitions based on need and the ability to leverage additional funds.

In 2002, Congress directed the Secretary of Commerce to establish a Coastal and Estuarine Land Conservation Program “for the purpose of protecting important coastal and estuarine areas that have significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by conversion from their natural or recreational state to other uses.”<sup>1</sup> Congress further specified that the program give priority to lands which can be effectively managed and protected and that have significant ecological value.

In 2003, the federal Office of Coastal Resource Management (OCRM) published guidelines for CELCP.<sup>2</sup> CELCP is designed to be a national-level competitive grant program. The guidelines describe criteria for CELCP grant awards and a three-step process for selecting projects. The three steps consist of 1) development of a state Coastal and Estuarine Land Conservation *Plan*; 2) a process to identify, rank, and select projects for nomination to a national competitive process; and 3) review and selection of projects at the national level.

All CELCP projects must meet specific requirements, which are described in the CELCP guidelines. The basic requirements for a CELCP project are:

- Projects must be for the purpose of protecting important coastal and estuarine areas.
- CELCP funds must be matched dollar-for-dollar with non-federal funds, and only public agencies are eligible to receive CELCP funding.
- Projects must be held in public ownership (fee simple or conservation easements) and provide conservation in perpetuity
- CELCP projects must provide public access consistent with protection of coastal resources.

Only states that have a coastal management program approved by NOAA or a National Estuarine Research Reserve are eligible to participate in the CELCP. Oregon meets both requirements. Oregon’s Coastal Management Program was approved by NOAA in 1977, and Oregon’s South Slough National Estuarine Research Reserve (SSNERR) was the first estuarine research reserve established by NOAA in 1974. Participation in CELCP by states is signified by developing a state Coastal and Estuarine Land Conservation Plan.

**This plan signifies Oregon’s intent to participate in CELCP.**

The Oregon Coastal Program submitted a draft CELCP Plan to OCRM in late 2005, and received comments on the draft plan in late 2006. OCRM’s comments, which are included in Appendix C, provided several helpful suggestions that were used as the basis for revising the draft plan. This revised version was completed and forwarded to OCRM for approval in July 2007.

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<sup>1</sup> Department of Commerce, Justice, and State Appropriations Act of 2002, (P.L. 107-77)

<sup>2</sup> *Coastal and Estuarine Land Conservation Program Final Guidelines*, June 2003;  
<http://coastalmanagement.noaa.gov/landconservation.html>

### **A. Purpose and Contents of a Coastal and Estuarine Land Conservation Plan**

The CELCP guidelines list the basic contents of a state CELCP plan:

- A map or description of the geographic extent of coastal and estuarine areas within the state, as defined for the purposes of the CELCP;
- A description of the types of lands or values to be protected through the program and the need for conservation through acquisition;
- Identification of “project areas” that represent the state’s priority areas for conservation, including areas threatened by conversion, based on state and national criteria (listed below) for the program;
- A description of existing plans, or elements thereof, that are incorporated into [the] plan;
- A list of state or local agencies, or types of agencies, that are eligible to hold title to property acquired through the CELCP;
- A description of the state’s process for reviewing and prioritizing qualified proposals for nomination to the national selection process. The vetting process should, at a minimum, involve representatives from the state’s coastal zone management program, NERR(s), and any other agencies or entities that the state considers appropriate; and
- A description of public involvement and interagency coordination that occurred during the development of the plan.<sup>3</sup>

The purpose of this plan is to establish Oregon’s basis and framework for participating in the Coastal and Estuarine Land Conservation Program. This plan contains all the required contents of a state CELCP plan. This plan establishes priority areas for coastal conservation land acquisitions, and describes the process Oregon will use to solicit, select, and nominate projects for CELCP funding.

CELCP contains **national criteria** for development of a state plan and selection of projects and project areas. The national criteria for CELCP projects and project areas are:

- Protects important coastal and estuarine areas that have significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by conversion from their natural or recreational state to other uses;
- Gives priority to lands which can be effectively managed and protected and that have significant ecological value;
- Directly advances the goals, objectives, or implementation of the state’s coastal management plan or program, NERR management plans approved under the CZMA, national objectives of the CZMA, or a regional or state watershed protection plan involving coastal states with approved coastal management plans; and
- Is consistent with the state’s approved coastal management program.<sup>4</sup>

While these criteria are probably most effectively applied in the selection of projects to forward to the national-level competition, they do constitute basic parameters and framework for this plan.

In keeping with the federal guidelines, the Oregon Coastal Program and the South Slough National Estuarine Research Reserve have managed the development of this plan. However, the plan itself represents the deeply committed collaboration of their many coastal resource management partners,

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<sup>3</sup> *ibid.*, p. 9

<sup>4</sup> *ibid.*, p. 10.

including Oregon's coastal cities and counties, national, state, and coastal conservation organizations, Oregon Sea Grant and Oregon State University Extension Service, and state and federal agencies. The Oregon Coastal Program is grateful for their assistance.

**B. Geographic Scope of the Coastal and Estuarine Land Conservation Plan**

The CELCP guidelines require that states indicate in their plan "the geographic extent of coastal and estuarine areas within the state, as defined for the purposes of CELCP." The guidelines define 'coastal and estuarine areas' as either the state's coastal zone or the estuarine drainage area.<sup>5</sup>

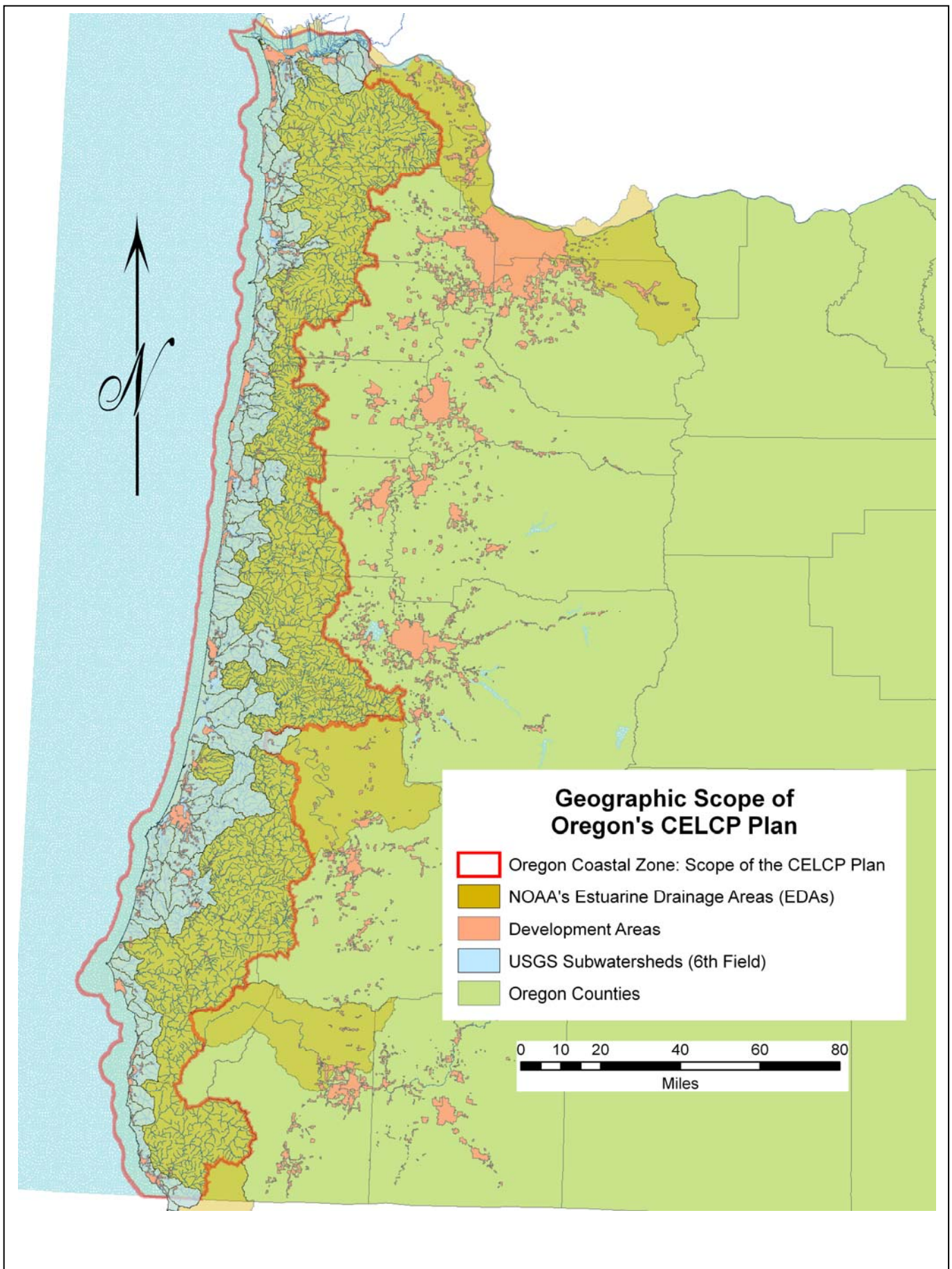
This section describes the geographic scope of this plan. For the purposes of Oregon's Coastal and Estuarine Land Conservation Plan, the geographic extent of Oregon's coastal and estuarine areas is Oregon's coastal zone, which fully contains NOAA's EDAs except in three basins, as described below. The map on the next page shows the difference between the Oregon Coastal Zone and NOAA's Estuarine Drainage Areas.

Oregon's coastal zone contains most of the land in Oregon that drains directly into the Pacific Ocean. The eastern boundary of Oregon's coastal zone runs along the crest of the Coast Range Mountains except where it cuts through three subbasins. In the Columbia River basin, the coastal zone ends at Puget Island, which is situated near the eastern edge of Clatsop County. In the Umpqua River basin, the coastal zone extends to the head of tide near Scottsburg. In the Rogue basin, the coastal zone ends at Agness. NOAA's EDAs extend beyond the coastal zone in these three basins. The Columbia River EDA extends upstream to Bonneville Dam (RM 146). In the Rogue and Umpqua, the EDAs include the entire lower mainstem of each river.

The primary purpose of defining the geographic scope of this CELCP Plan is to establish the basis for identifying conservation priorities and CELCP 'project areas' later in this plan.

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<sup>5</sup> In 1992, NOAA's Office of Coastal Resource Management defined EDAs as the 4<sup>th</sup> field hydrologic units that contain the head of tide.





## II. Conservation Priorities, Development Pressures, and Project Areas

State CELCP plans must describe the “types of lands or values to be protected through the program ...” and identify ‘project areas,’ which “represent the state’s priority areas for conservation, including areas threatened by conversion.”

The purpose of this section is to define CELCP ‘project areas.’ This section provides a summary overview of conservation priorities established in various reports, policies, and plans that apply to the Oregon Coastal Zone. There is a summary of development patterns and pressures, and a discussion of how acquisition can serve a conservation strategy. Project areas are then defined based on conservation priorities, development patterns, and coastal geography.

### A. Conservation Priorities

Several studies of conservation needs and priorities for the Oregon Coast have been published over the past few decades. While these studies have varied in scale and purpose, they have been generally consistent in what they identify as priorities for conservation. In the framework of CELCP, priority areas for conservation are the priorities that have been identified in those studies, which are summarized below (and described in somewhat more detail in Appendix A).

#### 1. Conservation priorities identified in CELCP stakeholder meetings

In the process of developing the CELCP plan, the OCMP staff conducted meetings involving coastal management partners. Several conservation priorities were identified during these meetings, including:

- Forests adjacent to estuaries
- South coast marine terraces
- South Coast-Cape Blanco area rangeland
- Low gradient unconfined channels and floodplains
- Lowland riparian areas
- Cedar-spruce swamps
- Coastal spruce wetland forests
- Coastal headlands
- Marbled murrelet nesting habitat
- Fens and bogs
- Dune systems
- Dunal forests
- Estuarine sand spits

#### 2. Conservation Studies, Plans, Policies, and Reports

Over the past 30 or so years, several policy documents have been published that identify coastal conservation priorities. These documents appear to be generally consistent from decade to decade; their differences lie in their scale and their statutory scope.

- Oregon’s *State of the Environment Report 2000*<sup>6</sup> addresses conservation priorities from a statewide perspective. Estuaries and coastal lowland aquatic systems are identified as priorities for conservation protection.
- Oregon’s statewide comprehensive planning program includes detailed planning requirements address the use and conservation of estuarine resources, coastal shorelands,

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<sup>6</sup> Oregon *State of the Environment Report 2000*, available at <http://egov.oregon.gov/DAS/OPB/soer2000index.shtml>

beaches and dunes, and ocean resources.<sup>7</sup> Estuarine resource conservation priorities include all estuarine areas and the restoration of diked former tidelands. Coastal shoreland conservation priorities include major marshes, significant wildlife habitat, and coastal headlands. These coastal resource planning requirements are implemented primarily through local comprehensive plans and state resource management programs.

- The Oregon Plan for Salmon and Watersheds is a broad initiative integrating efforts of numerous public and private entities to improve habitat conditions for Oregon's salmonids. Among other things, the Plan calls for restoration and protection of estuarine habitats and riparian structure and function in most coastal basins.<sup>8</sup>
- The Oregon Watershed Enhancement Board (OWEB) has adopted a list of about three dozen types of ecological systems that are conservation land acquisition priorities in the five river basins that fall at least partly within the coastal zone.<sup>9</sup> Most of these priority systems are defined by their association with water, including riparian areas, wetlands, swamps, salt marshes, mudflats, aquatic beds, bogs, fens, and wet meadows. In short, OWEB considers lowland aquatic systems, estuaries, and the continental fringe as important to consider as coastal conservation acquisition priorities.
- The Oregon Department of Fish and Wildlife's *Oregon Conservation Strategy*<sup>10</sup> identifies several "strategy habitats" and "Conservation Opportunity Areas" in the Coast Range Ecoregion. Strategy habitats that fall within the scope of CELCP are:
  - Late successional conifer forests
  - Coastal bluffs and montane grasslands
  - Coastal dunes
  - Estuaries
  - Riparian areas
  - Freshwater wetlands
  - Freshwater aquatic habitats

Note that Strategy Habitats are very similar to the priority systems identified by OWEB.

The Oregon Conservation Strategy also identifies 39 "Conservation Opportunity Areas" that fall within the geographic scope of CELCP as shown on the map on page 9.<sup>11</sup> Of the 39 coastal conservation opportunity areas, 20 are estuarine or have estuarine components, and most of the rest are important in part due to wetlands, riparian areas, or aquatic resources.

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<sup>7</sup> See especially Goals 16, 17, and 18, available at <http://www.lcd.state.or.us/LCD/goals.shtml>

<sup>8</sup> See, for example, Oregon Department of Land Conservation and Development reports in the Coastal Coho Assessment available at <http://nrmp.dfw.state.or.us/OregonPlan/>

<sup>9</sup> A report on OWEB's Land Acquisition Priorities is available at [http://www.oregon.gov/OWEB/GRANTS/docs/acquisition/AcqPriorities\\_IntroFramework.pdf](http://www.oregon.gov/OWEB/GRANTS/docs/acquisition/AcqPriorities_IntroFramework.pdf). The complete report (58 pp.), including priorities identified in each basin, is available at the Oregon Institute for Natural Resources website: [http://oregonstate.edu/ornhic/oweb/oweb\\_acquisition\\_report.pdf](http://oregonstate.edu/ornhic/oweb/oweb_acquisition_report.pdf).

<sup>10</sup> Available for download at <http://www.dfw.state.or.us/conservationstrategy/>

<sup>11</sup> There are 43 Conservation Opportunity Areas in the Coast Range Ecoregion, but the ecoregion is larger than the Oregon Coastal Zone.

- The Oregon Parks and Recreation Department's Ocean Shore Management Plan<sup>12</sup> lists 32 sites where acquisition, easements, or other arrangements "could contribute to expanded recreational use and resource protection." The Department's principal mission is based on recreation, but its acquisition priorities have a strong conservation element. While the OPRD does not identify ecological conservation priorities *per se*, some of the identified sites may contain habitat types or ecological systems that are identified elsewhere as being important or priorities for conservation protection.

### 3. Biodiversity Assessments

Several regional-scale or state-wide assessments of biodiversity have been completed or revised in the last several years that include the Oregon Coastal Zone:

- The Oregon Natural Heritage Program<sup>13</sup> lists areas and resources which, taken together, represent the full range of Oregon's natural resources. The lists are intended to guide the selection of conservation areas that will eventually protect Oregon's ecological diversity. Some of the listed resources are rated as a high priority for protection.
- The Oregon GAP Analysis<sup>14</sup> aggregated and facilitated the use of biodiversity data and information on conservation status so organizations could plan more effectively to protect biodiversity.
- Using the results of the Oregon GAP Analysis, the Oregon Biodiversity Project<sup>15</sup> identified oak woodland communities, sand dune ecosystems, estuaries, floodplain wetlands, and instream and riparian habitats as being not well represented in the Coast Range conservation network. The Project also identified four "conservation opportunity areas" in the Coast Range Ecosystem.
- The Nature Conservancy recently completed its Pacific Northwest Coast Ecoregional Assessment<sup>16</sup> that included the Coast Range Ecoregion in Oregon. The assessment identifies several sites that together would protect biodiversity in the Pacific Northwest Coastal Ecoregion. TNC's conservation portfolio for coastal Oregon includes 79 sites that make up 39 percent of the Coast Range Ecoregion in Oregon.

Perhaps because biodiversity assessments are highly detailed and data-rich, biodiversity conservation needs and priorities are extensive. It is impractical to list them here as conservation priorities. In part because the assessments range in scale and focus from the detailed vegetation community to the broad watershed, they are not entirely practical to use in defining project areas. Biodiversity can be an important criterion for evaluating CELCP proposals, but it is not practical to incorporate biodiversity into the definition of project areas.

#### **B. Development Pressures in the Oregon Coastal Zone**

Because of several factors, the potential for development is not distributed evenly across the coastal zone. The primary factors are topography and Oregon's comprehensive land use planning program. Oregon's coastal zone is mostly consists of rugged mountainous topography. Generally flat and level

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<sup>12</sup> Available at

[http://www.oregon.gov/OPRD/PLANS/docs/masterplans/osmp\\_hcp/FinalOceanShoresMP052305.pdf](http://www.oregon.gov/OPRD/PLANS/docs/masterplans/osmp_hcp/FinalOceanShoresMP052305.pdf)

<sup>13</sup> See <http://oregonstate.edu/ornhic/ornhp.html>

<sup>14</sup> Available at <http://oregonstate.edu/ornhic/or-gap.html>

<sup>15</sup> See <http://www.biodiversitypartners.org/state/or/obp/001.shtml>

<sup>16</sup> Available at <http://www.waconservation.org/ecoPacificNorthwest.shtml>

areas—those best suited to cultivation and development—are mostly restricted to the lowest reaches of the lower watersheds, and to some degree the marine terraces fronting the Pacific Ocean. Only a very small portion of the entire Oregon Coastal Zone falls within a slope class that would normally be considered suitable for development. Until the mid-1970s, development pressures resulted in the conversion of some farm and forest lands to residential uses, but since the early 1980s, such conversions have been greatly reduced by Oregon’s comprehensive planning program.

Oregon’s planning program is a highly structured system for allocating land for different types of land use. It has had a major influence on the location of urban and rural development over the last thirty years. Most land development since the 1970s has occurred in areas that had already experienced some development by that time. Most of the rest of the land in the coastal zone is reserved for agricultural and forestry production, and is precluded from development for other uses. In general, urban and rural communities in the coastal zone have expanded along the ocean shore and up the lower river valleys.

Development pressures continue unabated in Oregon’s coastal communities, regardless of national economic trends. Some coastal communities have grown at a faster rate than the state average. In others, there is significant development although population levels have remained relatively stable. Much of the development appears to be second homes or retirement homes. Urban Growth Boundaries adopted by cities and counties appear to be containing most new development.

Future coastal development is anticipated to occur along the same trends as in the past. That is, development will occur in the vicinity of areas that have already been developed, on land forms that have some association with water, but on ground that may be less than optimal for residential development. Nevertheless, a legacy of land divisions that occurred prior to the statewide program and a lack of large blocks of agricultural land adjacent to most coastal cities are probably good indicators that there will be continued development pressures outside UGBs.

### **C. Need for conservation through acquisition**

For nearly 30 years, Oregon’s land use planning system has been an effective tool for managing the pace of land conversion and the location of development across the entire state. In particular, Oregon’s land use program reduced the rate of farm and forest land conversion to urban- or suburban-density development.<sup>17</sup> In the coastal zone, state and local regulations have also resulted in the conservation of dune systems, estuarine areas, and coastal shorelands.

However, it is increasingly difficult to protect habitats on private lands *in perpetuity* through regulations alone. Increased conservation protection typically means greater restrictions on the use of a given site. A comprehensive land use plan can be instrumental in identifying sites in need of protection, and can be the basis for some level of resource protection from some land use activities. In the end, the only way to ensure full control over the management of a site for conservation purposes in perpetuity is through acquisition. Likewise, restoration efforts are more likely to be implemented on land owned and managed for conservation purposes. Acquisition as a conservation tool is in its own category. Acquisition is only one tool, but it is an indispensable tool for conservation.

Some conservation objectives will depend almost entirely on acquisition to succeed. For example, some coastal areas have been altered to such a degree that they no longer serve their original ecological functions. Historically, extensive estuarine areas have been isolated from tidal influence by

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<sup>17</sup> See Azuma D.L., Birch K.R., Herstrom A.A., Kline, J.D. and Lettman G.J. 2002. Land Use Change on Non-Federal Land in Western Oregon, 1973–2000. Salem, OR: Oregon Department of Forestry.

the construction of dikes and levees. These “reclaimed” lands are now generally privately owned, and they are generally used for agriculture or other economic activities. The only way to restore estuarine function to such areas is to restore tidal flow, which will preclude use of the site. In most cases, a landowner would seek compensation for the lost ability to produce wealth. The only realistic approach to restoring diked tidelands to estuarine influence is to purchase the diked lands from a willing seller; as such, estuarine restoration projects depend on fee-simple ownership.

Other conservation initiatives also rely heavily on acquisition. Acquisition is an effective means of preserving important historical or archaeological sites. And while strictly speaking, recreation management is not necessarily a conservation initiative as such, there is a strong conservation element in the state’s interest in managing recreation lands. The most recent version of Oregon’s Statewide Comprehensive Outdoor Recreation Plan (SCORP) specifically refers to the need for acquisition in part to protect “natural areas, open space, and water access in and around urbanized and developing areas.”<sup>18</sup>

This plan is based in part on the recognition that acquisition can be the foundation for the most effective conservation actions possible. As a conservation strategy, acquisition provides opportunities that might not otherwise exist.

#### **D. CELCP Project Areas**

Project areas are defined in the CELCP guidelines as

Discrete areas to be identified within a CELCP Plan that describe the state’s *priority areas for conservation* based on national and state criteria, representing the values to be protected through the program and areas threatened by conversion. Project areas may consist, for example, of: geographic areas or habitat types identified by a state coastal management plan as areas of concern; significant areas within other coastal, estuarine, or watershed management plan(s) that may be priority areas for conservation; or areas that provide linkages or corridors among conservation areas within a geographical area.<sup>19</sup>

Oregon defined CELCP project areas by generally aggregating the conservation priorities identified in the analyses summarized above, and by recognizing systemic elements that provide ecological linkages among the identified priorities.

Most of the conservation priorities cited above are ecosystems or ecosystem elements that have some functional association with water. For example, among OWEB’s North Coast basin acquisition priorities, the following habitats are defined in part by the presence of or their association with water: freshwater marsh, aquatic beds, lowland and montane riparian woodlands, intertidal mudflat, tidally-influenced freshwater wetlands, intertidal salt marsh, eelgrass beds, mudflats, forested depressional wetlands, forested non-linear wetlands, floodplain riparian wetlands, fens, montane wet meadows, and mesic herbaceous wetlands. Given the prevalence of water as a defining characteristic of identified conservation priorities, the hydrologic network appears to be a suitable foundation for defining project areas. Development pressures on the Oregon Coast are considerable, and they are generally greater in proximity to water.

Conservation priority areas have not been consistently mapped *as such*. Therefore, translating conservation priorities into project areas involved the identification of landscape features, elements,

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<sup>18</sup> Oregon Statewide Comprehensive Outdoor Recreation Plan (SCORP) 2003-2007. Chapter 8, page 7. Salem: Oregon Parks and Recreation Department. Accessible at [http://egov.oregon.gov/OPRD/PLANS/scorp\\_review.shtml](http://egov.oregon.gov/OPRD/PLANS/scorp_review.shtml).

<sup>19</sup> CELCP Guidelines, Section 1.3, page 3; emphasis added.

or areas where ecological resources in need of conservation are likely to occur. This is largely a matter of aggregating the identified priorities into areas on a map.. Based on the observation that water is a significant element in virtually all the identified conservation priorities, we chose to use coastal watersheds as the basis for Oregon's CELCP project areas.

Oregon's approach to project areas seeks to ensure that CELCP projects will have a clear relationship to estuaries and tidally-influenced waters. The "backbone" of Oregon's CELCP project areas is the hydrologic network. In order to have a consistent areal approach to tidal waters, Oregon used USGS sixth-field watersheds to identify areas associated with estuaries. Project areas encompass USGS sixth field watersheds along the Pacific Ocean coastline and surrounding Oregon's estuaries up to head of tide.

Based on the conservation priorities as enumerated in several analyses and the location of most development pressures in the Oregon Coastal Zone, **Oregon's CELCP project areas include the ocean shores; all estuarine areas; coastal lakes; all streams, rivers, creeks, springs, and seeps; coastal bogs, fens, swamps, wetlands, and any other area characterized by periodic inundation by water; and adjacent lands that are within the USGS 6<sup>th</sup> field hydrologic units that contain or are below head of tide. In short, all lands within USGS 6<sup>th</sup> field hydrologic units within Oregon's coastal zone up to and including the one containing head of tide constitute Oregon's CELCP project areas.**

Maps of Oregon's CELCP project areas are included in Appendix A.

The purpose of delineating CELCP project areas is to focus conservation attention on the land and water areas that are likely to be in need of greater conservation attention in the coming years. Project Areas establish where a CELCP project may occur, depending on specific circumstances and the values of a particular parcel. Obviously not all lands in the project areas are suitable for conservation acquisition; rather, Project Areas contain lands that constitute some conservation priority, and which may be subject to permanent conversion by development.

### III. CELCP Plan Partners

Upon NOAA's approval of this plan, implementation of CELCP in Oregon will involve three principal functions:

- Soliciting, reviewing and selecting proposals to forward to the national-level competition
- Developing proposals and applying for CELCP funds
- Owning and managing conservation lands acquired with CELCP funds

The CELCP guidelines specify in part the types of organizations that can undertake these responsibilities. The CELCP lead agency responsibilities include soliciting proposals and reviewing, prioritizing, and nominating projects to the national selection process. The Oregon Coastal Management Program (OCMP), administered by the Department of Land Conservation and Development (DLCD), is the "lead agency" for CELCP in Oregon. The OCMP will manage the process to solicit and select projects to for the national level competition for CELCP funds.

The CELCP guidelines specify that only state agencies and local governments are eligible to apply for and receive CELCP funding. State agencies and local governments that are partners in the Oregon Coastal management Program will be responsible for developing CELCP project proposals in Oregon.

Also under the CELCP guidelines, non-governmental organizations may assist in the development of CELCP proposals, and they may have a primary role in the long-term management of lands acquired with CELCP funds. However, NGOs are not eligible to apply for or to receive CELCP conservation land acquisition funds.

#### A. Eligibility to Hold Title to CELCP Acquisitions

State plans must identify state or local agencies, or types of agencies, that are eligible to hold title to property acquired through the CELCP.

**In Oregon, only state agencies and local governments are eligible to hold title to property acquired with CELCP funds.** CELCP project awards will only be made to state agencies and to local governments within the Oregon Coastal Zone.

Under Oregon law, the following agencies and government entities are among those authorized to hold title to real property, and thus under this plan are eligible to receive funds for the acquisition of CELCP lands:

- All cities and counties in the Oregon coastal zone
- The Oregon Parks and Recreation Department
- The Oregon Department of Fish and Wildlife
- The Oregon Department of State Lands

This plan also provides for CELCP projects to be proposed by, and CELCP funds to be received by, the following:

- The Oregon Watershed Enhancement Board (OWEB) provides funds for conservation acquisitions and easements; OWEB holds a conservation easement on all fee acquisitions they fund and a third-party right of enforcement of conservation easements on all conservation easements supported with OWEB funds.
- Public universities in Oregon are authorized to own or hold interest in conservation lands.

Under CELCP, “local government” is defined as an entity “... which (A) has authority to levy taxes, or to establish and collect user fees, or (B) provides any public facility or public service which is financed in whole or part by taxes or user fees. The term includes, but is not limited to, any school district, fire district, transportation authority, and any other special purpose district or authority.”<sup>20</sup> Based on this definition of local government, some local special districts in the Oregon Coastal Zone may be eligible to hold title to lands acquired with CELCP funds. Special districts that submit a CELCP proposal for Oregon must document their authority to hold title to conservation lands acquired through CELCP.

Any proposal to acquire lands or interest in lands to be owned by any entity other than either a unit of local government or an Oregon state agency authorized in statute to hold title to or interest in land will be rejected from consideration for CELCP funding in Oregon.

### **B. The Role of Non-Governmental Organizations**

***Non-governmental organizations have a critical role and function in CELCP.*** Non-governmental organizations often have the information, motivation, resources, and commitment necessary to make a conservation acquisition work. In particular, several non-governmental organizations with interests in the Oregon coast have the data and expertise needed to identify lands and resources that are most in need of protection. Moreover, some have completed conservation assessments and have identified sites that are priorities for conservation acquisition. Local conservation organizations often have intimate knowledge of the ecological importance of local sites and the effect of their management on ecosystem components.

Recognizing that non-governmental organizations have conservation expertise that does not often reside in local governments, the **national CELCP guidelines explicitly provide for the participation of non-governmental organizations in the acquisition and long-term stewardship of CELCP lands.**<sup>21</sup> However, non-governmental organizations may not receive CELCP funds or hold title to lands purchased using CELCP funds.

In Oregon, non-governmental organizations, individuals, and corporations are encouraged to help local governments and state agencies generate quality CELCP proposals. Further, local governments are encouraged to partner with conservation organizations for the long-term management and stewardship of lands acquired under CELCP, within the limits allowed by the federal program.<sup>22</sup>

### **C. Plans incorporated into the CELCP Plan**

State plans must describe existing plans, or elements thereof, that are incorporated into the state CELCP plan.

The purpose of this section is to identify sources of information that can be relied upon to develop and support CELCP proposals. Note that this purpose is different from the discussion in Section II above, in which various plans, policies and reports were discussed. The purpose of Section II was to identify CELCP project areas—areas where resources suitable for acquisition under CELCP are likely to occur. The purpose of this section is to identify plans that may identify specific conservation or acquisition priorities, and which as such may be used to identify and support CELCP project proposals.

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<sup>20</sup> From the Coastal Zone Management Act of 1972 at 16 USC 1455(a)(e) and 16 USC 1453(11).

<sup>21</sup> CELCP Guidelines, section 2.6.d.

<sup>22</sup> Potential applicants should consult Section 2, Eligibility Requirements, of the national CELCP guidelines to ensure that their proposed ownership and management arrangements comply with CELCP requirements.



Generally, there are three kinds of plans related to coastal land and resource conservation in Oregon:

- General land use and resource management plans have been developed by public entities, including local governments, state agencies, multi-state organizations, and federal agencies.
- Watershed action plans that identify protection and restoration opportunities have been developed by local watershed councils.
- Resource conservation plans have been developed by private, non-governmental organizations.

For the purposes of CELCP, the significant difference between types of plans has to do with accountability and the degree of regulation. Public entities are required to comply with laws that provide for public participation in the development of their plans. Although they may be providing a service to the public, private organizations are not required to ensure their plans reflect the will of the general public.

The Oregon CELCP Plan encourages local governments to participate in the acquisition and long-term management of conservation lands. To that end, Oregon's CELCP project solicitation process emphasizes local governments. While some local governments may have adopted conservation land policies and priorities as part of their comprehensive plans, and may develop CELCP proposals on the basis of those policies and priorities, many others may not have done so. In either case, a local government may adopt and utilize the information and the conservation priorities developed by a private organization to develop a CELCP proposal.

While any plan may be used as a source of information about resources or sites that warrant acquisition, only plans that have been adopted after an opportunity for public review are eligible to be incorporated into this plan. Accordingly, the following kinds of plans are incorporated into this plan by this reference:

- Local comprehensive land use plans
- State agency management plans and strategies
- Comprehensive Conservation and Management Plans developed under the National Estuary Program

This list of plans incorporated into the Oregon CELCP Plan may be expanded in the future.

### **1. Local Comprehensive Land Use Plans**

All the counties and incorporated cities in the Oregon Coastal Zone have comprehensive land use plans that have been acknowledged by Oregon's Land Conservation and Development Commission to be in compliance with Oregon's Statewide Planning Goals. Local comprehensive plans identify coastal resources that are required to be protected under the Statewide Planning Goals. They may also identify other kinds of sites that warrant protection or other kinds of special considerations in the process of making local land use and development decisions. Resources or resource sites identified in a local plan as warranting conservation or protection under any of the Statewide Planning Goals may be eligible for a CELCP proposal. In particular, Estuary Management Plans, Coastal Shoreland plan elements, and Beaches and Dune plan elements developed according to Goals 16, 17 and 18 may contain information on sites that warrant conservation, protection, or acquisition. Such sites that have unique or important natural values, but which are subject to uses that would compromise those values, may be ideal candidates for CELCP funding. Some local jurisdictions may have adopted Open Space or Parks and Recreation Master Plans that identify sites the community has some interest in protecting, or even acquiring.

- Any site identified in an acknowledged comprehensive plan or other plan adopted by the governing body of a coastal local government because of its natural, recreational, aesthetic or historical values, and which is in danger of a land use that would compromise those values, or is otherwise a candidate for local acquisition, is eligible to be considered for CELCP funding in Oregon, provided it meets all other CELCP requirements. Acquisition proposals that involve a site identified for conservation protection in a local plan that has not been adopted as part of the local comprehensive plan—such as a watershed action plan or parks master plan—must be in compliance with the local comprehensive plan.

## 2. State Agency Management Plans and Strategies

State agency plans that identify resources or sites to be protected are an important part of this plan. Projects, sites, or resources that are identified in such plans are eligible to receive CELCP funding in Oregon. The Oregon Department of Fish and Wildlife, OWEB, and the Department of State Lands and OPRD have responsibilities that include the identification of lands that warrant conservation protection. In most cases state agency plans do not identify specific parcels for acquisition, but rather list criteria or general priorities for land acquisitions.

- The Oregon Department of Fish and Wildlife recently produced a *Conservation Strategy for Oregon*, which is Oregon’s first comprehensive wildlife conservation strategy. The Conservation Strategy identifies specific landscapes on the ground where conservation actions would be the most effective, and also identifies more general strategy habitats. The strategy was a source of information used in the process of identifying project areas in Section II above. Some parts of these strategy habitats might be good candidates for acquisition. The *Conservation Strategy for Oregon* is incorporated into this plan as a source of information on conservation priorities and the value of ecological resources and sites.
- The Department of State Lands manages the South Slough National Estuarine Research Reserve (SSNERR), which is a part of the Oregon Coastal Program and is a partner in the development of this plan. The Reserve has adopted acquisition priorities that are eligible for Oregon CELCP funding.
- As discussed in Section II.A.2 above, the Oregon Watershed Enhancement Board (OWEB) adopted a list of priority ecological systems to assist the board in making acquisition decisions. While OWEB’s list is not a plan *per se*, the priorities have been identified on the basis that they have experienced significant losses in distribution or population levels. OWEB’s list of priority systems may be used as the basis for a CELCP proposal.
- In January 2005, the Oregon Parks and Recreation Department completed its comprehensive *Ocean Shore Management Plan*.<sup>23</sup> Development of the *Ocean Shore Management Plan* served several purposes, including the identification of several recreational land improvements and conservation and recreation land acquisitions along the entire Oregon coast. Appendix F to the *Ocean Shore Management Plan* provides a “Land Conservation Summary,” which consists of “places that could contribute to expanded recreational use and resource protection, along the coast.” Sites identified in the plan

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<sup>23</sup> Available at [http://www.oregon.gov/OPRD/PLANS/osmp\\_hcp.shtml](http://www.oregon.gov/OPRD/PLANS/osmp_hcp.shtml). In November 2005, the complete plan was located at [http://www.oregon.gov/OPRD/PLANS/docs/masterplans/osmp\\_hcp/FinalOceanShoresMP052305.pdf](http://www.oregon.gov/OPRD/PLANS/docs/masterplans/osmp_hcp/FinalOceanShoresMP052305.pdf).

may represent possible conservation opportunities. Sites in the Ocean Shore Plan are eligible for CELCP funding.

- The Oregon Parks and Recreation Department recently adopted a revised Statewide Comprehensive Outdoor Recreation Plan—also known as the *SCORP*. While the *SCORP* does not identify specific potential acquisition projects, it does highlight acquisitions as a priority statewide recreational issue. The need for acquisitions was a priority concern in both of the *SCORP* planning regions that make up the coast. The *SCORP* contains Goals and Objectives that may be used to support a CELCP proposal.

### 3. National Estuary Program Comprehensive Conservation and Management Plans

Under Section 320 of the Clean Water Act, the National Estuary Program provided for the establishment of estuary management programs for both the Tillamook Bay and the Lower Columbia River estuaries. Both the Tillamook Bay and the Lower Columbia River Estuary Programs developed a *Comprehensive Conservation and Management Plan (CCMP)* which has been approved by the Environmental Protection Agency and adopted by the local host organizations, including state agencies and local governments. Since completion of their respective CCMPs, both programs have been reorganized as non-profit organizations (referred to now as *Partnerships* rather than *Programs*), and have continued to implement their respective management plans. Both CCMPs contain actions that could involve acquisition; in fact, many important actions may rely on acquisition for their success. For example, the Tillamook Bay CCMP contains a habitat-related action that provides for acquisition of marginal diked agricultural lands to allow for dike breaching to increase tidal marsh acreage. *The first CELCP project approved for Oregon occurred in the Tillamook estuary, and was consistent with several of the Tillamook CCMP objectives.* The Lower Columbia CCMP anticipates the restoration of 3,000 acres of tidal wetlands, which may be difficult to achieve without acquisition.

Neither CCMP identifies specific parcels for protection or acquisition. However, both plans anticipate the development of inventories and other information resources that will ultimately be useful in the development of restoration or acquisition proposals. Under this plan, acquisition proposals based on either CCMP are eligible for CELCP funding.

#### D. Other plans that may be used to support a CELCP Project proposal

Plans that have not been adopted in a public process are not incorporated into this CELCP plan. However, there are several kinds of plans that contain important information on the need for conservation through acquisition, and which may even identify specific sites as candidates for conservation acquisition. All such plans, some of which are described below, may be used as a source of information to support CELCP proposals.

##### 1. Coastal Watershed Action Plans

In Oregon, watershed councils are described as locally organized, voluntary, non-regulatory groups established to improve the condition of watersheds in their local area. The 1995 Legislature unanimously passed House Bill 3441, which provides guidance in establishing watershed councils but which also makes it clear that formation of a council is a local government decision, with no state approval required. Watershed councils are required to represent the interests in the basin and to be balanced in their makeup. Councils offer local residents the opportunity to independently evaluate watershed conditions and to identify opportunities to restore or enhance watershed conditions.<sup>24</sup>

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<sup>24</sup> Source: [http://www.oregon.gov/OWEB/WSHEDS/wsheds\\_councils\\_overview.shtml](http://www.oregon.gov/OWEB/WSHEDS/wsheds_councils_overview.shtml)

One of the most important watershed council tasks is to complete a watershed assessment and an action plan. Action plans identify conservation, restoration, and acquisition projects, mostly centered on the restoration of full structure and function to aquatic systems.

Watershed councils have been formed in, and assessments and action plans have been completed for, most coastal watersheds. Projects in watershed action plans such as conservation easements or the purchase of estuarine wetlands may qualify under the CELCP project criteria.

Watershed assessment work has included comprehensive tidal wetland prioritizations in the Nehalem, Yaquina, Alsea, Umpqua-Smith, and Siuslaw River estuaries.

These prioritizations are comprehensive, site-specific, and designed for immediate use in selecting sites for protection or restoration. The prioritizations used GIS data, field reconnaissance, aerial photograph interpretation, and local knowledge to identify all tidal wetlands for each estuary up to head of tide. All identified sites were then ranked for protection and restoration using a peer-reviewed set of ecological criteria. All five of these tidal wetland prioritizations were developed through a public process in cooperation with the local watershed councils, with many opportunities for public input.

Any site identified in a watershed action plan as warranting protection through acquisition from a willing seller, and which is identified for protection on the basis of natural or ecological values that would be harmed by a permitted land use activity, may be an ideal candidate for consideration for CELCP funding in Oregon. State agencies and local governments may use the conservation priorities and projects in watershed action plans as the basis for developing CELCP proposals.

## **2. Joint Venture Implementation Plans**

The Oregon Wetlands Joint Venture has habitat protection plans for three areas within the area subject to this plan: the Lower Columbia River, the Northern Oregon Coast, and the Southern Oregon Coast. These plans are important complements of this plan because they contain area-wide recommendations and habitat restoration and protection goals, and site-specific recommendations for conservation actions. Joint venture plans consistently identify the need to protect riparian habitat, freshwater marshes, and agricultural lands with wetland values. The three implementation plans contain several specific habitat objectives and recommended actions, some of which involve land acquisition from willing sellers.

Conservation actions in the Joint Venture Implementation Plans closely coincide with the criteria for CELCP projects and, as such may be ideal candidates for consideration for CELCP funding in Oregon.

## **3. Local Land Conservancies**

Local land conservancies often have the expertise and information needed to develop a competitive acquisition proposal. Under this plan, local land conservancies are encouraged to work in partnership with local governments to develop CELCP project proposals. Several land conservancies operate in Oregon's coastal zone, including these organizations:

- Columbia Land Trust
- North Coast Land Conservancy
- Lower Nehalem Community Trust
- Central Coast Land Conservancy
- South Coast Land Conservancy
- Wetlands Conservancy
- Elk River Land Trust

While local conservancies generally have not published plans that identify specific acquisition priorities or projects, they may have conservation objectives that can be used to support a CELCP proposal, or projects that may qualify under CELCP. Local conservancies may have a critical role in the development of CELCP proposals.

#### IV. Criteria for Oregon CELCP Projects

The national CELCP Guidelines contain four criteria that all successful projects must meet.<sup>25</sup> State plans must address these criteria for projects and project areas. Some elements of the national criteria will be most effectively addressed at the project level. Oregon will implement the national criteria in part through the process of soliciting and reviewing proposals, as described in the next section.

Otherwise, Oregon will apply eligibility criteria and review projects against the national criteria as described below. Exactly what values will be assigned to the criteria will be finalized in the process of developing a solicitation notice, which itself will be contingent on the availability of funds for competitive CELCP projects.

##### A. National Criteria

- **CELCP National Criterion 1.** *Protects important coastal and estuarine areas that have significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by conversion from their natural or recreational state to other uses.*

This criterion provides two bases for protection: an area can qualify for protection on the basis of its significant values or it can qualify because it is threatened by conversion. Some projects may have significant values *and* be threatened by conversion. In soliciting CELCP proposals, Oregon will emphasize the quality of a site over the possibility of its conversion by scoring and ranking projects on the basis of their recreational, ecological, historical or aesthetic values and their significance. This criterion will be used as the primary one of two criteria used as the basis for scoring and ranking CELCP proposals. Significance can be established by documenting rarity, the need for protection as described in an ecological resource conservation plan (such as the Natural Heritage Information Plan or other plan incorporated by reference), or how a site constitutes a defining element of the coastal landscape.

The threat of conversion is almost universal on private lands. That is, almost any site can be irretrievably harmed by permitted activities. As such, the threat of conversion will factor into the ranking of Oregon's CELCP proposals only under certain limited conditions. In Oregon, if a site is proposed for CELCP acquisition in part because it is in danger of being converted, then that site must also have significant recreation, ecological, historical or aesthetic resources that warrant protection under CELCP. Oregon proposes to use the threat of conversion *only* to weight the score for the significance of the resources on a site, and then *only* if there is a tie in the scoring of competing project proposals.

- **CELCP National Criterion 2.** *Gives priority to lands which can be effectively managed and protected and that have significant ecological value.*

This criterion includes two separate and distinct bases for evaluating proposals, but which apparently must be applied together. The process of evaluating proposals must give priority to sites that can be managed *and* that have significant ecological value. In other words, sites that can be effectively managed but which do not have significant ecological value cannot meet this criterion.

This criterion is the second of two criteria to be used as the basis for scoring and ranking CELCP proposals in Oregon. Oregon will rank proposals involving sites with significant ecological values higher than all other sites, but *only* if the proposal shows the site can be effectively managed. Oregon's solicitation will require a project site to be described in terms of its ecological attributes. CELCP proposals will also be required to describe the post-acquisition management challenges for

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<sup>25</sup> *Guidelines*, Section 3.1(b)

the project, and how the proposed management arrangements address those challenges. Oregon will rank sites that have significant ecological values higher than sites with other kinds of significant values, but only if there is information to demonstrate that the site can be effectively managed. Ranking of sites will be based on the ecological significance of a site as documented in and supported by the literature referred to in Section II, Appendix B, and in the plans incorporated into this plan by reference.

- **CELCP National Criterion 3.** *Directly advances the goals, objectives, or implementation of the state’s coastal management plan or program, NERR management plans approved under the CZMA, national objectives of the CZMA, or a regional or state watershed protection plan involving coastal states with approved coastal management plans.*

This criterion establishes a broad foundation in existing plans and policies for CELCP projects, which are discussed in sections III C. and D. above. Each CELCP proposal will be required to identify specific elements of the Oregon Coastal Management Program that will be furthered by the project from among the following:

- ❖ Local comprehensive land use plans
- ❖ Statewide Planning Goals 5, 16, 17, and 18
- ❖ South Slough National Estuarine Research Reserve’s Management Plan
- ❖ Lower Columbia Estuary Partnership or Tillamook Bay Estuary Partnership’s Comprehensive Conservation and Management Plan
- ❖ Coastal resource conservation plans of state agencies that comprise the Oregon Coastal Management Program

Proposals will not be ranked according to this criterion. This criterion will be used to establish eligibility to receive CELCP funding; proposals either meet this criterion or they do not. Proposals that do not meet this criterion will not be reviewed further, and may not be forwarded to the national level for consideration for CELCP funding.

- **CELCP National Criterion 4.** *Is consistent with the state’s approved coastal management program*

All projects that are forwarded to the national level for competition will be certified as being consistent with the Oregon Coastal Management Program.

Proposals will not be ranked according to this criterion. Rather, proposals either meet this criterion or they do not. Proposals that do not meet this criterion will not be reviewed further, and may not be forwarded to the national level for consideration for CELCP funding.

## **B. State Project Selection Criteria**

The CELCP guidelines do not require that state programs include state criteria for evaluating projects. Some stakeholders suggested that Oregon adopt criteria for selecting projects; suggested criteria including the following:

- Projects with secure match should be given priority
- OWEB acquisition criteria and SCORP could be used to identify acquisition priorities
- Implement another scientifically credible plan or another conservation plan
- Conserve watershed function

- *Potential* function should be weighed in acquisitions involving restoration
- Recognize partnerships for management and stewardship of a proposed acquisition

To the degree any of these would improve the outcome of selecting projects to forward for the national level CELCP competition, these criteria have been integrated into this plan. First, any proposal without adequate match will not be considered for funding. Second, OWEB's priorities, the hydrologic network, and SCORP were all integrated into the process of defining project areas. Third, a proposed project must demonstrate the ecological attributes of a site and establish the priority for their conservation; this is also the basis for the first national criterion. And finally, the potential function of a restored site will be gauged in the consideration of any acquisition proposal that relies on restoration actions and outcomes for its ecological value. Since a partnership arrangement does not inherently add conservation value to a project, that consideration has not been integrated into the criteria.

The national criteria for CELCP projects are essentially sufficient for Oregon's purposes. Two of the national CELCP criteria will ensure that CELCP serves the needs of the Oregon Coastal Program and those of its partner organizations and agencies. Implementation of the third CELCP criterion as described above will ensure that a project furthers the objectives of the Oregon Coastal Management Program; and consistency with the OCMP is a basic requirement for eligibility for CELCP funding in Oregon,

The Oregon Coastal Program may need to implement criteria for selection of CELCP projects when there are more eligible Oregon proposals than permitted in the national CELCP solicitation. For example, solicitations for competitive CELCP projects have limited states to three projects of up to \$3,000,000 apiece for the national level competition. The most appropriate use of state-level criteria in ranking CELCP proposals would be in determining which of the eligible proposals will be submitted to the national level competition.

When Oregon receives more eligible proposals for CELCP funding than permitted in the national solicitation, Oregon will evaluate all CELCP proposals against a series of "conservation principles" referred to in the Oregon Watershed Enhancement Board's list of priorities for land acquisition. As noted in the OWEB's discussion of acquisition priorities, an acquisition proposal "may include high priority ecological systems and species, yet still fail to deliver ecological benefits. To be effective, acquisition projects must also be structured in ways that support sound principles of resource conservation . . . ."<sup>26</sup> Presumably, application of the national CELCP criteria will identify which proposals support sound principles of resource conservation. When confronted with the prospect of too many qualifying proposals, Oregon will use the OWEB criteria to ensure that the CELCP proposals forwarded by Oregon to the national level competition, in keeping with Congressional intent, "have significant ecological value." In other words, the Congressional language that underlies CELCP clearly says that a CELCP proposal may be based on recreation, ecological, historical, or aesthetic values, but *all* CELCP proposals must have significant ecological value.

Because OWEB's conservation principles are consistent with the national CELCP criteria, Oregon CELCP projects will be found to support at least one of the seven principles listed below. In the event Oregon has to choose from among several projects which ones to submit to the national level

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<sup>26</sup> From *Draft Report and Recommendations: OWEB Land Acquisition Priorities*, p. 7. March 2004. Salem, OR: Oregon Watershed Enhancement Board.



competition, these principles will be used to evaluate and score all eligible proposals. Oregon will assemble a CELCP submittal based on the highest scores, using these principles as criteria:<sup>27</sup>

- Protecting Large, Intact Areas. Large areas, or smaller but key portions of larger landscapes, containing a diverse array of important fish and wildlife species and habitat types and relatively intact, functioning systems.
- Stabilizing Areas “On the Brink.” Areas where natural systems and processes are still functioning, but where a trend toward ecosystem degradation requires action to prevent conditions from “tipping” to an unrecoverable (or very difficult to recover) state. Acquisition and restoration of key parcels can help stabilize such areas. However, CELCP will only invest in such areas when there are other significant restoration activities planned or in place, or where there is strong evidence that restoration of a key parcel can be a catalyst for broader efforts.
- Securing Transition Areas. Areas or sites providing critical habitat or watershed function in areas undergoing transition from undeveloped to developed conditions.
- Restoring Function. Areas where restoration and active management are necessary to re-establish critical ecological functions supporting broader, landscape-scale conservation strategies. Individual parcels in these areas may be in a degraded condition but still have potential for restoration within the geographic and management context of larger conservation efforts.
- Protecting Sites with Exceptional Biodiversity Values. Areas containing aggregations of local endemics or at-risk species and habitat types, but only where the species or habitat types can be demonstrated to be viable and sustainable.
- Improving Connectivity. Sites that contribute to habitat connectivity by expanding or connecting areas already managed to protect watershed resources and/or functions; for example, acquiring a parcel connecting two sections of a publicly owned migratory corridor for fish or wildlife.
- Complementing Existing Networks. Parcels or sites that complete or complement existing networks or patterns of conserved areas; for example, a project contains land with a system type significantly underrepresented in the current network of lands managed for conservation purposes.

Finally, since the Oregon Coastal Program is the actual applicant to NOAA for CELCP funds, and since project funding must be used within 24 or 36 months, there is a need to make sure prospective sellers are serious about their willingness to sell their land for conservation purposes. Project proposals will be required to include either an option to purchase or a letter from the owner expressing an interest in the conservation sale.

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<sup>27</sup> *Ibid.*

## **V. Process for selecting CELCP projects to forward to NOAA**

The national CELCP guidelines specify that state plans should contain a “description of the state’s process for reviewing and prioritizing qualified proposals for nomination to the national selection process. The vetting process should, at a minimum, involve representatives from the state’s coastal zone management program, NERR(s), and any other agencies or entities that the state considers appropriate.” This section describes Oregon’s project solicitation, review, and selection process.

Oregon’s CELCP process will largely follow the process used by the Oregon Coastal Management Program to solicit proposals for Coastal Resource Management Improvement grants under Section 306A of the Coastal Zone Management Act. Generally, the process for selecting projects will involve the following three steps:

- ❖ Project Solicitation
- ❖ Proposal Acceptance, Review, and Scoring
- ❖ Selection of Proposals for National Competition

These steps and a timeline for their implementation will be clarified in the solicitation and application materials at the appropriate time.

### **A. Project Solicitation**

As soon as possible after notification from OCRM that funds will be available for CELCP projects under a competitive grant program, the Oregon Coastal Management Program (OCMP) will distribute a CELCP solicitation notice and application package to state agencies and local governments that have resource management authorities or land use planning jurisdiction within CELCP project areas. This is about 50 entities. Application materials will describe applicant eligibility criteria; the criteria for project selection; the process for solicitation; the process for review and criteria for selection of projects to forward to the national-level competition; and a summary of the state and federal program requirements. OCMP staff will be available to help prospective applicants assemble a competitive package. If possible, the OCMP will provide 60 days in which to develop CELCP project proposals.

The OCMP will develop a list of organizations, entities, and individuals interested in coastal land conservation, and will use the list to provide notice that a competitive funding process has been initiated. The OCMP will direct non-governmental organizations to contact the appropriate local governments or state agencies if they intend to assist in the development of a CELCP proposal.

The CELCP solicitation notice and application materials will describe the minimum qualifications for CELCP project funding, will refer applicants to this plan and to the national CELCP guidelines, and will clearly describe all criteria and the possible scores to be used in the review of proposals.

The coastal program will convene a proposal review team consisting of representatives of the following:

- The Oregon Coastal Management Program (OCMP) staff in DLCD
- The South Slough National Estuarine Research Reserve;
- Oregon State University/Sea Grant;
- At least one other state agency member of the OCMP. Candidate agencies include the Department of Parks and Recreation, the Department of State Lands, the Watershed Enhancement Board, and the Department of Fish and Wildlife.

No agency that has submitted a project proposal may serve on the team that will review proposals.

**B. Proposal Acceptance, Review and Scoring**

All timely CELCP proposals will be analyzed by OCMP staff administering the CELCP solicitation process to ensure they meet the qualifying criteria discussed above. Proposals that do not meet the necessary minimum qualifications described in this plan and in the national CELCP guidelines will not be accepted for consideration for Oregon CELCP funding, and the applicants responsible for such proposals will be notified in writing of the OCMP's determination.

Before qualifying proposals are sent to the review team, the OCMP staff will make a presentation to the review team on the review criteria, and will facilitate the team's discussion of the criteria and the scoring and ranking process. The scoring and ranking process will be governed by the following:

- All applications that are accepted for further review will be reviewed and scored by each member of the CELCP proposal review team.
- Each application will receive the total of all points awarded by each reviewer; the final score for each application will be the total of all scores awarded to that application.
- All scoring decisions will be based solely on the information contained in the written proposals.
- All applications will be ranked from the highest to the lowest combined scores.

Upon the conclusion of the review and scoring process, a list of all proposals accepted for review, rank ordered from highest to lowest score, will be forwarded to the Oregon Coastal Management Program Manager. The Program Manager will certify the scoring and ranking of all qualifying applications. The Program Manager's certification will be final.

**C. Selection of Proposals for National Competition**

Upon the Program Manager's certification of the scoring and ranking, the Oregon Coastal Program may proceed to assemble a proposal package for submittal to the national competitive review process. In the event the number of eligible proposals or the total funding proposed for all eligible proposals exceeds the limits for such stated in the solicitation for CELCP project proposals, all eligible proposals will be reviewed and scored according to OWEB's principles for conservation land acquisitions described in Section IV. B. above. Projects that score the highest against the OWEB principles will be forwarded for the national level competition.

The coastal program may assemble a package of any number of qualifying proposals and forward the package as a single application for CELCP funds. Selection of proposals to package together to forward for national CELCP competition will be based on the amount of funding available, the amount of funds requested by the ranked proposals, and the OCMP's judgment of the likelihood a proposal will score well at the national level.

Sponsors for proposals selected to forward to the national competition will be notified of the outcome of the review and project selection process, and will be instructed to prepare additional project application material according to Section 4.2 of the national CELCP guidelines, "Information Required in Project Applications to NOAA." The Coastal Program will provide assistance, as necessary and available, to applicants preparing applications for consideration in the national competitive process. However, project sponsors are entirely responsible for assembling all materials needed to complete an application submittal to NOAA. Failure to provide the OCMP with necessary and suitable materials for a submittal in a timely manner will result in the selection of the next-ranking eligible proposal to submit to the national level competition.

## **VI. Public involvement in development of Oregon's CELC Plan**

The process of developing Oregon's CELCP plan began with a series of consultations with stakeholders. The coastal program conducted four meetings solely for the purpose of soliciting input and ideas from stakeholders, and made at least three other presentations, followed by general discussions designed to get additional input on some of the most important aspects of developing a CELCP plan. The meetings and presentations were primarily focused on CELCP partners: coastal local governments, state agencies, and conservation organizations. In meetings and presentations, participants were asked about the two most important elements of a state plan: CELCP project areas and coastal conservation priorities.

After the initial series of meetings, the strategy for engaging stakeholders was revised, because the discussions did not yield the kind of programmatic-level information that was being sought. Discussions about project areas and, in particular, conservation priorities with local officials who had generally not had the opportunity to read the CELCP program guidelines tended to focus on acquisitions that would not qualify for CELCP funding. The coastal program decided to develop a draft plan which could then be the basis for further discussions with local officials and other stakeholders.

The coastal program used the winter of 2004-2005 to review conservation plans and to devise an approach to defining project areas and conservation priorities, which were viewed as being of fundamental importance to the overall CELCP plan, using GIS technology. Ultimately, the attempt to define "project areas" based on mapped resources was abandoned. Priority habitats and conservation areas are simply not consistently mapped.

After considerable delay in development of the draft plan, a public review draft was produced in October 2005. The public review draft was posted on the worldwideweb, and a notice of its availability was mailed to all stakeholders who had participated in the development of the plan. In addition, the notice was mailed to other potentially interested parties, including local government officials, conservation organizations, and state and federal agencies. The coastal program provided a comment period of over thirty days. A handful of reviewers provided comments on the draft plan.

### **A. Issues Raised in Public Review of the CELCP Plan**

Several points were raised on more than one occasion in stakeholder discussions. For example, local officials tended to be skeptical about acquisitions, and cautioned that there would be resistance to removing taxable land from the local tax rolls. The protection of scenic views was identified as a priority in three meetings. And in all of the initial stakeholder meetings, participants could identify at least one recent acquisition that was anticipated to benefit the community.

In one of the stakeholder meetings, participants advised the department to use the development of the CELCP Plan to identify conservation needs and priorities *over and above* those that may qualify for CELCP funding. What such a broader plan would look like was not discussed or specified. This plan is a modest first step in any eventual attempt to develop such a plan.

During the comment period, one local official asked to meet with the coastal program staff to discuss the draft plan. That official registered some dissatisfaction with the plan, and suggested the plan be revised to give county governing bodies the ability to veto any CELCP project within their boundary. That suggestion was not incorporated into this plan, since a county that does not wish to sponsor a CELCP proposal need not do so.

Reviewers suggested other changes, most of which are minor and have been incorporated into this plan. Two other suggested changes have not been made. One reviewer suggested that the plan be

extended up the Columbia and Willamette Rivers to the head of tide. This would mean using OCRM's "estuarine drainage areas" (EDAs) as the basis for CELCP in Oregon instead of the Oregon Coastal Zone (see map on page 8), which would also involve extending CELCP well upstream in the Rogue and Umpqua Rivers. The Oregon Coastal Program does not believe *coastal* or *estuarine* resources—as those terms are customarily used—would substantially benefit from using EDAs instead of the Oregon Coastal Zone as the foundation for this CELCP Plan. This suggested change was not made.

Finally, one comment suggested that a measure of the threat of land conversion should be integrated into the plan. Specifically, the commenter said that "... some measure of land conversion is warranted in this plan, given the rapid pace of this threat. Land that otherwise has high protection values and is threatened by irreversible conversion should obtain a high priority ranking in the plan." Examples of irreversible conversions cited involved the subdivision of farm or forest land, and the diking and draining or filling of wetlands. However, Oregon's planning program and other resource protection laws like the Removal-Fill Law provide the basis for identifying lands that are a high priority for protection from irreversible conversion, whether for habitat, open space, or recreational values. In other words, in the framework of Oregon's planning program, there is a legitimate presumption that lands designated for development do not contain priority conservation values that warrant public acquisition. As such, Oregon is reluctant to integrate an evaluation of the threat of conversion into its CELCP review process.

**Acronyms Used in this Plan**

CELCP: Coastal and Estuarine Land Conservation Program

CZMA: Coastal Zone Management Act of 1972

DLCD: Department of Land Conservation and Development

EDA: Estuarine Drainage Area

LCDC: Land Conservation and Development Commission

NERR: National Estuarine Research Reserve

NHIP: Natural Heritage Information Program

NOAA: National Oceanic and Atmospheric Administration

OCC&DC: Oregon Coastal Conservation and Development Commission

OCMP: Oregon Coastal Management Program

OCRM: Office of Coastal Resources Management

ODFW: Oregon Department of Fish and Wildlife

ODSL: Oregon Department of State Lands

OPRD: Oregon Parks and Recreation Department

OWEB: Oregon Watershed Enhancement Board

SCORP: Statewide Outdoor Comprehensive Recreation Plan

SSNERR: South Slough National Estuarine Research Reserve

TNC: The Nature Conservancy

USFWS: United States Fish and Wildlife Service

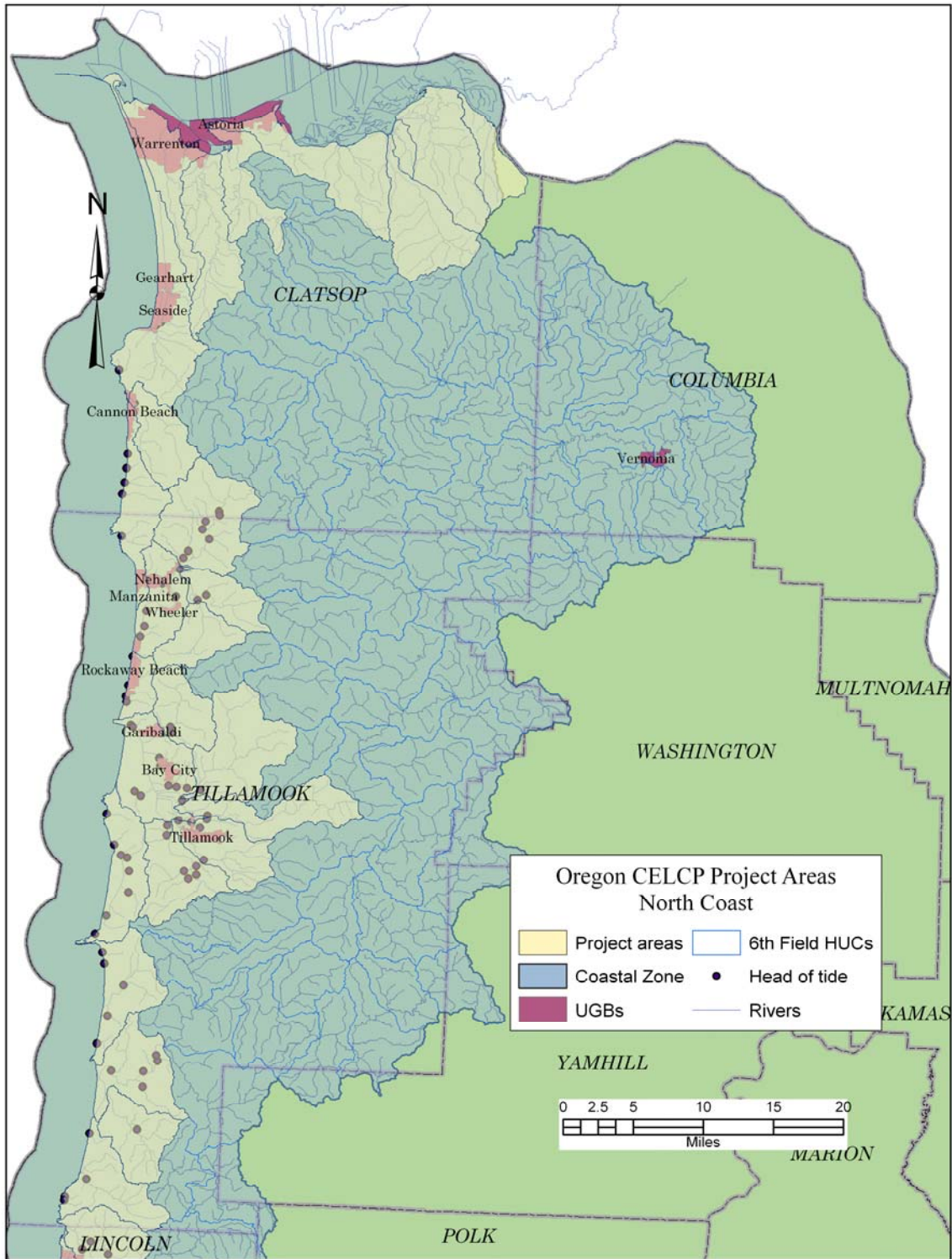
USGS: United States Geological Survey

## **Appendix A: Maps of Oregon CELCP Project Areas**

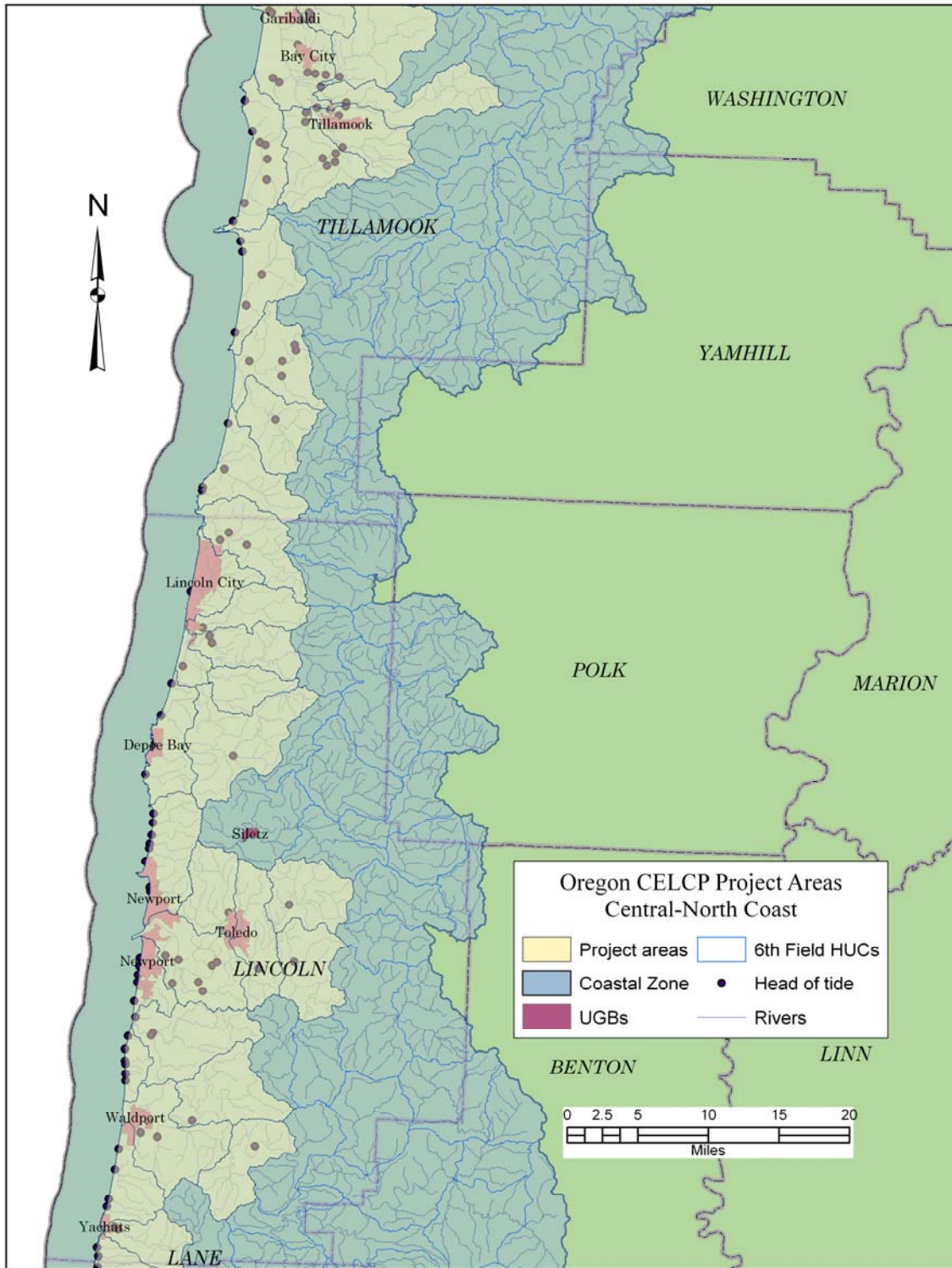
North Coast  
North Central Coast  
South Central Coast  
South Coast





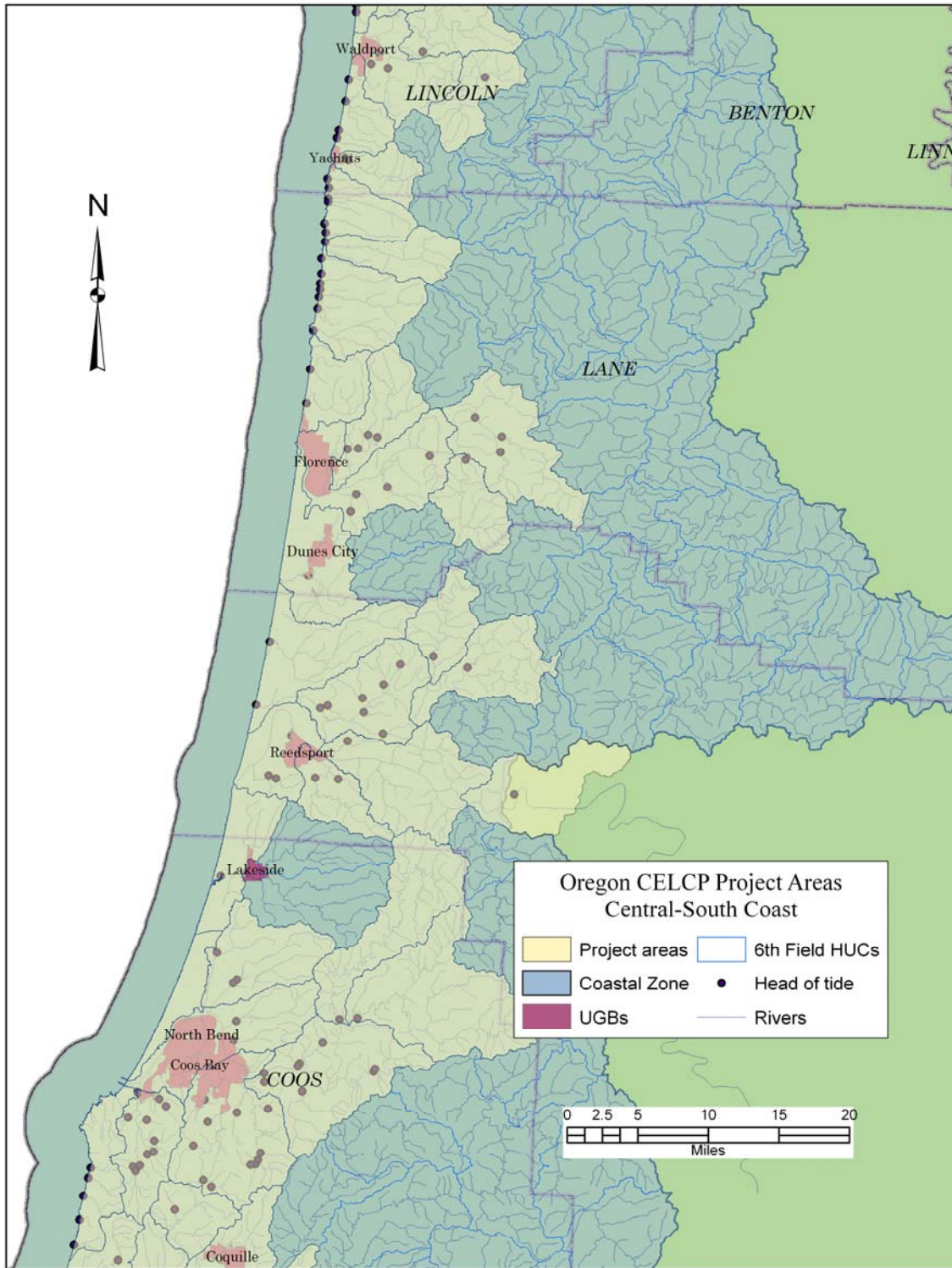




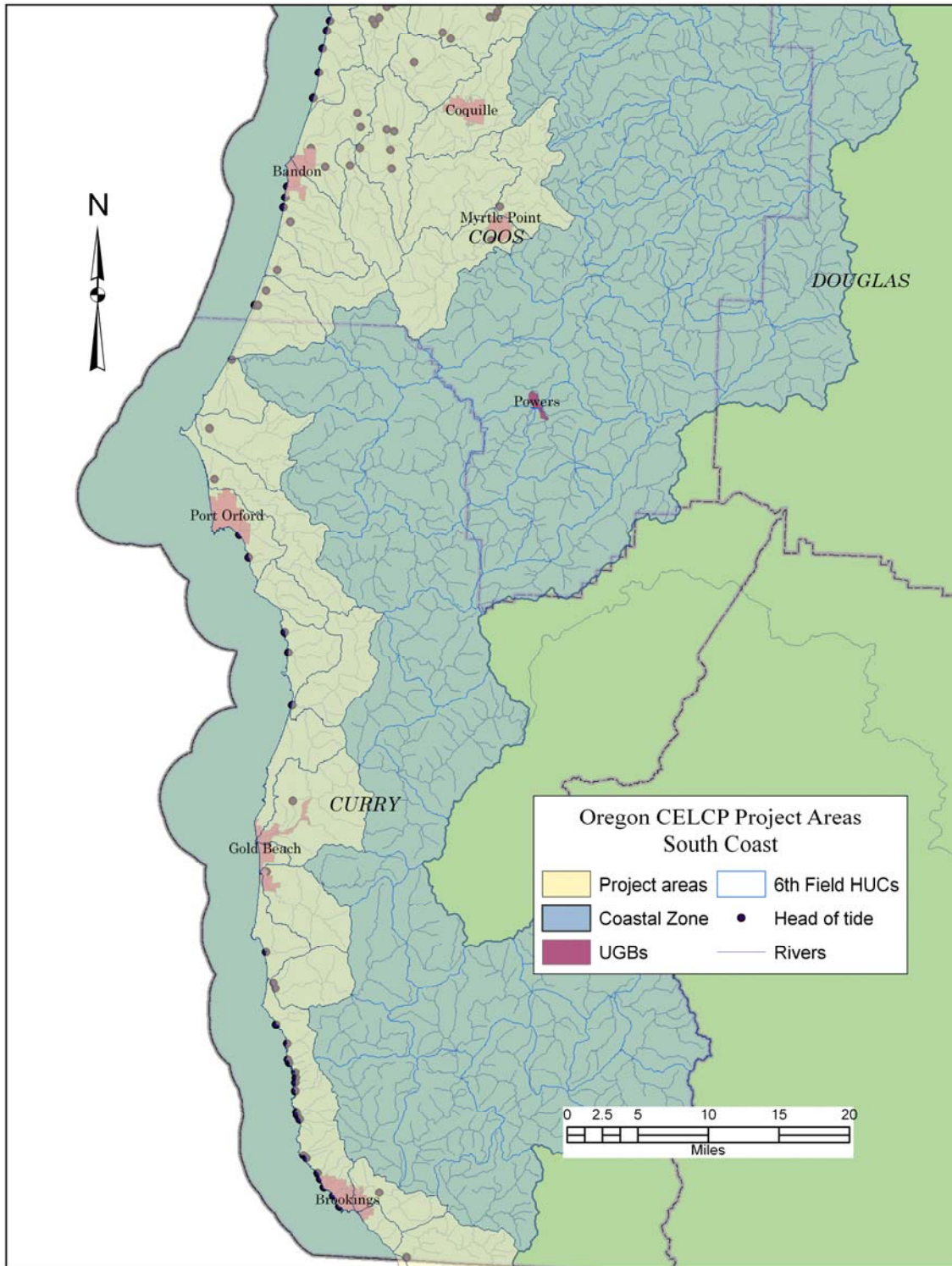
















## **Appendix B: Conservation Priorities: The Basis for CELCP Project Areas and Sources of Information for Supporting CELCP Proposals**

### **1. Policies and Reports that Identify Conservation Priorities**

Over the past thirty years, several studies and reports have identified coastal conservation priorities and resource management threats. While some of the broader conservation threats are being mitigated by Oregon's land use planning program, neither the threat of conversion nor the need for conservation has gone away. If anything, accelerated population growth and coastal land development have increased the need for conservation acquisitions.

Existing plans, studies, reports, and policies can be used to identify conservation priorities for CELCP. The most useful, well-known and comprehensive works are identified and summarized below.

The earliest comprehensive analyses of coastal resource conservation priorities were completed by the Oregon Coastal Conservation and Development Commission (OCC&DC) in the early 1970s. In 1975, the OCC&DC published a series of policies and recommendations that became the foundation for the Oregon Coastal Management Program as it is known today. OCC&DC's resource inventories were invaluable in the development of local comprehensive land use plans, which are an important component of the Oregon Coastal Management Program. Other information resources include the Statewide Planning Goals; local comprehensive land use plans; state agency resource management plans; conservation research; and the conservation and acquisition plans of several non-governmental organizations.

#### **a. The Oregon State of the Environment Report**

Oregon's *State of the Environment Report* (2000) briefly refers to the effect of historic settlement patterns on the coastal landscape. The report indicates that most Oregon estuaries have been reduced in size by filling, diking, and draining, and that their functional capacity has been diminished as a result. Biological communities in coastal lowland systems have been altered. While many natural features remain relatively undeveloped, the natural communities they once supported may no longer thrive. The report also notes that, while most of the Coast Range has been affected primarily by logging activities, "...it is critical to recognize that lowland rivers and wetlands have been altered by agriculture and development more than the forested portions of the ecoregion."<sup>28</sup>

The *Oregon State of the Environment Report 2000 Statewide Summary* contains these conclusions related to coastal systems:<sup>29</sup>

- Coastal rivers and estuaries were altered long ago when side channels were diked, marshes drained, and channels deepened. Such changes limited habitats available for the many kinds of fish and wildlife dependent on estuarine resources.
- Salmon have also suffered from habitat loss and degradation in estuaries and lowland floodplains from settlement and agriculture. Coho and chum salmon, which are particularly dependent on habitat found in these lowland systems, have experienced disproportionately large declines compared to the more forest-dependent Chinook salmon and steelhead.
- Exotic species have invaded all parts of the ecoregion, including Oregon's estuaries, where accidental introductions threaten vulnerable populations of native estuarine invertebrates. Although declines in old-growth dependent species are currently in the spotlight, declining

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<sup>28</sup> *Oregon State of the Environment Report*, p. 164.

<sup>29</sup> See the *Oregon State of the Environment Report 2000 Statewide Summary*, pp. 44-45.

populations of native plants and animals are just as threatened in limited habitats along the coast. In particular, natural communities on grassy headlands and coastal dunes have been greatly diminished due to residential development and the spread of introduced weeds.

Ultimately, the *Oregon State of the Environment Report* emphasizes the need for additional conservation work in lowland areas:

Overall, the Science Panel found that Oregon has made great strides in resolving critical problems of the past. Oregon's land use laws have limited the loss of forest and farm land. Coastal zone management has helped to reverse the loss of estuarine habitats. Forest practices rules have contributed to protection of forest streams. Recent changes in federal land management emphasize protection of biodiversity on federal forests and range lands. Yet, the panel also found that Oregonians now face a new set of environmental challenges that existing policies and programs may not be sufficient to address.

Many of Oregon's key environmental problems are concentrated in the lowlands where most Oregonians live and work. Aquatic ecosystems, which integrate many kinds of activities, are most impacted and most at risk. Water quality in many lowland areas is poor throughout much of the year, and the structure and function of many riparian areas have been significantly altered from historical conditions. With few exceptions, these and other problems are most critical in the lowlands of major river basins—the wetlands, woodlands, and grasslands—that Oregonians have intensively developed for homes, cities, and farms. These lands are mostly privately owned, and the actions involved come from people and industries going about the ordinary business of life.<sup>30</sup>

Ultimately, the *State of the Environment Report* serves as a sobering warning to not confuse the absence of development with integrity of a natural system or community.

#### **b. Oregon Coastal Conservation and Development Commission Policies, 1975**

Oregon first began coastal resource planning and management in 1971, when the Legislature established the Oregon Coastal Conservation and Development Commission (OCC&DC) and directed it to develop “a comprehensive plan for the preservation and development of the natural resources of the coastal zone.” OCC&DC published several resource inventories, considered a broad range of coastal resource issues, and in 1975 produced a report to the Oregon Legislative Assembly that consists of 42 recommended policies and necessary actions for managing coastal resources. OCC&DC's suggested policies laid the foundation for coastal and estuarine conservation planning in Oregon; several of the recommended policies eventually found their way into Oregon's Statewide Planning Goals. However, several elements of OCC&DC's work have never been fully implemented.

OCC&DC's Final Report included policies on the following issues and resources:

- Establishing Scientific and Natural Areas
- Protecting the Visual Attractiveness of the Coast
- Historical and Archaeological Resources in the Planning Process
- Providing for Recreational Demands
- Providing Access to Public Lands and Waters
- Protecting Significant Habitats of Fish and Wildlife Resources

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<sup>30</sup> *Oregon State of the Environment Report*, <http://egov.oregon.gov/DAS/OPB/docs/SOER2000/Ch5.pdf>

OCC&DC's report also had a section on "Areas of Critical State Concern," based in part on language in the Coastal Zone Management Act of 1972, and included a list of candidate sites. While some of the candidate sites were eventually protected under the Statewide Planning Goals, none of them have been protected specifically as "Areas of Critical State Concern." Some candidate sites may still warrant consideration for conservation protection.

OCC&DC also published several important coastal resource inventories that were used by cities and counties in developing local land use plans. One inventory in particular may contain information that is still useful in CELCP conservation planning. The "Visual Resource Analysis of the Oregon Coastal Zone" contains maps of the coast classified into "image regions," including one region classified as having "Potential for Exceptional Coastal Experience." These are landscape views that have the strongest coastal association, and which warrant special attention because of unique and diverse landscape features. In the inventory, they are defined as "... landscapes which are of statewide and/or national concern from the point of view of experiential quality. Any land use considered in these areas should be carefully weighed against the value and meaning of the unit to the public at large. Landscapes within this area are prime for public acquisition and preservation."<sup>31</sup> The visual resource inventory still contains useful information for local conservation planning.

### c. Oregon's Comprehensive Land Use Planning Goals

After the OCC&DC completed its work, Oregon's coastal zone management responsibilities were given to the Land Conservation and Development Commission, which had been created in 1973 for the purpose of establishing standards for local land use planning. In 1974, LCDC adopted several "statewide planning goals," which were to be applied by cities and counties in developing their local comprehensive land use plans. In 1976, LCDC adopted four additional goals to address coastal resource planning and management issues. These so-called "coastal goals," based largely on the work of the OCC&DC, specify conservation priorities for coastal resources that are to be implemented through local comprehensive plans. In applying the coastal goals, local land use plans identify specific coastal sites for conservation; some may identify candidates for acquisition. Oregon's coastal goals are generally thought to have been instrumental in conserving the resources and functions of Oregon's estuaries, beaches, dunes, and coastal shorelands.

Four of Oregon's planning goals have particular relevance for CELCP. These goals provide the basis for designating a site for protection in a local comprehensive plan. Such a local conservation designation could be used as the basis for a CELCP proposal. The four goals, which describe resources to be protected in the local comprehensive plan, are:

**Goal 5– Natural Resources, Scenic and Historic Areas, and Open Spaces:** Goal 5 contains planning requirements for several resources that may have considerable value to a community. These include riparian areas, wetlands, historic resources, wildlife habitat, natural areas, and scenic views. Goal 5 establishes a framework for local governments to inventory resources, determine which resource sites are 'significant,' and adopt programs to protect significant resource sites. Significant Goal 5 resources may be candidates for CELCP acquisition.

**Goal 16-Estuarine Resources:** Oregon's estuarine areas are placed in "management units" that define the highest level of alteration that may be permitted. There are natural, conservation, and development management units. Sensitive estuarine features such as salt marshes, tideflats, and

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<sup>31</sup> Oregon Coastal Conservation and Development Commission. *Visual Resource Analysis of the Oregon Coastal Zone*, 1975; p.73.

seagrass and algae beds are all designated as “natural” management units. All areas that are in Natural management units are a high priority for conservation.

The health and productivity of Oregon’s estuaries are essential for maintaining Oregon’s commercial fisheries. The National Marine Fisheries Service (NMFS), which is responsible for managing federal marine fishery resources, has designated estuarine habitats in Oregon as Essential Fish Habitat (EFH) in fishery management plans for twenty groundfish species, five coastal pelagic species, and two Pacific Salmon species. In other words, these species depend on Oregon’s estuarine environments for some portion of their life history. They have a substantial effect on Oregon’s coastal economy.

Several Oregon estuaries are surrounded by “reclaimed” tidelands used for grazing and other agricultural activities. Planning for these lands has generally been based on the planning goal for agricultural lands, *even though they are former tidelands* that have been diked and converted to agricultural use. Diked former tidelands have been restored to tidal influence in the Columbia, Tillamook, Nestucca, Nehalem, Salmon River, Coos Bay, and Coquille estuaries. Some estuary management plans developed by local governments in the 1980s identify estuary restoration sites. More recently, several local watershed councils have completed estuarine wetland prioritizations, which may identify candidates for wetland restoration. Conservation of estuarine areas and the restoration of diked lands to estuarine influence are conservation priorities.

**Goal 17-Coastal Shorelands:** Shorelands are a limited resource that is uniquely suited for activities that require access to water. Some land use activities must be located adjacent to water. For example, marine terminals and other port facilities, boatbuilding, and fish processing activities cannot realistically function in areas that do not have direct access to water.

Goal 17 required local governments to inventory certain resources and features within a coastal shoreland planning area. The goal requires that certain types of shorelands be protected in local plans. Major marshes, significant wildlife habitat, coastal headlands, and exceptional aesthetic resources inventoried in the coastal shoreland planning area shall be protected in the local comprehensive plan.

**Goal 18-Beaches and Dunes:** Oregon’s ocean beaches are reserved for public use. Goal 18 provides for the use of beach and dune areas consistent with their capability to sustain different levels of use. In general, Goal 18 prohibits development on unstable dune forms, on beaches, and in areas subject to ocean flooding. Goal 18 also provides for the protection of “areas of critical environmental concern” and areas with scientific, scenic, or biological significance. Much of the area subject to Goal 18 is already in public ownership.

#### **d. The Oregon Plan for Salmon and Watersheds**

For almost ten years, the State of Oregon has developed a framework and measures to ensure the recovery of several at-risk populations of salmonids, some of which historically have inhabited watersheds in the Oregon Coastal Zone. Oregon’s effort has been broad, far-reaching, and all-inclusive. A central element of the *Oregon Plan for Salmon and Watersheds* (commonly known as the Oregon Plan) consists of agency “measures” that are or can be taken to address factors for the decline in salmonid populations. There are hundreds of measures listed in the plan. Given the geographic breadth of the Oregon Plan; that one of its primary purposes is to involve virtually all parties working in a watershed; and the extent of habitat that needs restoration or protection, the Oregon Plan itself is somewhat unwieldy and lacking in specific conservation priorities.

Nevertheless, the plan does make clear that estuarine habitats and riparian structure and function need to be restored and protected in most coastal basins.

One other principal component of the Oregon Plan is the work of watershed councils. Watershed councils have been organized and empowered to identify conservation, protection, and restoration actions that can be implemented to improve watershed conditions. Watershed councils are working in all the basins within the scope of this plan. While the Oregon Plan identifies several components of aquatic habitat as general conservation priorities, watershed assessments and action plans narrow the focus down to particular watersheds, and are site-specific. As such, this plan can make most effective use of the Oregon Plan below, in Section VI.E., where plans that can be used to support a CELCP proposal are identified and described.

**e. Oregon Watershed Enhancement Board Priority Ecological Systems**

The Oregon Watershed Enhancement Board (OWEB) administers a grant program that, among other things, can provide funding for conservation acquisitions. In 2004 OWEB identified land acquisition priorities in all basins in the state. OWEB's acquisition priorities are based on ecological benefits—in its words, “the habitats, species and key ecosystem principles and processes that should be addressed by land acquisition project applications.” OWEB stresses that its work does not establish “conservation priorities in general.” In general, OWEB's priorities emphasize “habitats and species that have experienced significant losses in distribution or population levels over time.”

The following *priority ecological systems* are from OWEB's report on acquisition priorities.<sup>32</sup> Note that the geography of these basins is larger than the Oregon coastal zone. *Note also that these priority systems have not been consistently mapped or even inventoried. In some cases, the habitat only exists in small remnant patches. Some habitats may have been entirely eradicated.*

**Lower Columbia Basin**

- Freshwater Emergent Marsh
- Western Oregon Wet Prairie
- Sitka Spruce Forest
- Lowland Riparian Woodland and Shrubland
- Coastal Western Hemlock Forest
- Intertidal Mudflat
- Depressional Wetland Shrublands
- Intertidal Freshwater Wetlands
- Herbaceous Balds And Bluffs
- Freshwater Mudflats
- Tidal Salt Marsh
- Freshwater Aquatic Beds

**North Coast Basin**

- Freshwater Marsh and Aquatic Beds
- Chaparral and North Coast Shrublands
- Lowland Riparian Woodland and Shrubland
- Sitka Spruce Forest
- Intertidal Mudflat
- Tidally-influenced freshwater wetlands
- Intertidal Salt Marshes
- Eelgrass Beds

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<sup>32</sup> Draft Report and Recommendations: OWEB Land Acquisition Priorities. Wiley, Pam and Kagan, J., Oregon Natural Heritage Information Center. March 2004. Systems that do not naturally occur in the coastal zone have not been included.

Mudflats  
Montane non-linear Forested Depressional Wetlands (Swamps)  
Montane Riparian  
Lowland non-linear Forested Wetlands (Swamps)  
Floodplain/Outwash Lowland Riparian (Linear) Wetlands  
Fens  
Montane Wet meadows and shrublands  
Lowland depressional shrub wetlands and wet prairies  
Mesic herbaceous wetlands

### **South Coast Basin**

Western Oregon Wet Prairie  
Sitka Spruce Forest  
Freshwater Emergent Marsh  
Lowland Riparian Woodland and Shrubland  
Deciduous Swamp  
Montane Riparian Woodland and Shrubland  
Lowland Riparian Woodland and Shrubland  
Intertidal Freshwater Wetland  
Intertidal Mudflat  
Tidal Salt Marsh  
Southern Oregon Coastal Bluffs and Headlands  
South Coast Grassland

### **Rogue Basin**

Coastal Sand Dune  
Subalpine or Montane Wet Meadow  
Lowland Riparian Woodland and Shrubland  
Deciduous Swamp  
Montane Riparian Woodland and Shrubland  
Intertidal Freshwater Wetland  
Intertidal Mudflat  
Tidal Salt Marsh  
Serpentine Barrens  
Southern Oregon Coastal Bluffs and Headlands

### **Umpqua Basin**

Western Oregon Wet Prairie  
Emergent Marsh  
Sitka Spruce Forest  
Lowland Riparian Woodland and Shrubland  
Depressional Wetland Shrublands  
Depressional Wetland Broadleaf Forests  
Montane Riparian Forests And Shrublands  
Coniferous Forested Wetlands  
Freshwater Aquatic Beds  
Autumnal Freshwater Mudflats  
Sphagnum Bogs And Fens  
Vernal Pools

Any one of the priority ecological systems may be used as the basis for a CELCP project.

**f. Oregon’s Comprehensive Wildlife Conservation Strategy**

The Oregon Department of Fish and Wildlife (ODFW) recently adopted the *Conservation Strategy for Oregon*, which is a comprehensive conservation strategy for Oregon’s wildlife.<sup>33</sup> The strategy provides a conceptual framework for long-term conservation of Oregon’s native wildlife species. The strategy emphasizes voluntary actions—including acquisition from a willing seller—to conserve species and habitats. The Strategy is organized by ecoregion; it identifies “strategy species” and “strategy habitats” in each ecoregion, and conservation actions that are needed for each species. Strategy species are generally species whose populations are low and declining, or species that are indicators of the overall health of the state’s wildlife. Strategy habitats generally represent habitat types that have been reduced in extent or connectivity, or which have been otherwise degraded. There are sixty-six strategy species identified in the Coast Range Ecoregion.

The Strategy also identifies “conservation opportunity areas” in each ecoregion. Conservation Opportunity Areas are landscapes where conservation actions can produce the greatest benefits for the broadest array of species and habitat types. The strategy emphasizes that opportunity areas are not the only areas that need conservation actions. Finally, “specialized and local habitats” are defined in each ecoregion. The map on the next page shows the Conservation Opportunity Areas identified in the Coast Range Ecoregion.

The Strategy identifies seven statewide conservation issues. Three of these issues in particular appear to fit well within the framework of CELCP, and thus could be central to the development of a conservation acquisition proposal: disruption of natural disturbance regimes; land use changes; and barriers to fish and wildlife movement. Any one of these three issues could be the basis for a CELCP proposal. Limiting factors for species conservation efforts in the Coast Range Ecoregion include land conversion and urbanization; oil spills, wetland and estuarine alterations, recreational use, and invasive species.

Strategy habitats that occur in the CELCP planning area include the following:









- Late successional conifer forests
- Coastal bluffs and montane grasslands
- Coastal dunes
- Estuaries
- Riparian areas
- Freshwater wetlands
- Freshwater aquatic habitats

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<sup>33</sup> ODFW also recently produced a Draft Nearshore Marine Resources Strategy, which was available for public comment at the same time this draft CELCP plan was distributed for review and comment. The Nearshore Strategy, which includes strategy species that utilize or depend on estuarine habitats, will be incorporated into the *Conservation Strategy for Oregon* upon its approval. References in this plan to the *Conservation Strategy for Oregon* include the Nearshore Strategy.

**Coast Range Ecoregion  
Conservation Opportunity Areas**



<b>Land Ownership</b>		 Conservation Opportunity Area
 Federal	 Highway	 River
 Private	 Water Body	
 State		
 County		

*This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data information sources to ascertain the usability of the information.*





g. **Statewide Comprehensive Outdoor Recreation Plan**

The Oregon Parks and Recreation Department (OPRD) conducts planning for park and recreation facilities statewide. Every five years, OPRD revises and updates the *Statewide Comprehensive Outdoor Recreation Plan* (SCORP), which provides a framework for administering federal Land and Water Conservation grant funds. SCORP contains a summary of the top recreational planning and management issues in the different regions of the state. The following issues identified in coastal communities are consistent with the purpose of CELCP:<sup>34</sup>

➤ **Funding priority for new river access facilities and rehabilitation of existing river access facilities.**

There is a lack of developed river access facilities for angling, swimming, kayaking, canoeing and sunbathing. In addition, there is a need for rehabilitation of existing river access facilities.

➤ **Funding priority for additional non-motorized recreational trails.**

Need for additional recreational trails in close proximity to populated areas. This includes acquisition of land or easements for trails and trail connections. There is also a need for off-highway bicycle trails. At present, there is an increasing demand for hiking, biking, and equestrian trails in the coast range and along the coast. There is also a need for longer trails for multiple-night backpacking trips.

➤ **Funding priority for preserving or acquiring coastal access and view sheds.**

There is a need to acquire high-value coastal properties for public recreational use. Specific acquisitions include areas identified for public beach access and those necessary to maintain a natural experience for beach users (e.g. undeveloped coastal areas in proximity to beach access points). Key coastal parcels should be identified and purchased before development occurs.

h. **Ocean Shores Management Plan**

In January 2005, the Oregon Parks and Recreation Department (OPRD) completed a comprehensive review of its regulatory and management responsibilities for the Pacific Ocean shoreline and beaches, and adopted an Ocean Shores Management Plan.<sup>35</sup> The Ocean Shores Management Plan contains a vision for Oregon's ocean shores, and recommends several actions to achieve that vision. OPRD's challenge was to meet the sometimes competing demands of a diverse set of ocean shore users. The department wants to address increasing recreational use of beaches, increasing upland development adjacent to the beach and shores, and manage and protect resources such as the western snowy plover and prehistoric archeological sites.

The Ocean Shores Management Plan is important to CELCP in part because it makes specific acquisition recommendations. Appendix E of the plan contains several "Management, Development and Acquisition" recommendations for specific sites along the entire coast, including recommendations to other agencies and local governments. And Appendix F is a "Land Conservation Summary" that identifies opportunities to improve recreational use and resource protection through land acquisitions. Several of the land conservation opportunities could qualify as CELCP projects.

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<sup>34</sup> These are taken from the SCORP, Chapter 5.

<sup>35</sup> See [http://egov.oregon.gov/OPRD/PLANS/docs/masterplans/osmp\\_hcp/FinalOceanShoresMP052305.pdf](http://egov.oregon.gov/OPRD/PLANS/docs/masterplans/osmp_hcp/FinalOceanShoresMP052305.pdf)

## **2. Resource Analyses and Assessments**

### **a. Oregon Natural Heritage Plan**

Oregon's Natural Heritage Program has its foundation in legislation adopted by the Oregon Legislature in 1979. The mission of the program is "to acquire, maintain and distribute information on the organisms and ecosystems that constitute Oregon's natural heritage, and to ensure, through a public planning process and through voluntary public and private efforts, that the full range of Oregon's natural heritage resources is represented within a statewide system of recognized natural areas."<sup>36</sup>

The strategy of the Natural Heritage Program is to protect at least one example of every kind of habitat and natural system in the state in part as a benchmark for study and comparison with other examples of that habitat or system. The *2003 Oregon Natural Heritage Plan*, which in part identifies natural areas of exceptional value for conservation, identifies resources in the Coast Range ecoregion that are or should be represented in Oregon's Natural Heritage system. Resources, represented as ecosystem *cells*, are ranked as high, medium, or low priority for protection according to the degree of risk that those resources may disappear. "The ecological elements represented in cells are generally one or more ecological assemblages called plant associations, defined by the dominant native plants that characterize the environment."<sup>37</sup> Several factors are used to assign priority for protection, including the rarity of an element, the level of threat, and the vulnerability to disturbance. The Natural Heritage Plan identifies several cells in the Coast Range Ecoregion as high priority for protection. Unfilled cells are too numerous to list in this plan.

While an acquisition project may not be primarily designed to fulfill one of the objectives of the Natural Heritage Plan, the Natural Heritage Plan contains information that can be used to help evaluate acquisition proposals. For example, a CELCP proposal could potentially be given a higher ranking because it includes an unfilled Natural Heritage Plan cell.

### **b. A GAP Analysis of Oregon**

Oregon was the third state to complete a so-called "GAP Analysis," which involves information on the incidence of terrestrial vertebrate species and habitats and the distribution of conservation lands. The strategy behind the original GAP analyses was to identify and protect lands that have a high incidence of species in need of conservation protection. The premise that underlies GAP is that it is less expensive in the long run to protect areas that are rich in the incidence of species that are in need of conservation. GAP analyses have been now completed for all of the United States.

The Oregon GAP Analysis, completed in 1999, is intended to establish a "geographic approach to planning for biological diversity." The goals of the GAP analysis

"... were to (1) produce GIS-databases describing actual land cover type, historical land cover type, terrestrial vertebrate species distributions, land stewardship, and land management status at a scale of 1:100,000, (2) identify land cover types and terrestrial vertebrate species that currently are not represented or are under-represented in areas managed for long-term maintenance of biodiversity, i.e., "gaps," and (3) facilitate cooperative development and use of information so that institutions, agencies, and private land owners may be more effective stewards of Oregon's natural resources. ..."<sup>38</sup>

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<sup>36</sup> From <http://oregonstate.edu/ornhic/ornhp.html>

<sup>37</sup> State Land Board, Salem, OR. Oregon Natural Heritage Plan, February 2004, p. 11. Available at [http://oregonstate.edu/ornhic/ornh\\_plan.pdf](http://oregonstate.edu/ornhic/ornh_plan.pdf).

<sup>38</sup> Oregon GAP Analysis Project Final Report. 1999.

The Oregon GAP Analysis stopped short of actually identifying sites or lands whose protection would represent an efficient conservation investment. Instead, all of the data needed to complete an analysis have been made available to parties with any interest in identifying conservation priorities or opportunities. The GAP Analysis used a minimum mapping unit of 100 hectares, which is equivalent to 247 acres. Enough work has been completed with the GAP data to identify natural riparian areas and wetlands as statewide GAP priorities.

**c. *Oregon's Living Landscape. The Oregon Biodiversity Project***

The Oregon Biodiversity Project is a privately-initiated collaboration of several organizations to develop a statewide biodiversity conservation strategy. The result of the project was published in 1998 as *Oregon's Living Landscape*. Essentially, the project finishes what the GAP Analysis was originally intended to do. Using the statewide GAP analysis data, the project identified 42 'conservation opportunity areas' as high priorities for landscape-scale conservation actions. Four 'conservation opportunity areas' are in the coastal zone.

The Biodiversity Project's Coast Range Ecoregional Assessment says the following:

Oak woodland communities, sand dune ecosystems, estuaries, floodplain wetlands, and instream and riparian habitats have all been dramatically altered and are not well represented in the region's current conservation network. Exotic plant species—notably, Scotch broom and gorse—pose serious problems in many areas.

At-risk species of note include the northern spotted owl, marbled murrelet, coho salmon, Oregon silverspot butterfly, snowy plover, Aleutian Canada goose, and numerous plant species including pink sandverberna, formerly prolific on coastal dune habitats.

Four general areas appear to offer good opportunities to address biodiversity conservation needs:

1. Cape Blanco area: Important for aquatic and terrestrial biodiversity. Characterized by coastal lowlands and headlands, and old growth conifer forests. Valuable habitat for more than 25 at-risk species.
2. Alsea-Siuslaw area: Important for fish habitat values, encompassing 12 aquatic diversity areas and one of the highest concentrations of salmonid core areas in the state.
3. Nestucca River watershed: Contains several aquatic diversity areas and includes core areas for chum, coho and spring Chinook salmon, and winter steelhead.
4. Tillamook Bay watershed: Encompasses one of the largest, unfragmented blocks of forest (Tillamook State Forest) in the ecoregion, as well as important river delta areas for migrating waterfowl, shorebirds, and other estuarine-dependent species.<sup>39</sup>

Possible conservation actions identified by the project include acquisitions, easements, legislation, negotiated agreements, habitat restoration, and changes in management that directly enhance biodiversity values. The Biodiversity Project provides information that may be used to support a CELCP proposal.

**d. *The Nature Conservancy's Ecoregional Assessment***

The Nature Conservancy (TNC), a private non-governmental conservation organization, has established a record of identifying and protecting important ecological resources through direct acquisitions. In order to adopt a strategic approach to identifying acquisition candidates, TNC recently developed computerized analytical routines to identify conservation opportunities. TNC used data similar to that used in the GAP Analysis and the Biodiversity Project. A significant

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<sup>39</sup> Material taken from <http://www.biodiversitypartners.org/state/or/obp/006.shtml>

difference between TNC's ecoregional analysis and other analyses is that the TNC attempts to integrate the knowledge of local conservation experts into its analytical routines, using interviews and workshops. TNC has completed an Ecoregional Assessment of the Oregon Coastal Zone, and has produced a list of sites that together would protect biodiversity in the terrestrial areas of the coastal zone. An aquatic system assessment is in its final stages of preparation. TNC's identified sites constitute a "portfolio" of possible conservation acquisitions. The portfolio is intended to be comprehensive, and can therefore occupy as much as thirty percent of an ecoregion. The primary purpose of TNC's portfolio is to focus conservation attention on these areas, rather than to list specific acquisition sites. The Nature Conservancy develops more detailed plans of portfolio areas to identify acquisition priorities.

## Appendix C: OCRM Comments on Oregon's Draft CELCP Plan

November 15, 2006

MEMORANDUM TO: Jeff Weber  
FROM: Elaine Vaudreuil  
SUBJECT: Comments on the draft Oregon CELCP plan

As requested, here are comments on the draft Oregon CELCP plan. These comments add to (and reiterate) the initial comments I've previously shared with you by phone. Elisabeth and I wanted to give some more detailed comments and suggestions for clarifying or strengthening several sections for the final draft.

This plan does a good job tying the state's CELCP plan to the priorities of Oregon's coastal management plan and tracing the origin of these priorities. It also does a good job of identifying and tying in a number of other existing conservation planning efforts within the state. Our suggestions focus on clarifying: the conservation needs and priorities for the state, particularly as they relate to the project areas, and the process that will be used to evaluate projects at the state level. These comments are organized in a section-by-section format. Please let us know if you'd like to discuss any of these comments.

### 1. Introduction – Overview and Context

This section provides good background and context for the development of the plan and for Oregon's priorities outlined in the plan. One comment: section I.A. states that this plan establishes "broad priorities" – please refer to comments under sections on "conservation needs" and "project areas".

### 2. Geographic Scope - Definition of coastal and estuarine areas.

The geographic extent of coastal and estuarine areas is fine – it relies on Oregon's coastal zone as the boundary. The map showing the relationship between Oregon's coastal zone boundary and the estuarine drainage areas is helpful as context. However, it would be helpful to include the landward boundary of the 6<sup>th</sup> field units on the map as well since the 6<sup>th</sup> field units are used to define the state's project areas.

### 3. Development Pressures and Threat of Conversion

This section is currently located on page 23 after the discussion of conservation needs and project areas. It would be helpful to move this section closer to the beginning of the document, perhaps between "conservation needs" and "project areas" to set the stage for identifying priority project areas to address those pressures and threats. It would also help explain the need for acquisition as a tool to protect the areas that have been identified as priority conservation needs.

If you're interested, we can provide some statistics about recent and/or projected population growth in the coastal counties like from NOAA's coastal population report.

### 3. Conservation Needs / Important land values and types.

This section references a number of previous or ongoing efforts that have identified a variety of habitat types as important to the state. However, it states that any of these *could* be considered priorities, rather than affirming that they *are* considered as important to the state.

It also states that the plan is designed to allow local communities to use *their* conservation priorities as the basis for developing project proposals and states that any of the identified list of priorities *could* be a priority.

Recognizing that the state wants to encourage conservation planning at the local level, we are concerned that this section is too broad. It could be strengthened by identifying a range of habitat or land types as priorities for the state (drawing from existing plans), but giving flexibility to local communities to nominate projects of local significance that address one or more of the state's priorities. For example, this section describes several plans that were used as the basis for identifying priorities within the plan. Rather than fully describing the plans here, it would be clearer to focus this section on synthesizing the types of lands and values identified among those plans and comprehensive planning goals described in the Overview section (such as wetlands and lowland riparian areas as habitat for salmon and other species, dune systems, etc.). The plans could then be described in the "plans included by reference" section.

#### 4. Identification of project areas.

The plan identifies one broad project area that encompasses the range of priorities described in the "conservation needs" and "plans incorporated by reference" sections. As I've mentioned by phone, we're concerned about the use of a broad project area combined with a statement that this plan is designed to capture "all possibly qualifying proposals that may be developed by a local community." It suggests that the project area is designed to be a catch-all, rather than the geographic extent of the state's priority conservation needs. As phrased, it also seems to discount the discussion in earlier sections about priority conservation needs and state-wide planning goals. The project areas should be tied to those conservation needs and priorities.

Because the coastal program is networked and carried out through local comprehensive plans, we understand that the program will be implemented largely at the local level. However, as phrased, it's not clear whether this is intended to mean: a) that all communities are eligible to submit proposals that address the lands and values identified by the state as priorities; or b) that a community can submit any project that's locally important as long as it falls within the 6<sup>th</sup> field unit boundary, regardless of whether it addresses one of the state's conservation priorities.

If the local comprehensive plans reflect the state's coastal planning goals and priorities, it stands to reason that projects identified within local comprehensive plans would address not only priorities of the local community but of the state as well, correct? Alternately, if localities nominate projects that are locally significant but that do not address the state's coastal priorities, such projects would probably not compete well at the national level against projects that support broader (or multiple) coastal protection goals.

If one large project is used (in the case of the 6<sup>th</sup> field unit boundary), there needs to be a stronger, clearer link to plans or data sources that locate the geographic extent of the lands and values that the state seeks to protect. It should also provide clearer guidance to potential applicants as to the types of lands or habitat values likely to compete well at the state level because based on the state's priorities and ranking factors. Some of these are mentioned in sections III.A.2 and 3, as well as VI.D, but currently, the plan doesn't include sources that identify where some of these priorities are located. These documents should be included as

appendices (such as Appendix F of the Ocean Shores Management Plan) or provide a link or contact info for where the supporting information can be found.

Also, in terms of the geographic extent of the 6<sup>th</sup> field units, we recognize the reluctance to include specific maps, but also recognize that it's important to provide enough information for applicants and reviewers to be able to tell whether a project falls within a project area. We would suggest adding the boundary of the 6<sup>th</sup> field units to the map in section II or, at a minimum, adding reference to a data source for this boundary information.

#### 5. Existing Plans Incorporated by Reference

This section has good descriptions of many of the existing plans that form the basis for Oregon's coastal land conservation priorities. The plan might flow better to have this section immediately following "project areas" (rather than in section VI under "CELCP plan partners"), since the plans incorporated by reference are intended to provide supporting information for the basis or location of project areas.

I noticed that some of these plans are also described in the "conservation needs" section. In some cases, the plans listed in the "conservation needs" section and the "plans incorporated" section do not directly correspond. Is there a difference between which ones were chosen to be incorporated by reference, versus ones that were cited as the source of Oregon's coastal conservation priorities? Depending on the answer to that question, if possible, we'd suggest consolidating the description of plans with this section, to give a clear overview of the source of Oregon's priorities (particularly those that reference the geographic location or extent of priorities).

In looking at these, some of the plans appear to be planning or prioritization efforts, rather than the source of project areas per se. It would be helpful to distinguish between those two types of plans or efforts. Maryland's draft plan has a good example of this, which I would be happy to provide if you like. For example, the state-wide planning goals identify types of important habitats, but they don't identify the location of those habitats. Similarly, the SCORP seems to identify the top recreational planning and management "issues", but it is not clear whether it identifies specific geographic areas that should be protected to address those issues. Whereas, the Oregon Natural Heritage Plan, Biodiversity Project, and Ocean Shores Management Plan seems to identify specific geographic areas for protection based on those priority needs.

As noted above, the plan should include (as appendices) the relevant sections of the plans incorporated by reference or links to information on where the state's priority areas can be found.

#### 6. Agencies eligible to apply for funds and hold title

The beginning of this section mentions that only state or local governments can receive grants and hold title to land. Later in the section, it specifies 3 state agencies that are eligible to hold title. It would be helpful to reiterate that all local governments (cities or counties) are eligible as well.

#### 7. State solicitation and nomination process.

This section does a good job describing the state's process for reviewing and prioritizing qualified proposals for nomination to the national selection process.

It is somewhat difficult to tell what criteria the state would use to qualify projects for consideration versus criteria it will use to score and rank projects, so this should be clarified in the final draft. It appears that there will be several levels of screening – 1) a review for basic qualifications, which seems to hinge on meeting any of the 5 criteria under CELCP national criterion 3, as well as one of the 7 principles from the OWEB Land Acquisition Priorities, and 2) a review based on National Criteria 1 and 2, as well as other state criteria suggested by stakeholders. This section should clarify each of these steps, for example, by listing the basic qualification standards for step 1, and clarifying the criteria that will be used to evaluate projects and their relationship with the priorities expressed elsewhere in the state’s CELCP plan.

8. Plan Development and Public Involvement

This section gives a good description of the process used to develop the plan. It would be helpful to describe the kinds of stakeholders that were consulted. It appears that coordination took place with a range of state agencies, local governments, non-governmental organizations (such as land trusts) and perhaps others, but it would be good to add this to the description. Also, it would be fine to leave out the section on concerns raised during stakeholder discussions, unless there is a reason the state wants to include it in the plan.

9. Certification and Approval

You could add this at the end or as a cover memo.