



Final Environmental Impact Statement - Volume I

for the Western Snowy Plover Habitat Conservation Plan • August 2010



Western Snowy Plover Habitat Conservation Plan
Final Environmental Impact Statement
Volume I: Report

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August 2010

This document should be cited as:
ICF International. 2010. Western Snowy Plover Habitat Conservation Plan. Final Environmental Impact Statement.
Volume I: Report. August. ICF 06537.06. Portland, OR. Prepared for U.S. Fish and Wildlife Service.

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Acronyms and Abbreviations

%	percent
°C	Celsius
°F	Fahrenheit
µg/m ³	micrograms of pollutant per cubic meter of air
ACHP	Advisory Council on Historic Preservation
Alternative 2	Proposed Habitat Conservation Plan
ATV	all-terrain vehicle
ATV/OHV	all-terrain vehicle/off-highway vehicle
BC	Before Christ
BLM	Bureau of Land Management
BMP	best management practice
CAA	Federal Clean Air Act
CAAA	Clean Air Act Amendments of 1990
CCP	Comprehensive Conservation Plan
CFR	Code of Federal Regulations
Chinook	Chinook salmon
cm	centimeters
CO	carbon monoxide
CO ₂	carbon dioxide
coho	Southern Oregon/Northern California coho salmon
Corps	U.S. Army Corps of Engineers
covered lands	The area covered by the alternatives addressed in this FEIS
CPC	Center for Plant Conservation
Critical Habitat Report	Draft Economic Analysis of Critical Habitat Designation for the Western Snowy Plover
CWA	Clean Water Act
CZMA	Coastal Zone Management Act
dB	decibel

dBA	A-Weighted Decibel
DDE	dichloro-diphenyl-dichloroethylene
DDT	dichloro-diphenyl-trichloroethane
DEIS	Draft Environmental Impact Statement
DLCD	Oregon Department of Land and Conservation Development
DPS	distinct population segment
DSL	Department of State Lands
EFH	essential fish habitat
EIS	Environmental Impact Statement
EPA	Environmental Protection Agency
ESA	Federal Endangered Species Act
ESCP	erosion and sediment control plan
ESU	Evolutionarily Significant Unit
FEIS	Final Environmental Impact Statement
FMP	Forest Management Plan
GCVTC	Grand Canyon Visibility Transport Commission
General Permit	General Permit for Stormwater Discharges Associated with Construction Activity
GHG	greenhouse gas
HCP	habitat conservation plan
HRA	Habitat Restoration Area
I-5	Interstate 5
IA	Implementing Agreement
IPCC	Intergovernmental Panel on Climate Change
ITP	incidental take permit
km	kilometer
Leq	equivalent sound level
Lmax	maximum sound levels
MBTA	Migratory Bird Treaty Act
mg/l	milligrams per liter
mm	millimeters

MMTCO _{2E} /year	million metric tons of carbon dioxide equivalent per year
MOA	Memorandum of Agreement
MOU	memorandum of understanding
NAAQS	National Ambient Air Quality Standard
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service
NO ₂	nitrogen dioxide
NOAA	National Oceanic and Atmospheric Administration
NO _x	oxides of nitrogen
NPDES	National Pollutant Discharge Elimination System
NPS	National Park Service
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Place
NWFP	Northwest Forest Plan
OAR	Oregon Administrative Rule
OCMP	Oregon Coastal Management Program
ODA	Oregon Department of Agriculture
ODEQ	Oregon Department of Environmental Quality
ODFW	Oregon Department of Fish and Wildlife
ODSL	Oregon Department of State Lands
OHV	off-highway vehicle
OPRD	Oregon Parks and Recreation Department
ORNHIC	Oregon Natural Heritage Information Center
ORS	Oregon Revised Statute
OSMP	Ocean Shore Management Plan
OVPP	Oregon Visibility Protection Plan
OWQI	Oregon Water Quality Index
Pb	lead
PCBs	polychlorinated biphenyls
PM ₁₀	particulate matter smaller than 10 microns in diameter

PM _{2.5}	particulate matter smaller than 2.5 microns or less in diameter
ppm	parts per million
Recovery Plan	Western Snowy Plover Pacific Coast Population Draft Recovery Plan
recreational use study	Oregon Shore Recreational Use Study
RM	River Mile
RMA	Recreation Management Area
RMP	Resource Management Plan
ROD	Record of Decision
SAAQS	Oregon State Ambient Air Quality Standards
salmonids	salmon species
SHPO	Oregon State Historic Preservation Office
SIP	State Implementation Plan
SNA	State Natural Area
snowy plover	western snowy plover
SO ₂	sulfur dioxide
sockeye	sockeye salmon
SPMA	snowy plover management area
steelhead	steelhead trout
TCDD	tetrachlorodibenzo-p-dioxin
TMDL	Total Maximum Daily Load
USC	United States Code
USDA	U.S. Department of Agriculture
USFS	U.S. Forest Service
USFWS	U.S. Fish and Wildlife Service
VOC	volatile organic compound

Executive Summary

Introduction

Private landowners, corporations, State or local governments, or other non-Federal landowners who wish to conduct activities on their land that might incidentally harm (or "take") wildlife listed as endangered or threatened under the Federal Endangered Species Act (ESA) must first obtain an incidental take permit (ITP) from the U.S. Fish and Wildlife Service (USFWS). Take, as defined by the ESA, means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. An ITP authorizes take that is incidental to, and not the purpose of, the carrying out of otherwise lawful activities.

The Oregon Parks and Recreation Department (OPRD) has submitted an application to USFWS for an ITP in accordance with Section 10(a)(1)(B) of the ESA. The issuance of an ITP from USFWS would provide OPRD with the long-term regulatory assurance that implementation of their coastal management responsibilities would comply with the ESA, while providing protection for the Pacific Coast population of western snowy plover (snowy plover) along the Oregon coast, a species listed as threatened under the ESA.

The OPRD lands expected to be covered by the ITP for which OPRD has management responsibility or jurisdiction include those that they manage for public and recreational use; natural resources (e.g., snowy plover habitat or other habitat restoration opportunities); and other beach uses (e.g., safety, law enforcement). The covered lands include the sandy portions of the Ocean Shore along the Oregon coast that extend between the mouth of the Columbia River South Jetty on the north and the California/Oregon border on the south (approximately 230 miles of the 362 total miles of Oregon coast). In addition, portions of five key State parks, State natural

areas, and State recreation areas are included in the covered lands. The covered lands do not include estuaries or river mouths, which are under the management of the Oregon Department of State Lands (DSL), or Federal lands within the Ocean Shore. Actions occurring on Federal lands are the responsibility of the Federal landowner and would be covered under separate consultation with USFWS. For more information about the description of covered lands, see “Covered Lands” in Chapter 1 of Volume I of the FEIS.

As part of their ITP application to USFWS, OPRD must submit a habitat conservation plan (HCP) that documents compliance with Section 10 of the ESA. The *Western Snowy Plover Habitat Conservation Plan* has been prepared to meet those requirements (Oregon Parks and Recreation Department 2008). The HCP was developed to contribute to the recovery of the snowy plover consistent with key elements of the *Western Snowy Plover Pacific Coast Population Final Recovery Plan* released by USFWS in 2007. The conservation measures for snowy plovers described in the HCP include management for snowy plovers on OPRD-owned or leased park unit lands, implementation of recreational use restrictions to reduce potential effects on snowy plovers on lands managed by OPRD, including other specifically identified lands (Recreation Management Areas [RMA]) owned by other landowners, and implementation of beach management activities within the covered lands.

Proposed issuance of an ITP by USFWS is a Federal action that may affect the human environment and is, therefore, also subject to review under the National Environmental Policy Act (NEPA). As part of the NEPA process, USFWS is required to prepare NEPA review documents (i.e. the Draft Environmental Impact Statement [DEIS] and Final Environmental Impact Statement [FEIS]) to be circulated for public review and comment.

The DEIS was submitted for public review on November 5, 2007 and again on April 17, 2009. Following a 60-day public comment period on the DEIS in 2007, USFWS determined it was appropriate to extend the public comment period for two additional weeks. A second public comment period was announced on April 17, 2009, for 45 days. Upon the close of the second public comment period on June 1, 2009, USFWS reviewed and responded to comments in writing (Volume II of this FEIS) and incorporated changes to the proposed HCP and DEIS (Volume I of this FEIS). The resulting FEIS will be circulated for an additional 30-day public review period, after which USFWS will prepare a Record of Decision (ROD) that will formally document the permit issuance decision.

Purpose and Need

The purpose for this action is to allow USFWS to respond to the OPRD application for an ITP. If issued, the ITP would authorize the incidental take of snowy plovers that may result from OPRD's continued management of Oregon's coastal resources over the next 25 years.

The need for this action is to provide broader protection and conservation for the snowy plover, while allowing for long-term management of the portions of Oregon's coast under OPRD jurisdiction. Technical discussions between the OPRD and USFWS during development of the HCP have addressed the specific criteria that must be satisfied before a decision can be reached on permit issuance. The determination as to whether the ITP proposal has met these criteria will be made after the public has had an opportunity to comment on the DEIS, FEIS, Implementing Agreement (IA), and HCP. The decision whether or not to issue the ITP will be based on the ESA and NEPA compliance determinations. These determinations will be documented in the ESA Section 7 Biological Opinion, ESA Section 10 Findings document, and NEPA decision document, which will be developed at the conclusion of the NEPA and ESA permit issuance processes.

Alternatives

Three management strategy alternatives have been identified for detailed analysis in this FEIS. In addition to the No-Action Alternative, identified as Alternative 1, two action alternatives are analyzed. The action alternatives are: Alternative 2 – Proposed HCP, and Alternative 3 – Management of Additional OPRD Sites.

Alternative 1 – Current Management (No-Action)

Under Alternative 1, OPRD would continue the management activities currently being implemented on the covered lands. As described in Chapter 1, "Purpose and Need", OPRD is responsible for various management activities along most of the Ocean Shore, including recreation management, general beach management, and management of natural resources. Since populations of snowy plovers nest, roost, forage, and raise chicks on the sandy beaches of Oregon's coast, OPRD must ensure that these management activities do not result in take of snowy plovers. In addition, OPRD must balance snowy plover management activities with the mandate to maintain the public's access to the Ocean Shore.

Each year, in coordination with Federal and State agencies and Curry County, OPRD restricts use of a portion of the Ocean Shore at six areas occupied by nesting populations of snowy plovers during the breeding season (March 15 to September 15). These seasonal use restrictions have been imposed since 1994, with such restrictions affecting anywhere from 0.5 miles (1994) to 19.8 miles (1998) of

beach. Seasonal use restrictions limit recreational use and access to these specific areas, and vary unpredictably in scale and location.

Under Alternative 1, OPRD would continue to manage the Habitat Restoration Area at the Bandon State Natural Area, for nesting populations of snowy plovers. In addition, OPRD would continue to consider requests by other landowners to restrict recreational use at areas they own that are occupied by snowy plovers. Additional information on how these restrictions would be implemented on land managed by OPRD, including lands owned by other landowners, is described in Section 2.3.1, “Alternative 1 – Current Management (No-Action).” The No-Action Alternative is the baseline against which the effects of the action alternatives are compared.

Alternative 2 – Proposed HCP

Alternative 2, OPRD’s proposed HCP, is supported by the *Western Snowy Plover Habitat Conservation Plan* (Oregon Parks and Recreation Department 2008). The HCP was developed by OPRD, in collaboration with USFWS and Oregon Department of Fish and Wildlife (ODFW), to address potential effects on snowy plovers within the covered lands, and to meet the regulatory requirements of the Federal and State ESAs. The HCP was also developed to be consistent with the *Recovery Plan for the Pacific Coast Population of the Western Snowy Plover* (*Charadrius alexandrinus nivosus*) (U.S. Fish and Wildlife Service 2007a); in consideration of input provided by the public during a series of public meetings held in the spring and winter of 2002 and the fall of 2004; and in consideration of input received between 2002 and 2004 from the Steering Committee convened to assist in formulation of the HCP. The HCP was also revised to reflect comments on the DEIS and draft HCP received during the public comment period.

Similar to Alternative 1, under Alternative 2, OPRD would manage recreational use, natural resources, and other general beach responsibilities on the covered lands to minimize potential effects on snowy plovers. Up to five Snowy Plover Management Areas (SPMAs) would be managed for nesting populations of snowy plovers by OPRD, including SPMAs at Bandon, Columbia River South Jetty, Necanicum Spit, Nehalem Spit, and Netarts Spit. OPRD would also implement recreational use restrictions at those five SPMAs and potentially up to 11 RMAs as they become occupied.

At SPMAs, OPRD would implement recreational use restrictions as determined by the site management plan for each SPMA. At RMAs, OPRD would only implement recreational use restrictions at occupied sites or at the request of the landowner as indicated by the site management plan for that RMA. If no site management plan was in place but the site was occupied, OPRD would automatically implement restrictions on the covered lands. OPRD would issue and continue to enforce recreational use restrictions within the full extent of the RMA until an agreement was

reached between USFWS and the landowner and/or a site management plan was developed, and OPRD was notified of any changes that may modify recreational use restrictions to a more focused area. OPRD would also work with USFWS and the landowner to provide limited nest protections at nesting sites located outside of SPMAs and RMAs within the covered lands.

Additional information on how management activities and restrictions would be implemented within the covered lands is described in Section 2.3.2, “Alternative 2 – Proposed HCP.”

Alternative 3 – Management of Additional OPRD Sites

Under Alternative 3, OPRD would manage recreational use, natural resources, and other general beach responsibilities on the covered lands to minimize potential effects on snowy plovers similar to Alternative 2. Four additional SPMAs would be managed for nesting populations of snowy plovers by OPRD for a total of nine SPMAs, including SPMAs at Bandon, Necanicum Spit, Columbia River South Jetty, Nestucca Spit, Pistol River, Nehalem Spit, Netarts Spit, Bullards Beach, and Sixes River Mouth. OPRD would implement recreational use restrictions at these SPMAs and potentially up to 12 RMAs as they become occupied.

Similar to Alternative 2, OPRD would implement recreational use restrictions as determined by the site management plan for each SPMA. At RMAs, OPRD would only implement recreational use restrictions at occupied sites or at the request of the landowner as indicated by the site management plan for that RMA. If no site management plan was in place, but the site was occupied, OPRD would automatically implement restrictions within the covered lands. OPRD would issue and continue to enforce recreational use restrictions within the full extent of the RMA until an agreement was reached between USFWS and the landowner, and/or a site management plan was developed, and OPRD was notified of any changes that may modify recreational use restrictions to a more focused area. OPRD would also work with USFWS and the landowner to provide limited nest protections at nesting sites located outside of SPMAs and RMAs within the covered lands. .

Additional information on management activities and restrictions that would be implemented within the covered lands is described in Section 2.3.3, “Alternative 3 – Management of Additional OPRD Sites.”

Potential Effects of Alternatives

The potential environmental effects associated with these alternatives are summarized in Table ES-1 and described in detail in Chapter 3, “Affected Environment, Environmental Consequences, and Cumulative Effects.”

Table ES-1. Summary of Potential Effects on Resources for Alternatives Evaluated in EIS

Potential Effects	Alternative 1 – Current Management (No Action)	Alternative 2 – Proposed HCP	Alternative 3 – Management of Additional OPRD Sites
3.2 LAND USE			
Consistency with Federal, State, and Local Land Use Plans and Policies	OPRD is responsible for managing the Ocean Shore as granted by the Beach Bill. OPRD would retain the right to implement activities associated with recreation, beach, and natural resource management on the covered lands and would obtain a local grading permit prior to implementing any modifications to the Ocean Shore. In addition, the site management plans specifying management actions at SPMA/RMAs would be required to be consistent with local county comprehensive plans and zoning ordinances, which will limit the potential for any adverse effects on land use. Therefore, Alternative 1 would be consistent applicable land use plans and policies.	Same as Alternative 1	Same as Alternative 1
3.3 RECREATION			
Potential Effects of the Covered Activities on Recreational Use Opportunities at Unoccupied Areas Actively Managed for Snowy Plovers	OPRD would not actively manage any unoccupied locations to attract nesting populations of snowy plovers. No recreational use restrictions would be issued at sites that were not already occupied by nesting snowy plovers.	OPRD would prohibit driving, non-motorized vehicle use, and require dogs to be on leash during the nesting season at sites that are actively managed to attract nesting populations of snowy plovers. These restrictions would be implemented at up to 4 currently unoccupied SPMA (Columbia River South Jetty, Necanicum Spit, Nehalem Spit, and Netarts Spit) and up to 6 currently unoccupied RMAs (Bay Ocean Spit, South Sand Lake Spit, Tahkenitch South, Umpqua River North Jetty, Elk River Spit, and Euchre Creek) at the request of the landowner. These prohibitions would be more restrictive than those prescribed under Alternative 1 at sites that do not already prohibit driving (Columbia River South Jetty, Tahkenitch South, North Umpqua River, and Elk River), non-motorized vehicle use (all four unoccupied SPMA and all 6 unoccupied RMAs), or that do not already require dogs to be on leash during the nesting season (Elk River, Euchre Creek, Umpqua River North Jetty, Bayocean Spit, South Sand Lake Spit, and Tahkenitch South).	OPRD would prohibit driving, non-motorized vehicle use, and require dogs to be on leash during the nesting season at sites that are actively managed to attract nesting populations of snowy plovers. These restrictions would be implemented at up to 8 currently unoccupied SPMA (Columbia River South Jetty, Necanicum Spit, Nehalem Spit, Netarts Spit, Nestucca Spit, Bullards Beach, Sixes River Mouth, and Pistol River) and up to 7 currently unoccupied RMAs (Bay Ocean Spit, North Sand Lake Spit, South Sand Lake Spit, Tahkenitch South, Umpqua River North Jetty, Elk River Spit, and Euchre Creek) at the request of the landowner. These prohibitions would be more restrictive than those prescribed under Alternative 1 at sites that do not already prohibit driving (Columbia River South Jetty, Nestucca Spit, Tahkenitch South, North Umpqua River, and Elk River), non-motorized vehicle use (all 8 unoccupied SPMA and all 7 unoccupied RMAs), or that do not already require dogs to be on leash during the nesting season (Elk River, Euchre Creek, Umpqua River North Jetty, Bayocean Spit, South Sand Lake Spit, and Tahkenitch South).

Potential Effects	Alternative 1 – Current Management (No Action)	Alternative 2 – Proposed HCP	Alternative 3 – Management of Additional OPRD Sites
Potential Effects of the Covered Activities on Recreational Use Opportunities at Sites Occupied by Snowy Plovers	<p>OPRD would implement the following restrictions during the nesting season at sites that became occupied by nesting snowy plovers: prohibition of driving and non-motorized vehicle use; requiring dogs to be on leash and restricted to the wet sand portion of the beach; and prohibiting recreational use of a portion of the dry sand area surrounding a nest site as indicated by roping and signage.</p> <p>These restrictions would be implemented anywhere nesting snowy plovers appeared, but are expected to continue to be implemented at sites currently occupied by snowy plovers, including Sutton/Baker Beach, the Siltcoos Estuary portion of Siltcoos Estuary/Dunes Overlook/Tahkenitch Estuary, Coos Bay North Spit, Tenmile Estuary, Bandon, and New River. Driving, dog exercising, and dry sand activities are already restricted at occupied sites. Prohibitions on non-motorized vehicle use would be more restrictive at these locations compared to existing conditions.</p> <p>Because these restrictions would also be implemented anywhere along the Oregon coast, Alternative 1 has the potential be more restrictive for areas that are not already occupied by nesting snowy plovers.</p>	<p>OPRD would implement the following restrictions during the nesting season at up to five SPMAs and 11 RMAs once a site became occupied by nesting snowy plovers: prohibition of dog exercising, driving, non-motorized vehicle use, kite flying, and activities as indicated by roping and signage on portions of the dry sand.</p> <p>Restrictions on dog exercising and kite flying would be more prohibitive compared to Alternative 1. Restrictions on driving, non-motorized vehicle use, and use of the dry sand area surrounding a nesting site would be similar compared to Alternative 1.</p> <p>The key difference between Alternatives 1 and 2 is that under Alternative 2, the restrictions would only be implemented at the SPMAs and RMAs. Outside of these areas, the restrictions would be limited to a 50-meter area around a nesting site. Under Alternative 1, the nature and extent of the restrictions would be determined on a case-by-case basis with USFWS and could be applied to any location along the Oregon coast. Therefore, the extent and degree of the restrictions could be greater outside of targeted areas under Alternative 1.</p> <p>Alternative 2 would be slightly more prohibitive than Alternative 1 with respect to the restrictions proposed at SPMAs and RMAs. Alternative 2 would be less restrictive than Alternative 1 with respect to occupied sites outside of SPMAs or RMAs.</p>	<p>OPRD would implement the following restrictions during the nesting season at up to nine SPMAs and 12 RMAs once a site became occupied by nesting snowy plovers: prohibition of dog exercising, driving, non-motorized vehicle use, kite flying, and activities as indicated by roping and signage on portions of the dry sand.</p> <p>Restrictions on dog exercising and kite flying would be more prohibitive compared to Alternative 1. Restrictions on driving, non-motorized vehicle use, and use of the dry sand area surrounding a nesting site would be similar compared to Alternative 1.</p> <p>The key difference between Alternatives 1 and 3 is that under Alternative 3, the restrictions would only be implemented at the SPMAs and RMAs. Outside of these areas, the restrictions would be limited to a 50-meter area around a nesting site. Under Alternative 1, the nature and extent of the restrictions would be determined on a case-by-case basis with USFWS and could be applied to any location along the Oregon coast. Therefore, the extent and degree of the restrictions could be greater outside of targeted areas under Alternative 1.</p> <p>Alternative 3 would be slightly more prohibitive than Alternative 1 with respect to the restrictions proposed at SPMAs and RMAs. Alternative 3 would be less restrictive than Alternative 1 with respect to occupied sites outside of SPMAs or RMAs.</p>

Potential Effects	Alternative 1 – Current Management (No Action)	Alternative 2 – Proposed HCP	Alternative 3 – Management of Additional OPRD Sites
3.4 SOCIOECONOMICS			
Potential Effects of the Covered Activities on Tourism and Local Economies	<p>Recreational use restrictions would have the potential to affect local economies if the restrictions resulted in displacement of recreational activities.</p> <p>Although there is a potential for some visitors to relocate their recreational activities in response to the proposed restrictions, the likelihood of this occurring is expected to be minimal because alternative beach areas are available for each restricted activity in close proximity to the potentially restricted areas.</p>	Same as Alternative 1	Same as Alternative 1
Potential Disproportionate Effects of the Covered Activities on Environmental Justice Populations	<p>Implementation of recreational restrictions has the potential to affect visitors who recreate at beaches where snowy plover management actions would occur. However, as determined in Section 3.3, "Recreation," the potential for effects on recreational use is minimal. Furthermore, because low income and minority populations do not appear to be disproportionately represented among visitors to the Oregon coast, displacement effects would not be expected to excessively affect these groups. Therefore, no adverse environmental justice effects are expected.</p>	Same as Alternative 1	Same as Alternative 1
3.5 AIR QUALITY			
Potential Increase in the Emission of Pollutants	<p>Increased emissions could occur as a result of habitat restoration activities and increased vehicle trips associated with snowy plover management activities.</p> <p>It is anticipated that these emissions would be minimal because the type of equipment and number of vehicle trips that would be required would be minimal and operations would only occur temporarily.</p> <p>There could also be a slight decrease in emissions from recreational vehicles in areas where driving would be restricted.</p>	Same as Alternative 1	Same as Alternative 1

Potential Effects	Alternative 1 – Current Management (No Action)	Alternative 2 – Proposed HCP	Alternative 3 – Management of Additional OPRD Sites
Potential Effects on Global Climate Change Caused by Emissions From Construction Equipment for Beach Restoration Projects	Alternative 1 would not contribute substantial green-house gases to the environment, and would not increase the rate of global climate change or further contribute to the resulting effect of rising sea levels.	Same as Alternative 1	Same as Alternative 1
3.6 NOISE			
Potential Effects of the Covered Activities on Noise-Sensitive Receptors	<p>Increased noise levels could occur as a result of implementing habitat restoration activities involving temporary operation of construction equipment.</p> <p>The potential noise effects are expected to be minimal since noise generating equipment would be used infrequently and would only occur for a short duration at any given site. In addition, the loudest anticipated noise (bulldozing during dune restoration) is not expected to be audible at a great distance due to existing ambient ocean noise levels in the immediate vicinity.</p>	The extent of the restoration activities under this alternative could be greater than Alternative 1 since activities under this alternative are proposed at additional SPMA's.	The extent of the restoration activities under this alternative could be greater than Alternative 1 since activities under this alternative are proposed at additional SPMA's.
3.7 WILDLIFE			
Potential Effects of Beach Fires on Ground Nesting Shorebirds	<p>Small recreational fires have the potential to affect nesting and foraging birds in a number of ways. Light produced at night could disorient the birds and cause them to abandon their nests. Smoke could disturb adults incubating nests. Large groups of people commonly associated with beach fires could also put undue stress on nearby nesting shorebirds. Refuse left after a beach fire could also attract predators.</p> <p>Potential effects on ground nesting shorebirds from beach fires would be minimal because most shorebirds tend to nest away from areas that incur dense concentrations of recreational activities. Ongoing patrols by beach rangers would help to ensure that incidental effects of beach fires, including residual refuse, are minimized. Beach fires would not be allowed at any occupied snowy plover nesting area during the nesting season, providing additional protection to ground nesting shorebirds during this time.</p>	Same as Alternative 1	Same as Alternative 1

Potential Effects	Alternative 1 – Current Management (No Action)	Alternative 2 – Proposed HCP	Alternative 3 – Management of Additional OPRD Sites
Potential Effects of Driftwood Collection and Removal on Snowy Plovers	<p>Removal of driftwood from occupied snowy plover nesting areas could reduce the suitability of the habitat, if driftwood is in short supply. Similarly, removing driftwood from targeted unoccupied snowy plover nesting areas would reduce the likelihood that individuals would nest in those areas.</p> <p>Collection of driftwood near snowy plover nesting areas, and the proximity of beach visitors to such nests could also affect nest success.</p> <p>These effects are expected to be minimal because the rules governing driftwood collection would limit the amount of driftwood removed from sensitive sites. Additional restrictions on driftwood collection and removal in the vicinity of SPMA's would be outlined in the site management plans prepared for each SPMA, as necessary.</p>	Same as Alternative 1	Same as Alternative 1
Potential Effects of Recreational Activities on Foraging, Migrating, and Wintering Shorebirds	<p>Recreational activities on the wet sand portion of the beach in the wrack line may temporarily displace foraging, migrating, or wintering shorebirds, altering the normal behavior patterns of individuals within their normal range of activities.</p> <p>These effects would likely be limited to birds being temporarily displaced. In addition, the public outreach and education program would increase public awareness of the beach as habitat for shorebirds.</p>	Same as Alternative 1	Same as Alternative 1
Potential Effects of Beach Management and Management in Emergency Situations on Sensitive Wildlife Populations	<p>Beach management activities have the potential to affect wildlife species that use the Ocean Shore by disturbing wildlife and causing damage to wildlife habitat.</p> <p>The potential effects on sensitive wildlife species are expected to be minimal because OPRD would, as time permits, attempt to contact USFWS and ODFW for input on how best to respond to emergency situations or implement beach management activities near biologically sensitive areas (including nesting areas). OPRD would also meet with USFWS and ODFW after the emergency response effort to determine if any habitat rehabilitation or other mitigation measures are necessary to compensate for effects on wildlife species.</p>	Same as Alternative 1	Same as Alternative 1

Potential Effects	Alternative 1 – Current Management (No Action)	Alternative 2 – Proposed HCP	Alternative 3 – Management of Additional OPRD Sites
Potential Effects of Predator Management on Nesting or Foraging Raptor Species and Roosting Brown Pelicans	<p>Predator management activities, including sound making harassment techniques, could affect nesting raptors by forcing them from their nests or deterring them from foraging in optimal habitat. Such devices can also force roosting brown pelicans from optimal loafing or roosting areas.</p> <p>The potential effects are expected to be minimal because OPRD would work with the USDA and USFWS to ensure that potential effects from predator management activities are minimized.</p>	<p>The potential effects of predator management on nesting or foraging raptors and brown pelicans would be slightly greater than under Alternative 1 due to an increased extent of predator management activities.</p> <p>OPRD would work with the USDA and USFWS to ensure that potential effects from predator management activities are minimized.</p>	<p>The potential effects of predator management on nesting or foraging raptors and brown pelicans would be slightly greater than under Alternative 1 due to an increased extent of predator management activities.</p> <p>OPRD would work with the USDA and USFWS to ensure that potential effects from predator management activities are minimized.</p>
Potential Effect of Predator Management Activities on Local and Regional Corvid Populations and Other Mammal Populations	<p>Non-lethal and lethal predator control measures aimed at reducing corvid and carnivore populations and foraging proficiency near nesting populations of shorebirds would likely temporarily reduce local populations. It is unlikely that they would be detrimental or have any effect on regional populations. Continued coordination between USFWS, ORNHIC, ODFW, USDA, OPRD, and other Federal landowners on predator management activities would ensure that regional populations do not decline as a result of predator management.</p>	<p>The potential effects of predator management on corvid and mammal populations would be slightly greater than in Alternative 1 due to an increased extent of predator management activities.</p>	<p>The potential effects of predator management on corvid and mammal populations would be slightly greater than in Alternative 1 due to an increased extent of predator management activities.</p>
Potential Effects of Monitoring Activities on Nesting or Foraging Snowy Plovers	<p>Monitoring activities may bring biologists in contact with nesting snowy plovers on a regular basis, which could affect individual birds causing a change in their behavior in response to human presence.</p> <p>The potential effects are expected to be minimal because all monitors would be trained in accordance with the USFWS standard protocol for monitoring populations of snowy plovers. Monitoring would be completed in coordination with the ORNHIC, USFWS, and OPRD to ensure that snowy plover populations would not be adversely affected.</p>	<p>The potential effects of monitoring activities on nesting or foraging snowy plovers would be slightly greater than in Alternative 1 due to an increased extent of monitoring activities at additional occupied sites.</p> <p>Similar to Alternative 1, the potential effects are expected to be minimal because all monitors would be trained in accordance with the USFWS standard protocol for monitoring populations of snowy plovers. Monitoring would be completed in coordination with the ORNHIC, USFWS, and OPRD to ensure that snowy plover populations would not be adversely affected.</p>	<p>The potential effects of monitoring activities on nesting or foraging snowy plovers would be slightly greater than in Alternative 1 due to an increased extent of monitoring activities at additional occupied sites.</p> <p>Similar to Alternative 1, the potential effects are expected to be minimal because all monitors would be trained in accordance with the USFWS standard protocol for monitoring populations of snowy plovers. Monitoring would be completed in coordination with the ORNHIC, USFWS, and OPRD to ensure that snowy plover populations would not be adversely affected.</p>
Potential Effects of Global Climate Change on Nesting Shorebirds	<p>Alternative 1 would not contribute substantial green-house gases to the environment, and would not increase the rate of global climate change, or further contribute to the resulting effect of rising sea levels.</p>	<p>Same as Alternative 1. Nonetheless, under Alternative 2, if rising sea levels result in a net loss of snowy plover nesting habitat over the term of the ITP, OPRD would discuss with USFWS appropriate implementation measures to address the changes.</p>	<p>Same as Alternative 1</p>

Potential Effects	Alternative 1 – Current Management (No Action)	Alternative 2 – Proposed HCP	Alternative 3 – Management of Additional OPRD Sites
Potential Effects of Recreational Activities on Nesting Snowy Plovers	<p>Recreational activities on dry sand portions of the beach may disturb nesting populations of snowy plovers, including adults, eggs, and chicks.</p> <p>These effects are expected to be minimal because OPRD would implement recreation use restrictions at occupied snowy plover nesting areas anywhere nesting snowy plovers appeared on OPRD owned or leased lands, including the HRA at the Bandon SNA. OPRD would also consider applications to limit recreational use on a case-by-case basis at occupied RMAs, as requested by the landowner, and would continue to pursue agreements with Federal landowners to jointly issue restricts on adjacent ownerships within the Ocean Shore Boundary. OPRD would also continue to fund three full time beach ranger positions to encourage compliance with Ocean Shore and State Park rules and would contract with State Troopers and other law enforcement officials as needed.</p>	<p>The potential effects of these recreational activities on nesting populations of snowy plovers would be similar to those described for Alternative 1. Although recreational use restrictions would be limited to areas specifically targeted for snowy plover management (up to five SPMA and 11 RMA), these restrictions would be more prohibitive for both occupied and unoccupied sites compared with Alternative 1. In addition, OPRD would establish a 50-meter radius (164-foot) roped buffer around occupied nests outside of SPMA and RMA, and would consider installing a nest enclosure if necessary to protect the nest from predation after consultation with USFWS.</p> <p>OPRD would also commit to continuing to fund three full-time beach ranger positions to encourage compliance with beach restrictions and would contract with State Troopers and other law enforcement officials as needed. This would also provide greater benefits for wildlife compared with Alternative 1.</p>	<p>The potential effects of these recreational activities on nesting populations of snowy plovers would be similar to those described for Alternative 1. Although recreational use restrictions would be limited to areas specifically targeted for snowy plover management (up to nine SPMA and 12 RMA), these restrictions would be more prohibitive for both occupied and unoccupied sites compared with Alternative 1. In addition, OPRD would establish a 50-meter radius (164-foot) roped buffer around occupied nests outside of SPMA and RMA, and would consider installing a nest enclosure if necessary to protect the nest from predation after consultation with USFWS.</p> <p>OPRD would also commit to continuing to fund three full-time beach ranger positions to encourage compliance with beach restrictions and would contract with State Troopers and other law enforcement officials as needed. This would also provide greater benefits for wildlife compared with Alternative 1.</p>
Potential Effects of Predator Management Activities on Nesting Shorebirds	<p>Predator management activities may affect nesting shorebirds if carried out in proximity to known nest locations. Although some short-term adverse effects of predator management could occur on populations of shorebirds, the potential for these effects would be considered on a case-by-case basis by OPRD, USDA, and USFWS. In addition, it is likely that shorebird populations would benefit from predator management activities and provide an overall benefit to shorebirds and snowy plover populations.</p>	<p>Similar to Alternative 1, predator management activities could affect nesting shorebirds if carried out in proximity to known nest locations. The level of funding provided under Alternative 2 would be similar to Alternative 1, but would increase as additional SPMA are targeted for management over the term of the 25-year ITP.</p> <p>Similar to Alternative 1, the potential effects are expected to be beneficial overall to shorebirds and snowy plover populations.</p>	<p>Similar to Alternative 1, predator management activities could affect nesting shorebirds if carried out in proximity to known nest locations. The level of funding provided under Alternative 3 would be similar to Alternative 1, but would increase as additional SPMA are targeted for management over the term of the 25-year ITP.</p> <p>Similar to Alternative 1, the potential effects are expected to be beneficial overall to shorebirds and snowy plover populations.</p>

Potential Effects	Alternative 1 – Current Management (No Action)	Alternative 2 – Proposed HCP	Alternative 3 – Management of Additional OPRD Sites
Potential Effects of Habitat Maintenance on Nesting or Overwintering Shorebird Populations	<p>Activities associated with maintaining optimal habitat for nesting snowy plovers at the HRA in the Bandon SNA have the potential to affect nesting and overwintering shorebird populations.</p> <p>The potential effect is expected to be minimal because maintenance work would be completed outside of the snowy plover nesting season. In addition, adult birds have the ability to move to other suitable locations when maintenance activities are occurring. In the long term, maintenance activities would ensure that suitable snowy plover nesting habitat is maintained at a level comparable to existing conditions.</p>	<p>Similar to Alternative 1, habitat maintenance activities have the potential to affect nesting or overwintering shorebird populations at the Bandon SMPA. However, the potential effect is expected to be minimal because maintenance work would be completed outside of the snowy plover nesting season.</p> <p>In addition, the overall benefit to shorebird populations is expected to be greater under Alternative 2 because OPRD would restore up to 40 acres of habitat at the following three targeted SPMA: Columbia River South Jetty SPMA, Nehalem Spit SPMA, and Necanicum Spit SPMA, as necessary. Over the term of the 25-year permit, maintenance and habitat restoration activities at these sites would increase the amount and quality of habitat available for snowy plovers and other shorebirds, as compared to Alternative 1.</p>	<p>Similar to Alternative 1, habitat maintenance activities have the potential to affect nesting or overwintering shorebird populations at the Bandon SMPA. However, the potential effect is expected to be minimal because maintenance work would be completed outside of the snowy plover nesting season.</p> <p>In addition, the overall benefit to shorebird populations is expected to be greater under Alternative 3 because OPRD would restore up to 40 acres of habitat at the following six targeted SPMA: Columbia River South Jetty SPMA, Necanicum Spit SPMA, Nehalem Spit SPMA, Nestucca Spit, Bullards Beach, and Sixes River Mouth. Over the term of the 25-year permit, maintenance and habitat restoration activities at these sites would increase the amount and quality of habitat available for snowy plovers and other shorebirds, as compared to Alternative 1.</p>
3.8 FISH			
Potential Effects on Marine Invertebrates from Motor Vehicle Use	<p>Beach driving has the potential to affect marine invertebrates on or in the sand and those that live in the wrack line. Sand may also be compacted, thereby destroying burrows or hiding places and forcing moisture from the sand. The potential long-term effects of these impacts are not known, nor are the indirect effects on fish prey and intertidal fish.</p> <p>Potential effects on marine invertebrates would increase over the next 25 years due to increases in recreational use on the Oregon coast.</p>	<p>Motor vehicle use would be prohibited during the nesting season at occupied SPMA and adjacent RMAs, which would represent a reduction in motor vehicle use in areas where driving is not already prohibited under Alternative 1. Alternative 2 may reduce potential impacts on marine invertebrates compared to Alternative 1.</p>	<p>Motor vehicle use would be prohibited during the nesting season at occupied SPMA and adjacent RMAs, which would represent a reduction in motor vehicle use in areas where driving is not already prohibited under Alternative 1. Alternative 3 may reduce potential impacts on marine invertebrates compared to Alternative 1.</p>
Potential Effects on Fishery Resources from Public Recreational Use	<p>Recreational use, including activities that introduce contaminants (oil) or draw larger groups of people, may affect fish and fish habitat by affecting water quality, affecting riparian vegetation, or increasing fishing pressure.</p> <p>Potential effects on fisheries resources would increase over the next 25 years due to increases in recreational use on the Oregon coast.</p>	<p>Some recreational uses would be restricted near areas managed for nesting populations of snowy plovers. This could reduce the potential effects of recreation on aquatic resources in those areas and compared to Alternative 1.</p>	<p>Some recreational uses would be restricted near areas managed for nesting populations of snowy plovers. This could reduce the potential effects of recreation on aquatic resources in those compared to Alternative 1.</p>

Potential Effects	Alternative 1 – Current Management (No Action)	Alternative 2 – Proposed HCP	Alternative 3 – Management of Additional OPRD Sites
Potential Benefits to Fishery Resources from Law Enforcement Activities	OPRD staff would continue to patrol the beach and implement recreational use restrictions in accordance with existing management practices. These patrols could reduce poaching and provide protection for aquatic resources by decreasing opportunities for natural resource abuse.	Same as Alternative 1	Same as Alternative 1
Potential Effects of Invasive Species Removal	OPRD would continue to manage dunes in the study area to remove targeted invasive plant species. These activities would occur specifically on the dunes outside of the direct influence of tides and river outlets and are unlikely to affect fish or fish habitat.	Restoration activities under Alternative 2, including the removal of invasive species, would be coordinated with the resource agencies to ensure that adverse impacts on fish and fish habitat do not occur.	Restoration activities under Alternative 3, including the removal of invasive species, would be coordinated with the resource agencies to ensure that adverse impacts on fish and fish habitat do not occur.

3.9 PLANT COMMUNITIES

Potential Effects of Invasive Species Management	<p>OPRD would continue to maintain the 50 acres of snowy plover nesting habitat that was restored at the HRA on the Bandon SNA in 1998. Outside of this maintenance, additional dune management and invasive species control measures would be implemented in accordance with a statewide invasive species management plan that OPRD is currently preparing for State park property.</p> <p>Overall, this maintenance would reduce the extent of invasive plant species on covered lands over the next 25 years.</p>	<p>In addition to activities described under Alternative 1, OPRD would restore and remove invasive plant species from up to 40 acres of habitat at the following three SPMA, as necessary: Columbia River South Jetty SPMA, Nehalem Spit SPMA, and Necanicum Spit SPMA.</p> <p>Overall, management of invasive species resulting from implementation of a statewide invasive species management plan, maintenance activities at the Bandon SPMA, and restoration activities at three additional targeted SPMA would likely reduce the extent of invasive plant species on covered lands. These benefits would be similar to those described for Alternative 1, if not slightly greater.</p>	<p>In addition to activities described under Alternative 1, OPRD would restore and remove invasive plant species from up to 40 acres of habitat at the following six SPMA, as necessary: Columbia River South Jetty SPMA, Nehalem Spit SPMA, Necanicum Spit SPMA, Nestucca Spit, Bullards Beach, and Sixes River Mouth.</p> <p>Overall, management of invasive species resulting from implementation of a statewide invasive species management plan, maintenance activities at the Bandon SPMA, and restoration activities at six additional targeted SPMA would likely reduce the extent of invasive plant species on covered lands. These benefits would be similar to those described for Alternative 1, if not slightly greater.</p>
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Potential Effects	Alternative 1 – Current Management (No Action)	Alternative 2 – Proposed HCP	Alternative 3 – Management of Additional OPRD Sites
Potential Effects of the Covered Activities on Special-Status Plant Species	OPRD would manage the public’s use of the beach in accordance with existing management practices and to avoid potential effects on snowy plover habitat, some of which may support populations of sensitive plant species. In addition, efforts to control invasive species would likely allow native dune stabilizing species, including sensitive-status species, to re-colonize the study area. As such, Alternative 1 is expected to benefit special-status plant species over the next 25 years.	Under Alternative 2, OPRD would manage the public use of the beach to minimize potential effects on snowy plover habitat, some of which may support populations of sensitive plant species. Up to five SPMA’s and 11 RMA’s would be managed with additional recreational use restrictions under Alternative 2. OPRD would manage areas know to support special-status plant species to avoid conflicts with recreational use. Similar to Alternative 1, efforts to control invasive species and habitat maintenance and restoration activities at SPMA’s would likely allow native dune stabilizing species to recolonize the study area. As such, Alternative 2 is expected to provide more benefit to special-status species than Alternative 1.	Under Alternative 3, OPRD would manage the public use of the beach to minimize potential effects on snowy plover habitat, some of which may support populations of sensitive plant species. Up to nine SPMA’s and 12 RMA’s would be managed with additional recreational use restrictions under Alternative 3. OPRD would manage areas know to support special-status plant species to avoid conflicts with recreational use. Similar to Alternative 1, efforts to control invasive species and habitat maintenance and restoration activities at SPMA’s would likely allow native dune stabilizing species to recolonize the study area. As such, Alternative 3 is expected to provide more benefit to special-status species than Alternative 1.

3.10 SOILS AND DUNES

Potential Effects of the Covered Activities on Erosion and Sedimentation Rates	Some of the covered activities, such as habitat restoration, involve ground-disturbing activities that could increase the risk of erosion and temporarily accelerate erosion and sedimentation rates. Accelerated erosion and sedimentation can adversely affect soil quality and water quality in nearby receiving waters. OPRD will prepare and implement ESCPs to control accelerated erosion and sedimentation resulting from restoration activities and to comply with the requirements of the General Permit and local grading and erosion control ordinances, as appropriate. Accordingly, this alternative would not have any direct adverse effects on erosion and sedimentation rates or soil and water quality in the study area.	Potential effects on erosion and sedimentation rates are similar to those discussed under Alternative 1; however, the extent of ground-disturbing activities would be greater under Alternative 2 due to proposed restoration activities at three additional sites. OPRD will prepare and implement ESCPs to control accelerated erosion and sedimentation resulting from restoration activities and to comply with the requirements of the General Permit and local grading and erosion control ordinances, as appropriate. Accordingly, this alternative would not have any direct adverse effects on erosion and sedimentation rates or soil and water quality in the study area.	Potential effects on erosion and sedimentation rates are similar to those discussed under Alternative 1; however, the extent of ground-disturbing activities would be greater under Alternative 3 due to proposed restoration activities at six additional sites. OPRD will prepare and implement ESCPs to control accelerated erosion and sedimentation resulting from restoration activities and to comply with the requirements of the General Permit and local grading and erosion control ordinances, as appropriate. Accordingly, this alternative would not have any direct adverse effects on erosion and sedimentation rates or soil and water quality in the study area.
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Potential Effects	Alternative 1 – Current Management (No Action)	Alternative 2 – Proposed HCP	Alternative 3 – Management of Additional OPRD Sites
3.11 CULTURAL RESOURCES			
Inadvertent Damage to Unknown Cultural Resources	<p>Some of the covered activities currently conducted by OPRD in the study area involve ground-disturbing activities that could potentially affect unknown cultural resources.</p> <p>Since OPRD avoided the location of documented cultural resource sites and known areas with a high potential for cultural resources in the selection of targeted snowy plover management areas, the likelihood of disturbance to cultural resources is minimal. In addition, implementation of Mitigation Measure CLT-1 would further ensure that these potential effects would be minimized.</p>	<p>Potential effects on unknown cultural resources are similar to those discussed under Alternative 1; however, the extent of ground-disturbing activities would be greater under Alternative 2 due to proposed restoration activities at three additional sites.</p> <p>Avoidance and minimization measures in the planning process decrease the likelihood of disturbance to cultural resources. In addition, implementation of Mitigation Measure CLT-1 would further ensure that these potential effects would be minimized.</p>	<p>Potential effects on unknown cultural resources are similar to those discussed under Alternative 1; however, the extent of ground-disturbing activities would be greater under Alternative 3 due to proposed restoration activities at six additional sites.</p> <p>Avoidance and minimization measures in the planning process decrease the likelihood of disturbance to cultural resources. In addition, implementation of Mitigation Measure CLT-1 would further ensure that these potential effects would be minimized.</p>
3.12 WATER QUALITY			
Potential Effects on Water Quality from Public Recreational Use	<p>Dog and horse feces, left on the beach following public recreational use, could contribute small amounts of bacteria to streams and estuaries in the study area. In addition, petroleum products could contribute pollutants into waterbodies in areas where motor vehicles are allowed.</p> <p>Potential effects on water quality from public recreational use would likely be minimal. These effects would increase, however, over the next 25 years due to expected increases in recreational use in the study area.</p>	Same as Alternative 1	Same as Alternative 1

ESCPs = Erosion and Sediment Control Plans; USFWS = U.S. Fish and Wildlife Service; ODFW = Oregon Department of Fish and Wildlife; OPRD= Oregon Parks and Recreation Department; ORNHIC = Oregon Natural History Information Center; RMA = Recreation Management Area; USDA = U.S. Department of Agriculture

Overview of Revisions to the DEIS

A number of revisions were incorporated into the DEIS to reflect changes to the conservation measures associated with Alternatives 2 and 3 as a result of public comment, and/or to clarify or correct information or analyses presented in that document. The substantive changes, as presented in Volume I of this FEIS, are summarized below.

- Chapter 1, “Covered Lands”
 - Federal Land Ownership within the Ocean Shore. The discussion of the covered lands has been updated to acknowledge the presence of Federal lands within the Ocean Shore. These lands have been removed as part of the covered lands because Federal landowners will continue to be responsible for management of their lands, including any necessary compliance with the Federal ESA for potential effects on snowy plovers. Therefore, any actions on these lands, regardless of who conducts them, would be the responsibility of the Federal landowner, and would require separate consultation with USFWS.
- Chapter 2, “Alternatives”
 - Management of Occupied Snowy Plover Nesting Areas – The definition of occupancy has been added to Chapter 2 under the description of Alternative 2 and has been updated to state that occupancy includes nests or nesting attempts made adjacent to RMAs on federally owned lands.
 - Pistol River SPMA. OPRD has removed the option for management of an SPMA at Pistol River under Alternative 2. In exchange, OPRD is proposing to extend the northern boundary of the Bandon SPMA to the south end of the China Creek access parking lot. Trail access to the beach would be rerouted to the new north access. Figure 1-9 has been updated to depict the new boundary, and the descriptions of the conservation measures associated with Alternative 2 have been updated in the FEIS.
 - Protections for Nests Outside Targeted Areas. The FEIS has been updated to reflect that exclosures may not always be used at individual nest sites found outside of occupied SPMAs or RMAs on the covered lands. Rather, OPRD would work with USFWS to determine if installation of nest exclosures would be in the best interest of the nest, based on the predator population and recreational use in a given area. Implementation of nest protections would be implemented on all lands outside of SPMAs and RMAs within the covered lands, not just those owned or leased by OPRD. This correction does not affect the analysis completed in the DEIS.

- Snowy Plover Monitoring, Reporting, and Enforcement.
 - o *Monitoring.* The commitments to monitoring have been updated to clarify that OPRD would continue to participate in and fund detect/non-detect monitoring, breeding population monitoring, and wintering and breeding window surveys.
 - o *Reporting.* Reporting requirements have been updated to reflect that OPRD would complete an annual report documenting OPRD’s management actions to date and describing anticipated efforts for the following year. The annual compliance report would be used by USFWS to evaluate the effectiveness of the HCP conservation measures. OPRD would also review the HCP with USFWS and ODFW every 5 years after issuance of the ITP.
 - o *Enforcement.* Commitments to law enforcement have been clarified to note that the three existing full-time beach ranger positions would continue to be funded under the HCP, and that their responsibilities would be to enforce compliance with all Ocean Shore and State Park rules, including beach use restrictions designed to protect snowy plovers. Other State Park staff and contracted enforcement personnel would be used as needed.
- Public Outreach and Education. Chapter 2 has been updated to clarify that OPRD would erect signage at beach access points, at the boundaries of restricted areas within SPMA’s and RMA’s, and at nesting locations outside of SPMA’s/RMA’s on the covered lands. Signage would be used to alert the public to the presence of snowy plovers and the measures that have been put in place to protect them. The exact location and information presented on these signs would be determined during development of site-specific management plans.
- Changed Circumstances. The discussion of changed circumstances has been updated to reflect that three circumstances could change during the term of the ITP and could affect the ability of OPRD to properly implement the HCP. These circumstances include the listing of a new species, potential environmental changes associated with global climate change and rising sea levels, and effects on wintering snowy plovers rising to the level of take.
 - o Although it is not anticipated that effects on wintering populations of snowy plovers would rise to the level of take and OPRD is not seeking take coverage for wintering snowy plovers, a discussion of wintering effects has been added as a potential changed circumstance to Chapter 2.
 - o Other changed circumstances identified in the draft HCP and DEIS were removed because they were otherwise covered by the management actions and conservation measures in the HCP (e.g., management of

invasive species), or were more appropriately addressed in unforeseen circumstances.

- Chapter 3, “Affected Environment, Environmental Consequences, and Cumulative Effects”
 - Section 3.1, “Land Use”
 - o The FEIS has been updated to clarify that habitat restoration activities proposed at SPMAs under Alternatives 2 and 3 would be designed to be consistent with county comprehensive plans and zoning ordinances as indicated in the site management plan.
 - Section 3.3, “Recreation”
 - o The HCP, and associated references in the FEIS under Alternatives 2 and 3, have been updated to clarify how the recreational use restrictions would be implemented at RMAs. In the event that an RMA became occupied, but no site management plan was in place, OPRD would automatically implement recreational use restrictions on the covered lands. OPRD would issue and continue to enforce recreational use restrictions within the full extent of the RMA until an agreement is reached between USFWS and the landowner, and/or a site management plan is developed, and OPRD is notified of any changes that may modify recreational use restrictions to a more focused area. These clarifications do not change the outcome of the analysis as it was presented in the DEIS.
 - o The FEIS has been updated to clarify that dry sand restrictions would apply to the entire extent of the management area at SPMAs and RMAs rather than to smaller areas within the managed boundary as indicated by roping and signage. As mentioned above, the extent of the restrictions could be refined through development of the site management plans or in consultation with USFWS. Because the analysis in Section 3.3 considered the most restrictive scenario on recreational use, this clarification does not change the analysis conducted in the DEIS.
 - o The FEIS and HCP have been updated to indicate that exceptions to the driving restrictions would be made for administrative uses, such as such as access for emergency and law enforcement vehicles and snowy plover monitors, and to provide for land management.
 - Section 3.4, “Socioeconomics and Environmental Justice”
 - o The discussion of the environmental consequences of the alternatives on environmental justice populations has been updated to clarify that potential effects would be minimal under all alternatives because the overall socioeconomic and recreational effects are minimal. In addition,

low income and minority populations are not disproportionately represented among beach visitors.

- Section 3.7, “Wildlife and Their Habitat”
 - o Snowy plover population data have been corrected and updated to include data through the 2007 breeding season.
 - o Mitigation Measure WLD-1 has been incorporated into the conservation measures proposed as part of Alternatives 2 and 3 and is, therefore, no longer needed as a mitigation measure.
- Section 3.8, “Fish and Their Habitat”
 - o The listing and critical habitat status of Oregon Coast coho has been updated to reflect the revised 2008 listing by the National Marine Fisheries Service (NMFS).
 - o The discussion of the potential effects of the alternatives has been clarified to reflect that proposed activities associated with Alternatives 2 and 3 are not anticipated to affect fish or their habitat.
- Section 3.13, “Cumulative Effects”
 - o The section regarding the cumulative effects of the Siuslaw National Forest Management Plan has been updated to reflect that the potential effects of the management activities implemented by the U.S. Forest Service, including habitat restoration, predator control, and beach closures, would have the potential to result in cumulatively beneficial effects on snowy plovers and other shorebirds. These activities are not to be confused with those proposed under the different alternatives analyzed in this FEIS.

Chapter 1 Purpose and Need

1.1 Introduction

Private landowners, corporations, State or local governments, or other non-Federal landowners who wish to conduct activities on their land that might incidentally harm (or "take") wildlife that is listed as endangered or threatened must first obtain an incidental take permit (ITP) from U.S. Fish and Wildlife Service (USFWS). As discussed in Section 1.2.2, "Purpose and Need for Action," take is generally defined as hunting, shooting, capturing, collecting or killing a protected species.

The Oregon Parks and Recreation Department (OPRD) has submitted an application to USFWS for an ITP in accordance with Section 10(a)(1)(B) of the Federal Endangered Species Act (ESA), as amended. The issuance of an ITP from USFWS would provide OPRD with the long-term regulatory assurance that implementation of its coastal management responsibilities would comply with the ESA, while providing protection for the Pacific Coast population of the western snowy plover (snowy plover), a species listed as threatened under the ESA (Table 1-1).

Table 1-1. Listing Status of Pacific Coast Population of the Western Snowy Plover

Species Name	Listing Status		Federal Overseeing Agency
	Federal	State	
Western Snowy Plover (Pacific Coast population) (<i>Charadrius alexandrinus nivosus</i>)	Threatened	Threatened	USFWS

A habitat conservation plan (HCP) that documents compliance with Section 10 of the ESA must be submitted by OPRD for an ITP to be issued by USFWS (Section 1.2.2, “Endangered Species Act Section 10,” provides a list of the required components of an HCP). To meet those requirements, OPRD has prepared the *Western Snowy Plover Habitat Conservation Plan* (Oregon Parks and Recreation Department 2008).

Proposed issuance of an ITP by USFWS is a Federal action that may affect the human environment and is, therefore, also subject to review under the National Environmental Policy Act (NEPA). As part of the NEPA process, a Draft Environmental Impact Statement (DEIS), Final Environmental Impact Statement (FEIS) and supporting HCP are required to be circulated for public review and comment. This FEIS analyzes OPRD’s request to USFWS for incidental take coverage of snowy plovers resulting from its management actions, as well as two alternative management strategies. Following a 30-day public review period on the FEIS, USFWS will prepare a Record of Decision (ROD) formally documenting its permit issuance decision.

1.2 Purpose and Need for Action

1.2.1 Purpose for Action

The purpose for this action is to allow USFWS to respond to the OPRD application for an ITP. If granted, the proposed ITP would authorize the incidental take of snowy plovers that may result from OPRD’s continued management of Oregon’s coastal resources.

Section 1.2.3, “Context,” details the background for OPRD’s action, and the activities proposed for incidental take coverage under the HCP.

Need for Action

The need for this action is to provide broader protection and conservation for snowy plovers, while allowing for long-term management of the portions of Oregon’s coast under OPRD jurisdiction. Technical discussions between the OPRD and USFWS during development of the HCP have resulted in specific criteria that must be satisfied before a decision can be reached on permit issuance. The determination as to whether the HCP has met these criteria will be made after the public has had an opportunity to comment on the DEIS, FEIS and HCP. The decision whether to issue the ITP will be based on USFWS’s NEPA and ESA compliance determinations. These determinations will be documented in the ESA Section 10 findings document, ESA Section 7 Biological Opinion, and NEPA ROD, which will be developed at the conclusion of the NEPA and ESA processes.

The following section describes how USFWS would likely determine whether the need for the action has been met with respect to species protection and conservation (in consideration of the requirements outlined in the ESA and NEPA).

Endangered Species Act Section 10

The ESA is intended to provide a means for protecting and conserving species listed as either endangered or threatened, and for conserving the ecosystems upon which listed species depend. To be protected under the ESA, a species must be listed by USFWS or the National Marine Fisheries Service (NMFS) as endangered or threatened. A species is considered endangered if it is determined to be in danger of extinction throughout all or a significant portion of its range. A species is considered threatened if it is found that the species is likely to become endangered within the foreseeable future.

Section 9 of the ESA prohibits the take of an endangered species, where take is defined in the ESA to mean “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct.” Section 10 of the ESA allows the Services to issue an ITP to a non-Federal entity for incidental take of a federally listed species, where “incidental take” is defined as take that is, “incidental to, and not the purpose of, the carrying out of an otherwise lawful activity.” Permit issuance criteria prescribed in 50 Code of Federal Regulations (CFR) 17.22(b)(2), 50 CFR 17.32(b)(2), and Section 10(a)(2)(B) of the ESA state:

- The taking must be incidental.
- The applicant will, to the maximum extent practicable, minimize and mitigate the impacts of such taking.
- The applicant will ensure that adequate funding for the conservation plan and procedures to deal with unforeseen circumstances will be provided.
- The taking will not appreciably reduce the likelihood of survival and recovery of the species in the wild.
- Other measures may be required as necessary or appropriate for the purposes of the HCP.

A conservation plan submitted in support of a Section 10 permit application must specify:

- the impact that will likely result from the taking;
- steps the applicant will take to monitor, minimize, and mitigate such impacts, the funding available to implement such steps, and the procedures to be used to deal with unforeseen circumstances;
- alternative actions to such taking considered by the applicant, and the reasons why such alternatives are not proposed to be used; and

- other measures that may be required as necessary or appropriate for the purposes of the plan.

The evaluation of OPRD's ESA Section 10(a)(1)(B) application will be documented in a Section 10 findings document, which will be produced at the completion of the NEPA and ESA permit issuance processes. The result of the assessments will determine whether or not an ITP will be issued.

Endangered Species Act Section 7

Issuance of an ITP is also a Federal action subject to Section 7 of the ESA. Section 7(a)(2) requires all Federal agencies, in consultation with USFWS, to ensure that any action "authorized, funded, or carried out" by an agency is "not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification" of critical habitat. Although the provisions of Section 7 and Section 10 are similar, Section 7 and its regulations require several considerations in the HCP process, including an analysis of indirect effects, effects on federally listed plants, and effects on critical habitat.

The results of the Section 7 consultation are documented in biological opinions developed by USFWS. A biological opinion is generally produced near the end of the ESA permitting process, and documents conclusions regarding the likelihood of jeopardizing the continued existence of, or adversely modifying designated critical habitat for any listed species.

National Environmental Policy Act

NEPA is one of the primary laws governing the environmental protection process. It is a decision-making requirement that applies to proposals for Federal actions. The Council on Environmental Quality regulations define, "major Federal action" as those actions with, "effects that may be major and which are potentially subject to Federal control and responsibility," including, "projects and programs entirely or partly financed, assisted, conducted, regulated, or approved by Federal agencies."

NEPA states that any Federal agency undertaking a "major Federal action" likely to "significantly affect the human environment" must prepare an Environmental Impact Statement (EIS). An EIS must provide a "detailed statement" of the environmental impacts of the action, possible alternatives, and measures to mitigate adverse effects of the proposed actions. While NEPA does not mandate any particular result, it requires the agency to follow particular procedures in its decision-making process. The purpose of these procedures is to ensure the agency has before it the best possible information to make an "intelligent, optimally beneficial decision" and to ensure the public is fully apprized of any environmental risks that may be associated with the preferred action.

Issuance of an ITP under Section 10(a)(1)(B) is a Federal action subject to NEPA compliance. Although ESA and NEPA requirements overlap considerably, the scope of NEPA goes beyond that of the ESA by considering the impacts of a Federal action not only on fish and wildlife resources, but also on other resources such as water quality, socioeconomics, air quality, and cultural resources. The EIS process culminates in issuance of a ROD. The ROD documents the alternative selected for implementation, as well as any conditions that may be required, and summarizes the impacts expected to result from the action.

1.2.2 Context

The OPRD is pursuing an ITP from USFWS, using the HCP process with its regional perspective on species conservation, as a mechanism for compliance with the ESA. Over the next 25 years (the permit term proposed in the HCP), OPRD will engage in a number of management and regulatory activities along the coast of Oregon that could affect snowy plovers. Administration of ESA compliance activities for each of these actions on a project-by-project basis would likely be a less efficient process for both OPRD and USFWS, and would result in unpredictable beach use restrictions that could be required on Oregon's beaches to protect nesting populations of snowy plovers. A project-by-project approach would also be less effective for addressing issues on a regional scale.

Background

The OPRD is responsible for various management activities along most of the Oregon coast, including recreation management, general beach management, and management of natural resources, including snowy plovers. Since populations of snowy plover nest, roost, forage, and raise chicks on the sandy beaches of the Oregon Coast, OPRD must ensure that its management activities do not result in take of snowy plovers. In addition, OPRD must balance snowy plover management activities with its mandate to maintain the public's access to the ocean shore.

Currently, each year, in coordination with Federal agencies and at the request of State agencies and Curry County, OPRD restricts use of a portion of the Ocean Shore at six occupied snowy plover nesting areas during the snowy plover breeding season (March 15 to September 15) to minimize potential effects to nesting populations of snowy plovers. These seasonal use restrictions have been imposed since 1994, with such restrictions affecting anywhere from 0.5 miles (1994) to 19.8 miles (1998) of beach although access to and use of the wet sand areas are still available. Seasonal use restrictions limit recreational use and access in these specific areas, and vary unpredictably in scale and location.

As a result, OPRD, in collaboration with USFWS and ODFW, has prepared the *Western Snowy Plover Habitat Conservation Plan* (Oregon Parks and Recreation Department 2008), with a proposed 25-year term, to address potential effects on

snowy plovers resulting from OPRD management activities on the covered lands (see “Covered Lands” below for a description of the geographic boundaries of the areas covered under the HCP).

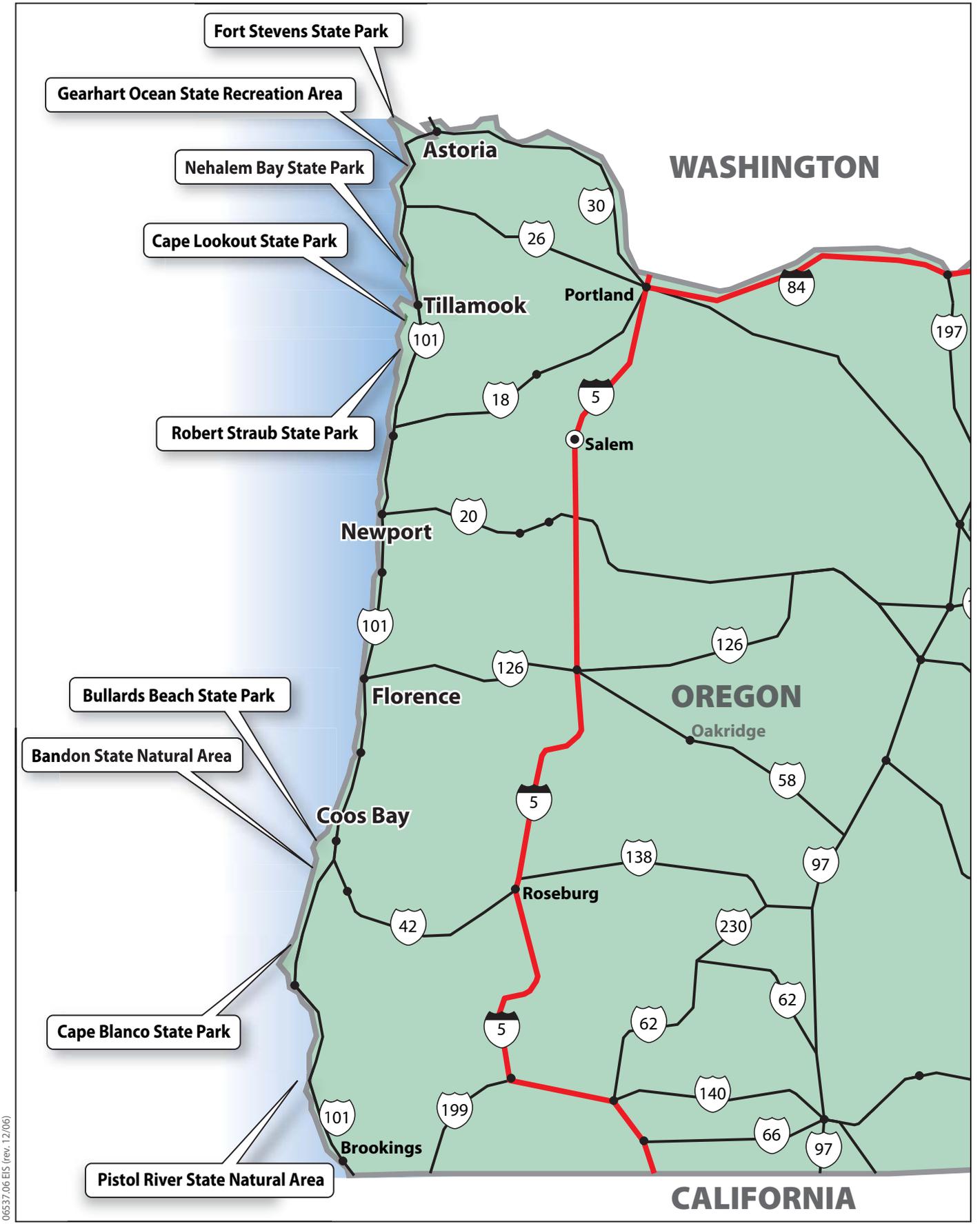
Snowy Plover Recovery Plan

USFWS released the *Western Snowy Plover Pacific Coast Population Draft Recovery Plan* (Recovery Plan) in 2001 (U.S. Fish and Wildlife Service 2001b). The Recovery Plan was finalized in 2007 (U.S. Fish and Wildlife Service 2007a). The Recovery Plan identified 19 recovery areas for snowy plovers along the Oregon Coast, including some areas owned or leased by OPRD. As described in Chapter 2, “Alternatives,” the conservation measures for snowy plovers described in the draft HCP were developed to implement, in part, recommendations in the Recovery Plan. These conservation measures include management of some OPRD owned or leased park unit lands; implementation of recreational use restrictions on lands managed by OPRD, including areas owned by other landowners; and implementation of beach management activities. These conservation measures would minimize potential effects on snowy plovers and snowy plover habitat.

Covered Lands

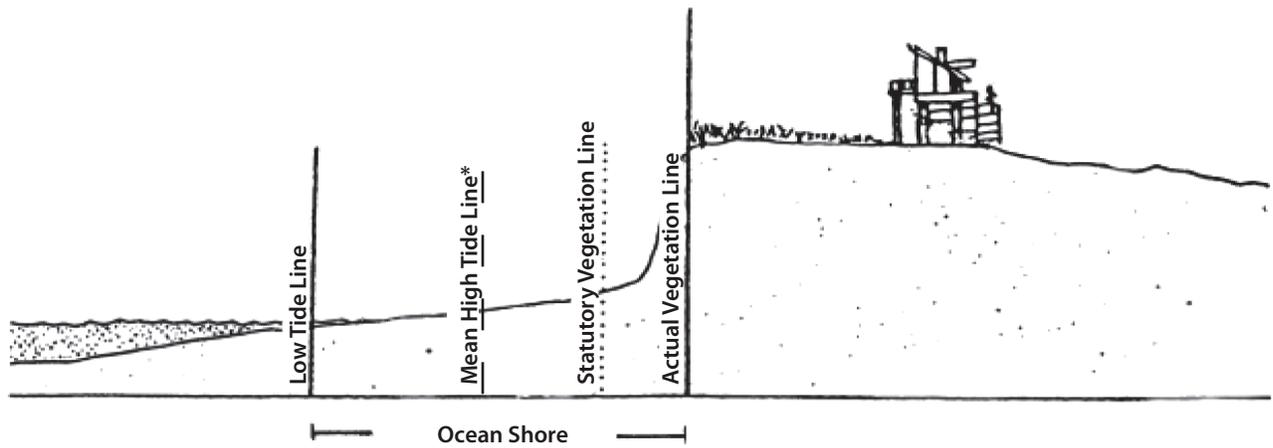
The area covered by the alternatives addressed in this FEIS (the covered lands), includes the sandy portions of the Ocean Shore along the Oregon coast that extend between the mouth of the Columbia River South Jetty on the north and the California/Oregon border on the south. This area encompasses approximately 230 miles of sandy Ocean Shore beach (total mileage of the Oregon coast is 362 miles) (Figure 1-1). The sandy Ocean Shore is defined as the area from extreme low tide to the actual or statutory vegetation line, whichever is most landward (Figure 1-2).¹ OPRD is responsible for managing the Ocean Shore as granted under Oregon Revised Statutes (ORS 390.635 and 390.620 and implemented under Oregon Administrative Rule (OAR) 736-020-0040(3) and in cooperation with Federal land management actions as per the Coastal Zone Management Act (CZMA). The Ocean Shore does not include estuaries or river mouths, which are under the management of the Oregon Department of State Lands (ODSL).

¹ The statutory vegetation line is a historical vegetation line created during a survey of the coastline in 1967 with a series of survey points connected by lines established to approximate the actual vegetation line at the time. Since then, in several places, the actual vegetation line has moved seaward or inland of that statutory vegetation line as a result of natural and man-made processes.

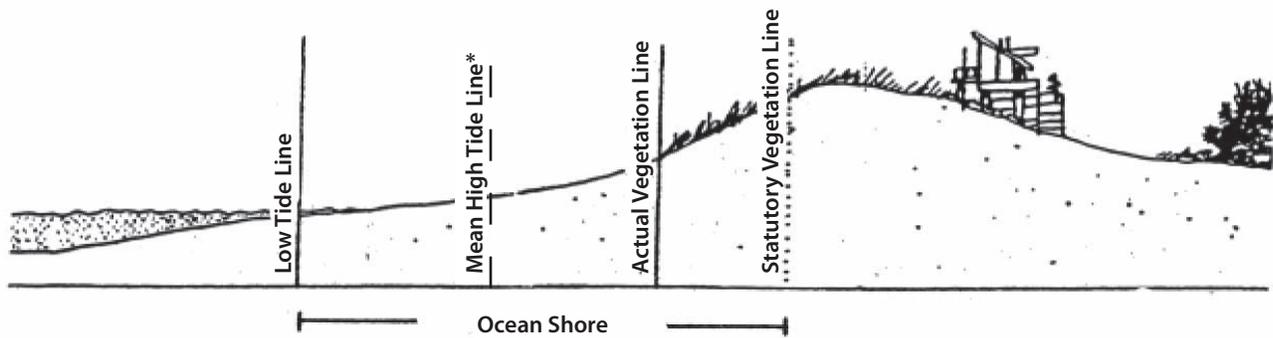


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Figure 1-1
Project Vicinity



Defined boundary of the Ocean Shore when the actual vegetation line is further landward than the statutory vegetation line.



Defined boundary of the Ocean Shore when the statutory vegetation line is further landward than the actual vegetation line.

*OPRD's permit jurisdiction on the Ocean Shore extends landward from the low tide line to the mean high tide line on Federal lands and from the low tide line to the statutory or actual vegetation line, whichever is most landward, on all other lands.

**Figure 1-2
Ocean Shore Jurisdictional Extent**

Covered lands for the HCP do not include the Federal lands within the Ocean Shore boundary. Federal jurisdiction within the Ocean Shore boundary extends between the mean high tide line and the actual or statutory vegetation line (Figure 1-2) adjacent to federally owned lands. Any actions that may occur on Federal lands within the Ocean Shore, regardless of who conducts the activity, would be the responsibility of the Federal landowner and would require separate consultation with USFWS if the actions would result in potential effects on federally listed species, including snowy plovers. In addition, if these Federal actions could result in effects on uses or natural resources within Oregon's defined *coastal zone*, the actions would be required to be consistent with the State's enforceable policies, including the Ocean Shore Management Plan (Oregon Parks and Recreation Department 2004), as required by the CZMA.

Portions of the following key State Parks, State Natural Areas, and State Recreation Areas are also included in the covered lands (as illustrated in Figures 1-3 through 1-11). The parenthetical reference after each listing reflects the name of the associated snowy plover management area that is evaluated in this FEIS.

- Fort Stevens State Park (Columbia River South Jetty) (Figure 1-3),
- Gearhart Ocean State Recreation Area (Necanicum Spit) (Figure 1-4),
- Nehalem Bay State Park (Nehalem Spit) (Figure 1-5),
- Cape Lookout State Park (Netarts Spit) (Figure 1-6),
- Robert Straub State Park (Nestucca Spit) (Figure 1-7),
- Bullards Beach State Park (Bullards Beach) (Figure 1-8),
- Bandon State Natural Area (Bandon) (Figure 1-9),
- Cape Blanco State Park (Sixes River Mouth) (Figure 1-10), and
- Pistol River State Natural Area (Pistol River) (Figure 1-11).

It is important to note that the study area boundary for certain resources evaluated in this FEIS (e.g., air quality) may differ from the geographic boundary of the covered lands, depending on the extent and nature of potential impacts. The study area boundaries for each resource area are described in Volume I of this FEIS in Chapter 3, "Affected Environment, Environmental Consequences, and Cumulative Effects."

Covered Activities Included in the Habitat Conservation Plan

Activities covered under the HCP include all activities for which OPRD has responsibility within the covered lands that could result in take of snowy plovers. These activities are described in detail in Chapter 2, "Alternatives," and include public use/recreation management, natural resources management, and beach management.

1.3 Environmental Review Process

1.3.1 Process Steps

The EIS process began with internal and interagency discussions to address key components of alternative descriptions, to develop the level of detail for impact and cumulative analysis, and to prepare the DEIS framework and schedule. Public input was solicited during a 40-day public scoping period consisting of four public meetings (Section 1.3.2, “Scoping”). Written and verbal comments received during the public scoping period were used to develop the DEIS.

Public input was solicited on the DEIS during a 60-day public comment beginning in November 2007, and extended in February 2008 (Section 1.3.3, “Public Review and Comment Period”). A second public comment period was held from April 17, 2009 through June 1, 2009. Written comments received during the public review and comment periods were used to revise the DEIS analysis and refine the conservation measures in the HCP. Responses to all substantive comments received during the public comment period are provided in Volume II of this FEIS.

This FEIS will be distributed for a 30-day public review period. After the FEIS review period has been completed, USFWS will evaluate the alternatives in the FEIS and make a permit decision on the proposed action. The final decision-making process and analysis will be disclosed in an ESA Section 10 Findings document, an ESA Section 7 Biological Opinion, and a NEPA ROD.

1.3.2 Scoping for Development of the DEIS

In March 2003, four public meetings were held in Coos Bay (March 11th), Newport (March 12th), Tillamook (March 13th) and Portland (March 19th). The meetings were advertised in several local newspapers, including the *Seaside Signal*, *Newport News Times*, *Oregonian*, *The World*, *Siuslaw News*, and the *Curry County Reporter*. All of the meetings were also announced through letters to interested parties. USFWS also published a Notice of Intent to conduct public scoping meetings and prepare an EIS for the proposed HCP in the Federal Register published on March 20, 2003 (68 FR 13720).

Public and agency comments were received orally at the meetings, and in writing in letters received after the meetings. Comments received during public meetings facilitated by OPRD to formulate the HCP were also considered during the public scoping period. The DEIS was prepared with consideration of issues raised during the public scoping processes.

A complete discussion of the scoping process is presented in the Scoping Report for this project (U.S. Fish and Wildlife Service 2005a).



Figure 1-3
Boundary of Covered Lands within Fort Stevens State Park
(Columbia River South Jetty)

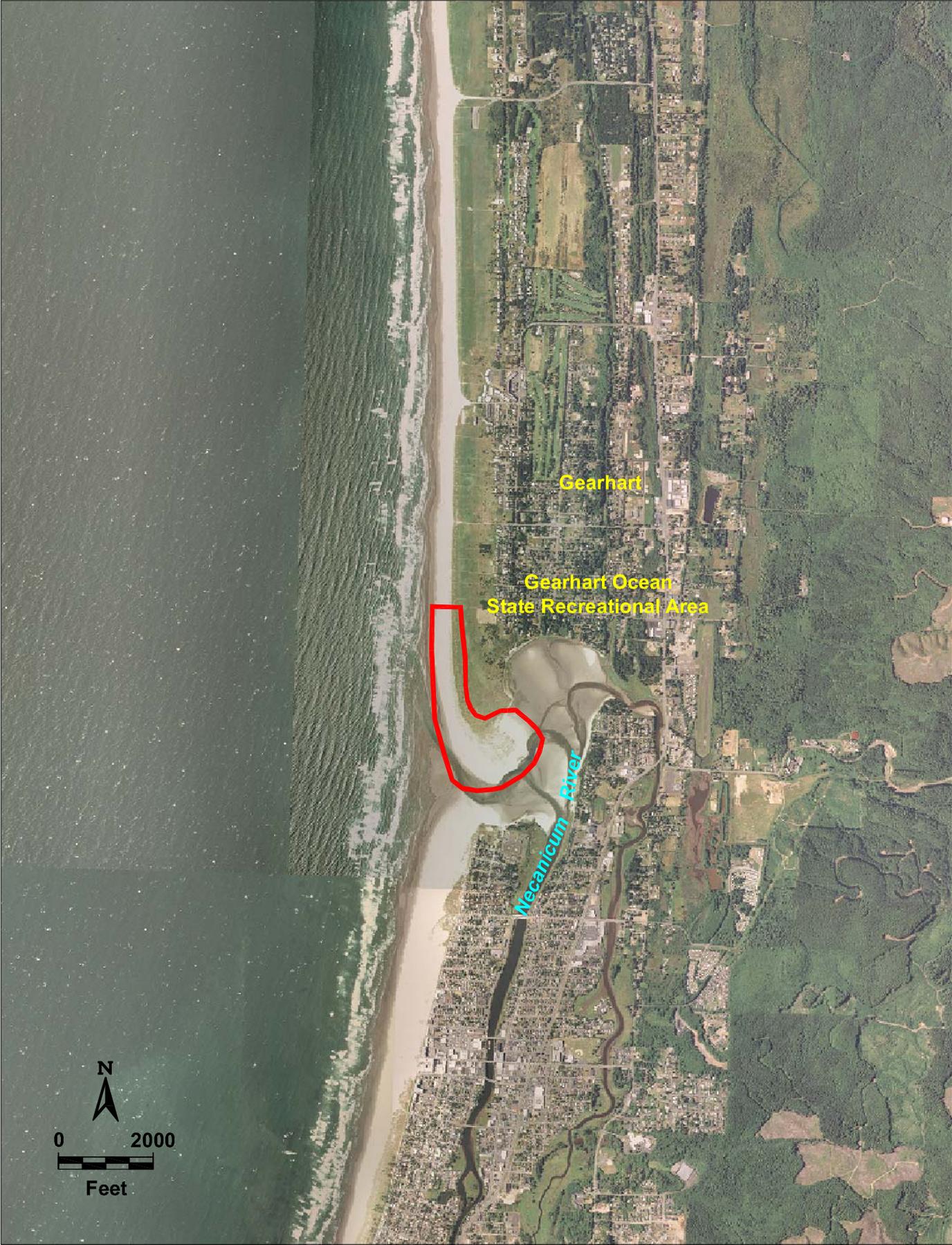


Figure 1-4
Boundary of Covered Lands within Gearhart Ocean State Recreation Area
(Necanicum Spit)



Figure 1-5
Boundary of Covered Lands within Nehalem Bay State Park
(Nehalem Spit)



Figure 1-6
Boundary of Covered Lands within Cape Lookout State Park
(Netarts Spit)

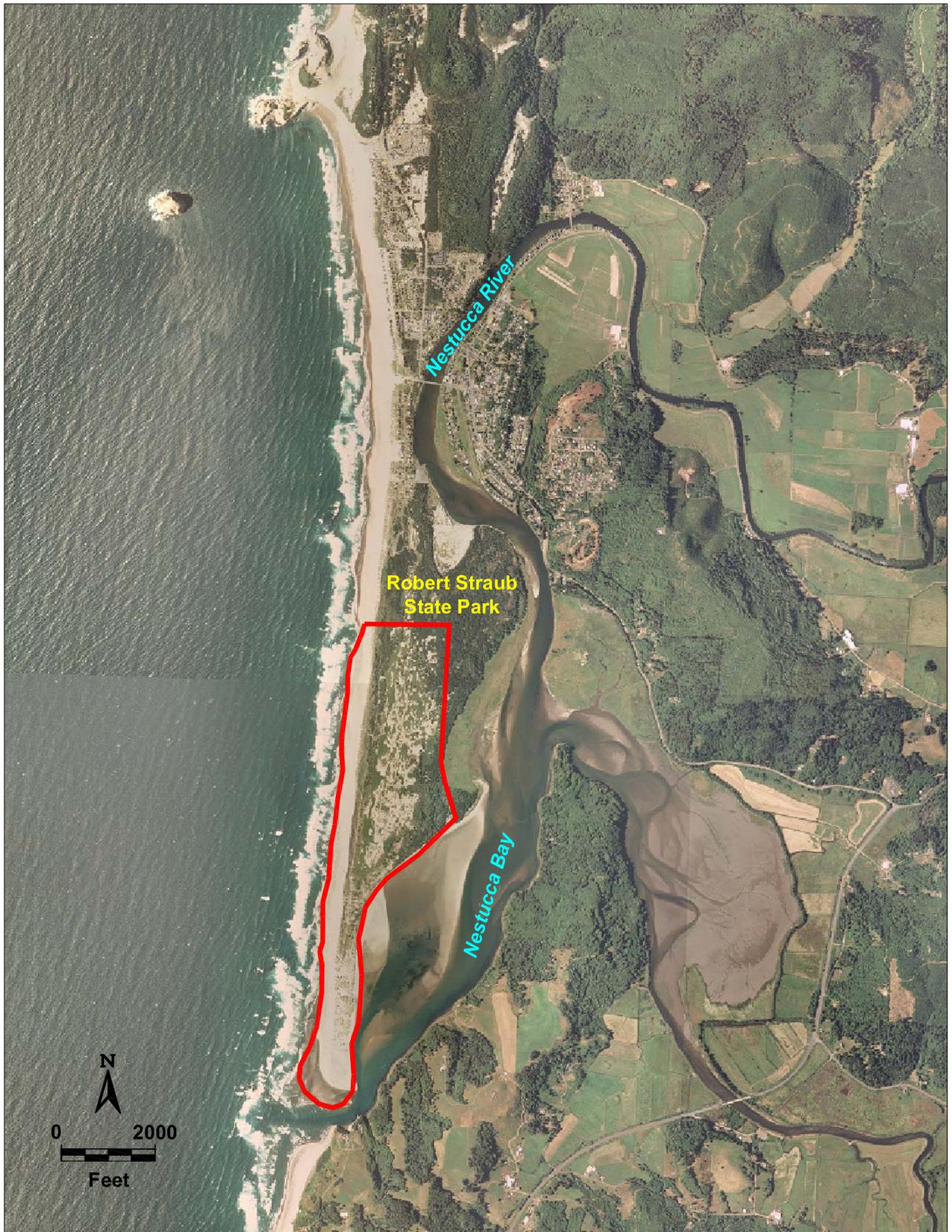


Figure 1-7
Boundary of Covered Lands within Robert Straub State Park
(Nestucca Spit)



Figure 1-8
Boundary of Covered Lands within Bullards Beach State Park
(Bullards Beach)

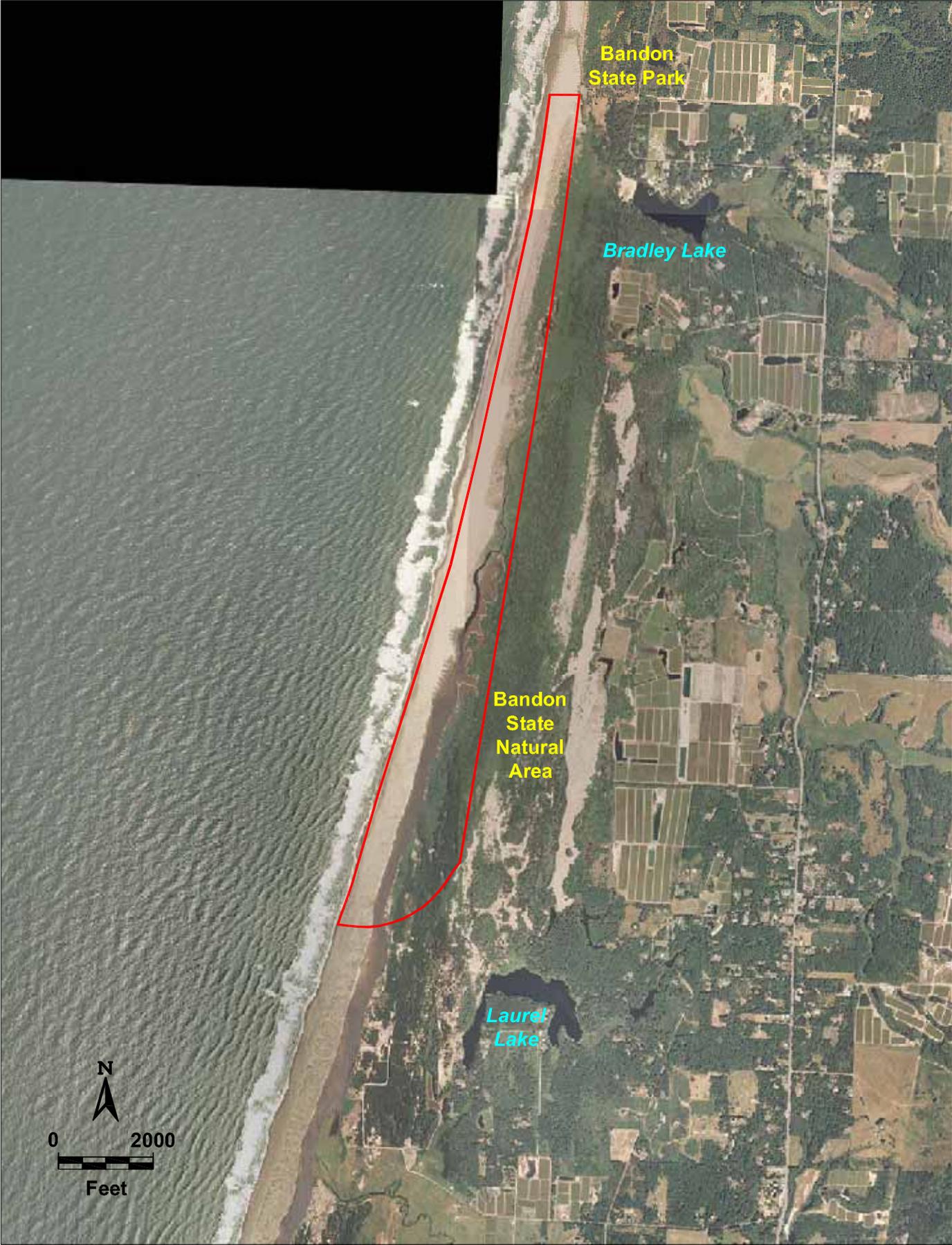


Figure 1-9
Boundary of Covered Lands within Bandon State Natural Area
(Bandon)

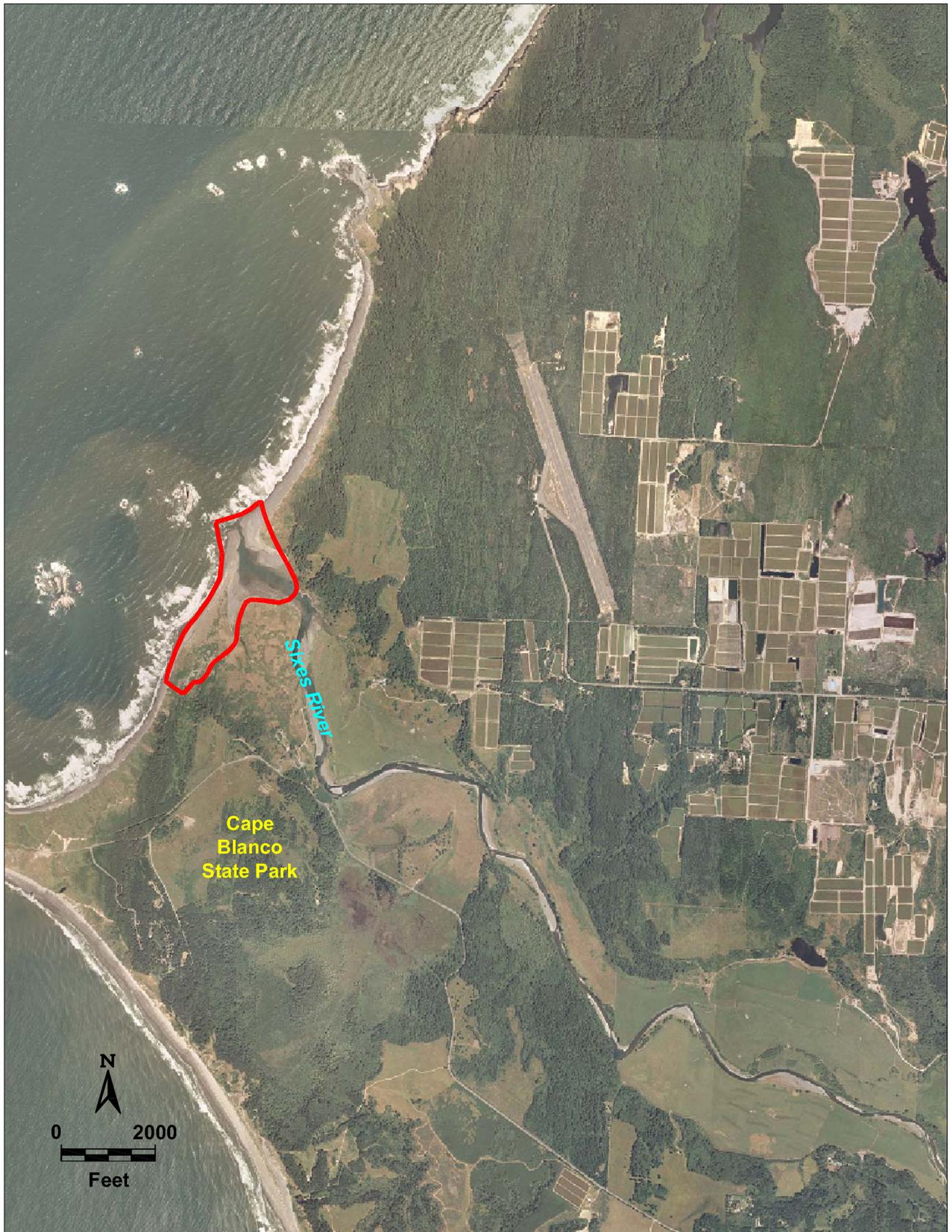


Figure 1-10
Boundary of Covered Lands within Cape Blanco State Park
(Sixes River Mouth)



Figure 1-11
Boundary of Covered Lands within Pistol River State Natural Area
(Pistol River)

1.3.3 Public Review and Comment Period on the DEIS and Draft HCP

Public input on the DEIS and draft HCP were solicited during a 60-day public comment period from November 5, 2007 to January 4, 2008, with an extension from February 26, 2008 to March 12, 2008. The public review and comment period was announced in the Federal Register published on November 5, 2007 (72 FR 62485), and in several local newspapers. The availability of the draft documents for review was also announced through letters to interested parties. An additional public review period was announced on April 17, 2009, and extending for 45 days through June 1, 2009. This review was announced in the *Federal Register* published on April 17, 2009 (74 FR 73).

Electronic copies of the DEIS, HCP, and implementing agreement (IA) were posted to the USFWS web site (www.fws.gov/oregonfwo/Species) and to the OPRD web site (egov.oregon.gov/OPRD/PLANS/osmp_hcp.shtml). Hard copies of all documents were also made available at the USFWS Newport Field Office and at public libraries in Astoria, Bandon, Brookings, Coos Bay, Florence, Gold Beach, Manzanita, Newport, Port Orford, Reedsport, Seaside, Tillamook, and Warrenton.

A total of 103 comment letters were received during the public review and comment periods. Four comments letters were submitted by Federal agencies, one comment letter was submitted by a State agency, 11 comment letters were submitted by local agencies, ten comment letters were submitted by non-governmental organizations, and 77 comment letters were submitted by the general public. NEPA requires that a Federal lead agency consider all comments received during the review and comment period, and provide a response to all comments that are considered substantive. Responses to all substantive comments received during the public comment and review period are provided in Volume II of this FEIS.

1.4 Relationships to other Plans, Regulations, and Laws

Many Federal and State statutes, regulations, and policies govern the activities proposed for ITP coverage under the *Western Snowy Plover Habitat Conservation Plan* (Oregon Parks and Recreation Department 2008). The major Federal and State permits and regulatory consultation requirements that may be required as a result of any of the proposed alternatives are listed in Table 1-2, and summarized in the text that follows the table.

Table 1-2. Major Permits, Approvals, Environmental Review, and Consultation Requirements Possibly Applying to the Proposed Project Alternatives

Permit/Consultation	Oversight Agency	Project Activities that Trigger Permit/Consultation Requirement
FEDERAL REQUIREMENTS		
NEPA	USFWS	Major Federal actions significantly affecting the quality of the human environment. Issuing Federal permits, such as an ITP, triggers the NEPA process as a major Federal action.
Section 10, ESA, ITP (16 USC 1539)	USFWS and NMFS	Potential incidental take of federally listed threatened and endangered species. Application reviewed by USFWS and/or NMFS if requested by a non-Federal applicant when proposed activities have the potential to harm listed species
Section 7, ESA Consultation (16 USC 1536)	USFWS and NMFS	Consultation triggered by proposed issuance of a Section 10 ITP by FWS and/or NMFS
Migratory Bird Treaty Act Permit	USFWS	Activities that result in the take of migratory birds.
Coastal Zone Management Act Permit (16 USC 1451)	National Oceanic Atmospheric Administration, Office of Ocean and Coastal Resource Management, through DLCDC	Applies to development activities within the coastal zone. Federal agencies must demonstrate that their actions are consistent with a State's approved coastal zone management program and seek a Federal consistency review.
Section 404, CWA Permit (33 USC 1344)	Corps	Discharge of dredged or fill material into waters of the United States, including wetlands. Permits are issued following public interest review and analyses according to the EPA Section 404(b)(1) guidelines
Section 10, Rivers & Harbors Act of 1899 Permit (33 USC 403)	Corps	Applies to activities that could affect navigable waters of the United States
Section 401, CWA Permit (33 USC 1341)	EPA, delegated to ODEQ	Discharges requiring a Federal license or permit must comply with State water quality standards.
Section 106, National Historic Preservation Act Consultation (16 USC 470)	USFWS, through the State Historic Preservation Office and Advisory Council on Historic Preservation	Activities affecting cultural resources that are determined eligible for listing on the National Register of Historic Places. Also requires consultation and coordination with Native American tribes.
STATE REQUIREMENTS		
Oregon Endangered Species Act Consultation (ORS 496.002-496.192)	ODFW, ODSL, Oregon Department of Agriculture	Consultation triggered by activities taken by State agencies on Oregon State lands that would affect State-listed threatened or endangered species. Consultation typically completed in conjunction with Federal consultation under Section 7 of the ESA.
Statewide Land Use Planning Goals	DLCD	Nineteen statewide land use planning goals that are achieved primarily through local comprehensive planning and implementation measures.
Oregon Removal-Fill Permit (ORS 196.795-900)	DSL	Activities that could result in the removal or fill of material into waters of the State.

Permit/Consultation	Oversight Agency	Project Activities that Trigger Permit/Consultation Requirement
State Ocean Shore Rules	OPRD	Wide variety of OPRD authorities and mandates regarding the Ocean Shore.
FPA	ODF	Governs forest management in the State of Oregon.

- Corps = U.S. Army Corps of Engineers
- CWA = Clean Water Act
- DLCD = Oregon Department of Land Conservation and Development
- ODSL = Oregon Department of State Lands
- ODEQ = Oregon Department of Environmental Quality
- EPA = Environmental Protection Agency
- ESA = Endangered Species Act
- ITP = Incidental take permit
- NEPA = National Environmental Policy Act
- NMFS = National Marine Fisheries Service
- ODFW = Oregon Department of Fish and Wildlife
- OPRD = Oregon Parks and Recreation Department
- ORS = Oregon Revised Statutes
- USFWS = U.S. Fish and Wildlife Service
- USC = United States Code

1.4.1 Federal Permits and Consultation Requirements

Development of the HCP and related EIS are regulated primarily by the ESA and NEPA, as described in Section 1.2.2, “Need for the Action.” Other Federal permits and consultations that may be required over the term of the proposed permit term are summarized below.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) prohibits the take of any migratory bird, or any part, nest, or egg of any such bird. Under the MBTA, take is defined as the attempt to “pursue, hunt, shoot, capture, collect, or kill” a protected species. This act applies to all persons and organizations in the United States, including Federal and State agencies. The MBTA is administered by USFWS, with regulation of listed migratory birds delegated to the USFWS Endangered Species Division, and regulation of unlisted migratory birds delegated to USFWS Migratory Bird Division.

There are numerous migratory birds located within the covered lands, including snowy plovers. Take of migratory birds as a result of an alternative evaluated in this EIS would require consultation with USFWS.

Coastal Zone Management Act

The CZMA encourages states to voluntarily preserve and protect resources along the nation’s coast. With an approved coastal zone management plan, a State is authorized to ensure that development within its designated coastal zone is consistent with that plan. In addition, under the “Federal consistency” provisions of the CZMA, a State is also afforded the opportunity to review Federal actions, inside or outside of the coastal zone, which may affect coastal resources to ensure that those actions are consistent with the approved plan.

The Oregon Coastal Management Program is implemented by the Oregon Department of Land and Conservation Development (DLCD), in collaboration with local coastal jurisdictions (see *Statewide Land Use Planning Goals* below), and other State agencies, including OPRD (under the Ocean Shore Law or “Beach Bill”) and DSL (see *Oregon Removal-Fill Law* below). Completion of an EIS and issuance of an ITP by USFWS would constitute a Federal action subject to Federal consistency review under the CZMA.

Section 404, Clean Water Act

The U.S. Army Corps of Engineers (Corps) requires project applicants to obtain a Clean Water Act (CWA) Section 404 permit if a proposed action would result in the discharge of dredged or fill material into waters of the United States, including

wetlands. Authorization would have to be obtained from the Corps if implementation of any of the covered activities would require placement of fill in waters of the United States.

Section 10, Rivers and Harbors Act, 1899

The Corps requires project applicants to obtain a Rivers and Harbors Act Section 10 permit if a proposed action would require work in, under, or over navigable waters of the United States, or if work outside of navigable waters would affect the course, location, or condition of navigable waters of the United States. Authorization would have to be obtained from the Corps if implementation of any of the covered activities would affect navigable waters of the United States, including the Pacific Ocean.

Section 401, Clean Water Act

Section 401 of the CWA requires Federal agencies to ensure that their proposed actions, including issuance of a permit, do not violate State water quality standards. In Oregon, the Oregon Department of Environmental Quality (ODEQ) is responsible for determining if an action meets State water quality standards and is eligible for water quality certification.

Consideration of a Section 404 permit is an action that requires evaluation for water quality certification. If a Section 404 permit is required to implement any of the covered activities, water quality certification under Section 401 would also be required.

Section 106, National Historic Preservation Act

Section 106 of the National Historic Preservation Act (NHPA) requires that historical and archeological resources eligible for listing on the National Register of Historic Place (NRHP) be considered during planning and implementation of Federal projects. Specifically, the Section 106 process requires that the Federal lead agency for an EIS consult with the Oregon State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), and Native American Tribes to determine if a proposed project could effect properties listed or eligible for listing on the NRHP, as well as ways to minimize and mitigate adverse impacts on such properties.

Implementation of the alternatives described in this EIS may require consultation with SHPO prior to implementation, as described in Section 3.11, “Cultural Resources.”

1.4.2 State Permits and Consultation Requirements

State permit and consultation requirements that may be required during the term of the ITP are summarized below.

Oregon Endangered Species Act

Similar to the Federal ESA, the Oregon ESA (ORS 496.002 through 496.192) offers protection to species listed as threatened or endangered under the Oregon ESA. However, the Oregon ESA is much more limited in scope and applies only to State agencies taking actions on State owned or leased lands. The Oregon ESA is administered by ODFW, DSL, and the Oregon Department of Agriculture.

Snowy plovers are listed as threatened statewide. Since all of the covered activities would take place on lands either owned or leased by the State, OPRD would be required to consult with ODFW for impacts on snowy plovers. In practice, compliance with the Oregon ESA is typically achieved during consultation with the Federal agencies pursuant to the Federal ESA.

Statewide Land Use Planning Goals

Nineteen statewide planning goals govern land use planning in Oregon. The statewide goals, which include direction on how to conserve, protect and, where appropriate, develop coastal resources, are achieved through local comprehensive planning and implementation measures. State law requires each city and county to have a comprehensive plan and the zoning and land division ordinances to put that plan into effect. The local comprehensive plans must be consistent with the statewide planning goals.

Goal 17: Coastal Shorelands, and Goal 18: Beaches and Dunes, have particular relevance to the proposed project alternatives evaluated in this Draft EIS.

Oregon Removal-Fill Law

Similar to Section 404 of the CWA, Oregon's Removal Fill law (ORS 196.795-900) regulates activities that would result in the removal or fill of material into waters of the State. Waters of the State include national waterways, intermittent streams, constantly flowing streams, lakes, and wetlands. The DSL administers the Removal-Fill Program. Authorization would have to be obtained from DSL if implementation of a covered activity would result in the removal or fill of material into waters of the State.

1.5 Organization of Volume I of this Final Environmental Impact Statement

- Cover Sheet
- Executive Summary
- Table of Contents
- Chapter 1, "Purpose and Need"

- Chapter 2, “Alternatives”
- Chapter 3, “Affected Environment, Environmental Consequences, and Cumulative Effects”
- Chapter 4, “References”
- Chapter 5, “Distribution List”
- Chapter 6, “List of Preparers”
- Chapter 7, “Acronyms and Abbreviations”
- Appendices

Chapter 2 Alternatives

2.1 Alternatives Considered

Three alternative management strategies have been identified for detailed analysis in this Final Environmental Impact Statement (FEIS), including the Proposed Habitat Conservation Plan (HCP) (Alternative 2). These alternatives are described in detail in Section 2.3, “Alternatives Analyzed in Detail,” and are compared and summarized in Table 2-1 at the end of that section.

Alternative 1 – Current Management (No Action) involves continuing management strategies currently in place on the lands covered under the proposed HCP (see Section 2.2.1 below). This alternative is the baseline against which the effects of the other alternatives are compared, as described in Chapter 3, “Affected Environment, Environmental Consequences, and Cumulative Effects.” Alternative 2 represents the Oregon Parks and Recreation Department (OPRD) preferred alternative and is supported by the *Western Snowy Plover Habitat Conservation Plan* (Oregon Parks and Recreation Department 2008). The HCP was developed by OPRD, in collaboration with the U.S. Fish and Wildlife Service (USFWS) and the Oregon Department of Fish and Wildlife (ODFW).

The HCP addresses potential effects on the Pacific Coast population of the western snowy plover (snowy plover) resulting from OPRD management activities on the covered lands, and is designed to meet the regulatory requirements of the Federal and State Endangered Species Acts (ESA). The HCP was also developed as a result of input provided by the public during a series of public meetings held in the spring and winter of 2002 and the fall of 2004; input received between 2002 and 2004 from the Steering Committee convened to assist in formulation of the draft HCP; and

comments on the Draft Environmental Impact Statement (DEIS) and draft HCP received during the public comment period between November 2007 and March 2008, and April and June 2009 (Section 1.3.3, “Public Review and Comment Period”).

Alternative 3, Management of Additional OPRD Sites, is evaluated in this FEIS as an alternative to the proposed HCP. Specifically, Alternative 3 is included in this FEIS to provide the public with additional information for comparison of Alternative 2 with the environmental risks of an alternate course of action. The conservation measures associated with Alternative 3 were considered during the development of the draft HCP, but were subsequently eliminated by OPRD due to recreational use and other management conflicts. Nonetheless, USFWS had determined that this alternative is a reasonable alternative, as defined under the National Environmental Policy Act (NEPA), and that it should be evaluated in this FEIS.

Management strategies and issues raised during the scoping process that were not further analyzed as alternatives are described in Section 2.4, “Alternatives Considered but Not Analyzed in Detail.”

2.2 Area Covered, Species Covered, and Duration of Plan

All alternatives evaluated in this FEIS would be implemented on the covered lands, which include the Ocean Shore (except for federally owned lands) and specific portions of key State Parks, State Natural Areas (SNA), and State Recreation Areas, as described in Section 1.2.3, “Covered Lands,” and shown on Figures 1-3 through 1-11. The OPRD is requesting incidental take coverage for one species, the Pacific Coast population of the western snowy plover (*Charadrius alexandrinus nivosus* [coastal population]), which is listed as threatened under the Federal ESA and Oregon ESA. Management of the covered lands, for purposes of the analysis in this FEIS, would occur during a 25-year period (2009 to 2034).

2.3 Alternatives Analyzed in Detail

This section describes the covered activities that would be implemented under each of the three alternatives analyzed in detail in this FEIS. Covered activities are described according to three categories: public use and recreation management; natural resources management, including snowy plover management and other habitat restoration activities; and beach management. OPRD is not seeking take coverage for wintering populations of snowy plovers.

2.3.1 Alternative 1 – Current Management (No-Action)

Under Alternative 1, OPRD would continue to manage the covered lands as it does currently. Management activities on covered lands would be implemented to avoid potential effects on snowy plovers, to the extent possible. In areas where nesting populations of snowy plovers are known to be present, OPRD would implement specific prescriptions to ensure that management activities minimize the potential for take (see *Snowy Plover Management*). Similarly, OPRD would consider applications from other landowners to temporarily limit recreational use on any portion of the Ocean Shore when nesting snowy plovers are present, as requested by the landowner, and on a case by case basis.

Alternative 1 is the baseline in the FEIS against which other alternatives are compared and described. The differences demonstrated in that comparison represent the potential environmental consequences (i.e., the effects and impacts) of implementing the proposed alternatives.

Public Use/Recreation Management

OPRD is responsible for regulating activities on beaches and lands under its jurisdiction. Permissible recreational uses commonly observed on the covered lands include dog exercising, kite flying, non-motorized vehicle use, driving, and other activities, such as camping, walking, jogging, and picnicking.

Under Alternative 1, OPRD would manage the public's use of the covered lands in accordance with existing management practices to avoid potential effects on snowy plovers. Recreational use restrictions currently in place, such as limitations on beach camping in State Parks, would remain in place in the future. Additional recreational use restrictions associated with management of snowy plover nesting areas would also continue to be implemented, as summarized under *Snowy Plover Management*.

The following provides a description of permissible recreational uses on the covered lands, and recreational use restrictions that would be implemented under Alternative 1.

Dog Exercising

Under Alternative 1, dogs would continue to be required to be on leash in all Oregon State Parks, and on a leash, or under voice or signal command, in the communities of Seaside, Rockaway Beach, and Cannon Beach. Additional restrictions on dog exercising would be implemented at occupied snowy plover nesting areas, as described under *Snowy Plover Management*.

Kite Flying

There would be no restrictions on kite flying on the covered lands under Alternative 1.

Non-Motorized Vehicle Use

Non-motorized vehicle use, which typically occurs on the wet sand portions of the beach, includes bicycling, land sailing (riding a cart with a sail attached to it), kite-buggy (riding a sit-down buggy that is steered with the feet and powered by a kite), and kite-mountain boarding (riding an all-terrain skateboard which is powered by a kite). Under Alternative 1, restrictions on non-motorized vehicle use would be implemented at occupied snowy plover nesting areas, as described under *Snowy Plover Management*.

Driving

Driving includes use of all-terrain vehicles/off-highway vehicles (ATV/OHV) and “street legal” motor vehicles, such as cars, trucks, and campers. Under Alternative 1, ATV/OHV riding would continue to be allowed on the beach at three locations on the coast: the Sand Lake Recreation Area and on two sections of the Dunes National Recreation Area. All other beach segments would continue to be off limits to ATV/OHV use without a drive-on-the-beach permit issued by OPRD, except in the event of an emergency.

The Ocean Shore would continue to remain open to motor vehicle access, unless otherwise posted, under Alternative 1. Driving would continue to be prohibited year round at several locations along the Oregon coast as required under State Rule, including, but not limited to Necanicum Spit, Nehalem Spit, Netarts Spit, Bayocean Spit, North Sand Lake Spit, Sutton/Baker Beach, Siltcoos Spit, Tenmile Estuary, portions of the Bandon SNA, New River, Sixes River Mouth, Euchre Creek, and Pistol River. Additional seasonal driving restrictions would continue to be implemented at South Sand Lake Spit and Coos Bay North Spit. Beaches closed to driving would only be accessible with a motor vehicle permit issued by OPRD, or for administrative uses, such as access for emergency and enforcement vehicles, snowy plover monitoring, and land management activities.

Other Dry Sand Activities

The public uses the dry sand portion of the Ocean Shore for a variety of recreational activities, including camping, walking, jogging, hiking, picnicking, horseback riding, beach fires, beachcombing, and driftwood collection and removal. These activities primarily occur on the dry sand area of the beach, but some activities, such as horseback riding and pedestrian activities, do occur on the wet sand. Camping,

horseback riding, and beach fires are subject to specific restrictions under existing conditions. Other activities are generally not restricted unless otherwise subject to permit requirements or as specified by restrictions for snowy plover management discussed under *Snowy Plover Management* below.

The following restrictions on these activities would continue to be implemented under Alternative 1.

- **Camping.** Camping would continue to be allowed on the beach and dune areas next to beaches along the Oregon coast, unless otherwise specified by a State Rule that disallows that use (e.g., certain beaches in Tillamook County). Beach camping would continue to be prohibited on beaches adjacent to State Parks and within the city limits of Seaside, Cannon Beach, Manzanita, Rockaway Beach, Lincoln City, Newport, Bandon, and Gold Beach; North Manzanita city limits to the base of Neahkanie Mountain; and from the Necanicum River to the Columbia River. The only place that camping would be allowed in State Parks would be in specifically designated campgrounds inland from the beach.
- **Horseback riding.** Horseback riding would continue to be allowed on all Oregon beaches, with the exception of those beaches located within the city limits of Rockaway, where equestrian use on the beach is prohibited by State Rule. Horse concessions would continue to be allowed at Nehalem Bay State Park, Pistol River State Park, and Baker/Sutton Beach.
- **Beach Fires.** Small recreational fires would continue to be allowed on the Ocean Shore, as long as they are located in open, dry, sandy areas, downwind of and below beachgrass and driftwood lines; and beyond 25 feet of a seawall constructed of wood or other combustible material. Fires could continue to be restricted or prohibited by OPRD during high fire hazard conditions.

Additional restrictions on dry sand activities would be implemented at occupied snowy plover nesting areas under Alternative 1, as described under *Snowy Plover Management*.

Recreation Management Areas

Along Oregon's coast, there are several areas that are owned and managed by landowners for snowy plovers. Although OPRD is not responsible for managing these lands, OPRD does have the authority to manage recreational use within the covered lands. For purposes of this FEIS, the portion of these areas within the covered lands are referred to as Recreation Management Areas (RMAs). The locations of the RMAs proposed under one or more of the alternatives are illustrated on Figures 2-1 through 2-3 and in Appendix A.

For RMAs adjacent to federally owned lands, historically, OPRD and Federal landowners have entered into agreements dictating how snowy plover-related recreational use restrictions are enforced. Under Alternative 1, it is assumed that OPRD will continue to pursue agreements with Federal landowners to jointly issue restrictions on adjacent ownerships within the Ocean Shore boundary. Without such an agreement, each agency would be responsible for enforcing recreational use restrictions on their respective ownerships. Under Alternative 1, OPRD would also continue to consider applications for “Recreational Use Restriction Permits” on a case-by-case basis for temporarily limiting recreational use at privately owned RMAs, as requested by the landowner. If approved by OPRD, these permits would specify restrictions on use by recreational activity, location, and /or time period (e.g., seasonally).

The actual recreational use restrictions in these areas would be the same as those currently required at occupied snowy plover nesting areas managed by OPRD, as described under *Snowy Plover Management* below, with the exception that restrictions on dog use and driving could be more comprehensive at certain RMAs if required by State Rule (e.g., dogs completely prohibited [versus required to be on-leash]) at the Siltcoos portion of the Siltcoos/Dunes Overlook/ Tahkenitch RMA; see *Public Use/Recreation Management* above).

Since 1994, OPRD has worked with Federal landowners and Curry County to restrict recreational use on the dry sand portion of the Ocean Shore at five RMAs located at Sutton/Baker Beach, Siltcoos Estuary/Dunes Overlook/Tahkenitch Estuary, Tenmile Estuary, Coos Bay North Spit, and New River. Under Alternative 1, it is assumed that for the next 25 years, all of these landowners would continue to work with OPRD to implement recreational use restrictions each year, as long as these areas were considered to be occupied by snowy plovers. Under Alternative 1, OPRD would also implement recreational use restrictions at the request of additional landowners at other locations on the Ocean Shore, if nesting populations of snowy plovers are found.

Natural Resources Management

Snowy Plover Management

Under Alternative 1, OPRD would continue to manage the Habitat Restoration Area (HRA) at Bandon SNA (Figure 1-9) for nesting populations of snowy plovers. OPRD would also continue to protect snowy plover nesting areas within Bandon SNA outside of the HRA, as well as other nesting areas within the covered lands outside of Bandon SNA, as required by USFWS.

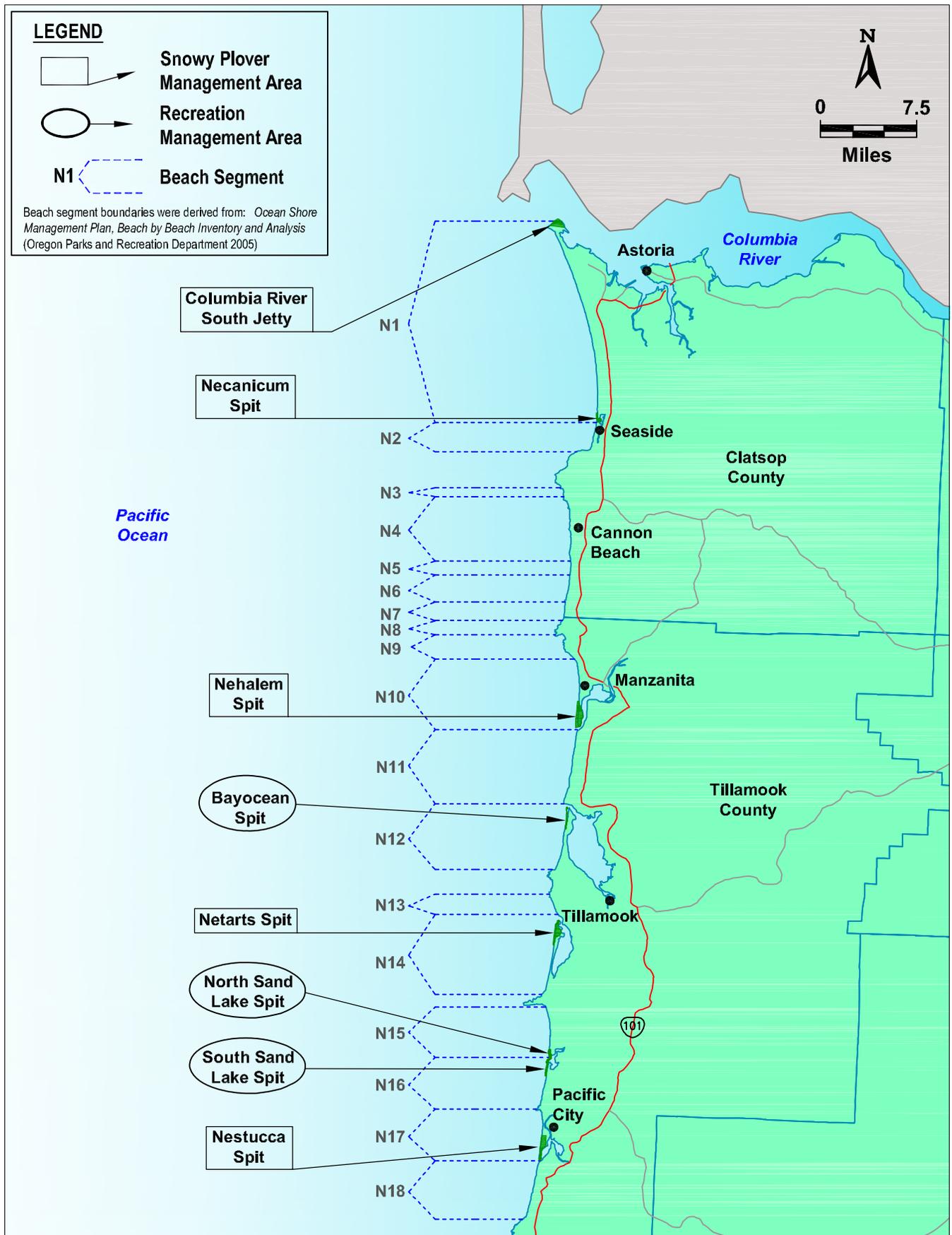


Figure 2-1
Snowy Plover Management Areas and
Recreation Management Areas on the North Coast

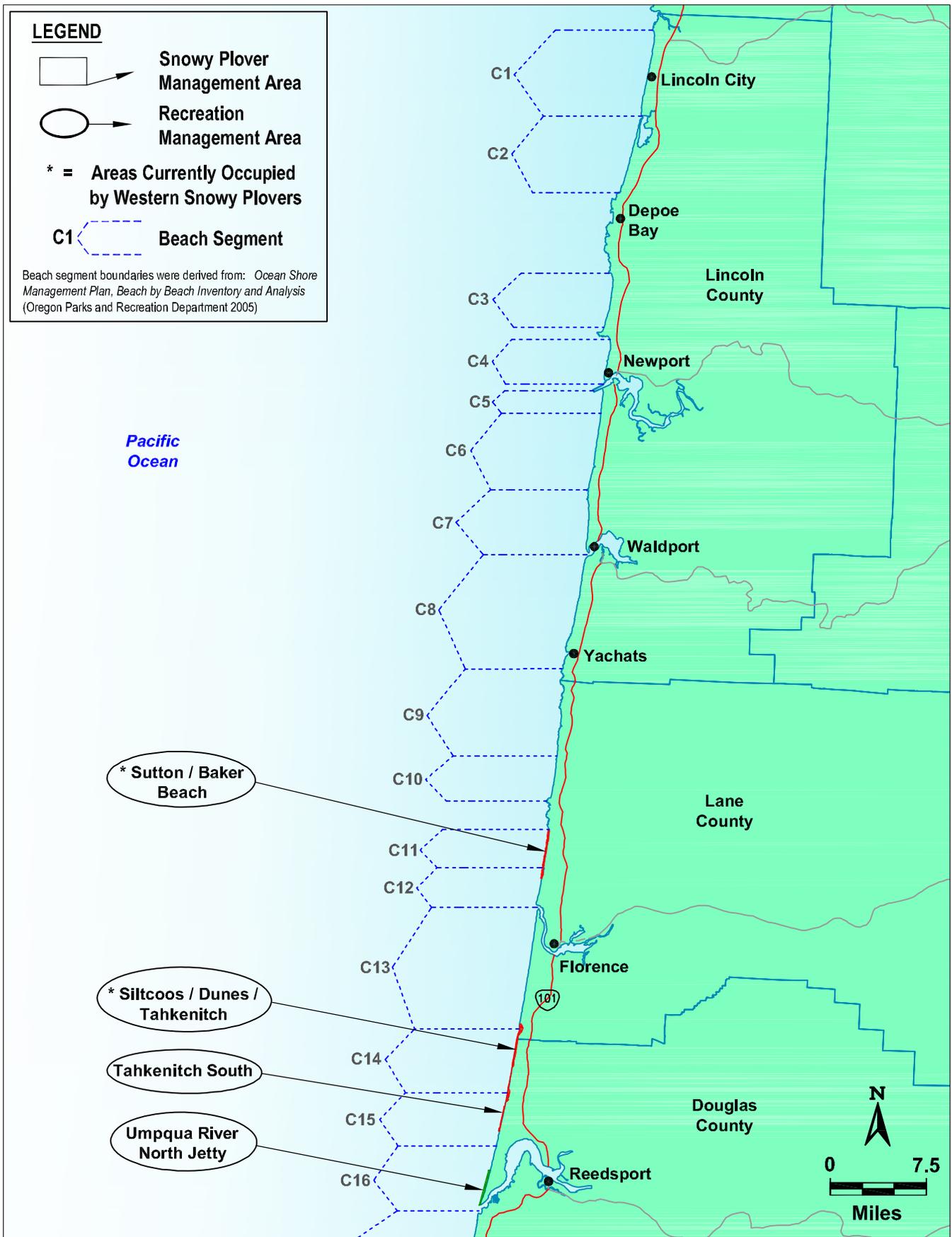


Figure 2-2
Snowy Plover Management Areas and
Recreation Management Areas on the Central Coast

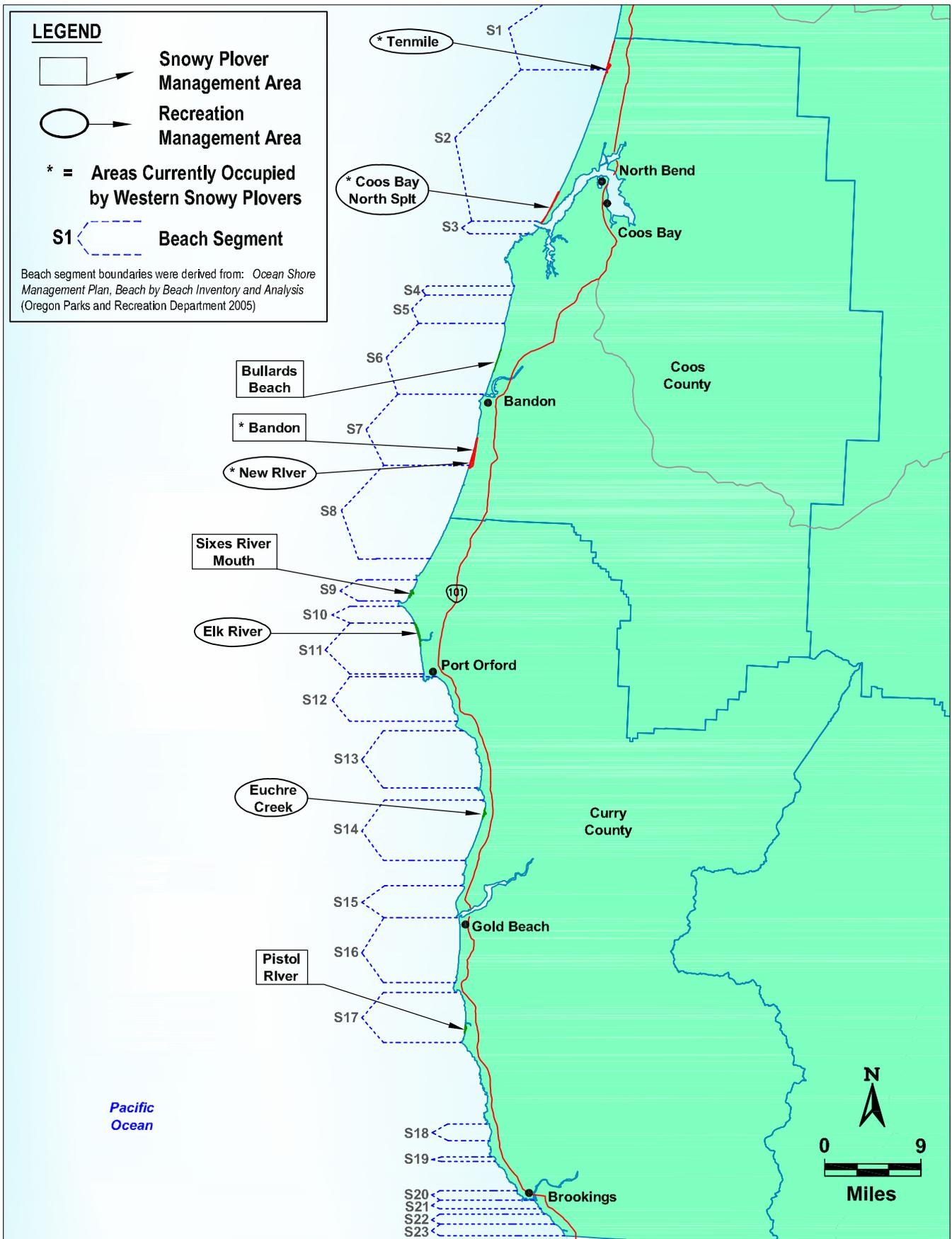


Figure 2-3
 Snowy Plover Management Areas and
 Recreation Management Areas on the South Coast

Management of Occupied Snowy Plover Nesting Areas

The HRA, and area adjacent to it at Bandon SNA, is currently the only occupied snowy plover nesting area on the covered lands actively managed by OPRD (Figure 2-3). Under Alternative 1, OPRD would continue to manage this area for existing populations of snowy plovers at or near the HRA during the nesting season (March 15 to September 15).

Management activities at the HRA would include the following:

- **Recreational use restrictions.** Under Alternative 1, dogs would continue to be required to be on leash and would be restricted to the wet sand area during the nesting season at the Bandon SNA. Driving would continue to be prohibited year-round, and the use of non-motorized vehicles would be prohibited during the nesting season. The use of certain areas of the dry sand would also be prohibited during the nesting season, as indicated by fences, ropes, and signs defining the breeding areas. Public use would continue to be allowed on the wet sand portion of the beach.

Outside of the HRA, but within the Bandon SNA, exclosures and fencing would be installed around identified snowy plover nests to limit recreational use in those areas. The use of exclosures would be determined on a case-by-case basis, after consultation with USFWS.

- **Habitat maintenance.** OPRD would continue to maintain optimal habitat for nesting snowy plovers at the HRA by maintaining the approximately 50 acres of habitat that has been restored at the site to date. Annual maintenance work would be completed between October and December.
- **Predator management.** The predator base at the Bandon SNA would be managed similarly on all covered lands, as described under *Predator Management*.
- **Snowy plover monitoring.** Snowy plover monitoring at the Bandon SNA would continue to be completed as part of the larger monitoring efforts along the Oregon coast, as described under *Monitoring*.
- **Public outreach and education.** OPRD would continue to recruit and train volunteers to serve as docents for public outreach and education at the China Creek access at Bandon SNA. Additional public outreach and education efforts are described under *Public Outreach and Education* below.

Management of Targeted Nesting Plover Areas

No additional snowy plover nesting areas would be targeted for management by OPRD under Alternative 1.

Protections for Nests Outside of Targeted Areas

Under Alternative 1, OPRD would provide protections for individual nests found outside of the Bandon HRA within the covered lands. The nature of these protections would be variable, and could include restricting certain recreational uses, installing nest enclosures, if necessary, and/or installing limited fencing. These restrictions would be contingent on consultation with USFWS.

Predator Management

Under Alternative 1, OPRD would continue to provide funding (in collaboration with other agencies) to manage the snowy plover predator base along the Oregon coast. Predator management would be implemented by the U.S. Department of Agriculture (USDA), or some other contractor, between February and August, and would include both lethal and non-lethal methods.

Snowy Plover Monitoring, Reporting, and Enforcement

Under Alternative 1, OPRD would continue to provide funding to the Oregon Natural Heritage Information Center (ORNHIC) (in collaboration with other Federal and State agencies) to monitor snowy plover numbers (via detect/non-detect and breeding population surveys), evaluate habitat, and conduct compliance monitoring related to snowy plover nesting areas along the Oregon coast. OPRD would also continue to contribute staff to assist with the annual wintering and breeding window surveys, and would continue to provide three beach rangers to enforce compliance with all Ocean Shore and State Park Rules, including beach use restrictions designed to protect snowy plovers. OPRD would continue to provide reports both monthly and annually to USFWS.

Public Outreach and Education

In addition to maintaining docents at the China Creek access at Bandon SNA, under Alternative 1, OPRD would recruit and train volunteers to serve areas where new nesting sites have been identified (on beaches managed by OPRD). Individuals would be stationed for 20 hours per week, if possible, and would be available to advise beach users about any beach restrictions and answer questions about snowy plovers.

Adaptive Management

There would be no specific adaptive management measures prescribed under Alternative 1.

Other Habitat Restoration - Dune Management and Invasive Species Removal

Under Alternative 1, OPRD would continue to manage dunes and remove targeted invasive species to provide habitat for native species, such as pink sand verbena. These habitat restoration activities would be implemented on the portions of the covered lands owned or leased under agreement by OPRD over the term of the next 25 years, and outside of the nesting season in areas occupied by snowy plovers. Habitat restoration activities targeted toward snowy plovers at the Bandon SNA are described under *Snowy Plover Management*.

Beach Management

OPRD is responsible for managing beaches within the covered lands, including coordinating efforts to resolve marine mammal strandings; ensuring beaches are safe for public use; assisting law enforcement personnel with pending investigations; and assisting with boat strandings and other salvage operations. These activities are described in greater detail below.

Response to Boat and Marine Mammal Strandings

Under Alternative 1, OPRD personnel would continue to respond to boat strandings and monitor salvage operations in accordance with existing management practices. Similarly, OPRD personnel would investigate, report, and bury or remove marine mammals from the Ocean Shore, as necessary. Depending on the remoteness of the beach and the time of year, some dead marine mammals would be left to decompose on the beach.

Responding to boat and/or mammal strandings may involve beach disturbance, driving and operating machinery, and increased pedestrian traffic. These activities would be conducted to minimize potential effects on snowy plovers, to the extent possible. In areas where nesting populations of snowy plovers are known to be present, OPRD would continue to work collaboratively with ODFW and USFWS to ensure that encroachment into occupied snowy plover nesting areas would be minimized.

Public Safety

Public safety activities involve maintaining emergency access points on lands owned by OPRD or leased by OPRD under agreement with the landowner; and on all Oregon beaches, investigating reports of killer logs, and where necessary, removing those logs; monitoring, photographing, and documenting erosion and storm damage; investigating reports of hazardous materials on the beach; and implementing closures and coordinating the clean-up of spilled hazardous materials when necessary.

Under Alternative 1, OPRD would continue to implement public safety activities in accordance with existing management practices and to minimize potential effects on snowy plovers, to the extent possible.

Law Enforcement

Law enforcement activities include assisting law enforcement personnel with injury/death investigations, as requested; monitoring and checking for valid permits; issuing citations; and patrolling beaches. Under Alternative 1, law enforcement activities would continue to be completed by OPRD staff in accordance with existing management practices and to minimize potential effects on snowy plovers, to the extent practical. Enforcement activities related to ensuring that recreational use restrictions associated with snowy plover nesting areas are adhered to are described under *Snowy Plover Management*.

Changed Circumstances

Changed circumstances, as the term is used under the Federal ESA, refer to additional conservation and mitigation measures deemed necessary to respond to changes in circumstances that may occur during the period of an HCP (U.S. Fish and Wildlife Service and National Marine Fisheries Service 1998). Specifically, the phrase “changes in circumstances” is defined to mean changes during the course of an HCP that can reasonably be anticipated and planned for. There would be no specific measures prescribed under Alternative 1 for dealing with changed circumstances.

2.3.2 Alternative 2 – Proposed HCP

Under Alternative 2 - Proposed HCP, OPRD would manage the covered lands in accordance with the *Habitat Conservation Plan for the Western Snowy Plover* (Oregon Parks and Recreation Department 2008). Conservation measures in the HCP would focus on minimizing the effects of OPRD’s management responsibilities, including management of public use and recreation, natural resources, and other beach resources on the covered lands. Conservation measures for snowy plovers

would be focused at up to five snowy plover management areas (SPMAs), and would be designed to implement recommendations from the *Recovery Plan for the Pacific Coast Population of the Western Snowy Plover* (U.S. Fish and Wildlife Service 2007a). Under Alternative 2, OPRD would also potentially implement recreational use restrictions at up to 11 RMAs and would install nest protections at occupied nests outside of SPMAs and RMAs within the covered lands. OPRD would also continue to implement beach management activities in a manner to minimize and avoid potential effects on snowy plovers. These restrictions would be implemented to complement snowy plover conservation efforts being employed by other landowners along the Oregon coast.

Public Use/Recreation Management

Under Alternative 2, OPRD would manage the public's use of the covered lands to minimize potential effects on snowy plovers. General recreational use restrictions not superseded by the recreational use restrictions summarized under *Snowy Plover Management* would continue as described under Alternative 1.

Dog Exercising

Similar to Alternative 1, dogs would be required to be on leash within all Oregon State Parks, and on a leash, or under voice or signal command, in the communities of Seaside, Rockaway Beach, and Cannon Beach. Additional restrictions on dog exercising would be implemented at occupied and targeted SPMAs and RMAs, as described under *Snowy Plover Management*.

Kite Flying

Under Alternative 2, restrictions on kite flying would be implemented at occupied SPMAs and RMAs, as described under *Snowy Plover Management*.

Non-Motorized Vehicle Use

Under Alternative 2, non-motorized vehicle use would be prohibited at both occupied and targeted SPMAs and RMAs, as described under *Snowy Plover Management*.

Driving

Similar to Alternative 1, under Alternative 2, ATV/OHV use would continue to only be allowed at Sand Lake Recreation Area and two sections of the Dunes National Recreation Area. Driving would continue to be prohibited at the locations noted under Alternative 1 (Section 2.2.1, "Alternative 1 – Current Management (No-Action), Public Use/Recreation Management"). If not already prohibited,

additional driving restrictions at both occupied and targeted SPMAs and RMAs would be implemented under Alternative 2, as described under *Snowy Plover Management*. Driving restrictions would not apply to administrative uses, such as providing access for emergency and enforcement vehicles, snowy plover monitoring, and land management activities.

Other Dry Sand Activities

General recreational use restrictions on camping, horseback riding and beach fires would be the same under Alternative 2 as described for Alternative 1. Additional restrictions on these and other activities occurring on the dry sand would be implemented at occupied SPMAs and RMAs, as described under *Snowy Plover Management*.

Recreation Management Areas

Based on OPRD's authority to manage recreational use of the Ocean Shore, OPRD is required to provide authorization to restrict recreational activities in RMAs. As described in Section 1.2.3, "Covered Lands," this area extends from the mean low tide line to the mean high tide line adjacent to federally owned lands and from the mean low tide line to the statutory or actual vegetation line on all other lands (Figure 1-2). Under Alternative 2, OPRD could potentially implement recreational use restrictions at up to 11 RMAs as the areas become occupied. Restrictions on recreational use in these areas would be similar to those described for occupied and/or targeted SPMAs under *Snowy Plover Management* below, depending on if nesting populations of snowy plovers are present. These 11 areas would include the five RMAs that currently support nesting populations of snowy plovers (Sutton/Baker Beach; Siltcoos Estuary/Dunes Overlook/Tahkenitch Estuary; Tenmile Estuary; Coos Bay North Spit; and New River), and six RMAs that may be managed in the future by their respective landowners (Bayocean Spit; South Sand Lake Spit; Tahkenitch South; Umpqua River North Jetty; Elk River; and Euchre Creek). Figures 2-1 through 2-3 illustrate the location of these RMAs on the Oregon coast. The RMAs are shown in greater detail in Appendix A.

If an RMA becomes occupied, but a site management plan does not exist, OPRD would implement recreational use restrictions within the covered lands. OPRD would issue and enforce recreational use restrictions within the full extent of the RMA until an agreement is reached between USFWS and the landowner, and/or a site management plan is developed, and OPRD is notified of any changes that may modify recreational use restrictions to a more focused area.

In the event that a USFWS-approved site management plan has been developed, OPRD would implement recreational use restrictions as directed by the site management plan. If an RMA is unoccupied, OPRD would only implement

recreation use restrictions at the request of the landowner and after consultation and collaboration with USFWS and ODFW. OPRD would seek to modify the State Rule to provide a mechanism for recreational use restrictions.

OPRD would also work with County and private landowners to provide supervision, enforcement, and signage at their RMAs because such restrictions (ropes, signs, enforcement) cannot be implemented by these landowners without OPRD approval.

Natural Resources Management

Snowy Plover Management

Management of Occupied Snowy Plover Nesting Areas

Under Alternative 2, the Bandon SNA, including the HRA, would be identified and managed as the Bandon SPMA (Figure 2-3). In addition, the land between the northern boundary of the Bandon SNA and the China Creek access would be incorporated into the Bandon SPMA to allow for continued long-term management of snowy plover nests that have been found in recent years outside the HRA.

Within 1 year of issuance of an ITP, OPRD would develop a draft site management plan for the Bandon SPMA. USFWS would have 6 months after the completion of the draft site management plan to make a decision about whether to approve it. The site management plan would be implemented the nesting season after USFWS approval and would specify management prescriptions similar to those identified for the HRA under Alternative 1, including information on recreational use restrictions and enforcement, habitat maintenance, predator management, monitoring, and public outreach and education. An example of the structure and content of a site management plan is provided in Appendix A of the HCP.

Recreational use restrictions at the Bandon SPMA during the nesting season would be the same under Alternative 2 as Alternative 1, with the exception that dogs, kite flying, and non-motorized vehicle use would be prohibited on the beach (kite flying, non-motorized vehicle use and leashed dogs are currently allowed at Bandon SNA during the nesting season). As other SPMAs became occupied by nesting snowy plovers (see *Management of Targeted Snowy Plover Nesting Areas*), beach driving would be prohibited if restrictions were not already in place. Similarly, kite flying, non-motorized vehicle use, dogs, and use of portions of the dry sand would also be prohibited once that SPMA became occupied.

As indicated in HCP Section 5.2.3, “Management Approach,” an *occupied* SPMA/RMA is an area where there has been at least one nest or nesting attempt in the previous 2 years. At RMAs adjacent to federally owned lands, the RMA will be

considered occupied if at least one nest or nesting attempt has been made in the previous 2 years in the adjacent lands up to the actual or statutory vegetation line. The status of an occupied SPMA/RMA will change to *unoccupied* when nesting or nesting activity has not occurred in the area for two consecutive nesting seasons.

The extent of these restrictions at occupied SPMA's would be developed in consultation with USFWS as part of the site management plan. The restricted areas would be indicated by signage placed around nesting sites and may not necessarily apply to the entire SPMA.

Barriers and signs would be erected on the dry sand portions of the beach adjacent to SPMA's to limit access and provide information on the natural resource protected within the restricted area. Both the frequency and size of the signs (as compared to what has been used historically) would be increased so that the public can more easily identify the restricted area. Specifically, during the breeding season, a sign would be erected at each end of the restricted area, and midway between extreme high-tide and average high-tide. These signs would be approximately 6 feet (2 meters) tall and would be readable at 200 feet (61 meters) by a person with 20/20 vision. Signs would be readable from both directions along the wet sand, and from the water, to alert beach users from all directions of the importance of the area. The signs should be equipped with anti-perch tines to deter raptors or other potential predators from using them as hunting perches.

Management of Targeted Nesting Snowy Plover Areas

Under Alternative 2, up to four currently unoccupied areas would be identified as SPMA's and targeted for management of potential nesting populations of snowy plovers over the term of the 25-year ITP. Three SPMA's would initially be managed by OPRD for nesting populations of snowy plovers (Figure 2-1).

- Columbia River South Jetty;
- Necanicum Spit; and
- Nehalem Spit.

These three areas were identified by OPRD and USFWS as the areas under OPRD ownership with the greatest potential to provide snowy plover nesting habitat in the future. In addition, USFWS, ODFW, and OPRD determined that these three sites could help ensure the survivability of the species by distributing the population along the Oregon coast, while minimizing potential conflicts with continued recreational use in common areas.

Within two years of obtaining an ITP, OPRD would prepare draft site management plans for these three SPMA's. USFWS would have 6 months after the completion of

these plans to make a decision about whether to approve them. Active management would begin the nesting season after site plans had been approved by USFWS. Similar to the site management plan for the Bandon SPMA, these plans would outline measures for attracting nesting populations of snowy plovers, and would identify a series of management prescriptions, including seasonal recreational use restrictions; habitat restoration activities¹; predator management activities/ monitoring, reporting, and enforcement activities/ and public outreach and education activities. The recreational use restrictions would include requiring dogs to be on leash and prohibiting driving during the nesting season. These restrictions would be lifted if no nesting snowy plovers were observed by July 15.

One additional SPMA at Netarts Spit (Figure 2-1) could also be managed under Alternative 2 if (1) Columbia River South Jetty, Necanicum Spit, or Nehalem Spit become occupied and (2) one of the following RMAs or adjacent federally owned lands are not already under active, USFWS-approved management for snowy plovers (Figures 2-1 through 2-3).

- Bayocean Spit (adjacent to land owned/managed by the U.S. Army Corps of Engineers [Corps]);
- South Sand Lake Spit (under private ownership/management);
- Tahkenitch South (adjacent to land owned/managed by the U.S. Forest Service [USFS]);
- Umpqua River North Jetty (adjacent to land owned/managed by the USFS/Oregon Department of State Lands [ODSL])
- Elk River (under private ownership/management); or
- Euchre Creek (under private ownership/management).

Under these circumstances, OPRD would commit to managing an SPMA at Netarts Spit for nesting populations of snowy plovers to ensure that a minimum of three unoccupied SPMAs are being actively managed at any given time over the term of the 25-year permit.

¹Habitat restoration activities at targeted SPMAs could include dune management, beach grass removal, and installation and maintenance of symbolic fencing within the boundaries of the SPMA. Future restoration of up to 40 acres of habitat would be conducted as necessary at Columbia River South Jetty, Necanicum Spit, and Nehalem Spit; although restoration at Necanicum Spit would not likely be needed. In addition, OPRD may implement restoration activities on a larger scale at Columbia River South Jetty, in coordination with the landowner, the U.S. Army Corps of Engineers (Corps). Any restoration that occurs beyond that described in the HCP would be addressed in separate consultation between the Corps and USFWS as described under Section 7 of the Federal ESA and its implementing regulations (50 CFR 402).

See *Adaptive Management – Failure of Managed, Unoccupied SPMAs* for a more detailed description of the timeline for management of the Netarts Spit SPMA.

Protections for Nests Outside of Targeted Areas

Under Alternative 2, if a snowy plover nesting site is found outside of an occupied or targeted SPMA or RMA within the covered lands, OPRD would install fencing and signage around the individual nest to limit human disturbance, and would consider installing a nest enclosure after consultation with USFWS. Specifically, OPRD would install a 50-meter radius roped buffer around each nest, and would determine if use of an enclosure to protect the nest from predation would be in the best interest of the nest. .

Predator Management

Similar to Alternative 1, under Alternative 2, OPRD would provide funding to manage the snowy plover predator base along the Oregon coast. The level of funding would be similar to Alternative 1, but would increase as additional SPMAs are targeted for management over the term of the 25-year permit (Section 7 of the HCP for funding commitments).

Predator management funded by OPRD would be implemented by the USDA between February and August and would include both lethal and non-lethal methods, although lethal methods would only be employed at occupied sites. If for some reason, the USDA discontinued predator management activities over the term of the ITP, OPRD would assume responsibility for implementing these activities at all actively managed SPMAs.

Snowy Plover Monitoring, Reporting, and Enforcement

Similar to Alternative 1, under Alternative 2, OPRD would continue to provide funding to ORNHIC to monitor snowy plover numbers and evaluate habitat, as part of detect/non-detect and breeding population monitoring efforts. The level of funding would be similar to Alternative 1, but would increase as additional SPMAs were targeted for management over the term of the 25-year permit (see Section 7 of the HCP for funding commitments). OPRD would also continue to contribute staff to assist with the annual wintering and breeding window surveys, and would continue to provide three beach rangers to enforce compliance with all Ocean Shore and State Park Rules, including beach use restrictions designed to protect snowy plovers. OPRD would also continue to provide additional staff as needed and would work with the Oregon State Police and/or local law enforcement officers to provide additional enforcement support, where necessary and possible.

Monitoring results and enforcement efforts would be documented and reported to USFWS monthly and annually. Monthly reports would be submitted from April through September and would focus on ongoing concerns, such as continued recreational use violations or increased predation at a particular SPMA. The annual compliance report would be used to document management actions to date and to indicate anticipated efforts for the following year. Under Alternative 2, OPRD would also commit to meeting with USFWS and ODFW every 5 years to evaluate the effectiveness of the conservation measures proposed under Alternative 2.

Public Outreach and Education

Similar to Alternative 1, under Alternative 2, OPRD would continue to recruit and train volunteers to serve as docents for public outreach and education at the China Creek access to the Bandon SPMA. As new SPMAs became occupied, OPRD would recruit and train volunteers to serve as docents for public outreach and education as specified in that site's management plan. OPRD would provide signage at beach access points to inform the public of the presence of nesting snowy plovers and the importance of snowy plover protection measures. OPRD would also install signage at SPMAs to indicate the presence of nesting sites and the boundaries of the restricted areas. The signage content and posting locations would be determined by USFWS and OPRD during development of site management plans.

Adaptive Management

As described in Section 5 of the HCP (Oregon Parks and Recreation Department 2008), several adaptive management actions have been incorporated into Alternative 2 to allow monitoring data or other relevant scientific research to inform the conservation strategies described above, and to allow OPRD and USFWS to minimize the uncertainty associated with gaps in scientific information or biological requirements. These actions are summarized below.

- **Redefining Management Actions.** Under Alternative 2, biological monitoring reports would be compared to population numbers provided in previous biological monitoring reports for Oregon. If comparison of the data indicates consistent population declines in snowy plovers along the Oregon coast, OPRD and USFWS would work together to determine possible causes. If inadequate management actions on the part of OPRD were determined to be responsible (in whole or in part) for such population declines, or if new techniques are available for more effectively implementing management actions, then OPRD would revise the management actions associated with Alternative 2, as agreed upon by OPRD and USFWS, as soon as practicable..
- **Snowy Plover Nesting Outside SPMA.** If snowy plovers begin to nest on OPRD lands outside of an SPMA consistently and predictably (3 years in a row),

and there is nesting success at least 2 of those 3 years, OPRD would add the site to the list of SPMAs under the following conditions: (1) the SPMA is considered to have potential to contribute to long-term recovery of the species through its size, location and suitability; (2) an SPMA not currently being used by snowy plovers may be dropped in exchange for the new site that is occupied; (3) the maximum number of occupied SPMAs managed by OPRD would be limited to five; (4) SPMA additions or “trades” would require agreement between OPRD, USFWS, and ODFW; and (5) adding the site to the list of SPMAs would not affect OPRD’s ability to manage recreation along the Ocean Shore (i.e., management activities would be conducted as described at occupied SPMAs).

- **Success of Nest Enclosures.** Under Alternative 2, through monitoring efforts, OPRD would evaluate the relative success of nest enclosures in preventing predators from destroying nests and eggs. OPRD would meet annually with USFWS to review the relative benefits of nest enclosures on a site-by-site basis, and to determine if changes in the management application (e.g., elimination of the enclosure, timing changes for application of the enclosure, design changes) should be considered. If design adjustments are needed to exclude predators, OPRD would work with USFWS and would make the design adjustments, provided such adjustments would not result in significant impacts to existing legal recreational activities. In all cases, OPRD would only use nest enclosures on an individual nest after consultation with USFWS.
- **Failure of Managed, Unoccupied SPMAs.** If the SPMAs at Columbia River South Jetty, Necanicum Spit, and Nehalem Spit are not occupied within 5 years of active site management, and none of the RMAs owned by other landowners are being managed for occupancy through an agreement approved by USFWS, OPRD would complete a site management plan for the Netarts Spit SPMA and begin active management. OPRD would continue to manage the original three SPMAs for snowy plover occupancy.
- **Exchange of an SPMA for a RMA.** OPRD may purchase an RMA owned by another landowner during the term of the 25-year permit. Under these circumstances, OPRD would manage the “new SPMA” for snowy plovers at in place of Netarts Spit SPMA. This exchange would only be allowed after consultation with USFWS and ODFW to determine whether or not the new SPMA had greater potential for occupancy than the SPMA being exchanged. Under this scenario, OPRD would develop a site management plan within one year of purchase (or revise an existing site management plan if the RMA was previously managed) and would begin managing the new SPMA for snowy plover occupancy after the site management plan had been approved.

Other Habitat Restoration - Dune Management and Invasive Species Removal

Similar to Alternative 1, OPRD would manage dunes and remove targeted invasive species to provide habitat for native species, in addition to the habitat restoration activities targeted toward snowy plovers (see *Snowy Plover Management* above). These habitat restoration activities would be implemented on the portions of the covered lands owned or leased under agreement by OPRD over the term of the ITP, and outside of the nesting season in areas occupied by snowy plovers.

Beach Management

Under Alternative 2, OPRD personnel would continue to respond to boat and marine mammal strandings; would continue to implement public safety activities, and would continue to participate in law enforcement activities in accordance with existing management practices and to minimize potential effects on snowy plovers. These beach management activities would be completed as described under Alternative 1.

Changed Circumstances

As described under Alternative 1, the Federal ESA defines changed circumstances as changes during the course of an HCP that can reasonably be anticipated and planned for. OPRD and USFWS have identified the following circumstances that could occur during the term of the ITP that could affect the ability of OPRD to properly implement the conservation strategies associated with Alternative 2.

Listing of a New Species

If a currently unlisted species is federally listed as endangered or threatened pursuant to the ESA after the ITP has been issued, OPRD would request that USFWS determine if there is potential for incidental take of that species to occur as a result of the covered activities. If take is possible, OPRD would work with USFWS to either modify their management actions to avoid take of the species, or would request that the ITP coverage be extended to the newly listed species.

Global Climate Change and Rising Sea Levels

A growing body of research has documented changes in the biotic and abiotic environment that are a result of an increase in global temperature and the continued concentration of greenhouse gases in the Earth's atmosphere. In coastal areas, one of the primary concerns associated with global climate change is the potential for sea levels to rise and for the frequency and intensity of coastal storm events to increase. In the event that rising sea levels result in a net loss of snowy plover nesting habitat

over the term of the ITP, OPRD would consult with USFWS on appropriate measures. Future responses to this changed circumstance would be determined by consensus between OPRD and USFWS, and would be based on the nature and extent of effects associated with rising sea levels. Such measures will be implemented if they do not significantly disrupt otherwise legal recreation activities on the Ocean Shore.

Effects on Wintering Snowy Plovers Rising to the Level of Take

The potential effects on wintering snowy plovers are not anticipated to rise to the level of take. Therefore, OPRD is not seeking take coverage under the ITP for effects on wintering snowy plovers. This is because only a small percentage of birds winter in Oregon where recreational use is low during the winter months. In addition, the normal behavior of wintering snowy plovers is to flock and avoid disturbance. Although snowy plovers may be less susceptible to recreation impacts during the non-breeding season, they could be negatively affected by activities that disrupt or destroy foraging areas or unnecessarily disturb birds that are roosting or foraging. If it is determined that adverse effects on snowy plovers would occur in the future, OPRD will either avoid take of snowy plovers or will amend its permit.

2.3.3 Alternative 3 – Management of Additional OPRD Sites

Similar to Alternative 2, conservation measures under Alternative 3 would focus on minimizing the effects of OPRD management responsibilities on the covered lands. Snowy plover conservation measures would be focused at SPMA's along the Oregon coast. Up to nine SPMA's (four more than identified under Alternative 2) could be managed by OPRD for nesting populations of snowy plovers over the term of the 25-year ITP under Alternative 3. In addition, OPRD would implement recreational use restrictions at up to 12 RMA's (one more RMA than Alternative 2).

Public Use/Recreation Management

Under Alternative 3, OPRD would manage the public's use of the covered lands to minimize potential effects on snowy plovers. General recreational use restrictions not superseded by the recreational use restrictions summarized under *Snowy Plover Management* below would continue as described under Alternative 1. Additional restrictions on dog exercising, kite flying, driving, non-motorized vehicle use, and dry sand access would be implemented at occupied and targeted SPMA's and RMA's, as described under Alternative 2 (Section 2.2.2, "Alternative 2 – Proposed HCP, Public Use/Recreation Management"). Driving restrictions would not apply to administrative uses, such as providing access for emergency and enforcement vehicles, snowy plover monitoring, and land management activities.

Recreation Management Areas

Under Alternative 3, OPRD would implement recreational use restrictions at up to 12 RMAs (one more than Alternative 2) as the areas become occupied. These 12 areas would include the same RMAs described for Alternative 2, with the exception that North Sand Lake Spit RMA, an additional area next to land owned by USFS could be targeted for management in the future, would also be considered an RMA (Figures 2-1 through 2-3).

Restrictions on recreational use in these areas would be similar to those described for occupied and/or targeted SPMAs, depending on if nesting populations of snowy plovers are present at the time the permit application is approved. If an RMA becomes occupied but a site management plan does not exist, OPRD would implement recreational use restrictions within the covered lands. OPRD would issue and enforce recreational use restrictions within the full extent of the RMA until an agreement is reached between USFWS and the landowner and/or a site management plan is developed, and OPRD is notified of any changes that may modify recreational use restrictions to a more focused area.

In the event that a USFWS-approved site management plan has been developed, OPRD would implement recreational use restrictions as directed by the site management plan. If an RMA is unoccupied, OPRD would only implement recreation use restrictions at the request of the landowner and after consultation and collaboration with USFWS and ODFW.

Similar to Alternative 2, OPRD would also seek to modify the State Rule to provide a mechanism for landowners, who meet the terms and conditions described under Alternative 2, to implement and enforce seasonal recreational use restrictions on an annual basis. OPRD would also work with other landowners to provide supervision and enforcement at RMAs, and to provide avenues for their enforcement authority.

Natural Resources Management

Snowy Plover Management

Management of Occupied Snowy Plover Nesting Areas

Management of occupied SPMAs would be the same under Alternative 3 as described for Alternative 2. OPRD would manage the Bandon SPMA (Figure 2-3) for nesting populations of snowy plovers, and would develop a draft site management plan for USFWS review within 1 year of ITP issuance. USFWS would have 6 months after the completion of the site management plan to make a decision about whether to approve it. Recreational use restrictions at the Bandon SPMA during the snowy plover nesting season (and at any other targeted SPMA after it becomes occupied; [*Management of Targeted Snowy Plover Nesting Areas* below]) would be

the same as those noted for Alternative 2, and would include prohibitions on dogs, non-motorized vehicles, kite flying, and use of the dry sand. Beach driving would also be prohibited if driving restrictions were not already in place.

Management of Targeted Nesting Plover Areas

Under Alternative 3, up to eight currently unoccupied areas (four more than Alternative 2) would be identified as SPMAs and targeted for management of potential nesting populations of snowy plovers over the term of the 25-year ITP. Three SPMAs would initially be managed by OPRD for nesting populations of snowy plovers (Figure 2-1).

- Necanicum Spit,
- Columbia River South Jetty, and
- Nestucca Spit.

Within two years of obtaining an ITP, OPRD would prepare draft site management plans for these three SPMAs. USFWS would have 6 months after the completion of the draft site management plans to make a decision on whether to approve them. Similar to the site management plan for the Bandon SPMA, the site plans would outline measures for attracting nesting populations of snowy plovers, and would identify a series of management prescriptions, including seasonal recreational use restrictions; habitat restoration activities²; predator management activities; monitoring, reporting, and enforcement activities; and public outreach and education activities. Recreational use restrictions would include requiring dogs to be on leash and prohibiting driving. These restrictions would be lifted if no nesting snowy plovers were observed by July 15. Active management would begin the nesting season after site plans had been approved by USFWS.

Five additional SPMAs, located at Pistol River, Nehalem Spit, Netarts Spit, Bullards Beach, and Sixes River Mouth, could also be managed under Alternative 3 if (1) Necanicum Spit, Columbia River South Jetty, or Nestucca Spit become occupied and (2) one of the following RMAs or adjacent federally owned lands are not already under active, USFWS-approved management for snowy plovers (Figures 2-1 through 2-3):

- Bayocean Spit (adjacent to land owned/managed by the Corps),
- South Sand Lake Spit (under private ownership/management),

²Under Alternative 3, OPRD would restore up to 40 acres of habitat, as necessary, at each of the following SPMAs: Necanicum Spit, Columbia River South Jetty, Nestucca Spit, Nehalem Spit, Bullards Beach, and Sixes River. Any restoration beyond that described in the HCP would be addressed in separate consultation between the Corps and USFWS as described under Section 7 of the Federal ESA and its implementing regulations (50 CFR §402).

- Tahkenitch South (adjacent to land owned/managed by the USFS),
- Umpqua River North Jetty (adjacent to land owned/managed by the USFS/ODSL),
- Elk River (under private ownership/management),
- Euchre Creek (under private ownership/management), and
- North Sand Lake Spit (adjacent to land owned/managed by USFS).

Under these circumstances, OPRD would commit to managing Pistol River, Nehalem Spit, Netarts Spit, Bullards Beach, and Sixes River Mouth (in that order) for nesting populations of snowy plovers to ensure that a minimum of three unoccupied SPMAs were actively managed at any given time over the term of the 25-year permit.

Protections for Nests Outside of Targeted Areas

Under Alternative 3, if a nesting site were found outside of an occupied or targeted SPMA or RMA within the covered lands, OPRD would install limited fencing and signage around the individual nest, and would consider installing a nest enclosure around each nest after consultation with USFWS. Specifically, OPRD would install a 50-meter radius roped buffer around each nest, and would determine if use of an enclosure to protect the nest from predation would be in the best interest of the nest.

Predator Management

Similar to Alternative 1, under Alternative 3, OPRD would continue to provide funding to manage the snowy plover predator base along the Oregon coast. The level of funding would be similar to Alternative 1, but would increase as additional SPMAs are targeted for management over the term of the 25-year permit.

Snowy Plover Monitoring, Reporting, and Enforcement

Similar to Alternative 1, under Alternative 3 OPRD would continue to provide funding to ORNHIC to monitor snowy plover numbers and evaluate habitat as part of detect/non-detect and breeding population monitoring efforts. The level of funding would be similar to Alternative 1, but would increase as additional SPMAs are targeted for management over the term of the 25-year permit. OPRD would also continue to contribute staff to assist with the annual wintering and breeding window surveys, and would continue to provide three beach rangers to enforce compliance with all Ocean Shore and State Park Rules, including beach use restrictions designed to protect snowy plovers. OPRD would also continue to provide additional staff as needed and would work with the Oregon State Police and/or local law enforcement offices to provide additional enforcement support, where necessary and possible.

Similar to Alternative 2, under Alternative 3 monitoring results and enforcement efforts would be documented and reported to USFWS monthly and annually. Monthly reports would be submitted from April through September and would focus on ongoing concerns, such as continued recreational use violations or increased predation at a particular SPMA. The annual compliance report would be used to document management actions to date and to indicate anticipated efforts for the following year. Under Alternative 3, OPRD would also commit to meeting with USFWS and ODFW every 5 years to evaluate the effectiveness of the conservation measures.

Public Outreach and Education

Similar to Alternative 1, under Alternative 3, OPRD would continue to recruit and train volunteers to serve as docents for public outreach and education at the China Creek access to the Bandon SPMA. In addition, as new SPMAs became occupied, OPRD would recruit and train volunteers to serve as docents for public outreach and education as specified in that area's site management plan. OPRD would provide signage at beach access points to inform the public of the presence of nesting snowy plovers and the importance of snowy plover protection measures. OPRD would install signage at SPMAs to indicate the presence of nesting sites and the boundaries of the restricted areas. The signage content and installation locations would be determined by USFWS and OPRD during development of site management plans.

Adaptive Management

Adaptive management under Alternative 3 would be similar to Alternative 2 and would include redefining management actions if biological monitoring reports indicate a decline in the snowy plover population along the Oregon coast; consulting with USFWS if a snowy plover nest is found outside of an identified SPMA 3 years in a row; evaluating the success of nest exclosures over the term of the ITP; and allowing for exchange of a SPMA with a newly purchased RMA (Section 2.2.2, "Alternative 2 – Proposed HCP, Adaptive Management").

In addition, under Alternative 3, if the SPMAs at Necanicum Spit, Columbia River South Jetty, and Nestucca Spit are not occupied within 5 years of active site management, and none of the RMAs owned by other landowners were being managed for occupancy, OPRD would complete a site management plan for the Pistol River SPMA and begin active management. OPRD would continue to manage the original three SPMAs for snowy plover occupancy. If nesting populations of snowy plovers have not been found at the initial three SPMAs or the Pistol River SPMA after five years of managing the Pistol River SPMA for occupancy, and no other RMAs were being actively managed for nesting populations of snowy plovers by other landowners, OPRD would complete a site management plan for the Nehalem Spit SPMA and begin active management.

Other Habitat Restoration - Dune Management and Invasive Species Removal

Similar to Alternative 1, OPRD would manage dunes and remove targeted invasive species to provide habitat for native species, in addition to the habitat restoration activities implemented in SPMAs. These habitat restoration activities would be implemented on the portions of the covered lands owned or leased under agreement by OPRD over the term of the ITP, and outside of the nesting season in areas occupied by snowy plovers.

Beach Management

Under Alternative 3, OPRD personnel would continue to respond to boat and marine mammal strandings; would continue to implement public safety activities; and would continue to participate in law enforcement activities in accordance with existing management practices, and to minimize potential effects on snowy plovers. These beach management activities would be completed as described under Alternative 1.

Changed Circumstances

Similar to Alternative 2, the following circumstances could occur during the term of the ITP that could affect the ability of OPRD to properly implement the conservation strategies associated with Alternative 3. These include the listing of a new species, the potential effects of rising sea levels due to global climate change, and effects on wintering snowy plovers rising to the level of take. Please refer to Section 2.2.2, “Alternative 2 – Proposed HCP, Changed Circumstances” for a complete description of changed circumstances associated with Alternative 3.

2.3.4 Comparison of Alternatives

Table 2-1 summarizes the differences between the No-Action and proposed action alternatives.

Table 2-1. Comparison of the No-Action and Proposed Action Alternatives

Covered Activities & Conservation Measures	Alternative 1 – Current Management (No-Action)	Alternative 2 - Proposed HCP	Alternative 3 – Management of Additional OPRD Sites
PUBLIC USE / RECREATION MANAGEMENT			
<p>Managing Public Recreational Use in Authorized Areas</p> <ul style="list-style-type: none"> ▪ Dog exercising ▪ Driving ▪ Kite flying ▪ Non-motorized vehicle use ▪ Other dry sand activities 	<ul style="list-style-type: none"> ▪ OPRD would continue to manage the public's use of the beach in accordance with existing management practices and to avoid potential effects on snowy plovers. ▪ Recreational use restrictions currently in place (i.e., no beach camping in State Parks, dogs on leash in all State Parks, ATV/OHV use only at three locations on the coast without permit, etc.) would remain in place. Driving restrictions would not apply to administrative uses, such as providing access for emergency and enforcement vehicles, snowy plover monitoring, and land management activities. ▪ Additional recreational use restrictions associated with snowy plover nesting areas are described under the "Natural Resource Management" discussion below. These restrictions would apply to occupied snowy plover nesting areas (i.e., Bandon SNA) and isolated nesting areas if snowy plovers are found in the future. ▪ OPRD would continue to work with Federal agencies to jointly enforce restrictions at RMAs adjacent to federally owned lands. OPRD would also continue to consider applications for "Recreational Use Restriction Permits" on a case-by-case basis for temporarily limiting recreational use at occupied privately owned RMAs, as requested by the landowner. The actual recreational use restrictions in these areas would be the same as those for occupied snowy plover nesting areas managed by OPRD (see "Natural Resource Management" below) 	<ul style="list-style-type: none"> ▪ OPRD would commit to managing the public's use of the beach to minimize potential effects on snowy plovers. OPRD's commitment to these prescriptions would be covered under an ITP authorized by USFWS. ▪ General recreational use restrictions not superseded by the restrictions described under "Natural Resource Management" below would continue as described under Alternative 1 (e.g., dog restrictions in the community of Seaside). <ul style="list-style-type: none"> - Additional recreational use restrictions associated within SPMA's are described under the "Natural Resource Management" discussion below. These restrictions would be implemented at up to five SPMA's. The site management plans would define the area of restricted recreation within the SPMA. Limited restrictions would also be implemented at isolated nests outside of occupied or actively managed SPMA's. - OPRD would also potentially implement recreational use restrictions at up to 11 RMAs as the areas become occupied. The actual recreational use restrictions in these areas would be the same as those for OPRD occupied and/or targeted unoccupied SPMA's. The restrictions would be automatically implemented within the covered lands at occupied sites as described above under Alternative 2. At unoccupied sites, the restrictions would only be implemented at the request of the landowner and after completion of a USFWS-approved site management plan. - OPRD would seek to change the State Rule to provide a mechanism for ongoing recreational restrictions. - OPRD would also work with other private landowners to provide supervision and enforcement at RMAs, and to provide avenues for their enforcement authority. 	<p>Same as Alternative 2, with the following exceptions:</p> <ul style="list-style-type: none"> ▪ Recreational use restrictions would be implemented at up to 9 SPMA's (see <i>Natural Resource Management</i> below). ▪ OPRD would automatically implement recreational use restrictions at up to 12 RMAs owned by other landowners.
NATURAL RESOURCE MANAGEMENT			
Snowy Plover Management			
<p>Management of Occupied Snowy Plover Nesting Areas</p>	<ul style="list-style-type: none"> ▪ OPRD would manage existing snowy plover nesting areas located within the HRA at the Bandon SNA during the nesting season (March 15 to September 15). Specific management measures at these areas would include: <ol style="list-style-type: none"> 1. <u>Recreational use restrictions</u>. Dogs would continue to be required to be on leash and confined to the wet sand, and driving and non-motorized vehicle use would continue to be prohibited during the breeding season in the HRA. Driving restrictions would not apply to administrative uses such as providing access for emergency and enforcement vehicles, snowy plover monitoring, and land management activities. Fences, ropes, and signs would continue to be installed in occupied nesting areas to define breeding areas and limit public access. Outside of the HRA, but within the Bandon SNA, enclosures and limited fencing would continue to be installed around nests. <ul style="list-style-type: none"> - <u>Habitat maintenance</u>. Maintain habitat at the HRA at Bandon. - Predator management. (<i>see below</i>) - Monitoring and Enforcement. (<i>see below</i>) - Public outreach and education. (<i>see below</i>) 	<ul style="list-style-type: none"> ▪ OPRD would manage the Bandon SPMA for nesting populations of snowy plovers. Land north of the HRA up to and including China Creek would be incorporated into the Bandon SPMA. A draft site management plan would be developed for the Bandon SPMA within one year of ITP issuance. USFWS would have 6 months after the completion of the draft site management plan to make a decision about whether to approve it. Specific management measures identified in the site management plan would be similar to those described for Alternative 1 with the following exceptions: <ol style="list-style-type: none"> 2. <u>Recreational use restrictions</u>. Additional restrictions on dog exercising (prohibited), kite flying, driving, non-motorized vehicle use, and use of the dry sand would be implemented. Driving restrictions would not apply to administrative uses such as providing access for emergency and enforcement vehicles, snowy plover monitoring, and land management activities. 3. <u>Habitat maintenance</u> per the site management plans. Same as Alternative 1. 4. Predator management. (<i>see below</i>) 5. Monitoring and Enforcement. (<i>see below</i>) 6. Public Outreach and Education. (<i>see below</i>) ▪ Up to four additional SPMA's targeted for management could be managed as occupied if snowy plovers nest in these areas over the term of the ITP, as described in <i>Management of Targeted Snowy Plover Nesting Areas</i> below. 	<p>Same as Alternative 2, with the following exception:</p> <ul style="list-style-type: none"> ▪ Up to eight additional SPMA's targeted for management could be managed as occupied if snowy plovers nest in these areas over the term of the ITP (see <i>Management of Targeted Snowy Plover Nesting Areas</i> below).

Covered Activities & Conservation Measures	Alternative 1 – Current Management (No-Action)	Alternative 2 - Proposed HCP	Alternative 3 – Management of Additional OPRD Sites
Management of Targeted Snowy Plover Nesting Areas	<ul style="list-style-type: none"> ▪ No additional snowy plover nesting areas would be targeted for management by OPRD under Alternative 1. 	<ul style="list-style-type: none"> ▪ Up to four currently unoccupied SPMA's could be targeted for active management by OPRD over the term of the 25-year ITP ▪ Three SPMA's at Columbia River South Jetty, Necanicum Spit, and Nehalem Spit would initially be targeted for management of potential nesting populations of snowy plovers. Draft site management plans for these areas would be developed within 2 years of ITP issuance. USFWS would have 6 months after the completion of these draft plans to make a decision about whether to approve them. Active management would begin after site plan approval. ▪ Netarts Spit could also be targeted for active management under Alternative 2 if (1) Columbia River South Jetty, Nehalem Spit, or Necanicum Spit becomes occupied and (2) if one of the following RMAs is not already under active, USFWS-approved management for snowy plovers. <ul style="list-style-type: none"> - Bayocean Spit (adjacent to land owned by the Corps); - South Sand Lake Spit (private); - Tahkenitch South (adjacent to land owned by USFS); - Umpqua River North Jetty (adjacent to land owned by USFS / ODSL); - Elk River (private); - Euchre Creek (private). ▪ Under these circumstances, OPRD would commit to managing Netarts Spit for nesting populations of snowy plovers to ensure that a minimum of three unoccupied SPMA's are actively managed at any given time over the term of the 25-year ITP. ▪ Recreational use restrictions at actively managed, unoccupied SPMA's during the nesting season would include requiring that dogs be on leash, and prohibiting driving if restrictions are not already in place. Driving restrictions would not apply to administrative uses such as providing access for emergency and enforcement vehicles, snowy plover monitoring, and land management activities. These restrictions would be lifted if no nesting snowy plovers were observed by July 15. The geographical extent of recreational use restrictions at SPMA's would be determined in consultation with USFWS and documented in an approved site management plan. ▪ Future restoration of up to 40 acres of habitat would be conducted at both Columbia River South Jetty and Nehalem Spit. Restoration would be conducted at Necanicum Spit, if necessary. 	<ul style="list-style-type: none"> ▪ Up to eight currently unoccupied SPMA's could be targeted for active management by OPRD over the term of the 25-year ITP. ▪ Three SPMA's at Necanicum Spit, Columbia River South Jetty, and Nestucca Spit would initially be targeted for management of potential nesting populations of snowy plovers. Draft site management plans for these areas would be developed within 2 years of ITP issuance. USFWS would have 6 months after the completion of these draft plans to make a decision about whether to approve them. Active management would begin after site plan approval. ▪ Pistol River, Nehalem Spit, Netarts Spit, Bullards Beach, and/or Sixes River could also be targeted for active management if (1) Necanicum Spit, Columbia River South Jetty, and Nestucca Spit become occupied and (2) if one of the following RMAs is not already under active, USFWS-approved management for snowy plovers. <ul style="list-style-type: none"> - Bayocean Spit (adjacent to land owned by the Corps); - South Sand Lake Spit (private); - Tahkenitch South (adjacent to land owned by USFS); - Umpqua River North Jetty (adjacent to land owned by USFS / ODSL); - Elk River (private); - Euchre Creek (private); - North Sand Lake Spit (adjacent to land owned by USFS); ▪ Under these circumstances, OPRD would commit to managing Pistol River, Nehalem Spit, Netarts Spit, Bullards Beach, and Sixes River (in that order) for nesting populations of snowy plovers to ensure that a minimum of three unoccupied SPMA's are actively managed at any given time over the term of the 25-year ITP. ▪ Recreational use restrictions at actively managed, unoccupied SPMA's would be the same as Alternative 2. The geographical extent of recreational use restrictions at SPMA's would be determined in consultation with USFWS and documented in an approved site management plan. ▪ Future restoration of up to 40 acres of habitat would be conducted at the following six SPMA's, if necessary: Necanicum Spit, Columbia River South Jetty, Nestucca Spit, Nehalem Spit, Bullards Beach, and Sixes River.
Protections for Nests Outside of Targeted or Occupied Snowy Plover Nesting Areas	<ul style="list-style-type: none"> ▪ OPRD would provide protections for individual nests found on the covered lands outside of the Bandon HRA. ▪ The nature of these protections would be variable (e.g., 50-meter radius exclosures and limited fencing to restrictions to a larger area), and would be contingent on negotiations with USFWS. 	<ul style="list-style-type: none"> ▪ OPRD would install limited fencing and signage around individual nests found outside of an occupied or targeted SPMA's or RMAs within the covered lands, and would consider installing nest exclosures to deter predators if warranted and after consultation with USFWS. 	Same as Alternative 2
Predator Management	<ul style="list-style-type: none"> ▪ OPRD would continue to provide funding (in collaboration with other agencies) to manage the snowy plover predator base along the Oregon coast. ▪ Predator management funded by OPRD would be implemented by the USDA between February and August and would include both lethal and non-lethal methods (lethal predator control would only occur at occupied nesting areas). 	<ul style="list-style-type: none"> ▪ OPRD would continue to provide funding to manage the snowy plover predator base along the Oregon coast. The level of funding would be similar to Alternative 1, but would increase as additional SPMA's are targeted for management over the term of the ITP. ▪ Predator management funded by OPRD would be implemented by the USDA between February and August and would include both lethal and non-lethal methods. If for some reason the USDA discontinued predator management activities over the term of the ITP, OPRD would assume responsibility for implementing predator management activities at SPMA's. 	Same as Alternative 2

Covered Activities & Conservation Measures	Alternative 1 – Current Management (No-Action)	Alternative 2 - Proposed HCP	Alternative 3 – Management of Additional OPRD Sites
Snowy Plover Monitoring and Enforcement	<ul style="list-style-type: none"> OPRD would continue to provide funding to ORNHIC to monitor snowy plover numbers (via detect/non-detect and breeding population monitoring), evaluate habitat, and conduct compliance monitoring related to snowy plover nesting areas along the Oregon coast. OPRD would continue to contribute staff to assist with the annual wintering and breeding window surveys. OPRD would continue to fund three full time beach ranger positions to enforce all Ocean Shore and State Park rules, including beach restrictions designed to protect snowy plovers. Additional senior trooper support would be provided, where needed. 	<ul style="list-style-type: none"> Same as Alternative 1, with the exception that the level of funding for monitoring would increase as additional SPMA's were targeted for management over the term of the HCP. In addition, monthly and annual compliance reports documenting monitoring and enforcement efforts to date, and describing those anticipated for the following year, would be submitted to USFWS. The conservation measures associated with Alternative 2 would also be reviewed by USFWS, ODFW, and OPRD every 5 years. 	Same as Alternative 2
Public Outreach and Education	<ul style="list-style-type: none"> OPRD would continue to recruit and train volunteers to serve as docents for public outreach and education at the China Creek access at Bandon SNA. OPRD would recruit and train volunteers to serve at areas on beaches owned or leased by OPRD if new nesting sites were identified. 	<ul style="list-style-type: none"> Similar to Alternative 1, OPRD would continue to recruit and train volunteers to serve as docents for public outreach and education at the China Creek access at the Bandon SPMA. OPRD would also provide information to be posted on kiosks at beach entrances regarding the presence of nesting snowy plovers and the required recreational use restrictions. As new SPMA's become occupied, OPRD would recruit and train volunteers to serve as docents for public outreach and education as specified in site management plan, and would install signage at access points and nesting locations as necessary. 	Same as Alternative 2
Adaptive Management	There would be no specific adaptive management measures prescribed under Alternative 1.	<p>OPRD would commit to the following adaptive management measures:</p> <ul style="list-style-type: none"> Redefine and implement management actions if biological monitoring data indicate a consistent population decline in snowy plovers along the Oregon coast. Exchange management of an SPMA for a new site if snowy plovers begin to consistently and predictably (3 years in a row) nest on OPRD lands outside of an identified SPMA. Evaluate the relative success of nest enclosures, and adjusting design/application based on the results of monitoring efforts. Begin management at Netarts Spit if Columbia River South Jetty, Necanicum Spit, and Nehalem Spit are not occupied within 5 years of active site management, and none of the RMAs are being actively managed. 	Same as Alternative 2, with the following exception. OPRD would commit to the following additional adaptive management measure: <ul style="list-style-type: none"> Begin management at Pistol River if Necanicum Spit, Columbia River South Jetty, and Nestucca Spit are not occupied within 5 years of active site management, and none of the RMAs are being actively managed. If Pistol River, Necanicum Spit, Columbia River South Jetty, and Nestucca Spit are not occupied after 5 years of active management at Pistol River, and none of the RMAs are being actively managed, OPRD would begin active management at Nehalem Spit.
Other Habitat Restoration			
Dune Management and Invasive Species Removal	<ul style="list-style-type: none"> OPRD would continue to manage dunes and remove invasive species in accordance with existing management practices and to avoid potential effects on snowy plovers. Habitat restoration activities would be conducted outside the nesting season in areas occupied by snowy plovers. In unoccupied areas, these activities could occur during the snowy plover nesting season, but only after a survey for nesting snowy plovers has been completed. 	Same as Alternative 1, with the exception that OPRD's commitment would be covered under an ITP authorized by USFWS.	Same as Alternative 1, with the exception that OPRD's commitment would be covered under an ITP authorized by USFWS.
BEACH MANAGEMENT			
Response to Boat and Marine Mammal Strandings	<ul style="list-style-type: none"> Response to boat and marine mammal stranding would continue to be conducted by OPRD staff in accordance with existing management practices and to minimize potential effects on snowy plovers, to the extent practical. In areas where nesting populations of snowy plovers are known to be present, OPRD would work collaboratively with ODFW and USFWS to ensure that encroachment into occupied snowy plover nesting areas would be minimized. 	Same as Alternative 1, with the exception that OPRD's commitment would be covered under an ITP authorized by USFWS.	Same as Alternative 1, with the exception that OPRD's commitment would be covered under an ITP authorized by USFWS.

Covered Activities & Conservation Measures	Alternative 1 – Current Management (No-Action)	Alternative 2 - Proposed HCP	Alternative 3 – Management of Additional OPRD Sites
Public Safety	<ul style="list-style-type: none"> ▪ Public safety activities, such as maintaining emergency access points, investigating reports of killer logs, and responding to hazardous material spills, would continue to be conducted by OPRD staff in accordance with existing management practices and to minimize potential effects on snowy plovers, to the extent practical. ▪ In areas where nesting populations of snowy plovers are known to be present, OPRD would work collaboratively with ODFW and USFWS to ensure that encroachment into occupied snowy plover nesting areas would be minimized. 	Same as Alternative 1, with the exception that OPRD's commitment would be covered under an ITP authorized by USFWS.	Same as Alternative 1, with the exception that OPRD's commitment would be covered under an ITP authorized by USFWS.
Law Enforcement	<ul style="list-style-type: none"> ▪ Law enforcement activities, such as enforcing OPRD rules (recreational restrictions) and patrolling beaches, would continue to be conducted by OPRD staff in accordance with existing management practices and to minimize potential effects on snowy plovers, to the extent practical. ▪ In areas where nesting populations of snowy plovers are known to be present, OPRD would work collaboratively with ODFW and USFWS to ensure that encroachment into occupied snowy plover nesting areas would be minimized. ▪ OPRD would also contract with State Police and/or additional law enforcement personnel as needed. 	Same as Alternative 1, with the exception that OPRD's commitment would be covered under an ITP authorized by USFWS.	Same as Alternative 1, with the exception that OPRD's commitment would be covered under an ITP authorized by USFWS.
CHANGED CIRCUMSTANCES			
	There would be no specific measures prescribed under Alternative 1 for dealing with changed circumstances.	<p>Two types of events would be considered changed circumstances under Alternative 2:</p> <ul style="list-style-type: none"> ▪ <u>Listing of a New Species</u>. If an additional species were listed during the term of the ITP, OPRD could choose to modify their management actions in coordination with USFWS to ensure incidental take of that species would be avoided, or could request that USFWS add the newly listed species to the ITP under the existing HCP provisions. ▪ <u>Global Climate Change and Rising Sea Levels</u>. In the event that rising sea levels result in a net loss of snowy plover nesting habitat over the term of the ITP, OPRD would discuss with USFWS appropriate measures to implement. Future actions responding to this changed circumstance would be determined by consensus agreement between OPRD and USFWS, and would be based on the nature and extent of effects associated with rising sea levels. ▪ <u>Effects on Wintering Snowy Plovers Rising to the Level of Take</u>. In the event that snowy plover populations begin to decline as a result of adverse effects on wintering birds and those adverse effects are attributed to one or more of the covered activities (e.g., recreational use), OPRD would 1) take the necessary steps to avoid take, or 2) coordinate with ODFW and USFWS to determine if additional minimization measures, such as additional recreational use restrictions, are necessary to protect wintering snowy plovers. Such measures would be implemented if they would not significantly disrupt pedestrian access to the wet sand, and OPRD determines that sufficient recreational access is being provided for in a manner similar to the conservation measures proposed under the HCP. 	Same as Alternative 2

Notes:

ATV = All-terrain vehicle; USFWS = U.S. Fish and Wildlife Service; HRA = habitat restoration area; ITP = incidental take permit; ODFW = Oregon Department of Fish and Wildlife; OHV = off-highway vehicle; OPRD = Oregon Parks and Recreation Department; ORNHIC = Oregon Natural Heritage Information Center; RMA = Recreation Management Area; SNA = State Natural Area; SPMA = snowy plover management area; USDA = U.S. Department of Agriculture

2.4 Alternatives Considered But Not Analyzed in Detail

2.4.1 Management of Recreation Management Areas

Under this alternative, OPRD would actively manage the five SPMAAs identified under Alternative 2, as well as the 11 RMAAs owned by other landowners, for nesting populations of snowy plovers. Each landowner would be responsible for developing and implementing site management plans describing the snowy plover management activities that would take place at each RMA. The five RMAAs currently occupied by snowy plovers (New River, Sutton/Baker Beach, Siltcoos Estuary/Dunes Overlook/Tahkenitch Estuary, Tenmile Estuary, and Coos Bay North Spit) would be the first sites to be actively managed. Management of these sites would be in addition to management activities at Bandon, Columbia River South Jetty, Necanicum Spit, and Nehalem Spit. If nesting populations of snowy plovers were identified at Columbia River South Jetty, Necanicum Spit, or Nehalem Spit, one of the seven other unoccupied sites would be actively managed. At any given time, at least three unoccupied sites would be actively managed under this alternative.

This alternative was eliminated from detailed consideration in this FEIS because OPRD does not have the authority to implement or enforce site management plans for nesting populations of snowy plovers on lands that they do not own or manage. Under an ITP from USFWS, OPRD would be responsible for all management strategies outlined in the HCP on covered lands, including those that would take place on lands owned or managed by a landowner other than OPRD. Since they would not have the ability to ensure that site plans were effectively implemented or adequately enforced, this alternative was not considered a reasonable alternative for consideration in this FEIS.

2.4.2 Implementation of the Snowy Plover Recovery Plan

This alternative would include management of the covered lands in accordance with the *Recovery Plan for the Pacific Coast Population of the Western Snowy Plover* (Recovery Plan) (U.S. Fish and Wildlife Service 2007a). The Recovery Plan identified 19 individual sites along the Oregon coast, covering approximately 129 miles.

The cost of managing all 19 of sites identified in the Recovery Plan would be prohibitive given the extensive area that would have to be managed to limit public use and access. In addition, OPRD does not own or manage all of the recovery areas

identified in the Recovery Plan, and would not have the authority to enforce all of the management activities at non-OPRD owned or leased sites. This alternative would also not allow OPRD to meet their stated objectives of managing for snowy plover habitat while balancing impacts to recreational use and public access on the Oregon coast (Section 1.2.3, “Context”). For these reasons, this alternative was eliminated from detailed consideration in the FEIS.

2.4.3 Captive Breeding Program

This alternative would consist of implementing a captive breeding program to assist in the recovery of snowy plovers. Under this alternative, snowy plovers would be captured and maintained in captivity. Adults would be raised, and young birds bred in captivity would be released into the wild.

Maintenance costs of a successful captive breeding program would be prohibitive. In addition, little is currently known about how snowy plovers survive in captivity or how they can be effectively bred. According to USFWS policy, captive breeding “is used as a recovery strategy only when other measures employed to maintain or improve a listed species’ status in the wild have failed, are determined to be likely to fail, are shown to be ineffective in overcoming extant factors limiting recovery, or would be insufficient to ensure/achieve full recovery. Every effort should be made to accomplish conservation measures that enable a listed species to recover in the wild, with or without intervention (e.g., translocation), prior to implementing controlled propagation for reintroduction or supplementation.” (61 FR 4715) For these reasons, this alternative was eliminated from detailed consideration in the FEIS.

2.4.4 Voluntary Compliance and Education

This alternative would consist of asking recreationalists and other members of the public to voluntarily avoid snowy plover nest sites, chicks, and adults nesting and foraging along the Oregon coast. This would require that individuals using the Ocean Shore be aware of the location of existing nesting sites and familiar enough with snowy plovers to be able to identify and avoid the species when they are present. In addition to ‘self-education’, under this alternative, OPRD would provide educational opportunities to beach visitors in areas where nesting populations of snowy plovers have been identified covering the biology and habitat needs of snowy plovers. Individuals would be available to advise beach users about any beach restrictions and answer questions about snowy plovers.

Under this alternative, inadvertent incidental take could occur, even if visitors were aware of and avoided known nest sites. In addition, it is possible that management activities conducted by OPRD (e.g., habitat restoration activities) could result in

incidental take. Without take authorization from USFWS, individual members of the public and OPRD would be responsible for any take that may occur incidental to an otherwise lawful activity, which would not allow OPRD to meet the objectives stated in the HCP and would not meet the purpose and need of the proposed action (Section 1.3.2). For these reasons, this alternative was eliminated from detailed consideration in the FEIS.

2.4.5 Multi-Species HCP

Under this alternative, OPRD would develop and seek incidental take coverage for a multi-species HCP that would address other species that may occur on covered lands. In addition to the conservation plan that addresses snowy plovers, this alternative would entail developing conservation measures to minimize and mitigate for impacts to other species, such as anadromous fish and bald eagles.

This alternative was eliminated from detailed consideration because it was determined by the resource agencies, including ODFW, USFWS, and the National Marine Fisheries Service, that OPRD's management activities would not likely result in impacts to listed species that would rise to the level of take. The listed species that could be in the vicinity of the covered lands do not occupy the sand beaches along the Oregon coast (i.e., they occur offshore, on rocky outcrops, or landward of the vegetation line). A description of the species that were considered for inclusion in a multi-species HCP, and the rationale for their exclusion from the proposed action, is provided in Appendix B of the HCP (Oregon Parks and Recreation Department 2008).

Chapter 3 Affected Environment, Environmental Consequences, and Cumulative Effects

3.1 Introduction

This chapter describes the environment that may be affected (affected environment) by adoption and implementation of a habitat conservation plan (HCP) for the Pacific Coast population of the western snowy plover (snowy plover) on the Oregon coast. This chapter also describes the environmental consequences, including the cumulative effects, for each of the alternatives evaluated in this Final Environmental Impact Statement (FEIS).

Each section in this chapter includes a description of the approach and methodology used to characterize the affected environment and assess the environmental impacts for a given resource area; a detailed description of the resources within the study area, as it is defined below; a summary of the potential effects of the alternatives, including the proposed action, relative to the No-Action Alternative; and a description of the mitigation measures, as appropriate.

The following provides a brief summary of the covered lands and the study area, the activities evaluated, and the alternative management strategies identified for detailed analysis in this FEIS.

3.1.1 Covered Lands

As described in Chapter 1, “Purpose and Need,” the area covered by the alternatives addressed in this FEIS (the covered lands), includes the sandy portions of the Ocean

Shore along the Oregon coast that extend between the mouth of the Columbia River South Jetty on the north and the California/Oregon border on the south (approximately 230 miles of beach) (Figure 1-1). The sandy Ocean Shore includes the area from extreme low tide to the actual or statutory vegetation line; whichever is most landward (Figure 1-2). The Ocean Shore does not include estuaries or river mouths, which are under the management of the Oregon Department of State Lands.

Covered lands for the HCP do not include the Federal lands within the Ocean Shore boundary. Federal jurisdiction within the Ocean Shore boundary extends between the mean high tide line and the actual or statutory vegetation line (Figure 1-2) adjacent to federally owned land. Any actions that may occur on Federal lands within the Ocean Shore, regardless of who conducts the activity, would be the responsibility of the Federal landowner and would require separate consultation with the U.S. Fish and Wildlife Service (USFWS) if the actions would result in potential effects on federally listed species, including snowy plovers. In addition, if these Federal actions could result in effects on uses or natural resources within Oregon's defined *coastal zone*, the actions would be required to be consistent with the State's enforceable policies, including the Ocean Shore Management Plan (Oregon Parks and Recreation Department 2004), as required by the Coastal Zone Management Act (CZMA).

In addition, portions of following key State Parks, State Natural Areas, and State Recreation Areas are included in the covered lands (Figures 1-3 through 1-11). The parenthetical reference after each listing reflects the name of the associated snowy plover management area (SPMA) that is evaluated in this FEIS:

- Fort Stevens State Park (Columbia River South Jetty),
- Gearhart Ocean State Recreation Area (Necanicum Spit),
- Nehalem Bay State Park (Nehalem Spit),
- Cape Lookout State Park (Netarts Spit),
- Robert Straub State Park (Nestucca Spit),
- Bullards Beach State Park (Bullards Beach),
- Bandon State Natural Area (Bandon),
- Cape Blanco State Park (Sixes River Mouth), and
- Pistol River State Natural Area (Pistol River).

3.1.2 Study Area

Throughout the FEIS, the study area may vary by resource topic. In some cases, the study area is the same as the covered lands. However, for some resources, the study area extends beyond the geographic boundaries of the covered lands to address

potential impacts to lands and resources that may be affected by the alternatives, or lands that could have an affect on management of the covered lands. When a resource topic requires evaluation of a study area that is different from the covered lands detailed above, a description of that study area is provided within the relevant section of this chapter.

3.1.3 Duration and Covered Activities

Analysis of the resources covered in this FEIS is based on management of the covered lands for 25 years (2009 to 2034). Three categories of covered activities have been proposed by the Oregon Parks and Recreation Department (OPRD) in the HCP and are evaluated in this FEIS: public use and recreation management; natural resources management, including snowy plover management and other habitat restoration activities; and beach management.

3.1.4 Alternatives Evaluated

As described in Chapter 2, “Alternatives,” three alternative management strategies have been identified for detailed analysis in this FEIS.

Alternative 1 – Current Management (No-Action)

Alternative 1 – Current Management (No-Action) would continue management strategies currently in place on the covered lands. As described in Chapter 1, “Purpose and Need,” OPRD is responsible for various management activities along most of the Oregon Ocean Shore, including recreation management, general beach management, and management of natural resources. Since populations of snowy plovers nest, roost, forage, and raise chicks on the sandy beaches of the Oregon coast, OPRD must ensure that these management activities do not result in take of snowy plovers. In addition, OPRD must balance snowy plover management activities with their mandate to maintain the public’s access to the Ocean Shore.

Each year, in coordination with Federal agencies and at the request of State agencies and Curry County, OPRD restricts use of a portion of the Ocean Shore at six areas occupied by nesting populations of snowy plovers during the breeding season (March 15 to September 15). These seasonal use restrictions have been imposed since 1994, with such restrictions affecting anywhere from 0.5 miles (1994) to 19.8 miles (1998) of beach. Seasonal use restrictions limit recreational use and access to these specific areas, and vary unpredictably in scale and location.

Under Alternative 1, OPRD would continue to manage the Habitat Restoration Area at the Bandon State Natural Area for nesting populations of snowy plovers. In addition, OPRD would consider requests by other landowners to restrict recreational use at areas Recreation Management Areas (RMAs) owned by other landowners that are occupied by snowy plovers within the covered lands. Additional information on

how these restrictions would be implemented on both OPRD owned or leased lands, and lands owned by other landowners, is described in Section 2.3.1, “Alternative 1 – Current Management (No Action).” The No-Action Alternative is the baseline against which the effects of all other alternatives are compared in this chapter.

Alternative 2 – Proposed HCP

Alternative 2 – Proposed HCP, represents OPRD’s preferred alternative, and is supported by the *Final Western Snowy Plover Habitat Conservation Plan* (Oregon Parks and Recreation Department 2008). The HCP was developed by OPRD, in collaboration with the USFWS and Oregon Department of Fish and Wildlife (ODFW), to address potential effects on snowy plovers within the covered lands, and to meet the regulatory requirements of the Federal and State ESA. The HCP was also developed in consideration of input provided by the public during a series of public meetings held in the spring and winter of 2002 and the fall of 2004, input received between 2002 and 2004 from the Steering Committee convened to assist in formulation of the HCP, and comments on the draft Environmental Impact Statement (DEIS) and draft HCP received during the two public comment periods from November 2007 to March 2008, and April to June 2009 (Section 1.3.3, “Public Review and Comment Period”).

Similar to Alternative 1, under Alternative 2, OPRD would manage recreational use, natural resources, and other general beach responsibilities on the covered lands to minimize potential effects on snowy plovers. Up to five SPMA’s would be managed for nesting populations of snowy plovers by OPRD, including SPMA’s at Bandon, Columbia River South Jetty, Necanicum Spit, Nehalem Spit, and Netarts Spit. OPRD would also implement recreational use restrictions at up to 11 RMA’s that are owned by other landowners or are adjacent to federally owned lands and are either currently occupied by snowy plovers or that could be targeted for snowy plover management in the future. Additional information on how management activities and restrictions would be implemented within the covered lands is described in Section 2.3.2, “Alternative 2 – Proposed HCP.”

Alternative 3 – Management of Additional OPRD Sites

Alternative 3 – Management of Additional OPRD Sites is evaluated in this FEIS as an alternative to the proposed HCP. Specifically, Alternative 3 is included to provide the public with additional information for comparison of the proposed action with the environmental risks of an alternate course of action.

Under Alternative 3, OPRD would manage recreational use, natural resources, and other general beach responsibilities on the covered lands to minimize potential effects on snowy plovers. Up to nine SPMA’s (four more than Alternative 2) would be managed for nesting populations of snowy plovers by OPRD, including SPMA’s at Bandon, Necanicum Spit, Columbia River South Jetty, Nestucca Spit, Pistol River,

Nehalem Spit, Netarts Spit, Bullards Beach, and Sixes River Mouth. In addition, OPRD would implement recreational use restrictions at up to 12 RMAs (one more than Alternative 2) that are owned by other landowners or are adjacent to federally owned lands, and are either currently occupied by snowy plovers, or targeted for snowy plover management in the future. Additional information on management activities and restrictions that would be implemented within the covered lands is described in Section 2.3.3, “Alternative 3 – Management of Additional OPRD Sites.”

3.1.5 Significant, Irreversible, or Irretrievable Commitment of Resources

NEPA requires assessment of significant or irreversible and irretrievable commitments of resources. Determining whether the alternatives would result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed with little possibility of restoration.

The alternatives would result in an irreversible commitment of energy resources, primarily in the form of fossil fuels (e.g., fuel, oil, natural gas, and gasoline) for use of vehicles and restoration equipment. However, the primary purpose of the actions to be completed under the alternatives would be to restore and preserve natural habitat along the Oregon coast. No land resources would be committed to uses that would constitute the conversion of land or other natural resources to a less environmentally sensitive use. The environmental effects of the alternatives are analyzed in the following sections.

3.10 Soils and Dunes

This section describes soil resources in the study area, as well as potential effects on soils and dunes resulting from implementation of the alternatives. For this section, the study area is the same as the covered lands described in Section 3.1.1, “Covered Lands.”

3.10.1 Approach and Methodology

The description of soil resources presented in this section is based on information contained in various soil survey reports published by the Natural Resources Conservation Service (NRCS) (Natural Resources Conservation Service 2006). The potential effects on soil resources in the study area was assessed based on a review of the management strategies for each of the alternatives, including the *Western Snowy Plover Habitat Conservation Plan* (Oregon Parks and Recreation Department 2008) and a programmatic assessment of how those strategies could impact soil and water quality by influencing soil erosion and sedimentation rates.

3.10.2 Regulatory Context

Section 402 of the Clean Water Act

Section 402 of the Federal Clean Water Act (CWA) establishes a framework for regulating municipal and industrial storm water discharges under the National Pollutant Discharge Elimination System (NPDES) program. The EPA has delegated the authority for administering the NPDES storm water program in Oregon to the Oregon Department of Environmental Quality (ODEQ), where it is implemented by ODEQ’s Division of Water Quality (Oregon Department of Environmental Quality 2006).

Under the NPDES Phase II Rule, any construction activity disturbing more than one acre must obtain coverage under the State’s General Permit for Storm Water Discharges Associated with Construction Activity (General Permit). General Permit applicants are required to prepare and submit an erosion and sediment control plan (ESCP) that describes the best management practices (BMPs) that will be implemented to avoid adverse effects on water quality as a result of construction activities, including earthwork.

Both OPRD, and private parties obtaining permits from OPRD, are required to prepare and implement ESCPs to control accelerated erosion and sedimentation and to comply with the requirements of the General Permit.

Local Grading and Erosion Control Ordinances

Many of the county and city governments located within the study area have enacted grading and/or erosion and sediment control ordinances that require permits for certain types of earthwork activities. Such ordinances typically require the preparation and implementation of an ESCP to control accelerated runoff, erosion, and sedimentation during project construction. Both OPRD and private parties obtaining permits from OPRD are required to prepare and implement ESCPs to control accelerated erosion and sedimentation and to comply with the requirements of the General Permit and local grading and erosion control ordinances.

3.10.3 Affected Environment

Most of the study area encompasses beaches and dune lands, which consist of loose sand materials and small amounts of gravel that have been worked and reworked by wind and water. Beach areas are typically unvegetated, while dune lands are often sparsely vegetated with beachgrass. Slope gradients typically range from 0 to 8 percent and the hazard of erosion by wind and water ranges from slight to severe (Natural Resource Conservation Service 2006).

The portions of the covered lands within Fort Stevens State Park (Figure 1-3), Nehalem Bay State Park (Figure 1-5), Cape Lookout State Park (Figure 1-6), Robert Straub State Park (Figure 1-7), Bandon SNA (Figure 1-9), and Pistol River SNA (Figure 1-11) extend landward beyond the actual vegetation line, and includes interdunal areas where the soils and underling substrates also consist of loose sand. These interdunal areas are typically more densely vegetated than the seaward dune lands and beaches. Slope gradients are somewhat steeper (up to 15 percent), and hazard of erosion by wind and water ranges from slight to moderate (Natural Resource Conservation Service 2006).

3.10.4 Environmental Consequences

Consequences Common to All Alternatives

Potential Effects of the Covered Activities on Erosion and Sedimentation Rates

Some of the covered activities that would occur in the study area, such as habitat restoration, would involve ground-disturbing activities that could increase the hazard of erosion and temporarily accelerate erosion and sedimentation rates. In addition, removal of invasive plant species could allow for sand mobilization and increased sedimentation rates. Accelerated erosion and sedimentation can adversely affect water quality in nearby receiving waters. These activities would occur under all of the alternatives, although the extent of ground disturbance and invasive plant removal would be greater under Alternatives 2 and 3, relative to Alternative 1, due to additional habitat restoration activities proposed at identified SPMA's.

Under all the alternatives, OPRD would be required to prepare and implement ESCPs to control accelerated erosion and sedimentation resulting from covered activities (e.g., habitat restoration and invasive species removal), and to comply with the requirements of the General Permit and local grading and erosion control ordinances, as appropriate. Implementation of an effective ESCP is typically sufficient to prevent substantial loss of topsoil, and adverse effects on surface water quality. Accordingly, none of the alternatives would have any direct adverse effects on erosion and sedimentation rates or soil and water quality in the study area.

3.11 Cultural Resources

This section describes cultural resources in the study area, and potential effects on cultural resources resulting from implementation of the alternatives. For this section, the study area is the same as the covered lands described in Section 3.1.1, “Covered Lands.”

3.11.1 Approach and Methodology

Information on file at the Oregon State Historic Preservation Office (SHPO) was researched during a visit to their Salem office on October 5, 2006. Information presented in Section 3.11.3, “Affected Environment,” is based on the records search and a review of the literature during that visit. The potential effects on cultural resources was assessed based on a review of the management strategies for each of the alternatives, including the *Western Snowy Plover Habitat Conservation Plan* (Oregon Parks and Recreation Department 2008), and a programmatic assessment of how those strategies could effect cultural resources.

Evaluating Cultural Resources

The following provides criteria for evaluating potential cultural resources in the study area (including prehistoric and historic archaeological resources), and ethnographic resources. Prehistoric archaeological resources are physical properties that result from human activities that predate European contact with native peoples in America. Prehistoric archaeological sites may include villages, campsites, lithic or artifact scatters, fishing sites, roasting pits/hearths, milling features, rock art (e.g., petroglyphs/pictographs, intaglios), rock features, and burials.

Historical archaeological resources consist of the physical remains (unoccupied ruins) of structures or built objects that result from the work of Euro-Americans. These physical remains must be more than 50 years old and postdate contact between Europeans and Native Americans. Historic archaeological sites may include town sites, homesteads, agricultural or ranching features, mining-related features, and refuse concentration.

Ethnographic resources include sites, areas, and materials important to Native Americans for religious, spiritual, or traditional uses. These resources can encompass the sacred character of physical locations (e.g., mountain peaks, springs, and burial sites) or particular native plants, animals, or minerals that are gathered for use in traditional ritual activities. Included are villages, burials, rock art, rock features, and traditional hunting, gathering, and fishing sites.

Ethnographic resources that meet the definition set forth in Executive Order 13007, Indian Sacred Sites, can be considered sacred sites. Activities that might affect

accessibility to, or availability of, materials used in traditional practices are subject to Executive Order 13007. In some cases, ethnographic resources may overlap prehistoric or historic archaeological resources or they may be embedded within each other.

Architectural resources of the historic built environment can include houses, barns, stores, post offices, bridges, and community structures that are more than 50 years old. These resources are generally standing structures that are currently occupied or are being preserved from deterioration and rehabilitated to accommodate occupation and use.

3.11.2 Regulatory Context

Federal Regulations

National Historic Preservation Act of 1966

The National Historic Preservation Act (NHPA) of 1966 (16 USC 470), as amended, is the nation's central historic preservation law. The NHPA provides for the establishment of the National Register of Historic Places (NRHP) and SHPO, and requires Federal agencies to consider the effects of their actions on historic properties.

Section 106 of NHPA requires that a Federal agency take into account the potential effects of a Federal undertaking on historic properties, and afford the Advisory Council on Historic Preservation (ACHP) an opportunity to comment on these actions. Consideration of OPRD's application for an Incidental Take Permit (ITP) would require that USFWS meet the consultation requirements of Section 106. The Section 106 process has four basic steps:

1. Initiate consultation and public involvement.
2. Identify and evaluate historic properties.
3. Assess effects of the project on historic properties.
4. Consult with SHPO regarding adverse effects on historic properties. If necessary prepare a Memorandum of Agreement (MOA) for SHPO consideration.

For Federal projects, cultural resource significance is evaluated in terms of eligibility for listing in the NRHP. Districts, sites, buildings, structures, and objects of State and local importance are considered to be noteworthy in American history, architecture, archaeology, and culture when they possess integrity of location, design, setting, materials, workmanship, feeling and association, and they:

- Are associated with events that have made a contribution to the broad pattern of our history;

- Are associated with the lives of people important in our past;
- Embody the distinct characteristics of a type, period, or method of construction; represent the work of a master or possess high artistic values; or represent a noteworthy and distinguishable entity whose components may lack individual distinction; or
- Have yielded, or are likely to yield, information important in prehistory or history (36 CFR 60.4).

Ethnographic resources can be eligible for listing in the NRHP if certain criteria are met (refer to the National Register Bulletin 38 – Guidelines for Evaluating and Documenting Traditional Cultural Properties [Parker and King 1990]).

State Regulations

State of Oregon

The State of Oregon protects cultural resources, including Native American graves (ORS 97.740 – 97.760) and archaeological sites (ORS 358.905 – 358.955) on both private and public lands. Oregon laws (ORS 390.235) require the State and local agencies to obtain a permit for any ground disturbance to occur on State lands, and for disturbance to known cultural resource sites on private lands.

Ocean Shore Management Plan

As outlined in the OSMP (Oregon Parks and Recreation Department 2005), OPRD has goals specific to protect cultural resources on the Oregon coast.

- Complete the coastal portion of the OPRD archaeological and historic surveys and identify priority sites that need cultural resource management plans.
- Avoid, to the best extent possible, archaeological sites of great consequence when planning and undertaking park projects, and minimize adverse effects through avoidance or mitigation if avoidance is not possible.
- Use a SHPO protocol when undertaking any ground disturbing activities that will affect or may have the potential to effect archaeological resources or in considering changing old structures and site features.
- Conserve important cultural resources on private lands through cooperative solutions with willing landowners.
- Conduct any needed consultation with affected tribes regarding potential impacts to cultural resources.

3.11.3 Affected Environment

Prehistoric Setting

The Oregon coast contains the archaeological remains of numerous ancient cultures that once lived and thrived along the ocean shores. Within the study area, there are numerous documented Native American archaeological sites. Prehistoric archaeological resources found included shell middens, villages, lithic material scatter sites, burial sites, intertidal fishing structures, rock art, quarry sites, and ethnographic or ethnohistoric places (Moss 2002). These materials ranged in date from between 12,000 and 8,000 years ago to the time of first contact between Native Americans and Euro Americans during the 18th century.

Two primary chronological schemes describing the development of prehistoric peoples have been proposed for the Oregon coast as a whole. Lyman and Ross (Lyman 1991; Lyman and Ross 1988; Ross 1990) developed the first scheme, which consisted of three stages, and Minor (1995) developed a second scheme, consisting of four stages. Both of these schemes focus on adaptation to littoral or marine resources. The following information comes from the *National Register Nomination of the Native American Archaeological Sites of the Oregon Coast* submitted to the Oregon SHPO by Madonna Moss and Jon Erlandson in 1996, and describes the three schemes for characterizing the prehistory of the Oregon coast.

According to Lyman and Ross, from 8,500 years Before Christ (BC) to 5,000 BC (Pre-Littoral or Pre-Marine Stage), the adaptations of early inhabitants did not involve littoral resources. Coastal occupants originated in the interior and were heavily dependent on terrestrial resources for their subsistence needs (Lyman 1991). The period from 5,000 to 2,000 BC (Early Littoral Stage) represents the first noteworthy use of coastal resources. After 2,000 BC, coastal peoples were much more effectively adapted to the coast and lived in larger more sedentary populations than those of earlier stages (Moss and Erlandson 1996).

Alternatively, Minor (1995) identified an Early Archaic Stage (10,000–5500 BC), a Middle Archaic Stage (5500–3000 BC), a Late Archaic Stage (3000–1500 BC), and a Formative Stage (1500–200 BC) for Oregon coast prehistory. In this framework, Early Archaic coastal peoples subsisted primarily on aquatic resources, including fish, marine birds, and sea mammals. Terrestrial resources were also used, but there was little evidence of dependence on shellfish. During the Middle Archaic, substantial shell middens appear, with ample evidence of marine-oriented subsistence. The Late Archaic Stage was characterized by more intensive marine subsistence, with evidence of more sedentary sites usually termed “villages.” The Formative Stage was thought to reflect the full emergence of ethnographically known cultural patterns (Moss and Erlandson 1996).

In addition to these schemes, Moss and Erlandson (1996) divided the prehistory of the Oregon coast using a geological timescale. The *Terminal Pleistocene* period ranges from 12,000 to 10,000 BC and, at present, only a few artifacts from this period have been found in western Oregon. The subsequent *Holocene* period was divided into three roughly equivalent units (Erlandson 1988, 1994; Moss and Erlandson 1995b). The *Early Holocene* was the period from 10,000 to 6,700 BC. The *Middle Holocene* was from 6,700 to 3,300 BC, which was followed by the *Late Holocene* period after 3,300 BC. Within the *Late Holocene*, there were two further periods, the *Pre-contact* period (3,300 to ca. 200 BC) and the *Post-contact* period (circa 200 BC to present).

Moss and Erlandson (1996) demonstrated that over 87% of the radiocarbon dates from archaeological sites within the study area fell within the last 1,500 calendar years. Nonetheless, recent research also identified several *Early* and *Middle Holocene* coastal sites on State Park Lands. These included the 8,600-year-old site (35-CU-67) at Indian Sands (Curry County) (Moss and Erlandson 1995b, 1995c); the 8,300- and 5,000-year-old components at Blacklock Point (Coos County) (35-CU-75) (Minor 1993; Moss and Erlandson 1995a); a 6,100-year-old component near Cape Blanco (Curry County) (35-CU-82) (Minor and Greenspan 1991; Moss and Erlandson 1995a); and the 4,200-year-old site at Boiler Bay (Lincoln County) (35-LNC-45) (Tasa and Connolly 1995). Only the Indian Sands and Boiler Bay sites contained the remains of marine foods. The other two sites produced no faunal remains, but are currently located adjacent to productive coastal habitats. Recent investigations at these and other Oregon coast sites suggested that coastal subsistence played a role of importance in *Early* and *Middle Holocene* economies in the area, although this early use of marine resources may have been less intense than in other areas of the Pacific coast.

The relative scarcity of *Early* and *Middle Holocene* sites along the Oregon coast and of data relative to exploitation of marine resources may be due to a combination of processes including post glacial sea level rise, tectonic subsidence of the coast, severe coastal erosion, the accumulation of extensive dunes during the *Middle* and *Late Holocene* periods, the lower accessibility of rugged outer coast habitats to humans, and the relatively high productivity of terrestrial and riverine resources, especially when coastal terrestrial zones were more extensive during times of lower sea levels (Moss and Erlandson 1996). During the Pleistocene a large amount of water was in the form of glaciers, making sea levels more than 91 meters (300 feet) below modern shoreline levels, exposing wide expanses of continental shelf suitable for occupation along the Oregon coast (Leland 1999). It is likely that the evidence of cultural occupation in these areas is now inundated.

Ethnographic Setting

In the early 1800s, the Oregon coast was occupied by a diverse array of Native American tribes, including (from north to south) various bands of the Chinook, Tillamook, Alsea, Siuslaw, Umpqua, Coos, Coquille, Tututni, and Tolowa peoples. These societies are all generally regarded as part of the distinctive Northwest coast culture (Suttles 1990). There were four broad language groups used along the Oregon coast, the Athapaskan, the Oregon Penutian, the Salishan, and the Hokan families. According to Macnaughtan (1999), the Athapaskan dialect was spoken mainly in southwest Oregon, the Penutian was spoken along the central Oregon coast, Salish was spoken on the northern Oregon coast and Shasta was spoken in the southern Rogue Valley region. Trade languages were used to bridge communication gaps between the villages.

The ethnographic patterns of these societies are derivative of many economic styles: Northwest coast fishing economies, Plateau fishing/root river winter village economies, the Great Basin desert/lake economies and the California acorn economies were all well established regional resource use strategies during this period (Leland 1999). Prior to European contact, Northwest coast peoples relied predominantly on fishing, hunting, gathering, and trading for sustenance. They were adapted to a variety of environments, including sand spits, saltwater bays, tidal and intertidal estuaries, lake shorelines, river mouths and their confluences. Northwest coast peoples in general are most renowned, however, for their maritime life ways, elaborate technology, high population densities, sophisticated art and architectural traditions, and sociopolitical complexity (Moss and Erlandson 1996).

The Oregon coast and the land and waters surrounding it were part of a dynamic cultural setting characterized by abundant localities for resource acquisition. The diets of the aboriginal people relied upon salmon, shellfish, plants and land mammals. The resources utilized were in direct relation to the food sources available within their geographic locale. Evidence of subsistence activities can be found along the Oregon coastline in the form of shell middens, fishing weirs, food processing sites, villages and seasonal occupation camps.

Historical Setting

The earliest travel along the northwest coast by Europeans occurred sporadically for about 200 years from the mid-16th to the mid-18th centuries. Land-based exploration of the Oregon country began in the early nineteenth century. Lewis and Clark reached the mouth of the Columbia River in late 1805, and their expeditions opened an era of expansion in the northwest. The fur trade became the driving force behind much of the exploration of the region due to the demand for beaver pelts in the European and Chinese markets. The fur traders introduced new technological goods to entice the natives into trade. Initially the tribes viewed the goods and

supplies that foreign traders and trappers offered as a welcome addition to their already thriving economy (Confederated Tribes of the Umatilla Nation 2006).

The first wagon train into the Oregon Country was in 1843, and wagon trains of settlers traveling along the Oregon Trail successively followed (Confederated Tribes of the Umatilla Nation 2006). Violent encounters between Native Americans and settlers occurred consistently in the years between 1850 and 1856. The U.S. Army established several forts in the region in attempts to keep peace between Native Americans and settlers but eventually became involved in the conflicts.

Prior to 1850, only a handful of fur traders, missionaries, and explorers had settled and lived for any length of time along the Oregon coast. In 1850, passage of the Oregon Donation Land Act provided free land to any American willing to settle and improve the property. The prospect of free land brought many settlers to the river areas near the Oregon coast. The Homestead Act of 1862 also provided land for those willing to settle in the west.

Early settlers subsisted by gathering locally available resources, growing their own food, and maintaining the few possessions they brought with them. Settlers subsisted on vegetables from large, labor-intensive gardens; wild berries; livestock; deer; elk; and estuarine animals such as clams, crabs, and fish. Shelter was the first priority on any new land claim, and numerous small log cabins sprang up along the rivers and bottomlands. As these early families became more settled, larger houses and outbuildings were constructed. While local towns played important roles in trade and commerce, most residents lived in rural areas. Most of the early towns along the Oregon coast had brief periods of prosperity before disappearing.

3.11.4 Environmental Consequences

Consequences Common to All Alternatives

Inadvertent Damage to Unknown Cultural Resources

The location of the targeted SPMA's that would be managed by OPRD under the alternatives was selected based on a number of considerations, including the intent to avoid known cultural resources. Cultural resource surveys, as well as inventory maps, were reviewed prior to choosing management locations in order to minimize the potential effects on these resources. However, it is possible that previously unrecorded and unknown cultural resources exist within the study area.

Some of the covered activities that would be conducted by OPRD in the study area, such as habitat restoration, involve ground-disturbing activities that could potentially affect unknown cultural resources. The nature of these activities would be similar under all of the alternatives, although the extent of ground disturbance would be greater under Alternatives 2 and 3, relative to Alternative 1, due to additional habitat

restoration activities proposed at identified SPMAs. Since OPRD considered and attempted to avoid the location of documented cultural resource sites and known areas with a high potential for cultural resources in the selection of targeted SPMAs, the likelihood of disturbance to cultural resources is minimal. However, implementation of the Mitigation Measure CLT-1 would ensure that these potential effects would be minimized.

Mitigation Measure CLT – 1. Stop Work and Contact Appropriate Agencies

Inadvertent discoveries of cultural resources would be handled in accordance with applicable State (ORS 358.905 to 358.955) and Federal laws. If any cultural resources are discovered, ongoing activities in the immediate area would be stopped so that a qualified archaeologist could accurately assess the context and integrity of the find. In addition, if human skeletal remains are encountered, the appropriate County Sheriff, SHPO, OPRD, and the relevant Tribal representatives would be immediately contacted.

OPRD would also continue to protect any real property of historic consequence and other important cultural resources found within the study area, in consultation with SHPO and in accordance with the *Ocean Shore Management Plan* (Oregon Parks and Recreation Department 2005).

3.12 Water Quality

This section describes the water quality of estuaries and streams in the vicinity of the study area. For this section, the study area includes streams that traverse the covered lands, and estuaries adjacent to Oregon coastal beaches.

3.12.1 Approach and Methodology

General information about water quality management basins, including the Oregon Water Quality Index (OWQI) ratings, was obtained from *Oregon's 2004 Water Quality Assessment Section 305(b) Report* (Oregon Department of Environmental Quality 2004). Generated from indicator sites routinely monitored by the Oregon Department of Environmental Quality (ODEQ), the OWQI ratings provide a comparison of water quality across watersheds throughout the State and can be used to determine trends over time. Additional information on water quality impaired streams was obtained from the *Oregon 2004/2006 Integrated Report Database* (Oregon Department of Environmental Quality 2006) and Total Maximum Daily Load (TMDL) reports, where available.

Watershed assessments prepared by or for watershed councils in the study area were also reviewed for relevant water quality information. The Oregon Coast Atlas (2006) was used to classify the geomorphology of the estuaries considered in this section.

The proposed management strategies associated with each of the alternatives were reviewed to determine if any of the alternatives evaluated in this FEIS would have an effect on water quality.

3.12.2 Regulatory Context

Clean Water Act, Section 303(d)

The goal of the Federal CWA is to restore and maintain the natural, chemical, physical, and biological integrity of the nation's waters. In Oregon, ODEQ is responsible under the CWA for maintaining the water quality of surface waters in the State. Regulations protecting water quality are codified under Oregon Administrative Rules (OAR) 340-041, which provide numerical criteria for water temperature and a variety of chemical parameters, as well as narrative criteria designed to protect beneficial uses. Beneficial uses include salmon rearing, salmonid spawning, shellfish growing, human health contact, drinking water, recreational use, and irrigation.

Section 303(d) of the CWA requires that ODEQ set water quality standards for specified beneficial uses, and prepare a list of water bodies whose water quality does not meet these approved standards (Kasper et al. 2003). The list of quality impaired

waters is referred to as the 303(d) list. For each listed stream, the impaired parameters, the beneficial uses impacted, and the data for the basis of the listing are provided.

Section 303(d) and OAR 340-041 also provide for the establishment of TMDL limitations for specific water-quality-limited water bodies. TMDLs specify wasteload allocations, the amount of a pollutant that a point source can contribute to a stream without violating water quality criteria, known sources that discharge into a listed water body, and wasteload allocations for point sources (Kasper et al. 2003). TMDL reports have been prepared for a number of estuaries and rivers located in the study area. TMDL reports that cover water bodies in the study area are described in Section 3.12.3, “Affected Environment.”

Coastal Zone Management Act (CZMA)

The CZMA, as amended, is administered by the National Oceanic and Atmospheric Administration (NOAA) Office of Ocean and Coastal Resource Management, and is the primary Federal law enacted to preserve and protect coastal resources. Under the CZMA, coastal states may voluntarily prepare a coastal management program compatible with the standards and goals of the CZMA for review by NOAA. Approved plans must also include a Coastal Non-point Pollution Control Program, which describes implementation of non-point source pollution (pollution from surface water runoff) control measures. A State with an approved coastal management program may review all activities, including Federal actions, in or affecting the State’s coastal zone.

The DLCD administers the OCMP (Section 3.2, “Land Use”). In addition to addressing the goals and policies of the CZMA, the OCMP addresses Oregon’s Statewide Planning Goals (see below); the provisions of other key Oregon State laws, including the Beach Bill and Oregon Removal-Fill Law; and the plans and policies of coastal local land use planning jurisdictions.

Statewide Planning Goals

Land use planning in the State of Oregon is governed by 19 Statewide Planning Goals, which are achieved through local comprehensive planning. State law requires that each city and county adopt a comprehensive plan consistent with the Statewide Planning Goals, and the zoning and land use ordinances needed to implement the plan effectively. Comprehensive plans are reviewed by the Land Conservation and Development Commission and, once approved, become the controlling document for land use in the area covered by that plan.

Many of the Statewide Planning Goals have a direct connection to water quality, including:

- Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces). Provides guidance on the protection and use of natural areas, including riparian corridors, wetlands, and wildlife habitat.
- Goal 6 (Air, Water, and Land Resources). Provides guidance on waste and process discharges, including thermal waste, water pollutants, and water contaminants.
- Goal 16 (Estuarine Resources). Provides guidance on the protection and use of estuaries and associated wetlands, and identifies general priorities for their overall use (preservation, development).
- Goal 17 (Coastal Shorelands). Provides guidance on the protection and use of coastal shorelands and associated wetlands, and identifies general priorities for their overall use (water-dependent uses).
- Goal 18 (Beaches and Dunes). Provides guidance on the protection and use of coastal beach and dune areas.

Oregon Plan for Salmon and Watersheds

The Oregon Plan for Salmon and Watersheds was established in 1997 to restore salmon runs, improve water quality, and to work to achieve healthy watersheds in the State. The Oregon Watershed Enhancement Board has the lead coordination responsibility for the Oregon Plan for Salmon and Watersheds and administers a restoration grant program, although implementation is largely dependent upon partnerships with State agencies and stakeholders in specific subbasins and watersheds. Regional teams provide focused attention to implement the Oregon Plan for Salmon and Watersheds in four regions in the State.

In addition to the State and Federal water quality programs described above, the Oregon Plan for Salmon and Watersheds builds on the Coastal Non-point Pollution Control Program.

3.12.3 Affected Environment

The description of the affected environment for water quality in the study area is organized by the four major stream basins that discharge to estuaries along the Oregon coast, as described in the *Oregon's 2004 Water Quality Assessment Section 305(b) Report* (Oregon Department of Environmental Quality 2004). These stream basins include the North Coast, Umpqua, South Coast, and Rogue basins. Within each stream basin, a detailed description of water quality in areas proposed for active management under one or more of the alternatives (i.e., proposed SPMAs) are provided. The focus on water quality conditions in these areas is provided to allow

for consideration of potential impacts at areas where changes in management under the different alternatives are most likely to affect water quality.

All of the major stream basins described in this section are located in the Coast Range Ecoregion of Oregon. Ecoregions are geographic areas with similar features, such as climate, vegetation, geology, geomorphology, soils, and ecosystem processes. They tend to support characteristic natural ecological communities and are typically used to provide natural resource managers with a common basis to aid in managing similar resource areas.

In general, the streams in the Coast Range Ecoregion flow in steep, confined channels from the forested slopes of the Coast Range to low-gradient valleys and coastal floodplains before entering the Pacific Ocean. Coastal streams have been affected by logging practices, agriculture, and development. Mass wasting (the downslope movement of soil and rock) is common in the Coast Range Ecoregion due to the high annual rainfall, steep topography in the upper reaches of streams, and intense storm events.

Logging activity, roads, and stream channel changes have also increased the rates of erosion and landslides. About 28 percent of the stream miles in the Coast Range Ecoregion are considered to be in poor condition for vertebrate (e.g., fish, amphibians, mammals) communities, and 13 percent are considered to be in poor condition for macroinvertebrate (e.g., insects, crustaceans, mollusks) communities (Oregon Department of Environmental Quality 2004). Impairment from fine sediment in the Ecoregion is extensive (41 percent of stream miles), as is impairment from elevated stream temperatures (23 percent of stream miles), and degraded water quality (16 percent of stream miles) (Oregon Department of Environmental Quality 2004).

North Coast Basin

The North Coast Basin extends from the Lower Columbia /Clatskanie River subbasins west and south to the Umpqua River (Oregon Department of Environmental Quality 2004). Water quality concerns in the North Coast Basin are predominantly associated with non-point source pollution (surface water runoff), rather than point source pollution (discharge of pollution from a specific source, such as a manufacturing facility) (Kasper et al. 2003).

About 31 percent of the stream miles in North Coast Basin are considered to be in poor condition for vertebrate communities, and 20 percent are considered to be in poor condition for macroinvertebrate communities (Oregon Department of Environmental Quality 2004). These conditions are attributed primarily to impairment from fine sediment and overall poor water quality. Water temperature impairment in the North Coast Basin is relatively low, with only 9 percent of the

stream miles exceeding water temperature standards (Oregon Department of Environmental Quality 2004).

Within the North Coast Basin, portions of the Columbia River, Necanicum Spit, Nehalem Spit, and Nestucca Spit estuaries are 303(d)-listed as impaired for contaminants, bacteria, temperature, and dissolved oxygen. TMDLs have been established for contaminants, bacteria, and temperature in some of these subbasins, as described below.

Columbia River South Jetty

Columbia River South Jetty, which is located on Clatsop Spit in Fort Stevens State Park, is bound on the north and east by the Columbia River and on the west by the Pacific Ocean (Figure 1-3). The Columbia River estuary covers approximately 32,703 hectares (80,811 acres) and has a watershed of approximately 670,807 square kilometers (259,000 square miles) (Oregon Coast Atlas 2006). This large estuary is a river-dominated, drowned-river-mouth estuary; in these types of estuaries, large volumes of river sediment are carried to the estuary during high winter flows (Oregon Coast Atlas 2006). During summer low flows, seawater dominates the estuary.

Table 3.12-1 summarizes impaired water quality conditions in the vicinity of Columbia River South Jetty. In summary, between River Mile (RM) 0 and RM 35.2, the Columbia River is considered water quality impaired for arsenic, dichloro-diphenyl-trichloroethane (DDT) metabolite (dichloro-diphenyl-dichloroethylene [DDE]), polychlorinated biphenyls (PCBs), dioxin (2,3,7,8-Tetrachlorodibenzo-p-Dioxin [TCDD]), fecal coliform, temperature, and total dissolved gas (Oregon Department of Environmental Quality 2006). TMDLs have been approved for dioxin (2,3,7,8-TCDD) and total dissolved gas.

Table 3.12-1. Water-Quality Impaired Water Bodies in the Study Area Considered for Evaluation

Water Body (RM)	Parameter	Season	Beneficial Use	CWA 303(d) Status
NORTH COAST BASIN – COLUMBIA RIVER SOUTH JETTY				
Columbia River (RM 0 – RM 35.2)	Arsenic, DDT Metabolite (DDE), PCB	Year round	Anadromous fish passage, drinking water, resident fish and aquatic life	303(d) list
Columbia River (RM 0 – RM 35.2)	Dioxin (2,3,7,8-TCDD)	Year round	Anadromous fish passage, drinking water, resident fish and aquatic life	TMDL approved
Columbia River (RM 0 to RM 35.2)	Fecal coliform	Year round	Shellfish growing	303(d) list, TMDL needed
Columbia River (RM 0 to RM 35.2)	Temperature	Summer	Anadromous fish passage, salmonid fish rearing	303(d) list
Columbia River (RM 0 to RM 306.1)	Temperature	Year round (non-spawning)	Salmon and trout migration corridor	303(d) list, TMDL needed

Water Body (RM)	Parameter	Season	Beneficial Use	CWA 303(d) Status
Columbia River (RM 0 to RM 35.2)	Total dissolved gas	Year round	Resident fish and aquatic life	TMDL approved
NORTH COAST BASIN – NECANICUM SPIT				
Necanicum Estuary (RM 0 to RM 1.5)	Fecal coliform	Year round	Shellfish growing	TMDL approved
Necanicum Estuary (RM 0 to RM 5.9)	<i>E. coli</i>	Summer	Water contact recreation	TMDL approved
Necanicum Estuary (RM 0 to RM 20.6)	Temperature	September 15 – May 31 (spawning: 12.8°C)	Salmonid fish spawning	TMDL approved
Necanicum Estuary (RM 0 to RM 15)	Temperature	Summer (rearing: 17.8°C)	Anadromous fish passage, salmonid fish rearing	TMDL approved
Pacific Ocean (Mile 26 to Mile 30 south of the Columbia River)	Fecal coliform	Year round	Shellfish growing	TMDL approved
Neacoxie Creek (RM 0 to RM 4)	<i>E. coli</i>	Fall / winter/spring	Water contact recreation	TMDL approved
NORTH COAST BASIN – NEHALEM SPIT				
Nehalem Bay (RM 0 to RM 4.2)	Fecal coliform	Year round	Shellfish growing	TMDL approved
Nehalem River (RM 0 to RM 14.7)	Fecal coliform	Year round	Shellfish growing	TMDL approved
Nehalem River (RM 0 to RM 36.2)	Dissolved oxygen	Year round (non-spawning)	Cold-water aquatic life	303(d) list, TMDL needed
Nehalem River (RM 0 to RM 14.7)	Temperature	Summer (rearing: 17.8°C)	Anadromous fish passage, salmonid fish rearing	TMDL approved
NORTH COAST BASIN – NESTUCCA SPIT				
Nestucca Bay (RM 0 to RM 3.2)	Fecal coliform	Year round	Shellfish growing	TMDL approved
Nestucca River (RM 0 to RM 28.9)	Fecal coliform	Year round	Shellfish growing	TMDL approved
Nestucca River (RM 0 to RM 28.9)	<i>E. coli</i>	Summer	Water contact recreation	TMDL approved
Nestucca River (RM 0 to RM 28.9)	Temperature	Summer (rearing: 17.8°C)	Anadromous fish passage, salmonid fish rearing	TMDL approved
Little Nestucca River (RM 0 to RM 20.5)	Fecal coliform	Year round	Shellfish growing	TMDL approved
SOUTH COAST BASIN – BANDON				
Floras Creek (RM 0 to RM 12.8)	Temperature	Year round (non-spawning)	Salmon and trout migration corridor	303(d) list, TMDL needed
Floras Lake / Boulder Creek (RM 0.8 to RM 2.1)	Aquatic weeds, algae	Undefined	Aesthetics, fishing, water contact recreation	303(d) List

Water Body (RM)	Parameter	Season	Beneficial Use	CWA 303(d) Status
Willow Creek (RM 0 to RM 6.9)	Temperature	Year round (non-Spawning)	Salmon and trout migration corridor	303(d) list, TMDL needed
SOUTH COAST BASIN – SIXES RIVER MOUTH				
Sixes River (RM 0 to RM 30.1)	Temperature	Year round (non-spawning)	Salmon and trout migration corridor	303(d) list, TMDL needed
SOUTH COAST BASIN – PISTOL RIVER				
Pistol River (RM 0 to RM 19.8)	Fecal coliform	Year round	Shellfish growing	303(d) list, TMDL needed
Pistol River (RM 0 to RM 19.8)	pH	Summer	Anadromous fish passage, resident fish and aquatic life, salmonid fish rearing, salmonid fish spawning, water contact recreation	303(d) list, TMDL needed
Pistol River (RM 0 to RM 19.8)	Temperature	Year round (non-Spawning)	Salmon and trout rearing and migration	303(d) list, TMDL needed

Source: Oregon Department of Environmental Quality 2006

CWA = Clean Water Act

DDT = dichloro-diphenyl-trichloroethane

DDE = dichloro-diphenyl-dichloroethylene

PCB = polychlorinated biphenyls

TCDD = tetrachlorodibenzo-p-dioxin

TMDL = Total Maximum Daily Load

RM = river mile

Necanicum Spit

Necanicum Spit is located north of the Necanicum River in Gearhart Ocean State Recreation Area (Figure 1-4). The Necanicum estuary covers approximately 182 hectares (451 acres) and has a watershed of approximately 225 square kilometers (87 square miles) (Oregon Coast Atlas 2006). This estuary, designated as a Conservation estuary under the Oregon Estuary Classification system, is a bar-built estuary. As such, it receives little freshwater influence and is dominated by marine waters.

Table 3.12-1 summarizes impaired water quality conditions in the vicinity of Necanicum Spit. The OWQI of the Necanicum River for water years 1994 through 2003 was good (Oregon Department of Environmental Quality 2004). However, portions of the Pacific Ocean near Necanicum Spit, the Necanicum estuary, and Neacoxie Creek are considered water quality-limited for bacteria (*E. coli* and/or fecal coliform). The Necanicum estuary is also considered impaired for temperature. TMDLs for each of these parameters at all noted locations were established in 2003, and approved in 2004 (Oregon Department of Environmental Quality 2006). Although not listed, there is also concern for potential elevated levels of iron in Neacoxie Creek, and alkalinity in Neawanna Creek and the Necanicum River, all of

which may have an effect on aquatic life and human health (Oregon Department of Environmental Quality 2006).

Commercial and recreational shellfish harvesting occurs at the Necanicum estuary and along the Oregon coast from Seaside to the mouth of the Columbia River. Consequently, these areas must meet marine and estuarine shellfish criteria for fecal coliform bacteria concentrations. Bacteria concentrations tend to be highest in the fall and winter during storm runoff events. Elevated bacterial concentrations in the estuary are attributed to non-point sources of bacteria from urban runoff, rural residential development, livestock, failing septic systems, and wastewater treatment facilities in the Necanicum River, Neawanna Creek, Neacoxie Creek, and other creeks entering the estuary (Kasper et. al 2003). Historically, the failing septic system at the Riverside Campground near the Necanicum River has been a key source of bacteria. In addition, the City of Seaside discharges treated wastewater into the Necanicum estuary at RM 0.2 (Kasper et. al 2003).

Nehalem Spit

Nehalem Spit is located north and west of the Nehalem River and Nehalem Bay, in Nehalem Bay State Park (Figure 1-5). The Nehalem River estuary covers approximately 1,112 hectares (2,749 acres) and has a watershed of approximately 2,214 square kilometers (855 square miles) (Oregon Coast Atlas 2006). This estuary is a drowned-river mouth type of estuary, where large volumes of sediment from rivers are carried to the estuary during high winter flows, but where seawater dominates the estuary during low flow summer months.

Table 3.12-1 summarizes impaired water quality conditions in the vicinity of Nehalem Spit. The OWQI of the Nehalem River for water years 1994 through 2003 was good (Oregon Department of Environmental Quality 2004). However, Nehalem Bay and the lower Nehalem River are considered water quality limited for fecal coliform, and portions of the lower Nehalem River are considered impaired for temperature and dissolved oxygen. TMDLs have been approved for fecal coliform in Nehalem Bay and the Nehalem River, and for temperature in the Nehalem River. Elevated levels of lead and cadmium concentrations, which may have an effect on resident fish and aquatic life, are also of concern in the lower Nehalem River (Oregon Department of Environmental Quality 2006).

Existing sources of bacteria contributing to elevated levels of fecal coliform in Nehalem Bay are attributed to urban runoff, livestock, rural residential development, and wastewater treatment facilities. Point sources of bacteria include the Nehalem Bay Wastewater Agency, which discharges into Nehalem Bay at RM 2. Elevated bacteria concentrations in the bay vary seasonally and geographically, and tend to be highest during the wet season months or during storm runoff events. Violations of the bacteria standards occur during some winter months seaward of the State Park dock, but generally do not occur during summer months (Kasper et al. 2003).

Elevated stream temperatures in the Nehalem River are attributed to increased solar radiation due to riparian alterations and warm water point source discharges, including those from the Shoreline Sanitary District and the Nehalem Bay Wastewater Agency, which discharge wastewater into the Nehalem River and Nehalem Bay, respectively. Similar to Nehalem Bay, elevated levels of fecal coliform in the Nehalem River are attributed to urban runoff, livestock, rural residential development, and wastewater treatment facilities. Data indicate that fecal coliform concentrations are often higher in the North Fork Nehalem River than in the mainstem Nehalem, and that fall and winter concentrations tend to be higher than during drier months (Kasper et al. 2003).

Netarts Spit

Netarts Spit separates the Pacific Ocean from Netarts Bay, and is located in Cape Lookout State Park (Figure 1-6). The Netarts Bay estuary is a bar-built estuary that receives very little freshwater inflow and drains a 36 square kilometers (14 square miles) watershed (Oregon Coastal Atlas 2006). Fourteen small, low-elevation perennial streams flow through tidal salt marshes before draining into the shallow estuary. The largest of these tributaries, Rice, Whiskey, and Jackson creeks, are all less than three miles long.

Very little water quality data are available for this watershed. However, given that agricultural and industrial uses are largely absent in this watershed, high concentrations of organic chemicals, heavy metals, fecal coliform bacteria, and nutrient loads are unlikely. Sampling in Nehalem Bay has indicated that fecal coliform concentrations are well within the criterion for shellfish culture (Netarts Watershed Council undated). Turbidity in the bay is also low, and most streams clear shortly after storm events. Samples for dissolved oxygen in the bay between 1967 and 1984 ranged from 6.6 milligrams per liter (mg/l) to 11.1 mg/l, with an average of 9.3 mg/l, all of which are well within the optimal range for salmonids (Netarts Watershed Council undated). Overall, none of the streams flowing into Nehalem Bay, or Nehalem Bay itself, are listed as impaired on the 303(d) list.

Nestucca Spit

Nestucca Spit separates the Pacific Ocean from Nestucca Bay and is located in Robert Straub State Park (Figure 1-7). The Nestucca Bay estuary encompasses approximately 601 square kilometers (232 square miles) that are largely covered by forests in the upper reaches and livestock and agriculture in the lowland areas (Oregon Department of Environmental Quality undated). Similar to the Columbia River and Nehalem Bay estuaries, this estuary is a drowned-river mouth type of estuary. Major tributaries to the bay include the Nestucca River, which enters the bay from the north, and the Little Nestucca River, which enters from the south.

Table 3.12-1 summarizes impaired water quality conditions in the vicinity of Nestucca Spit. Portions of Nestucca Bay, the Nestucca River, and the Little Nestucca

River are considered water quality limited for excessive stream temperatures and bacteria (*E. coli* and/or fecal coliform). TMDLs for the Nestucca watershed for bacteria and temperature were developed and approved in 2002 (Oregon Department of Environmental Quality 2006).

Existing sources of bacteria contributing to elevated levels of fecal coliform in this watershed are attributed to runoff from livestock operations, urban runoff, rural residential runoff, failing septic systems, and wastewater treatment plant discharges. Large concentrations of waterfowl in Nestucca Bay may also contribute to elevated levels of fecal bacteria (Oregon Department of Environmental Quality undated). Bacteria concentrations tend to be highest in the fall and winter, during storm runoff events.

Umpqua Basin

The Umpqua Basin encompasses the entire 1,567-square-kilometer (605-square-mile) Umpqua River watershed from its headwaters in the Calapooya Mountains west to its estuary, where it enters the Pacific Ocean near the community of Winchester Bay. As with the other large river systems (i.e. Columbia and Rogue), the geomorphology of the Umpqua estuary is a river-dominated, drowned-river-mouth estuary (Oregon Coast Atlas 2006). Approximately 38 percent of the stream miles in this basin are considered to be in poor condition for macroinvertebrate communities, and 36 percent are considered to be in poor condition for vertebrate communities. The principal water quality parameters are elevated stream temperature (60 percent of all stream miles) and fine sediment (36 percent of stream miles) (Oregon Department of Environmental Quality 2004).

Active management for snowy plovers would not be considered in the Umpqua Basin under any of the alternatives. As such, this section does not include any additional description of water quality conditions within this region.

South Coast Basin

The South Coast Basin includes all of the coastal watersheds entering the Pacific Ocean between the Umpqua Basin and the Oregon-California border, excluding the Rogue River watershed. Compared to the other coastal basins, the South Coast Basin has a relatively low level of impairment. About 14 percent of the stream miles in South Coast Basin are considered to be in poor condition for vertebrate communities, and 16 percent are considered to be in poor condition for macroinvertebrate communities (Oregon Department of Environmental Quality 2004). These conditions are attributed primarily to excessive fine sediment and stream temperature (Oregon Department of Environmental Quality 2004).

Within the South Coast Basin, portions of the New River, Sixes River, and Pistol River watersheds are considered impaired for algae / aquatic weeds, temperature,

fecal coliform, and pH. TMDLs have not been established for any of these parameters in any of these watersheds, as described below.

Bullards Beach

Bullards Beach is located south of Cut Creek, in Bullards Beach State Park (Figure 1-8). The Cut Creek watershed is a small, coastal watershed, which runs between U.S. Highway 101 and Bullards Beach. This small creek lacks a developed estuary. No water quality data is available.

Bandon

The HRA at Bandon SNA is located south of the Coquille River (Figure 1-9). Several small coastal watersheds are associated with this area, including the Twomile, Fourmile, and New River watersheds. The New River watershed includes several small tributary lakes (Floras Lake) and several small creeks, including Davis, Bethel, Butte, Morton, Langolis, and Floras creeks.

The lower portion of the watershed is dominated by livestock grazing, rural residential development, and other agricultural uses. Many streams and wetlands within the lower portion of the watersheds have been diked, ditched, and drained (Massingill 2001a). Flow regimes have been significantly altered to reduce the impact of winter flooding, and to increase areas available for pasture and cranberry production (Massingill 2001a).

Table 3.12-1 summarizes impaired water quality conditions in the vicinity of the Bandon SNA. Few data are available for streams in nearby watersheds, with the exception of the Floras Lake and Floras Creek watersheds. The OWQI for Floras Creek is fair (Oregon Department of Environmental Quality 2004). Floras Creek and Willow Creek, a major tributary to Floras Creek, are considered impaired for temperature (Oregon Department of Environmental Quality 2006). TMDLs have not yet been developed for this watershed. Elevated stream temperatures are primarily attributed to lack of shade (the majority of the mainstem has less than 20 percent existing shade), and high water consumption. Stream temperatures (7-day maximum) in Floras Creek are above the 18 °C (64°F) standard for all sampling stations throughout the watershed, and out-of-stream water use is over-allocated on Floras Creek and several of its tributaries from May through October (Massingill 2001a). Data also indicated that Floras Creek exceeded State standards for total nitrate, and that it was moderately impaired for total phosphates, fecal coliform bacteria, and turbidity (Massingill 2001a).

Portions of Floras Lake / Boulder Creek are considered impaired for algae / aquatic weeds (Oregon Department of Environmental Quality 2006). Temperatures at Floras Lake are also very warm.

Sixes River Mouth

Sixes River Mouth is located north of Cape Blanco in Cape Blanco State Park (Figure 1-10). The Sixes River flows from steep forested areas with narrow valleys in the upper basin to lower gradient areas dominated by grazing, rural residential development and other agricultural uses. The Sixes River estuary, the most complex of any in the South Coast Basin, covers approximately 134 hectares (330 acres), and has a watershed of approximately 334 square kilometers (129 square miles) (Oregon Coast Atlas 2006). The estuary is a blind estuary, meaning that during low flow months a sand bar closes off the mouth of the estuary. Major tributaries in the Sixes watershed include the North Fork, Middle Fork, South Fork, Dry Creek, Edson Creek, and Crystal Creek.

Both water quantity and quality are a concern in the Sixes watershed. Table 3.12-1 summarizes impaired water quality conditions in the vicinity of the Sixes River Mouth. The entire mainstem Sixes River and the South Fork Sixes River are considered water quality impaired for temperature (Oregon Department of Environmental Quality 2006). TMDLs have not yet been developed for this watershed. Temperatures in the mainstem Sixes River often exceed the State standard of 18°C (64°F) during the summer. Noteworthy heat loading occurs between Elephant Rock and Dry Creek, and again between Edson Creek and U.S. Highway 101 due to lack of stream shading (South Coast Watershed Council 2001).

ODEQ maintains an ambient water quality monitoring site on the Sixes River at U.S. Highway 101. The OWQI results for the Sixes River between 1989 and 1998 were generally excellent during the summer (South Coast Watershed Council 2001). However, concentrations of total phosphates, total solids and biochemical oxygen demand were high during periods of heavy precipitation and high flows, resulting in a poor OWQI between the fall and spring. Based on analysis of chemical water quality data collected from 1989 through 1998, the Sixes River is considered moderately impaired due to high nitrate, phosphorous and fecal coliform levels (South Coast Watershed Council 2001). Dissolved oxygen levels are low in the stream during August and September. Heavy metals, contributed by mining activities, are also a concern, especially near the Sixes River recreational mining site (South Coast Watershed Council 2001).

In addition to the parameters mentioned above, sedimentation may be a limiting factor in the Sixes River and Benson Creek (South Coast Watershed Council 2001). High turbidity in the basin is a result of both soil clay content and intensive land management. Road crossing densities and densities of roads on steep slopes are moderate to high in the Sixes watershed. The risk of peak flow enhancement (increased stream power) due to agricultural use is moderate to low for this area (South Coast Watershed Council 2001).

Water quantity has also been identified as a limiting factor to fish production in the Sixes River watershed (South Coast Watershed Council 2001). The mainstem Sixes River water right of 25 cubic feet per second is usually not met in July, August, and September. The largest users of water in the system are cranberry growers, which typically have storage rights, followed by two mining rights in the South Fork.

Pistol River

Pistol River is located south of Cape Sebastian in the Pistol River State Park (Figure 1-11). The Pistol River estuary covers approximately 93 hectares (230 acres) and drains a watershed of approximately 272 square kilometers (105 square miles). Similar to the Sixes River estuary, it is a blind estuary that is completely closed off by a sandbar during the summer when river flows are low (Oregon Coast Atlas 2006). Dominant land uses in the lower watershed are grazing, rural residential development, and other agricultural uses. Private and Federal forestlands dominate land use in the upper basin.

Table 3.12-1 summarizes impaired water quality conditions in the vicinity of Pistol River. The OWQI for the Pistol River is poor, but data from water years 1994 through 2003 show an improvement in water quality (Oregon Department of Water Quality 2004). The Pistol River mainstem is considered water quality limited for fecal coliform, temperature, and pH. The lower mainstem of the Pistol River is considered moderately impaired for phosphate, and 7-day maximum temperatures typically range from the mid to high 23 to 26 °C (70°F) (Massingill 2001b). Biological oxygen demand within the Pistol River is the highest of any South Coast stream. TMDLs have not been established for any of the parameters identified above.

Sedimentation and flow in the Pistol River are also of concern. Water rights in all sub-watersheds of the Pistol River basin are slightly over allocated between April and October, and sediment sources and transport associated with a high density of stream crossings may also contribute to turbidity (Massingill 2001b).

Rogue Basin

The Rogue Basin encompasses the entire 13,209-square-kilometer (5,100-square-mile) Rogue River watershed from its headwaters in the Siskiyou Mountains west to its estuary near the community of Gold Beach. As with the other large river systems (i.e. Columbia and Umpqua), the geomorphology of the Rogue estuary is a river-dominated, drowned-river-mouth estuary (Oregon Coast Atlas 2006). The Rogue Basin has relatively unimpaired biotic conditions compared to the other basins in the State. About 10 percent of the stream miles in Rogue Basin are considered to be in poor condition for vertebrate communities, and 23 percent are considered to be in poor condition for macroinvertebrate communities (Oregon Department of Environmental Quality 2004). These conditions are attributed primarily to poor

water quality and excessive fine sediment (Oregon Department of Environmental Quality 2004).

Active management for snowy plovers would not be considered in the Rogue Basin under any of the alternatives. As such, this section does not include any additional description of water quality conditions within this region.

3.12.4 Environmental Consequences

Consequences Common to All Alternatives

Potential Effects on Water Quality from Public Recreational Use

As described in Section 3.12.3, “Affected Environment,” several of the water bodies in the study area are 303(d)-listed as water quality impaired for high bacteria levels, including fecal coliform, or contaminants. Although the most notable sources of high bacteria levels are often attributed to non-point sources of pollution, including leaking septic systems and livestock, dog and horse feces left on the beach as a result of public recreational use could contribute small amounts of bacteria to streams and estuaries in the study area. In addition, where motor vehicles are allowed, there could be leaks that contribute pollutants (oil, gasoline, brake fluid, transmission fluid) to surrounding water bodies. The amount of these pollutants that would enter water bodies in the study area under any of the alternatives is unknown.

Potential effects on water quality from public recreational use would be similar, and likely minimal, under all alternatives. These effects would increase, however, over the next 25 years due to expected increases in recreational use in the study area (Section 3.3, “Recreation”).

3.13 Cumulative Effects

3.13.1 Introduction

The National Environmental Policy Act (NEPA) defines a cumulative effect as:

...the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (Federal or non-Federal) or person undertakes such actions (40 CFR 1508.7).

This section presents an analysis of the beneficial and/or negative cumulative effects of the alternatives on the resource areas evaluated in this FEIS. This analysis is presented in the context of other local, State, and Federal management activities in the vicinity of the covered lands.

3.13.2 Approach and Methodology

To more accurately evaluate the cumulative effects of the HCP and alternatives, a larger cumulative effects analysis area was considered, which includes the covered lands and the full extent of each of the counties that makes up the covered lands (Figure 3.13-1). The reason for expanding the area analyzed was to include areas where past, present, or reasonably foreseeable future projects could result in effects that, when considered together, could be cumulatively significant.

This FEIS uses a list approach to assess the cumulative effects of the proposed alternatives within the cumulative effects analysis area. The list approach used for this analysis involved identifying individual land use planning efforts or projects in the cumulative effects analysis area that could contribute to the cumulative effects of the alternatives. (*CEQ Guidance Regarding Cumulative Effects* [Council on Environmental Quality 1997]). In determining present and reasonably foreseeable actions that have the potential to result in cumulative effects in combination with the proposed alternatives, two types of planning efforts and/or projects were considered:

- efforts and/or projects that would likely result in impacts similar in kind or in location to those of the alternatives, and
- efforts and/or projects that would occur adjacent to the covered lands, but would be conducted or approved by Federal, State, or private landowners responsible for land management.

For this analysis, past actions are assumed to have contributed to the existing conditions, as described by resource topic in Chapter 3, “Affected Environment, Environmental Consequences, and Cumulative Effects.” Therefore, past actions are

considered to be part of the baseline conditions and are not listed in a project-by-project approach in this section.

3.13.3 Plans and Programs Considered in the Cumulative Effects Analysis

This section presents a summary of the land use plans that are being implemented within the cumulative effects analysis area, and those that are reasonably likely to be implemented in the future. As mentioned above, past actions are anticipated to have formulated the baseline conditions, which are described in Chapter 3, “Affected Environment, Environmental Consequences, and Cumulative Effects.” Plans described in this section meet the criteria established in Section 3.13-2, “Approach and Methodology.” The potential environmental effects of each of the plans that are relevant to the alternatives and the cumulative analysis are also discussed.

Federal Land Use Plans and Programs

Lewis and Clark National Historic Park Comprehensive Management Plan and Strategic Plan

The Lewis and Clark National Historic Park is made up of 12 sites located on a 40-mile stretch of the Pacific Coast from Long Beach, Washington to Cannon Beach, Oregon. In 1982, the NPS developed the Lewis and Clark National Historic Park Comprehensive Plan for Management and Use (National Park Service 1982), more commonly called the Comprehensive Management Plan, to guide management of the Lewis and Clark National Historic Trail and associated parks and interpretive centers. Because the trail was new at that time, the Comprehensive Management Plan focused on describing the sites, segments, and motor routes recommended as part of the trail, rather than on management activities.

Since the close of the Lewis and Clark Bicentennial in 2006, the NPS has begun a legacy project to update and revise the Comprehensive Management Plan in collaboration with partner agencies and the general public. This effort marks a shift from the more descriptive focus of the 1982 Comprehensive Management Plan to efforts and activities necessary to address the major areas of trail administration such as cultural and natural resources preservation and protection, interpretation and education, and outdoor recreation.

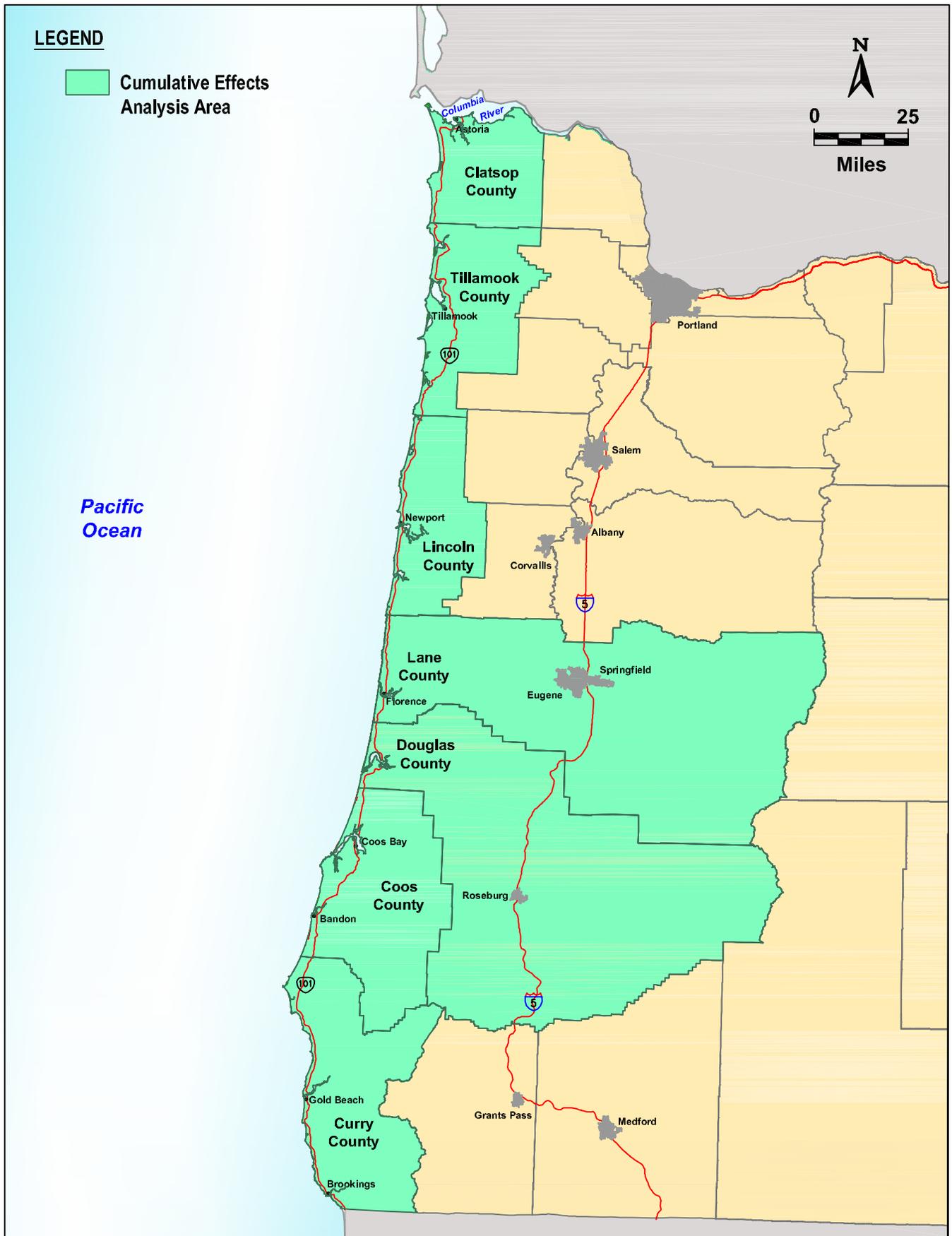


Figure 3.13-1
Cumulative Effects Analysis Area

In addition, the NPS developed a 2005–2008 Strategic Plan for the Lewis and Clark Trail (National Park Service 2005) to satisfy the requirements of Section 104 of the National Parks Omnibus Management Act of 1998. This act requires all field units within the national park system to complete strategic plans and annual performance plans consistent with the Government Performance and Results Act of 1993. The Strategic Plan focuses on specific goals to improve the interpretive nature of the trail, inventory and preserve cultural resources, and promote recreational activities associated with the trail and parks.

Within the cumulative effects analysis area, Comprehensive Management Plan activities would occur at the Fort Stevens State Park where the Columbia River South Jetty SPMA would be located.

Anticipated Environmental Effects

Implementation of the goals and strategies in the Comprehensive Management Plan and Strategic Plan is anticipated to improve recreational opportunities within the cumulative analysis area and enhance natural resource and cultural resource protections. Implementation of the alternatives would be consistent with these plans because the alternatives would enhance natural resource management within the covered lands, which is anticipated to result in a cumulative benefit for wildlife. Although recreational use restrictions proposed under the alternatives would limit the types and locations of the activities that could take place on the covered lands (including at the Columbia River South Jetty SPMA), it is unlikely that any of the proposed alternatives would contribute to an adverse cumulative effect on recreation use or opportunity because there would be numerous substitute locations where those same activities could occur unrestricted. This is particularly true since some of the primary objectives of both the Comprehensive Management Plan and Strategic Plan are designed to promote recreational activities associated with trails and parks.

A more detailed discussion of potential cumulative effects by resource area is presented in Section 3.13.4, “Analysis of Cumulative Effects by Resource Topic.”

Oregon Coast National Wildlife Refuge Complex Comprehensive Conservation Planning

The Oregon Coast National Wildlife Refuge Complex has initiated a planning process called Comprehensive Conservation Planning. The purpose of the process is to review and plan for long term management of wildlife, habitat, and public use activities at six National Wildlife Refuges (U.S. Fish and Wildlife Service 2006a, 2006d, 2007b). Three of the six National Wildlife Refuges, Cape Meares, Oregon Islands, and Three Arch Rocks, are located on the Oregon coast. The other three refuges are estuarine, and include Nestucca Bay, Siletz Bay, and Bandon Marsh.

USFWS has established the policy that all national wildlife refuges must be managed according to an approved Comprehensive Conservation Plan (CCP) to meet the goals

of the overall CCP process (U.S. Fish and Wildlife Service 2000). Of those eight goals, the following three relate directly to recreation, wildlife, fish and/or plant protection:

- Prioritize wildlife in the National Wildlife Refuge System by managing each refuge to fulfill the mission of the Refuge System; maintain and, where appropriate, restore the ecological integrity of each refuge and the Refuge System; and achieve the specific purposes for which the refuge was established.
- Encourage use of an ecosystem approach when conducting refuge planning for all refuges within the same watershed or ecosystem and consider the broader goals and objectives of the entire watershed.
- Ensure that the six priority wildlife-dependent recreational uses receive priority consideration during the preparation of the CCP.

USFWS is coordinating with Tribes, interested agencies, elected officials, the public, and other organizations regarding their interests, concerns, and viewpoints about refuge management issues, including those associated with the six refuges within the cumulative effects analysis area, and intends to use this information to develop the required CCPs.

There are no SPMA or RMA located within the National Wildlife Refuge System.

Anticipated Environmental Effects

The potential effects of implementing the measures in the CCP include a wide range of environmental impacts, but are anticipated to result in overall beneficial effects on wildlife and recreation. Implementation of the alternatives would be consistent with the CCP, because the natural resource management components of the alternatives focus on long-term management of nesting habitat for snowy plovers within the covered lands. Although there are no SPMA or RMA located within the National Wildlife Refuge Complex, the complex does overlap with the covered lands. Therefore, when considered cumulatively, the CCP, along with implementation of the alternatives, is anticipated to result in a cumulative benefit for wildlife and natural resources along the Oregon coast. Although recreational use restrictions proposed under the alternatives would limit the types and locations of the activities that could take place on the covered lands, it is unlikely that any of the proposed alternatives would contribute to a cumulative effect on recreation use or opportunity. This is because there would be numerous substitute locations where those same activities could occur unrestricted. As mentioned in Section 3.3, "Recreation," for each SPMA and RMA, there are locations adjacent to the potentially restricted areas where recreational activities would be able to occur without prohibition. It is particularly true that there would not likely be any cumulative effect on recreational opportunities given that the one of the goals of each CCP would be to promote public use activities.

A more detailed discussion of potential cumulative effects by resource area is presented in Section 3.13.4, “Analysis of Cumulative Effects by Resource Topic.”

Northwest Forest Plan

The Northwest Forest Plan (NWFP) is an overall plan for the Pacific Northwest that focuses on producing timber products while simultaneously protecting and managing wildlife species (U.S. Forest Service and U.S. Fish and Wildlife Service 1994a). The NWFP covers 24.5 million acres in Oregon, Washington, and northern California that are managed as national forests, BLM districts, national parks, and national wildlife refuges.

The principles of the NWFP ecosystem management strategy are reflected in that document as five key elements:

- implementation of an aquatic conservation strategy;
- adaptive management;
- compatibility with adjacent land-ownership objectives;
- consideration of potential effects on local economies; and
- protection of existing large blocks of late-successional reserve and old-growth forests to provide terrestrial and aquatic habitat for fish and wildlife species (U.S. Forest Service and U.S. Fish and Wildlife Service 1994a).

Within the cumulative effects analysis area, lands managed by the USFS under the Siuslaw National Forest Management Plan, and by the BLM under the Salem and Coos Bay Districts’ Resource Management Plans, are subject to the NWFP, as described below.

Salem District Resource Management Plan – Yaquina Head Outstanding Natural Area

In 1980, Congress created the 100-acre Yaquina Head Outstanding Natural Area located at the north end of Newport, Oregon. The Yaquina Head Outstanding Natural Area provides visitors with one of the most accessible wildlife and ocean viewing locations on the Pacific Coast, and includes Oregon's tallest and second oldest continually active lighthouse (Bureau of Land Management 2007).

In cooperation with ODFW, Oregon Department of State Lands (ODSL), USFWS, and the U.S. Coast Guard, BLM acts as the upland manager of the Yaquina Head Outstanding Natural Area. The site is managed in accordance with the *Salem District Resource Management Plan* (RMP) (Bureau of Land Management 1995a), which is tiered to the NWFP. The Salem District RMP covers 398,100 acres of land in western Oregon, most of which is associated with forested stands in the western foothills of the Cascade Range and in the Oregon Coast Range. As such, most of the

land management prescriptions in the Salem District RMP are focused on timber production and management of late-successional forests.

The BLM is currently in proposing to replace the NWFP land use allocations and management direction in their six western Oregon RMPs, including the Salem District RMP. The *Draft Environmental Impact Statement for the Revision of the Resource Management Plans of the Western Oregon Bureau of Land Management Districts* (Bureau of Land Management 2007) was released for public comment in August 2007. Alternatives presented in that document represent a range of management objectives, management actions, and land use allocations on RMP lands, with key differences focused on how timber, riparian areas, and late successional forests would be managed. Although none of the proposed changes to the Salem District RMP would affect management of the Yaquina Head Outstanding Natural Area, two general goals outlined in the proposed revisions relate directly to recreation, wildlife, fish and/or plant protection:

- Goal 1 - Maintain healthy forest ecosystems with habitat that will support populations of native species and protection of riparian areas and water.
- Goal 3 - Provide amenities that enhance communities as places to live and work.

As a component of Goal 3, the BLM policy calls for a broad spectrum of resource dependent recreation opportunities to meet the needs and demands of public land visitors. At the same time, BLM must ensure continued availability of public lands and related waters for a diversity of resource dependent outdoor recreation opportunities (Bureau of Land Management 2007).

There are no SPMA's or RMA's in the Yaquina Head Outstanding Natural Area.

Coos Bay District Resource Management Plan

The *Coos Bay District Resource Management Plan* (Bureau of Land Management 1995b) describes management of approximately 329,700 acres of land in Oregon, administered by the U.S. Department of the Interior, BLM Coos Bay District. The goals of the Coos Bay District RMP include maintaining late successional and old growth species habitats and ecosystems on Federal lands, and maintaining biological diversity associated with native species and ecosystems in accordance with laws and regulations. Within the cumulative effects analysis area, the Coos Bay Spit, Umpqua Resource Area, and Myrtlewood Resource Area, are managed under the Coos Bay District RMP, which is tiered to, and in conformance with the NWFP. As described above, the BLM is currently proposing to replace the NWFP land use allocations and management direction in their six western Oregon RMPs, including those associated with the Coos District RMP. The Coos Bay Management District extends from Reedsport to Brookings and includes four SPMA's (Bullards Beach, Bandon, Sixes River Mouth, and Pistol River) and six RMA's (North Umpqua River, Tenmile, Coos Bay North Spit, New River, Elk River, and Euchre Creek). The Coos Bay District

RMP includes general prescriptions for snowy plover management at Coos Bay North Spit and New River. In addition, site-specific management plans have been completed for Coos Bay North Spit and New River. The plans include management goals, objectives, and actions for snowy plover recovery.

Siuslaw National Forest Management Plan

The *Siuslaw National Forest Management Plan* (FMP) (U.S. Forest Service 1990) guides forest management within the Siuslaw National Forest. The FMP was amended in April of 1994 to meet the requirements of the NWFP. The Siuslaw National Forest encompasses over 630,000 acres in the Oregon Coast Range. It is bordered on the east by the Willamette Valley, on the west by the Pacific Ocean, and is located along the Oregon coast between the cities of Newport and Reedsport.

Within the National Forest, Cascade Head is maintained as an experimental forest and scenic research area. Research partners include The Nature Conservancy, State and private universities in Oregon and Washington, ODFW, ODA, National Aeronautic and Space Administration, EPA, and NMFS.

The Oregon Dunes National Recreation Area is the largest expanse of coastal sand dunes in North America, extending approximately 40 miles along the Oregon coast, from Florence to Coos Bay. The area is managed by the USFS under the NWFP as a part of the Siuslaw National Forest.

The Siuslaw National Forest extends from Newport to Reedsport and includes the upland area adjacent to the Sutton/Baker Beach RMA.

Anticipated Environmental Effects

The potential effects of the NWFP were evaluated in the *Final Environmental Impact Statement on Management for the Northern Spotted Owl in the National Forests* (U.S. Forest Service and the Bureau of Land Management 1994b), and in supplemental environmental evaluations completed in 1994b, 2000, 2004, and 2007 (U.S. Forest Service and Bureau of Land Management 1994b, 2000, 2004, 2007). The potential effects of the Siuslaw National Forest FMP were analyzed in a final environmental impact statement completed in 1990 (U.S. Forest Service 1990) and several subsequent updates. It is anticipated that, over time, lands managed under the NWFP will maintain and improve habitats for aquatic and riparian-dependant species, and upland species dependant on old-growth habitat, on Federal forest land, although the effects of changes proposed as part of the Western Oregon RMP Plan Revisions are unknown. In addition, certain lands, such as the Oregon Dunes National Recreation Area and Cascade Head, will continue to allow for scenic and recreational use within the cumulative effects analysis area. When considered in combination with the effects associated with implementation of the NWFP, the alternatives could contribute to a cumulative effect on vegetation or wildlife within the cumulative effects analysis area. Although the lands managed in accordance with

the NWFP are typically managed for late-successional habitat and associated wildlife species (e.g., northern spotted owl) and the alternatives evaluated in this FEIS focus on management of the Ocean Shore and beach-dependent species (e.g., snowy plovers), some of the management activities that occur within the Siuslaw National Forest could also benefit snowy plovers and other shorebirds. These activities include habitat restoration, predator management, and beach closures. Although recreational use restrictions proposed under the alternatives would limit the types and locations of the activities that could take place on the covered lands, it is unlikely that any of the proposed alternatives would contribute to a cumulative effect on recreation use or opportunity because there would be numerous substitute locations where those same activities could occur unrestricted. This is particularly true, given that the Salem District RMP and Siuslaw National Forest FMP require management for resource dependant recreational use at the Yaquina Head Outstanding Natural Area, Cascade Head, and at the Oregon Dunes National Recreation Area.

A more detailed discussion of potential cumulative effects by resource area is presented in Section 3.13.4, “Analysis of Cumulative Effects by Resource Topic.”

State and Local Plans and Programs

Oregon Coastal Management Program

The mission of the Oregon Coastal Management Program (OCMP) is to work in partnership with coastal local governments, State and Federal agencies, and other stakeholders to ensure that Oregon’s coastal and ocean resources are managed, conserved, and developed consistent with the Oregon statewide planning goals. The OCMP ensures that management is coordinated with the goals and policies of the CZMA; the provisions of other key Oregon laws, including the Beach Bill and the Oregon Removal-Fill Law; and the plans and policies of local land use planning jurisdictions. The OCMP is administered by the Oregon Department of Land Conservation and Development (DLCD).

To accomplish its mission, the OCMP provides substantial technical and financial assistance to local governments within the coastal zone for planning, capacity building, and special projects. In addition, the DLCD reviews State and Federal permits to support local planning and ensure protection of coastal resources.

The OCMP applies to the coastal zone, which extends from the Washington border on the north to the California border on the south; seaward to the extent of State jurisdiction as recognized by Federal law (the Territorial Sea, extending three nautical miles offshore); and inland to the crest of the coastal mountain range. The three exceptions occur where the basins of the Columbia, Umpqua, and Rogue Rivers lie predominantly inland of the crest of the Oregon Coast Range. In these cases the coastal zone boundary crosses these rivers at Bradwood, Scottsburg, and Agness,

respectively. This area encompasses the covered lands and all of the proposed SPMA and RMA.

Anticipated Environmental Effects

The potential effects of the OCMP are wide reaching. Although the OCMP promotes conservation of coastal resources, it also allows for planned development, which has the potential to affect coastal wildlife, aquatic resources, vegetation, socioeconomics, recreation, air quality, and water quality.

When considered in combination with past, present, and reasonably foreseeable future actions and the proposed alternatives, cumulative effects on recreation, wildlife, vegetation, and cultural resources could occur as a result of increased development along the coast. Overall, however, the cumulative contribution of alternatives to these effects would likely be beneficial. This is because the alternatives would be implemented in a manner to avoid affecting coastal resources to the extent possible and would result in habitat restoration for snowy plovers. In addition, the OCMP has specific goals to protect and enhance cultural, natural, and recreational resources within the analysis area. Although recreational use restrictions proposed under the alternatives would limit the types and locations of the activities that could take place on the covered lands, it is unlikely that any of the proposed alternatives would contribute to a cumulative effect on recreational use or opportunity or local businesses. This is because there would be numerous substitute locations where those same activities could occur unrestricted. As mentioned in Section 3.3, “Recreation,” for each SPMA and RMA, there are locations in close proximity to the potentially restricted areas where recreational activities would be able to occur without prohibition.

A more detailed discussion of potential cumulative effects by resource area is presented below in Section 3.13.4, “Analysis of Cumulative Effects by Resource Topic.”

Ocean Shore Management Plan

In 1967, the Oregon Legislature passed the Beach Bill, establishing a recreational easement across the dry sand portion of the Ocean Shore, and placing recreation management of the Ocean Shore with OPRD. The OSMP (Oregon Parks and Recreation Department 2005) is a comprehensive planning tool to guide future decision making by OPRD. The OSMP defines the goals and objectives for managing the Ocean Shores, defines a vision for the future of Oregon’s Ocean Shores, and makes recommendations for achieving that vision.

Anticipated Environmental Effects

The potential effects of the OSMP would be wide reaching and apply to the entire Oregon coast under OPRD’s jurisdiction. When considered in combination with the alternatives, the most relevant cumulative effects include those on recreation,

wildlife, vegetation, and cultural resources. Overall, these effects are anticipated to be beneficial for these resource areas. This is because the OSMP has specific goals to protect and enhance cultural, natural, and recreational resources within the cumulative effects analysis area. In addition, the alternatives would be implemented in a manner to avoid affecting coastal resources to the extent possible and would result in habitat restoration for snowy plovers. Although recreational use restrictions proposed under the alternatives would limit the type and location of the activities that could take place on the covered lands, it is unlikely that any of the proposed alternatives would contribute to a cumulative effect on recreation use or opportunity. This is because there would be numerous substitute locations where those same activities could occur unrestricted. As mentioned in Section 3.3, “Recreation,” for each SPMA and RMA, there are locations in close proximity to the potentially restricted areas where recreational activities would be able to occur without prohibition.

A more detailed discussion of potential cumulative effects by resource area is presented in Section 3.13.4, “Analysis of Cumulative Effects by Resource Topic.”

Oregon Statewide Planning Goals

Land use planning in Oregon is governed by 19 Statewide Planning Goals, which are achieved through local comprehensive planning. State law requires that each city and county adopt a comprehensive plan consistent with the Statewide Planning Goals, including the zoning and land use ordinances necessary to implement the plan effectively. Comprehensive plans are reviewed by the Land Conservation and Development Commission and, once approved, become the controlling document for land use in the area covered by that plan. The applicable comprehensive plans and land use ordinances within the cumulative effects analysis area are listed below.

- Clatsop County Comprehensive Plan (Clatsop County 2007).
- Tillamook County Comprehensive Plan and Zoning Ordinance (Tillamook County 2007).
- Lincoln County Comprehensive Plan (Lincoln County 2007).
- Lane County Comprehensive Plan Rural Areas (Lane County 2007).
- Douglas County Comprehensive Plan and Land Use Development Ordinance (Douglas County 2007).
- Coos County Comprehensive Plan and Land Use Development Ordinance (Coos County 2007).
- Curry County Comprehensive Plan (Curry County 2007).

The Statewide Planning Goals require that local governments consider specific resources when developing their comprehensive plans, including the following resources.

- **Goal 5 - Natural Resources, Scenic and Historic Areas, and Open Spaces:** Goal 5 covers more than a dozen natural and cultural resources such as wildlife habitats and wetlands, and establishes a process for each resource to be inventoried and evaluated. If a resource or site is found to be significant, a local government has three policy choices; to preserve the resource, allow proposed uses that conflict with it, or strike some sort of a balance between the resource and the uses that would conflict with it.
- **Goal 8 - Recreational Needs:** This goal calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. It also sets forth detailed standards for expedited siting of destination resorts.
- **Goal 17 - Coastal Shorelands:** The purpose of Goal 17 is to conserve, protect, develop, and, where appropriate, restore the resources and benefits of all coastal shorelands. In addition, Goal 17 aims to reduce hazards to human life and property, and provides for the protection of major marshes, significant wildlife habitat, coastal headlands, and exceptional aesthetic resources included in community inventories.
- **Goal 18 - Beaches and Dunes:** Goal 18 is designed to conserve, protect, and where appropriate develop, and/or restore the resources and benefits of coastal beach and dune areas. The goal also aims to reduce the hazard to human life and property from natural or human-induced actions associated with these areas. Coastal areas subject to this goal include beaches, active dune forms, recently stabilized dune forms, older stabilized dune forms and interdunal forms. Uses are based on the capabilities and limitations of beach and dune areas to sustain different levels of use or development, and the need to protect areas of critical environmental concern, areas having scenic, scientific, or biological importance, and significant wildlife habitat as identified through application of Goals 5 and 17.

Anticipated Environmental Effects

Although the Statewide Planning Goals and comprehensive plans require that protections be implemented to protect resources as lands are developed, development activities and associated changes in land use inherently have the potential to effect resources considered in this FEIS, including fish and wildlife habitat, vegetation, and recreational opportunities. Cumulatively, implementation of the land use plans listed above would contribute to adverse effects on these resources resulting from development activities authorized under a relevant comprehensive plan. The individual effects have been addressed by each plan as required by the Statewide

Planning Goals and it is expected that such effects would be minimized and mitigated, to the extent practical and as required by the local jurisdiction.

Implementation of the alternatives would be consistent with the purpose of the Statewide Planning Goals and is not anticipated to contribute to a cumulative effect on coastal resources. This is because implementation of each alternative would enhance resource (i.e., wildlife, fisheries, and vegetation) protections while providing for a sustained economic development in the cumulative effects analysis area.

A more detailed discussion of potential cumulative effects by resource area is presented in Section 3.13.4, “Analysis of Cumulative Effects by Resource Topic.”

3.13.4 Analysis of Cumulative Effect by Resource Topic

The following section includes an analysis of the cumulative effects by resource topic. The discussion covers only those resource areas for which the alternatives have a potential to contribute to cumulative effects.

Recreational Use

Implementation of the recreational use restrictions proposed under the alternatives would have the potential to affect recreation within the covered lands by limiting the types and locations of the activities that could take place. Under Alternative 1, it is possible that these restrictions could occur anywhere on the coast where nesting snowy plovers appeared. Under Alternatives 2 and 3, these restrictions would be limited to SPMAs and RMAs, with the potential for less prohibitive recreational use restrictions to occur outside of these targeted areas. Therefore, compared with Alternatives 2 and 3, implementation of Alternative 1 is anticipated to have greater effects on recreation.

Although the potential for recreational effects does exist, as indicated in Section 3.3, “Recreation,” generally there are numerous substitute locations where these activities could occur unrestricted under each of the alternatives. Therefore, the potential for effects on recreation is considered to be greatest under Alternative 1, but minimal for all the alternatives.

When considered cumulatively, all of the plans that are or would be implemented in the analysis area discussed above contain some element intended to protect or enhance recreational resources. Continued increases in population, with the accompanying development along the coast could affect recreational use by causing beaches to be more crowded, but Oregon’s Statewide Planning Goals require local jurisdictions to assess the need for and provide facilities to satisfy recreational demand. Therefore, when considered together, the overall effect of these plans would result in beneficial effects on recreation. Although there is potential for the alternatives to result in a slight contribution to cumulative recreational effects,

overall, the net effect on recreation in the cumulative effects analysis area is anticipated to be beneficial because of the fact that the plans described above are aimed to preserve and enhance recreational use and opportunities.

Socioeconomic Effects and Environmental Justice

As described in Section 3.4, “Socioeconomics and Environmental Justice,” there is the potential for displacement of recreational activities to occur resulting in minor effects on local businesses. This is because if beach visitors chose to go to a different beach to avoid recreational use restrictions, they may not spend money at the same local businesses during their visit. As indicated in the analysis, the location of substitute beach locations in close proximity to the potentially restricted areas indicates it would be unlikely that beach visitors would need to go to a different beach location. This is because those areas are most often adjacent to the restricted area and reached via the same access point. In point of fact, information collected during the *Oregon Shore Recreational Use Survey* (Shelby and Tokarczyk 2002) found that the majority of beach visitors reported that they were not affected by the recreational use restrictions that are currently in place at the Bandon SPMA. Therefore, although there is a potential for the alternatives to result in minor socioeconomic effects, the effects would be minimal and are not anticipated to contribute to an adverse cumulative effect on socioeconomics within the cumulative effects analysis area.

Furthermore, implementation of comprehensive plans aimed at providing economic opportunities within local jurisdictions, and larger land use plans that include economic initiatives, are likely to continue to enhance the economic climate within the cumulative effects analysis area. Overall, the cumulative effects on socioeconomics within the cumulative analysis area are expected to be beneficial.

As discussed in Section 3.4, “Socioeconomics and Environmental Justice,” the alternatives would not result in a disproportionate effect on environmental justice populations. Therefore, the alternatives would not result in an adverse cumulative environmental justice effect.

Air Quality

Implementation of the alternatives has the potential to result in minor air quality effects, primarily from restoration activities (involving bulldozing dunes) and increased OPRD staff trips to the beach for enforcement and education and outreach activities. As discussed in Section 3.5, “Air Quality,” the effects on air quality would only be minimal and would not occur as the result of new stationary sources of emissions. Because the potential for air quality effects would be insubstantial, implementation of the alternatives is not anticipated to result in cumulatively significant adverse air quality effects.

Noise

Implementation of the alternatives has the potential to result in minor noise effects from bulldozing dunes for habitat restoration. As discussed in Section 3.6, “Noise,” the effects would be minimal. This is because the use of noise generating equipment would be infrequent and would occur for only short durations at any given site. In addition, noise from the loudest activities (temporary bulldozing for dune restoration) is not anticipated to be audible at distances beyond 274 meters (900 feet) under the quietest conditions due to ocean noise in the immediate vicinity. Because the potential for noise effects would be minimal, implementation of the alternatives is not anticipated to result in cumulatively significant adverse noise effects.

Wildlife and Their Habitat

Several of the covered activities under all the alternatives have the potential to result in effects on wildlife. However, as an HCP, the alternatives must provide assurances that the covered species (snowy plover) and its habitat will be conserved and recovered. Therefore, the cumulative effects on snowy plovers and their habitat are inherently mitigated by the conservation program and would not contribute to a cumulatively significant effect.

The alternatives might contribute to a cumulative effect on non-covered special-status or other wildlife species. Continued recreational use, increasing population and development, predator management, and implementation of other natural resource plans within the analysis area could result in disturbance to or loss of habitat for species not covered in the HCP. However, as indicated in Section 3.7, “Wildlife and Their Habitat,” OPRD would coordinate with the appropriate resource agencies, including USDA, USFWS, and ODFW, to ensure that any potential effects of the covered activities were mitigated appropriately. This would reduce the potential for an effect such that the alternatives, when combined with the other natural resource management plans described in Section 3.13.3, “Plans and Programs Considered in the Cumulative Effects Analysis” would not result in adverse cumulative effects on other wildlife species.

Aquatic Species and Their Habitat

Implementation of the alternatives has the potential to result in minimal adverse effects on aquatic species and their habitat. Primarily, recreational activities have the potential to result in effects on marine invertebrates and fisheries resources over the course of the 25-year ITP. However, as described in Section 3.8, “Aquatic Species and Their Habitat,” the effects would be minimal, and in some cases beneficial as a result of increased law enforcement activities. Therefore, implementation of the alternatives is not anticipated to result in cumulatively significant adverse effects on aquatic species or their habitat.

Plant Communities

Implementation of all the alternatives would result in an overall beneficial effect on sensitive plant species. This is because natural resource management activities in areas targeted for snowy plovers would include removal of non-native invasive species. In addition, OPRD would manage the remainder of the Ocean Shore in a manner to promote native species development, in accordance with a statewide invasive plant species management plan.

As described in Section 3.13.3 above, the majority of land use plans that have been, are, or would be proposed in the cumulative effects analysis area contain elements focusing on natural resource enhancement. When combined with the potential effects of these plans, implementation of the alternatives would result in an overall cumulative benefit for vegetation. This is because implementation of these plans along with the alternatives would result in increases in native vegetation through increased management of invasive species and dune restoration activities.

Cultural Resources

In selecting the targeted areas for snowy plover management, known cultural resources were avoided. Therefore, it is unlikely that the alternatives would result in potential effects on these resources. However, it is possible that unknown cultural resources could be disturbed during implementation of the alternatives. The mitigation measures listed in Section 3.11, "Cultural Resources," would partially offset any cumulative loss in cultural resources, thereby avoiding substantial disturbance and loss of archaeological or historical resources within the cumulative effects analysis area.

Water Quality

The alternatives have similar potential to affect water quality as a result of increased recreational use over the course of the 25-year ITP. However, as discussed in Section 3.12, "Water Quality," the potential effects would be minimal and restrictions on recreational use in sensitive areas would serve to further minimize these effects. Therefore, the individual contribution of any of the alternatives to cumulative water quality considerations would also be minimal. In addition, when the individual effects are considered in combination with other regional natural resource management plans, there could be an overall regional benefit to water quality. This is because the plans mentioned above include water quality protections that would be implemented to protect water quality.

3.2 Land Use

This section describes land use in the study area, as well as potential effects on land use resulting from implementation of the alternatives. For this section, the study area includes the covered lands described in Section 3.1.1, “Covered Lands” and lands immediately adjacent to the inland boundary of the covered lands.

3.2.1 Approach and Methodology

The description of land use plans, policies, and existing land uses presented in this section is based on summary information from relevant Federal, State, and local land use plans, as well as information gathered from conversations with OPRD staff and direct observation from a July 2006 field visit. The potential effects on land use were assessed based on a review of the management strategies for each of the alternatives, including the *Western Snowy Plover Habitat Conservation Plan* (Oregon Parks and Recreation Department 2008) and an assessment of whether those activities would be consistent with the applicable land use plans and policies.

3.2.2 Regulatory Context

Federal Land Use Planning

Lewis and Clark National Historic Park Comprehensive Management Plan

The Lewis and Clark National Historic Park Comprehensive Plan for Management and Use (National Park Service 1982), more commonly called the Comprehensive Management Plan, guides land use management within the park and along the trail. The Lewis and Clark National Historic Trail extends for over 3,700 from Illinois to the Oregon coast. Within the Pacific Northwest, the park consists of 12 park sites located on a 60-kilometer (40-mile) stretch of the Pacific Coast from Long Beach, Washington to Cannon Beach, Oregon. The National Park Service (NPS) works in coordination with Oregon and Washington State Park departments to promote visitor use, to provide cooperative management to preserve the remnants of the historic route, and to promote a comprehensive interpretation of its history. At the close of the Lewis and Clark Bicentennial in 2006, NPS plans to update the Comprehensive Management Plan for the park.

Oregon Coast National Wildlife Refuge Complex Comprehensive Conservation Planning

The Oregon Coast National Wildlife Refuge Complex has initiated a planning process called Comprehensive Conservation Planning to review and plan for long term management of wildlife, habitat, and public use activities on Cape Meares,

Oregon Islands, and Three Arch Rocks National Wildlife Refuges (U.S. Fish and Wildlife Service 2006a, 2007b). USFWS is coordinating with Tribes, interested agencies, elected officials, the public, and other organizations regarding their interests, concerns, and viewpoints about refuge management issues. This information will be used to develop the Comprehensive Conservation Plan for the refuges.

Northwest Forest Plan

The Northwest Forest Plan (NWFP) is an overall plan for the Pacific Northwest that focuses on producing timber products while simultaneously protecting and managing wildlife species (U.S. Fish and Wildlife Service Regional Ecosystem Office 1994). The NWFP covers 24.5 million acres in Oregon, Washington, and northern California that are managed as national forests, Bureau of Land Management (BLM) Districts, national parks, and national wildlife refuges.

The principles of the NWFP ecosystem management strategy are reflected in that document as five key elements: implementation of an aquatic conservation strategy; adaptive management; compatibility with adjacent land-ownership objectives; consideration of potential effects on local economies; and protection of existing large blocks of late-successional reserve and old-growth forests to provide terrestrial and aquatic habitat for fish and wildlife species (U.S. Fish and Wildlife Regional Ecosystem Office 1994).

Within the study area, lands managed by the U.S. Forest Service (USFS) under the Siuslaw National Forest Management Plan, and by the BLM under the Salem and the Coos Bay Districts' Resource Management Plans, are subject to the NWFP, as described below.

Salem District Resource Management Plan – Yaquina Head Outstanding Natural Area

In 1980, Congress created the 100-acre Yaquina Head Outstanding Natural Area. The Yaquina Head Outstanding Natural Area is located at the north end of Newport, Oregon, and provides visitors with one of the most accessible wildlife and ocean viewing locations on the Pacific Coast.

In cooperation with Oregon Department of Fish and Wildlife (ODFW), Oregon Department of State Lands (ODSL), USFWS, and the U.S. Coast Guard, BLM acts as the upland manager of the Yaquina Head Outstanding Natural Area. The area also includes Oregon's tallest and second oldest continually active lighthouse (Bureau of Land Management 2006). The site is managed in accordance with the *Salem District Resource Management Plan (RMP)* (Bureau of Land Management 1995a), which is tiered to the NWFP. The Salem District RMP covers 398,100 acres of land in western Oregon, most of which is associated with forested stands in the western foothills of the Cascade Range and in the Oregon Coast Range. As such, most of the

land management prescriptions in the Salem District RMP are focused on timber production and management of late-successional forests.

Coos Bay District Resource Management Plan

The Coos Bay District RMP (Bureau of Land Management 1995b) describes management of approximately 329,700 acres of land in Oregon administered by the U.S. Department of the Interior, BLM Coos Bay District. The goals of this RMP include maintaining late successional and old growth species habitat and ecosystems on Federal lands, and maintaining biological diversity associated with native species and ecosystems. The North Coos Bay Spit, Umpqua Resource Area, and Myrtlewood Resource Area, located within the study area, are managed under the RMP, which is tiered to, and in conformance with the NWFP.

Siuslaw National Forest Management Plan

The Siuslaw National Forest Management Plan (U.S. Forest Service 1990) guides forest management within the Siuslaw National Forest. The Forest Plan was amended in April of 1994 to meet the requirements of the NWFP. The Siuslaw National Forest encompasses over 630,000 acres in the Oregon Coast Range. It is bordered on the east by the Willamette Valley, on the west by the Pacific Ocean, and is located along the coast between the cities of Newport and Reedsport.

Within the national forest, Cascade Head is maintained as an experimental forest and scenic research area. Research partners include The Nature Conservancy, State and private universities in Oregon and Washington, ODFW, Oregon Department of Agriculture (ODA), National Aeronautic and Space Administration, Environmental Protection Agency (EPA), and National Marine Fisheries Service (NMFS).

The Oregon Dunes National Recreation Area is the largest expanse of coastal sand dunes in North America, extending approximately 60 kilometers (40 miles) along the Oregon coast, from Florence to Coos Bay. The area is managed by the U.S. Department of Agriculture (USDA) and USFS under the NWFP as a part of the Siuslaw National Forest.

State Land Use Planning

Oregon Statewide Planning Goals

Land use planning in the State of Oregon is governed by 19 Statewide Planning Goals, which are achieved through local comprehensive planning. State law requires that each city and county adopt a comprehensive plan consistent with the Statewide Planning Goals, including the zoning and land use ordinances necessary to implement the plan effectively. Comprehensive plans are reviewed by the Oregon Department of Land Conservation and Development (DLCD) and, once approved, become the controlling document for land use in the area covered by that plan. The

Statewide Planning Goals require that local governments consider specific resources when developing their comprehensive plans, including:

- Forest Lands (Goal 4), which provides guidance on the protection of forest lands to maintain the forest land base, protect the state's forest economy, and ensure that forest practices are consistent with the sound management of soil, air, water, fish, and wildlife resources and the provision of recreation and agriculture;
- Open Spaces, Scenic and Historic Areas, and Natural Resources (Goal 5), which provides guidance on the protection and use of natural areas, including riparian corridors, wetlands, and wildlife habitat;
- Air, Water and Land Resources Quality (Goal 6), which provides guidance on maintaining and improving the quality of the state's air, water, and land resources; and
- Economic Development (Goal 9), which provides guidance to promote adequate opportunities for a variety of economic activities vital to the health, welfare, and prosperity of the state's citizens.

Oregon Coastal Management Program

In an effort to encourage states to better manage coastal areas, Congress enacted the Coastal Zone Management Act (CZMA) in 1972. The CZMA provides grants to states that develop and implement federally approved coastal zone management plans. It allows states with approved plans the right to review Federal actions to ensure they are consistent with those plans, and it authorizes the National Estuarine Research Reserve System. Within Oregon, the CZMA is executed via the Oregon Coastal Management Program (OCMP).

The DLCD also administers the OCMP. The mission of the OCMP is to work in partnership with coastal local governments, State and Federal agencies, and other stakeholders to ensure that Oregon's coastal and ocean resources are managed, conserved, and developed consistent with statewide planning goals.

In addition to addressing the goals and policies of the CZMA, the OCMP addresses Oregon's Statewide Planning Goals (see above); the provisions of other key Oregon laws, including the Beach Bill (discussed below) and the Oregon Removal-Fill Law; and the plans and policies of coastal local land use planning jurisdictions.

Ocean Shore Management Plan

In 1967, the Oregon Legislature passed the Beach Bill, establishing a recreational easement across the dry sand portion of the Ocean Shore, and placing recreation management of the Ocean Shore with OPRD. The Ocean Shore Management Plan (OSMP) is a comprehensive planning tool to guide future decision making by OPRD (Oregon Parks and Recreation Department 2005). The OSMP defines the goals and

objectives for managing the Ocean Shore, defines a vision for the future of Oregon's Ocean Shore, and makes recommendations for achieving that vision.

3.2.3 Affected Environment

Land Ownership and Use

Within the study area, the State of Oregon owns most of the wet sand area of the beach (extreme low tide line to the ordinary high tide line). The dry sand portion (ordinary high tide line to the statutory or actual vegetation line) is generally owned by the adjacent upland landowners. Landowners within the study area include Federal, State, and local governments and various private individuals.

Although other landowners own portions of the beach, OPRD is responsible for managing the Ocean Shore as granted under Oregon Revised Statute (ORS) 390.635 and ORS 390.620 and implemented under Oregon Administrative Rule (OAR) 736-020-0040(3) and in cooperation with Federal land management actions as per the CZMA. As discussed in Chapter 1, "Purpose and Need," OPRD is responsible for managing the Ocean Shore within the area from extreme low tide to the mean high tide line on Federal lands and up to the actual or statutory vegetation line, whichever is most landward, on all other lands. This area does not include estuaries or river mouths. As mandated by the Beach Bill, this area is maintained and managed by OPRD for recreational use by the general public.

The primary recreational uses commonly observed on the shore include walking/exercising, dog exercising, relaxing, and scenic enjoyment. These and other recreational activities are described in greater detail in Section 3.3, "Recreation." The Ocean Shore is open to driving except in locations noted in Section 3.3.3, "Affected Environment" under the heading *Recreational Use Restrictions*.

The majority of the Oregon coast is relatively remote and undeveloped. However, there are many coastal communities located along the coast that attract tourists. There are several coastal towns with hotels, parks, and other recreational facilities that attract visitors. Development in these areas is guided by local comprehensive plans and zoning, and is limited to designated areas.

Other uses along the Ocean Shore include additional management activities performed by OPRD for beach maintenance and natural resource management. These activities are described in detail in Chapter 2, "Alternatives."

The Oregon Department of State Lands (ODSL) has jurisdiction over nearly 640,000 acres of grazing and agricultural land; 131,000 acres of forestland; and 800,000 acres of offshore land, estuarine tidelands, and submerged and submersible lands of the State's extensive navigable waterway system. The covered lands considered in this FEIS include the Columbia River South Jetty at Fort Stevens State

Park and the many streams and estuaries that extend to the ocean. Land use within DSL's jurisdiction is subject to Oregon Administrative Rule (OAR). Chapter 141, Division 88 (OAR 141-088-0000) regarding Public Recreational Use of State-Owned Property indicates that there are currently no restrictions regulating recreation at the Columbia River South Jetty.

3.2.4 Environmental Consequences

Consequences Common to All Alternatives

Consistency with Federal, State, and Local Land Use Plans and Policies

As mentioned previously, OPRD is responsible for managing the Ocean Shore. Under all of the alternatives, OPRD would retain the right to implement activities associated with recreation, beach, and natural resource management on the covered lands. Similar to existing conditions, OPRD would be required to obtain a local grading permit for any modifications to the Ocean Shore, and would do so prior to implementing any dune modifications.

In addition, local land use comprehensive plans and zoning were considered in the design and selection of the areas that are currently managed or would be managed for snowy plovers under all of the alternatives. In areas where habitat restoration would result in the removal of vegetation, OPRD would ensure that these activities occur in areas that were consistent with local county comprehensive plan policies and zoning ordinances as specified by site management plans for each SPMA. Therefore, implementation of snowy plover management activities would be consistent with Oregon's land use planning goals and policies. Furthermore, activities associated with the alternatives would be focused on changes in the way that the land would be managed, not changes in the land use itself. The management activities proposed under each of the alternatives would also be consistent with the other Federal, State, and local land use management plans described above.

3.3 Recreation

This section describes recreation activities and uses in the study area, as well as potential effects on these activities and uses resulting from implementation of the alternatives. For this section, the study area is the same as the covered lands described in Section 3.1.1, “Covered Lands.”

3.3.1 Approach and Methodology

The description of recreational resources presented in this section is based on discussions with OPRD staff and data collected for the *Oregon Shore Recreational Use Study* (recreational use study) (Shelby and Tokarczyk 2002). Survey and observation data for the recreational use study were gathered on-site at key points along the entire coast between June 29 and September 3, 2001 (the higher-use summer months). Additional information was collected in the form of a follow-up mailed questionnaire. Observations were also made during a field visit to the coast in July 2006.

The potential effects on recreation resources in the study area were assessed based on a review of the management strategies for each of the alternatives, including the *Western Snowy Plover Habitat Conservation Plan* (Oregon Parks and Recreation Department 2008), and a programmatic assessment of how those strategies could affect recreation opportunities and use.

The *Draft Economic Analysis of Critical Habitat Designation for the Western Snowy Plover* (Critical Habitat Report) (Industrial Economics, Inc. 2005) was also considered in the analysis of potential effects for this FEIS. The analysis of potential recreational effects in the Critical Habitat Report is programmatic in nature and considers a much larger study area (35 units along the West Coast) compared with the FEIS (which includes up to 9 SPMAs and 12 RMAs within Oregon only, depending on the alternative). In addition, the Critical Habitat Report assumed that recreation effects occurring as a result of snowy plover management activities would fall into one of two categories: a recreationist would forego a trip to the beach entirely or the recreationist’s enjoyment during that trip would be substantially diminished.

Because the alternatives would affect a smaller area, it was determined that a more site-specific approach to the analysis would be needed and is presented under Section 3.3.4, “Environmental Consequences.” The socioeconomic analysis for the Critical Habitat Report is discussion in Section 3.4, “Socioeconomics and Environmental Justice.”

3.3.2 Regulatory Context

Ocean Shore Management Plan

In 1967, the Oregon Legislature passed the Beach Bill, establishing a recreational easement across the dry sand portion of the Ocean Shore, placing recreation management of the Ocean Shore with OPRD. The OSMP (Oregon Parks and Recreation Department 2005) is a comprehensive planning tool to guide future decision making by OPRD. The OSMP defines the goals and objectives for managing the Ocean Shores, defines a vision for the future of Oregon's Ocean Shores, and makes recommendations for achieving that vision.

The following specific recommendations to protect and enhance recreational resources on the Oregon coast are outlined in the OSMP.

- Provide additional recreation amenities including campgrounds and hike-in camps at select locations.
- Continue to allow camping on the beach where it is currently allowed except where otherwise noted by the HCP.
- Continue to allow street legal driving on the beach where it is now officially allowed, with the following exceptions:
 - Restrict use in SPMA's, as outlined in the HCP.
 - Restrict use on the beach from the Garrison Lake outlet area to the mouth of Elk River.
 - Restrict use north of Myers Creek and at China Creek.
 - Allow use in otherwise restricted areas if authorized by OPRD through permitting process.
- Continue off highway vehicle riding in areas that are now officially open, and enforce existing restrictions. Improve enforcement in restricted areas, including improved signage.
- Continue existing horseback riding, dory fishing, surf sports, and other general beach activities such as picnicking and relaxing, except where restricted by the HCP.
- Work with the National Coast Trail Association and the Oregon Trails Council to connect portions of the Coast Trail, and make some sections available to horseback riding and mountain biking.
- Enforce the current restrictions on fireworks where safety and fire danger threats have become serious. Improve interagency cooperation on enforcement during the peak firework season.

- Restrict driftwood fires in areas of high fire danger, in cooperation with local and State firefighting agencies.
- Keep dog and leash rules as they are, except for those additional restrictions proposed as part of the HCP.
- Coordinate with other agencies to improve use of the Pacific Ocean for jet skis, surfing, and dory launching.
- Add additional enforcement staff and contract for law enforcement where needed.
- Conduct annual courses on Ocean Shore regulations for all pertinent agencies.
- Acquire lands for recreational use from willing landowners.
- Complete an interpretive plan for the Ocean Shore.

3.3.3 Affected Environment

The following provides a description of the coastal communities within the study area, a description of the types of visitors that use the Oregon coast for recreation, and an overview of the types of recreational uses typical on the covered lands. Three coastal regions, the North Coast region, Central Coast region, and South Coast region are used to present the description of the affected environment in this section. These regions are further divided into the six coastal segments, and listed below, to allow for more specific attention when considering recreational use.

- North Coast Region
 - Columbia River to Nehalem River (Segment 1)
 - Nehalem River to Cascade Head (Segment 2)
- Central Coast Region
 - Roads End to Yaquina River (Segment 3)
 - South Beach to Umpqua River (Segment 4)
- South Coast Region
 - Umpqua River to Blacklock Point (Segment 5)
 - Sixes River Mouth to Crissie Field Beaches (Segment 6)

Recreational uses of beach areas within these six coastal segments are also summarized in this section.

Coastal Communities

The Oregon coast is a nationally known recreation destination. According to the Oregon Shore Recreational Use Study, beachgoers reported participating in more

than 40 different recreation activities during trips to the Oregon coast (Shelby and Tokarczyk 2002). Coast wide, the most popular beach recreational activities included walking (37 percent), relaxing at a stationary location (21 percent), and scenic enjoyment (12 percent).

The North Coast region of the Oregon coast (Figure 3.3-1) (Columbia River to Cascade Head), including Clatsop and Tillamook Counties, is the most popular coastal region visited by Oregon residents, mostly due to the day-trip proximity to the Portland Metropolitan Area. Approximately 32 kilometers (20 miles) of beachfront in the North Coast have urban settings, including portions of several developed urban coastal communities (Seaside, Cannon Beach, Tolovana, Manzanita, Rockaway and Pacific City); some smaller and less developed communities (Oceanside, Netarts, Gearhart, Neskowin and Tierra del Mar); and a couple of rural residential communities (Cape Mears and Arch Cape). Indian Beach at Ecola State Park and Short Sands Beach at Oswald West State Park are the most heavily used State Park beaches, while Seaside and Cannon Beach are the most heavily used city beaches. Few beachside areas in the North Coast remain undeveloped.

The Central Coast region (Cascade Head to Umpqua River), including Lincoln, Lane, and Douglas counties, is further away from the Portland Metropolitan Area than those in the North Coast. There are several major urban areas along the Interstate 5 (I-5) corridor (Salem, Corvallis, Albany, Eugene, Springfield, Roseburg) that are located within a reasonable distance for day-trips to the coast (161 kilometers [100 miles] or less). The largest urban coastal settings are located in Lincoln County, and include Newport and Lincoln City with smaller communities in Lane and Douglas Counties. Recreational areas in the Central Coast include South Beach, Beachside, and Washburne State Parks, and the Oregon Dunes National Recreation Area, which provides access for off highway vehicle riders. In addition, the USFS provides two large campgrounds and beach accesses at Sutton Creek and Tillicum Beach, and beach access at Baker Beach.

The South Coast region (Umpqua River to California Border), including Coos and Curry Counties, is relatively more remote. This region is located farther from Portland and other larger urban areas, and tends to be frequented more often by local residents and visitors from California (Oregon Parks and Recreation Department 2004). Levels of use on the South Coast are much lower than the Central and North Coasts. Popular recreational areas within the South Coast include Harris Beach in Brookings, Bastendorf Beach in Charleston, and the beaches adjacent to the City of Bandon. About 24 kilometers (15 miles) of the Dunes National Recreation Area extend into the South Coast region.

Different types of organized events are held along the coast in all three coastal regions. Some events, especially those held annually, have created visitor traditions and attract many visitors to the beach each year.

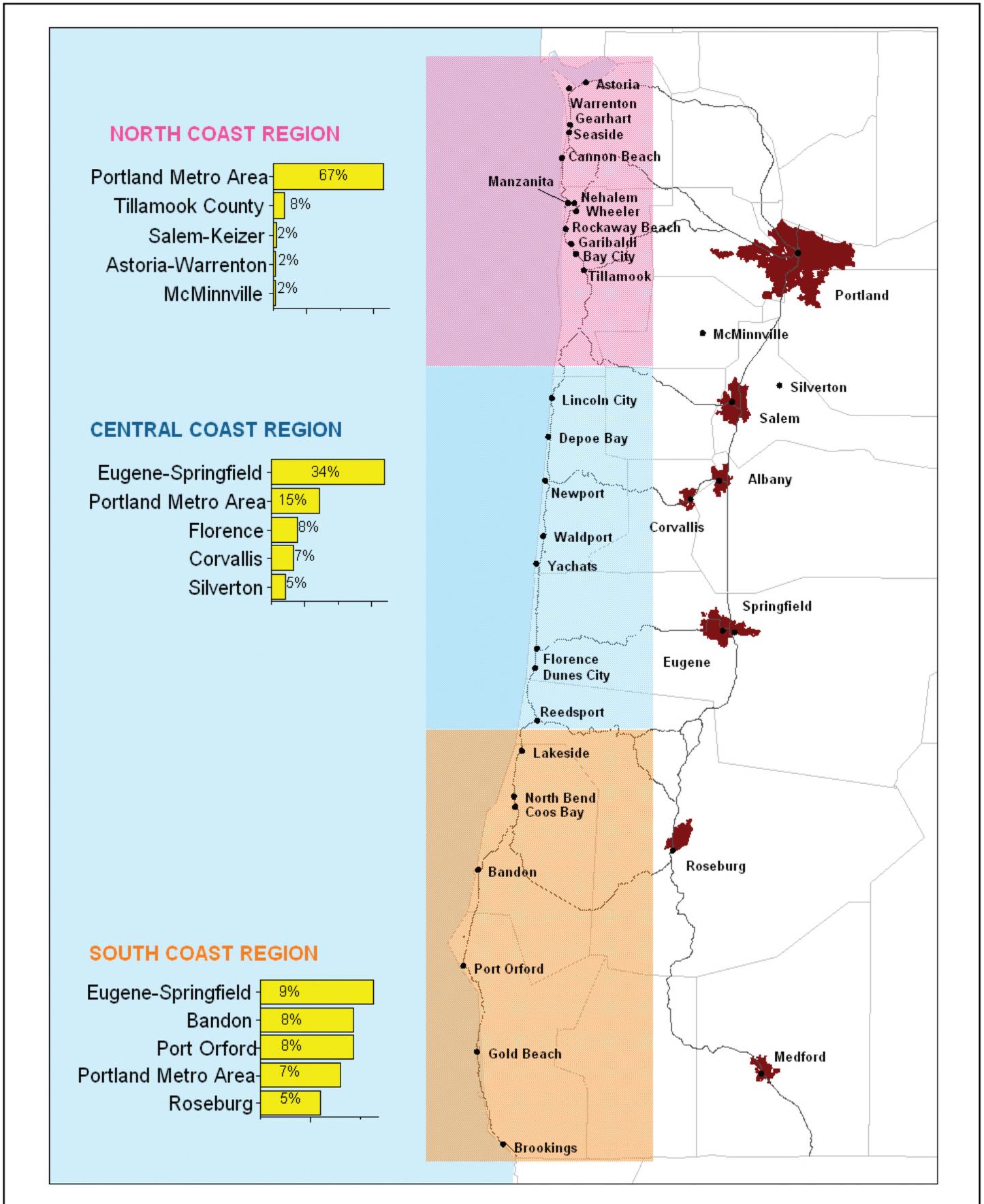


Figure 3.3-1
Origin of Visitors from within Oregon by Coastal Region (2001)
Source: Shelby and Tokarczyk 2002

Some events, such as Fourth of July festivities, are commonly held in many of the coastal communities. Other events, such as a lighted boat parade in Newport every December, are only held in individual communities. Clatsop and Lincoln Counties host the greatest number of annual coastal events.

Visitor Profile

Almost 9 of 10 people surveyed visited either the Oregon coast in general or the beach itself as a destination, rather than to attend a specific event. Nearly two out of three coastal visitors came from Oregon (60.8 percent), followed by residents of Washington State (18.1 percent), residents from other states excluding California (13.6 percent), residents of California (4.6 percent), and residents of other countries (2.9 percent). More international visitors came from Canada (Shelby and Tokarczyk 2002).

Within Oregon, the majority of visitors to the beaches are residents of Oregon's major urban centers located along I-5 (Figure 3.3-1). Residents from these areas mainly travel to the North and Central Coasts. Nearly 66 percent of all visits to the North Coast originated from the Portland-Vancouver Metropolitan Area. About 33 percent of the visitors to the Central Coast traveled from the Eugene-Springfield area and 15 percent of Central Coast visitors traveled from the Portland Metropolitan Area. In the South Region, local residents represent a much higher proportion of the area's beach users. According to the recreational use survey, day trips were more common to the North and Central Coasts than to the South Coast. The majority of same-day visitors traveled between 80 and 161 kilometers (50 and 100 miles) to reach the coast, which was the same for all three regions (Shelby and Tokarczyk 2002).

Based on survey results, more than 70 percent of all visitors to the Oregon coast spent at least one night there (Shelby and Tokarczyk 2002). Overnight visitors tended to travel either shorter distances (less than 16 kilometers [10 miles]) or distances greater than 80 kilometers (50 miles) in all three coastal regions. All three regions had almost the same proportion of visitors who traveled between 161 and 322 kilometers (100 and 200 miles). In terms of visitor age, the highest percentage of visitors to the Oregon coast was in the 35 to 44 years age group, followed by 45 to 54 years. These two age groups make up more than half (58 percent) of the total visitors to the coast.

Recreational Activities and Uses of Beach Areas

The recreation use study collected considerable information concerning recreation activities on beaches along the Oregon coast.

For the six beach segments shown in Figure 3.3-2, the primary recreational activities included walking (ranging from 35 percent to 39 percent of visitors), followed by

relaxing at a stationary location (ranging from 16 percent to 27 percent), and scenic enjoyment (ranging from 9 percent to 14 percent). Other popular activities included exercising dogs, surfing, jogging, kite flying, camping, wind surfing, and beach combing (Shelby and Tokarczyk 2002).

Table 3.3-1 identifies recreational activities and levels of use that occur in each of the six Oregon coast segments by beach area. As noted in Chapter 2, “Alternatives,” under each of the alternatives, OPRD would focus efforts to protect snowy plovers on specific beach areas by implementing snowy plover management actions at up to five SPMA or by possibly issuing recreational use restriction permits at up to 12 RMAs. Beach areas that would contain either an SPMA or a RMA under one or more of the alternatives are noted in bold and marked with an asterisk in Table 3.3-1. The name of each SPMA or RMA is noted in parentheses after the name of the beach area. Of the beaches that contain targeted areas, the most heavily used beaches (i.e., those averaging more than 100 visitors per weekend day) occur in the following areas:

- Columbia River to Necanicum River (Columbia River South Jetty SPMA and Necanicum Spit SPMA),
- Neahkanie Mountain to Nehalem River (Nehalem Spit SPMA),
- Netarts River to Cape Lookout (Netarts Spit SPMA), and
- Cape Kiwanda to Nestucca River (Nestucca Spit SPMA).

No RMAs were included in the list because average weekend day beach use was found to be less than 100 visitors.



Figure 3.3-2
Beach Segments

Table 3.3-1. Recreation Use and Activities at Beaches along the Oregon Coast

Beach Segment	Beach Area	Avg. # People Weekend Day	Avg. # People Weekday	Reporting crowding (%)	% Walking, Other Exercise (%)	Near Shore Activities ¹ (%)	Camping (%)	Kite Flying (%)	Dog Exercising (%)	Relaxing, Scenic Enjoyment ¹ (%)	Other Listed Activities
NORTH COAST REGION											
Beach Segment 1 – Columbia River to Nehalem River											
1	Columbia River to Necanicum River* (Columbia River South Jetty SPMA and Necanicum Spit SPMA)	277	150	32	14	1	<1	2	5	67	Beachcombing, fishing from beach, clamming, horseback riding, jet skiing
1	Necanicum River to Tillamook Head	466	226	51	14	1	<1	3	3	75	Beachcombing, fishing from beach, sports, clamming, fireworks
1	Indian and Ecola Beaches	214	73	63	18	14	0	1	3	59	Kayaking, sports, fishing from beach
1	Chapman Point to Humbug Point	726	427	48	29	1	<1	2	4	60	Beachcombing, horseback riding, fishing from the beach, artistic pursuits, hang gliding
1	Humbug Point to Hug Point	117	37	31	13	2	0	<1	4	79	Kayaking
1	Hug Point to Arch Cape	101	124	41	15	2	<1	1	3	79	Rock climbing, fishing from beach
1	Arch Cape to Cape Falcon	7	9	0	0	0	0	0	0	63	Fishing from beach
1	Short Sands Beach	232	92	73	9	27	<1	<1	2	59	Kayaking, driftwood fires, birding
1	Neahkanie Mountain To Nehalem River* (Nehalem Spit SPMA)	128	141	37	22	3	0	3	8	60	Horseback riding, kayaking, hang gliding, fishing from beach
Beach Segment 2 – Nehalem River to Cascade Head											
2	Nehalem River to Tillamook Bay	337	216	23	24	1	<1	3	3	63	Sports, beachcombing, fishing from beach, driftwood fires, driftwood collection
2	Bayocean Spit* (Bay Ocean Spit RMA)	84	30	21	36	1	<1	1	3	44	Fishing from beach, beachcombing, sports, driftwood collection, birding
2	Maxwell Point to Netarts River	181	65	36	36	3	<1	1	5	52	
2	Netarts River to Cape Lookout* (Netarts Spit SPMA)	119	72	40	31	1	0	2	3	38	Fishing from beach, sports, tide pooling, beachcombing, land sailing
2	Cape Lookout to North Sand Lake Spit* (North Sand Lake Spit RMA)	33	19	37	8	0	0	0	<1	12	Vehicle

Beach Segment	Beach Area	Avg. # People Weekend Day	Avg. # People Weekday	Reporting crowding (%)	% Walking, Other Exercise (%)	Near Shore Activities ¹ (%)	Camping (%)	Kite Flying (%)	Dog Exercising (%)	Relaxing, Scenic Enjoyment ¹ (%)	Other Listed Activities
2	Sand Lake to Cape Kiwanda* (South Sand Lake Spit RMA)	77	62	21	29	2	2	2	3	44	Vehicle, driftwood fires, sports, tide pooling, jet skiing
2	Cape Kiwanda to Nestucca River* (Nestucca Spit SPMA)	295	170	56	25	6	<1	1	2	59	Tide pooling, vehicle, kayaking, sports, horseback riding
2	Nestucca River to Cascade Head	85	76	15	37	2	1	1	4	52	Horseback riding, driftwood fires, fishing from beach, kayaking, sports
CENTRAL COAST REGION											
Beach Segment 3 – Roads End to Yaquina River											
3	Roads End to Siletz River	1089	527	33	26	1	0	4	2	57	Tide pooling, sport, crabbing from beach, beachcombing, driftwood fires
3	Siletz River to Boiler Bay	279	148	23	27	1	0	5	4	54	Beachcombing, sports, tide pooling, fishing from beach, driftwood fires
3	Otter Rock to Schooner Point	187	159	34	29	4	0	5	3	53	Beachcombing, sports, tide pooling, special events, driftwood collection
3	Yaquina Head to Yaquina River	442	184	31	34	2	0	5	2	51	Tide pooling, sports, beachcombing, crabbing from beach, land sailing
Beach Segment 4 – South Beach to Umpqua River											
4	South Beach	73	53	13	43	2	5	3	5	28	Beachcombing, special events, sports, driftwood fires, photography
4	Collins Creek to Alsea River	60	50	10	40	1	1	6	4	38	Sports, beachcombing, hang gliding, tide pooling, driftwood collection
4	Alsea River to Starr Creek	220	132	16	29	1	2	4	4	54	Sports, special events, beachcombing, driftwood collection, reading
4	Rocky Knoll to Heceta Head	55	36	25	39	0	2	6	7	39	Beachcombing, beach cleanup, tide pooling, remote control vehicles, Dory fishing landing
4	Lily Lake Area to Sutton Creek* (Sutton/Baker Beach RMA)	16	8	33	0	0	0	0	0	25	Horseback riding
4	Sutton Creek to Siuslaw River	259	56	41	37	0	0	4	6	47	Beachcombing, sports, photography, horseback riding, fireworks
4	Siuslaw River to Siltcoos River	163	79	27	21	2	1	1	3	33	Vehicle, sports, beachcombing, horseback riding, family activities
4	Siltcoos River to Tahkenitch Creek* (Siltcoos/Dunes Overlook/Tahkenitch RMA)	25	8	9	52	0	1	5	2	29	Beachcombing, photography, vehicle, wildlife viewing
4	Tahkenitch Creek to Threemile Creek* (Tahkenitch South RMA)	34	7	9	25	1	11	1	3	18	Fishing from beach, vehicle, sports, birding, beachcombing

Beach Segment	Beach Area	Avg. # People Weekend Day	Avg. # People Weekday	Reporting crowding (%)	% Walking, Other Exercise (%)	Near Shore Activities ¹ (%)	Camping (%)	Kite Flying (%)	Dog Exercising (%)	Relaxing, Scenic Enjoyment ¹ (%)	Other Listed Activities
4	Threemile Creek to Umpqua River* (North Umpqua River)	8	7	30	22	0	15	0	5	20	Fishing from beach, clamming
SOUTH COAST REGION											
Beach Segment 5 – Umpqua River to Blacklock Point											
5	Umpqua River to Tenmile Creek* (Tenmile RMA)	64	39	16	36	3	3	2	10	41	Sports, driftwood fires, driftwood collections, fishing from beach, vehicle
5	Tenmile Creek to Coos Bay* (Coos Bay North Spit RMA)	60	38	23	16	0	0	0	4	21	Vehicle, fishing from beach, horseback riding
5	Bastendorf Beach	98	38	16	27	2	<1	2	13	51	Sports, beachcombing, driftwood collection, fishing from beach, kayaking
5	Sacchi Beach	4	4	0	This beach was not included in the Beach Survey, but is reportedly used mostly for passive activities and some local surfing. The beach has such poor access that only locals who know how to get there use the beach.						
5	Agate Beach to Five Mile Point	6	5	7	50	0	0	0	15	13	Beachcombing, driftwood fires, driftwood collection, vehicle, fishing from beach
5	Five Mile Point to Coquille River* (Bullards Beach SPMA)	57	54	12	43	0	3	1	10	31	Beachcombing, vehicle, fishing from beach, horseback riding, driftwood collection
5	Coquille River (Face Rock) to New River* (Bandon SPMA)	90	71	12	47	1	0	3	7	27	Beachcombing, horseback riding, fishing from the beach, family activities, clamming
5	New River to Blacklock Point* (New River RMA)	34	5	0	71	9	0	0	4	13	Horseback riding
Beach Segment 6 – Sixes River Mouth to Crissie Field Beaches											
6	Sixes River Mouth* (Sixes River Mouth SPMA)	22	7	8	61	10	0	0	6	6	Crabbing from beach
6	Cape Blanco to Elk River	3	4	16	61	0	0	0	3	29	Horseback riding, crabbing from beach
6	Elk River to Port Orford Head* (Elk River RMA)	19	14	21	75	0	0	0	0	0	Beachcombing, fishing from beach
6	Battle Rock to Humbug Mountain	12	12	15	39	7	0	2	1	42	Vehicle, beachcombing, sports, clamming, crabbing from beach

Beach Segment	Beach Area	Avg. # People Weekend Day	Avg. # People Weekday	Reporting crowding (%)	% Walking, Other Exercise (%)	Near Shore Activities ¹ (%)	Camping (%)	Kite Flying (%)	Dog Exercising (%)	Relaxing, Scenic Enjoyment ² (%)	Other Listed Activities
6	Devil's Backbone to Nesika Beach* <i>(Euchre Creek RMA)</i>	4	6	21	72	0	0	10	0	10	Sports
6	Otter Point to Rogue River	5	5	12	100	0	0	0	0	0	N/A
6	Rogue River to Cape Sebastian	21	15	16	46	1	0	5	0	38	Fishing from beach, driftwood collection, beachcombing
6	Cape Sebastian to Pistol River	15	9	30	21	57	0	1	1	13	Horseback riding, paragliding
6	Pistol River to Crook Point* <i>(Pistol River SPMA)</i>	3	3	14	71	0	0	0	0	29	Horseback riding, paragliding
6	Whaleshead Beach	19	8	23	53	0	0	2	1	37	Photography, rock climbing, fishing from beach
6	Harris Beach	54	52	42	25	1	0	3	1	62	Sports, fishing from beach, artistic pursuits, kayaking, birding
6	Harbor Beach	36	26	25	31	1	0	4	1	58	Fishing from beach, beachcombing, sport, photography
6	Winchuck and Crissie Fields Beaches	16	5	15	3	0	16	0	6	28	Horseback riding, fishing from beach, clamming, photography, beachcombing

Source: Shelby and Tokarczyk 2002

*Beach areas that are proposed SPMA's or RMA's are indicated by an asterisk and shown in bold with the name of the SPMA or RMA in parentheses.

¹ Near Shore Activities include surfing, boogie boarding, and wind surfing.

² Relaxing and Scenic Enjoyment also include sand play and swimming, wading, chasing/jumping waves, and getting feet wet.

% = percent; RMA = Recreation Management Area; SPMA = Snowy Plover Management Area

Table 3.3-2 provides estimates of annual use in 2002 for the beach areas associated with SPMA's or RMA's. Visitation was estimated based on the annualized weekday and weekend day beach use volumes shown in Table 3.3-1. Because this information was collected for the entire beach area, not just the proposed targeted areas, the visitation estimates are likely greater than the actual use for a specific area.

However, the estimates are intended to provide context for the relative magnitude of use in these areas. It should be noted that SPMA's and RMA's considered under all of the alternatives were selected, in part, because the associated beach areas had relatively lower levels of attendance during the peak summer months compared to adjacent or nearby beach areas.

Table 3.3-2. Beach Use Estimates 2002

Areas Targeted for Snowy Plover Management by OPRD or Other Landowners	Beach Area	Attendance
Columbia River South Jetty	Columbia River to Necanicum River	67,808*
Necanicum Spit		
Nehalem Spit	Neahkanie Mountain To Nehalem River	49,972
Bay Ocean Spit	Bay Ocean Spit	16,536
Netarts Spit	Netarts River to Cape Lookout	31,096
North Sand Lake Spit	Cape Lookout to Sand Lake Spit North	8,372
South Sand Lake Spit	Sand Lake to Cape Kiwanda	24,128
Nestucca Spit	Cape Kiwanda to Nestucca River	74,880
Sutton/Baker Beach	Lily Lake Area to Sutton Creek	3,744
Siltcoos/Dunes Overlook/Tahkenitch	Siltcoos River to Tahkenitch Creek	4,680
Tahkenitch South	Tahkenitch Creek to Threemile Creek	5,356
North Umpqua River	Threemile Creek to Umpqua River	2,652
Tenmile	Umpqua River to Tenmile Creek	16,796
Coos Bay North Spit	Tenmile Creek to Coos Bay	16,120
Bullards Beach	Five Mile Point to Coquille River	19,968
Bandon/New River	Coquille River (Face Rock) to Blacklock Point	32,656
Sixes River Mouth	Sixes River Mouth	4,108
Elk River	Elk River to Port Orford Head	5,616
Euchre Creek	Devil's Backbone to Nesika Beach	1,976
Pistol River	Cape Sebastian to Pistol River	1,092

Source: Shelby and Tokarczyk 2002

* Note: Attendance was calculated for the entire Beach Area, which in this case, includes both the Columbia River South Jetty and Necanicum Spit SPMA's. For this reason, the attendance estimated for each SPMA is the same.

OPRD = Oregon Parks and Recreation Department; SPMA = Snowy Plover Management Area

Current Recreational Use

The majority of popular recreational activities identified in the Ocean Shore Recreational Use Study are allowed to occur unrestricted along the Oregon coast. The following provides a description of permissible recreational uses on the covered lands, and existing recreational use restrictions as applicable. The recreational use restrictions for each of these activities under existing conditions are summarized in Table 3.3-3.

- **Dog Exercising** – Recreationists often exercise their dogs both on and off-leash on the Ocean Shore. Dogs are required to be on leash within all Oregon State Parks. In addition, dogs are required to be on a leash or under voice or signal command in the communities of Seaside, Rockaway, and Cannon Beach. Dog access to the beach at Siltcoos Estuary is currently prohibited during the snowy plover nesting season, and dogs must be leashed during the nesting season at several other locations along the beach (i.e., Baker/Sutton Beach, Dunes Overlook/Tahkenitch, Coos Bay North Spit, the Bandon portion of the Bandon/New River site, and Tenmile).
- **Driving** – Driving includes use of motorized vehicles (all-terrain vehicles/off-highway vehicles (ATV/OHV) and ordinary motor vehicles), use of non-motorized vehicles (bicycles, skateboards, landsail boards, kite buggies, and kite mountain boards), and the use of remote control cars on the beach. ATV/OHV riding is allowed on the beach at three locations on the coast, the Sand Lake Recreation Area and on two sections of the Dunes National Recreational Area. All other beach segments are off limits to ATV/OHV use without a drive-on beach permit unless for administrative uses, such as access for emergency and law enforcement vehicles, access for snowy plover monitors, or to provide for land management.

The Ocean Shore is generally open to motor vehicle access other than ATV/OHV use, unless otherwise posted. Existing limitations to driving for sites both currently occupied and unoccupied by snowy plovers regardless of landownership are summarized in Table 3.3-3. Beaches closed to driving may only be accessed with a motor vehicle permit issued by OPRD, or in the event of an emergency. Approval of drive-on beach permits and motor vehicle permits is conditioned on demonstration that such activities would avoid effects on snowy plovers.

Non-motorized vehicle use typically occurs on the wet sand portions of the beach. As summarized above, non-motorized vehicle use includes bicycling, landsailing (riding a board or cart with a sail attached to it), kite-buggying (riding a sit-down buggy that is steered with the feet and powered by a kite), and kite-mountain boarding (riding an all-terrain skateboard which is powered by a kite). There are currently no restrictions on non-motorized vehicle use.

- **Kite Flying** – Visitors to the beach often like to fly kites on both the dry and wet sand portions of the Ocean Shore. For the purposes of this FEIS, hang gliding, parasailing, and the use of remote control planes that originate or land over the beach are also included in this category. There are currently no restrictions on these activities.
- **Other Dry Sand Activities** – The public uses the dry sand portion of the Ocean Shore for a variety of other recreational activities, including camping, walking, jogging, hiking, picnicking, horseback riding, beach fires, beachcombing, and driftwood collection and removal. These activities primarily occur on the dry sand area of the beach, but some activities, such as horseback riding and pedestrian activities, do occur on the wet sand. Use of the dry sand portion of the beach is limited during the nesting season at sites currently occupied by snowy plovers, including Baker/Sutton Beach, Siltcoos Estuary, Coos Bay North Spit, the Bandon portion of the Bandon/New River site, and Tenmile. The following provides a description of the specific restrictions that apply to camping, beach fires, and horseback riding. Other activities are generally not restricted unless otherwise subject to permit requirements or as specified by restrictions for snowy plover management under the alternatives.
 - **Camping** – Beach camping is currently allowed on the beach and dune areas next to the beaches along the Oregon coast unless otherwise specified by the State Rule that disallows that use. Beach camping is prohibited on beaches adjacent to State parks and within the city limits of Seaside, Cannon Beach, Manzanita, Rockaway Beach, Lincoln City, Newport, Bandon, and Gold Beach, North Manzanita city limits to the base of Neahkanie Mountain, and from the Necanicum River to the Columbia River (Oregon Parks and Recreation Department 2010).
 - **Beach Fires** – Small recreational fires are generally allowed on the Ocean Shore as long as they are located in open, dry, sandy areas, downwind of and below beachgrass and driftwood lines and beyond 8 meters (25 feet) of a seawall constructed of wood or other combustible material. Beach fires are restricted at Bandon State Natural Area during the snowy plover season. OPRD also has the authority to restrict or prohibit such fires during high fire hazard conditions.
 - **Horseback Riding** – Horseback riding is allowed on all Oregon beaches, with the exception of those beaches located within the city limits of Rockaway, where equestrian use on the beach is prohibited by State Rule. Horse concessions are operated at Nehalem Bay State Park, Pistol River State Park, and Baker/Sutton Beach.

Table 3.3-3. Recreational Use Restrictions under Existing Conditions and Each of the Alternatives

Recreational Use	Existing Conditions	Alternative 1 – Current Management (No Action)	Alternative 2 – Proposed HCP	Alternative 3 – Management of Additional OPRD sites
Dog Exercising	<ul style="list-style-type: none"> ▪ Dogs are required to be on leash on beaches adjacent to State Parks and on leash or under voice command within the communities of Seaside, Rockaway, and Cannon Beach. ▪ Dogs are also required to be on leash and restricted to the wet sand in areas currently occupied by nesting snowy plovers during the nesting season. These areas include Sutton/Baker Beach, Tenmile, Coos Bay North Spit, Bandon, and New River. Dogs are prohibited from the Siltcoos Estuary portion of the Siltcoos/Dunes Overlook/Tahkenitch area during the nesting season. ▪ Within areas not owned or leased by OPRD, these restrictions are implemented at the request of the landowner. 	<p>General recreational use restrictions not associated with snowy plover management areas or superseded by the measures described below would continue as described under existing conditions (e.g., dogs on leash adjacent to State Parks).</p>	<p>General recreational use restrictions not associated with snowy plover management areas or superseded by the measures described below would continue as described under existing conditions (e.g., dog restrictions in the communities of Seaside).</p>	<p>General recreational use restrictions not associated with snowy plover management areas or superseded by the measures described below would continue as described under existing conditions (e.g., dog restrictions in the communities of Seaside).</p>
		<p><u>Unoccupied Areas Actively Managed for Snowy Plovers</u></p> <ul style="list-style-type: none"> ▪ OPRD would not actively manage any unoccupied areas to attract snowy plovers under Alternative 1. ▪ OPRD would not issue recreational use restrictions at locations that are not occupied by nesting snowy plovers. 	<p><u>Unoccupied Areas Actively Managed for Snowy Plovers</u></p> <ul style="list-style-type: none"> ▪ Dogs would be required to be on leash during the nesting season at sites being actively managed for nesting snowy plovers. ▪ These restrictions would apply to four currently unoccupied SPMA's and six currently unoccupied RMAs prior to the sites becoming occupied. In comparison to Alternative 1, dogs are already required to be on leash at all of the unoccupied SPMA's that would be actively managed under Alternative 2, but are not required to be on leash at any of the unoccupied RMAs that would be managed under Alternative 2. ▪ Restrictions could include symbolic fencing, signage, and enforcement to be implemented by OPRD. ▪ Within SPMA's, the extent of these restrictions would be determined by the USFWS-approved site management plan, but limited to the management boundary. ▪ At the six unoccupied RMAs, restrictions would be put in place at the request of the landowner and after completion of a USFWS-approved site management plan. OPRD would work with the landowner to provide signs, supervision, and avenues for the landowner's enforcement authority. 	<p><u>Unoccupied Areas Actively Managed for Snowy Plovers</u></p> <ul style="list-style-type: none"> ▪ Dogs would be required to be on leash during the nesting season at sites being actively managed for nesting snowy plovers. ▪ These restrictions would apply to eight currently unoccupied SPMA's and seven currently unoccupied RMAs prior to the sites becoming occupied. In comparison to Alternative 1, dogs are already required to be on leash at all of the unoccupied SPMA's that would be managed under Alternative 3, but are not required to be on leash at any of the unoccupied RMAs that would be managed under Alternative 3. ▪ Restrictions could include symbolic fencing, signage, and enforcement to be implemented by OPRD. ▪ Within SPMA's, the extent of these restrictions would be determined by the USFWS-approved site management plan, but limited to the management boundary. ▪ At the seven unoccupied RMAs, restrictions would be put in place at the request of the landowner and after completion of a USFWS-approved site management plan. OPRD would work with the landowner to provide signs, supervision, and avenues for the landowner's enforcement authority.
		<p><u>Areas Occupied by Snowy Plovers</u></p> <ul style="list-style-type: none"> ▪ Dogs would be required to be on leash and restricted to the wet sand during the nesting season in areas occupied by nesting snowy plovers. ▪ These restrictions could be applied anywhere along the Oregon coast where nesting snowy plovers appeared. Within areas not owned or leased by OPRD, these restrictions would be implemented at the request of the landowner. The nature of the restrictions and the extent of the restricted area would be developed in consultation with USFWS and the landowner. ▪ In addition to any new nesting sites, it is anticipated that these restrictions would continue to be implemented at locations currently occupied by nesting populations of snowy plovers, including Sutton/Baker Beach, Tenmile, Coos Bay North Spit, Bandon, and New River. Dogs would continue to be prohibited entirely from the Siltcoos portion of the Siltcoos Estuary/Dunes Overlook/Tahkenitch area during the nesting season. 	<p><u>Areas Occupied by Snowy Plovers</u></p> <ul style="list-style-type: none"> ▪ Dogs would be prohibited from areas occupied by snowy plovers during the nesting season. ▪ These restrictions would apply at up to five SPMA's and up to 11 RMAs during the nesting season once a site became occupied. ▪ The restrictions would be automatically implemented by OPRD once a site became occupied within the covered lands. At SPMA's, the extent of the restricted area would be determined by USFWS per the site management plan. At RMAs, OPRD would issue and enforce recreational use restrictions within the full extent of the RMA until an agreement is reached between USFWS and the landowner, and/or a site management plan is developed, and OPRD is notified of any changes that may modify recreational use restrictions to a more focused area. ▪ At nesting locations outside SPMA's/RMA's within the covered lands, dog exercising would be prohibited within a 50-meter-radius buffer on the dry sand portion of the nesting site should the location become occupied by snowy plovers. 	<p><u>Areas Occupied by Snowy Plovers</u></p> <ul style="list-style-type: none"> ▪ Dogs would be prohibited from areas occupied by snowy plovers during the nesting season. ▪ These restrictions would apply at up to nine SPMA's and up to 12 RMAs during the nesting season once a site became occupied. ▪ The restrictions would automatically be implemented by OPRD once a site became occupied within the covered lands. At SPMA's, the extent of the restricted area would be determined by USFWS per the site management plan. At RMAs, OPRD would issue and enforce recreational use restrictions within the full extent of the RMA until an agreement is reached between USFWS and the landowner, and/or a site management plan is developed, and OPRD is notified of any changes that may modify recreational use restrictions to a more focused area. ▪ At nesting locations outside SPMA's/RMA's within the covered lands, dog exercising would be prohibited within a 50-meter-radius buffer on the dry sand portion of the nesting site should the location become occupied by snowy plovers.

Recreational Use	Existing Conditions	Alternative 1 – Current Management (No Action)	Alternative 2 – Proposed HCP	Alternative 3 – Management of Additional OPRD sites
Driving	<ul style="list-style-type: none"> ▪ Driving is prohibited seasonally and year-round at several locations along the coast by State Rule with the exception of administrative uses. ▪ These restrictions include, but are not limited to, year-round prohibitions at Necanicum, Nehalem, Bay Ocean Spit, Netarts, North Sand Lake Spit, Sutton/Baker Beach, the Siltcoos Estuary portion of Siltcoos Estuary/Dunes Overlook/Tahkenitch, Tenmile, Bandon, New River, Sixes River Mouth, Euchre Creek, and Pistol River. Driving is also currently prohibited during the nesting season at Sand Lake Spit South and Coos Bay North Spit and is unrestricted on the remainder of the Oregon coast, including Nestucca, Tahkenitch South, North Umpqua River, Bullards Beach, Elk River, and the river shore at Columbia River South Jetty. 	<p>General recreational use restrictions not associated with snowy plover management areas or superseded by the measures described below would continue as described under existing conditions.</p>	<p>General recreational use restrictions not associated with snowy plover management areas or superseded by the measures described below would continue as described under existing conditions.</p>	<p>General recreational use restrictions not associated with snowy plover management areas or superseded by the measures described below would continue as described under existing conditions.</p>
		<p><u>Unoccupied Areas Actively Managed for Snowy Plovers</u></p> <ul style="list-style-type: none"> ▪ OPRD would not actively manage any unoccupied areas to attract snowy plovers under Alternative 1. ▪ OPRD would not issue recreational use restrictions at locations not occupied by nesting snowy plovers. 	<p><u>Unoccupied Areas Actively Managed for Snowy Plovers</u></p> <ul style="list-style-type: none"> ▪ If driving restrictions were not already in place, driving would be prohibited during the nesting season at sites being actively managed for nesting snowy plovers. ▪ These restrictions would apply to four currently unoccupied SPMAs and six currently unoccupied RMAs prior to the sites becoming occupied. In comparison to Alternative 1, driving is already prohibited during the nesting season at three of the four unoccupied SPMAs that would be managed under Alternative 2, with the exception of Columbia River South Jetty. Driving is also prohibited at all of the unoccupied RMAs that would be managed under Alternative 2, with the exception of Tahkenitch South, North Umpqua River, and Elk River. ▪ Restrictions could include symbolic fencing, signage, and enforcement to be implemented by OPRD. ▪ Within SPMAs, the extent of these restrictions would be determined by the USFWS-approved site management plan, but limited to the management boundary. ▪ At the six RMAs, restrictions would be put in place at the request of the landowner and after completion of a USFWS-approved site management plan. For RMAs, OPRD would work with the landowner to provide signs, supervision, and avenues for the landowner's enforcement authority. 	<p><u>Unoccupied Areas Actively Managed for Snowy Plovers</u></p> <ul style="list-style-type: none"> ▪ If driving restrictions were not already in place, driving would be prohibited during the nesting season at sites being actively managed for nesting snowy plovers. ▪ These restrictions would apply to eight currently unoccupied SPMAs and seven currently unoccupied RMAs prior to the sites becoming occupied. In comparison to Alternative 1, driving is already prohibited at six of the eight unoccupied SPMAs that would be managed under Alternative 3, with the exception of Columbia River South Jetty and Nestucca Spit. Driving is also prohibited at all of the unoccupied RMAs that would be managed under Alternative 3, with the exception of Tahkenitch South, North Umpqua River, and Elk River. ▪ Restrictions could include symbolic fencing, signage, and enforcement to be implemented by OPRD. ▪ Within SPMAs, the extent of these restrictions would be determined by the USFWS-approved site management plan, but limited to the management boundary. ▪ At the seven RMAs, restrictions would be put in place at the request of the landowner and after completion of a USFWS-approved site management plan. For RMAs, OPRD would work with the landowner to provide signs, supervision, and avenues for the landowner's enforcement authority.
		<p><u>Areas Occupied by Snowy Plovers</u></p> <ul style="list-style-type: none"> ▪ If driving restrictions were not already in place, driving would be prohibited during the nesting season at locations once they became occupied by nesting snowy plovers. ▪ These restrictions could be applied anywhere along the Oregon coast where nesting snowy plovers appeared. Within areas not owned or leased by OPRD, these restrictions would be implemented at the request of the landowner. The nature of the restrictions and the extent of the restricted area would be developed in consultation with USFWS and the landowner. ▪ Driving restrictions specified by State Rule would also continue to be implemented. This includes year-round restrictions at Sutton/Baker Beach, the Siltcoos Estuary portion of Siltcoos Estuary/Dunes Overlook/Tahkenitch, Tenmile, Bandon, and New River. Driving is also prohibited during the nesting season at Coos Bay North Spit. 	<p><u>Areas Occupied by Snowy Plovers</u></p> <ul style="list-style-type: none"> ▪ If driving restrictions were not already in place, driving would be prohibited during the nesting season at sites once they became occupied by nesting snowy plovers. ▪ These restrictions would apply to up to five SPMAs and up to 11 RMAs during the nesting season once a site became occupied. ▪ The restrictions would be automatically implemented by OPRD once a site became occupied within the covered lands. At SPMAs, the extent of the restricted area would be determined by USFWS per the site management plan. At RMAs, OPRD would issue and enforce recreational use restrictions within the full extent of the RMA until an agreement is reached between USFWS and the landowner, and/or a site management plan is developed, and OPRD is notified of any changes that may modify recreational use restrictions to a more focused area. ▪ At nesting locations outside of SPMAs or RMAs within the covered lands, driving would be prohibited within a 50-meter-radius buffer on the dry sand portion of the nesting site should the location become occupied by snowy plovers. 	<p><u>Areas Occupied by Snowy Plovers</u></p> <ul style="list-style-type: none"> ▪ If driving restrictions were not already in place, driving would be prohibited during the nesting season at sites once they became occupied by nesting snowy plovers. ▪ These restrictions would apply to up to nine SPMAs and up to 12 RMAs during the nesting season once a site became occupied. ▪ The restrictions would automatically be implemented by OPRD once a site became occupied within the covered lands. At SPMAs, the extent of the restricted area would be determined by USFWS per the site management plan. At RMAs, OPRD would issue and enforce recreational use restrictions within the full extent of the RMA until an agreement is reached between USFWS and the landowner, and/or a site management plan is developed, and OPRD is notified of any changes that may modify recreational use restrictions to a more focused area. ▪ At nesting locations outside of SPMAs or RMAs within the covered lands, driving would be prohibited within a 50-meter-radius buffer on the dry sand portion of the nesting site should the location become occupied by snowy plovers.

Recreational Use	Existing Conditions	Alternative 1 – Current Management (No Action)	Alternative 2 – Proposed HCP	Alternative 3 – Management of Additional OPRD sites
Non-Motorized Vehicles	Use of non-motorized vehicles is unrestricted.	<p>General recreational use restrictions not associated with snowy plover management areas or superseded by the measures described below would continue as described under existing conditions.</p> <p><u>Unoccupied Areas Actively Managed for Snowy Plovers</u></p> <ul style="list-style-type: none"> ▪ OPRD would not actively manage any unoccupied areas to attract snowy plover under Alternative 1. ▪ OPRD would not issue recreational use restrictions at locations not occupied by nesting snowy plovers. 	<p>General recreational use restrictions not associated with snowy plover management areas or superseded by the measures described below would continue as described under existing conditions.</p> <p><u>Unoccupied Areas Actively Managed for Snowy Plovers</u></p> <ul style="list-style-type: none"> ▪ Use of non-motorized vehicles would be prohibited during the nesting season at sites being actively managed for nesting snowy plovers. ▪ These restrictions would apply to four currently unoccupied SPMA and six currently unoccupied RMAs prior to the sites becoming occupied. There are no restrictions on non-motorized vehicle use at any of these areas under Alternative 1. ▪ Restrictions could include symbolic fencing, signage, and enforcement to be implemented by OPRD. ▪ Within SPMA, the extent of these restrictions would be determined by the USFWS-approved site management plan, but limited to the management boundary. ▪ At the six RMAs, restrictions would be put in place at the request of the landowner and after completion of a USFWS-approved site management plan. For RMAs, OPRD would work with the landowner to provide signs, supervision, and avenues for the landowner's enforcement authority. 	<p>General recreational use restrictions not associated with snowy plover management areas or superseded by the measures described below would continue as described under existing conditions.</p> <p><u>Unoccupied Areas Actively Managed for Snowy Plovers</u></p> <ul style="list-style-type: none"> ▪ Use of non-motorized vehicles would be prohibited during the nesting season at sites being actively managed for nesting snowy plovers. ▪ These restrictions would apply to eight currently unoccupied SPMA and seven currently unoccupied RMAs prior to the sites becoming occupied. There are no restrictions on non-motorized vehicle use at any of these areas under Alternative 1. ▪ Restrictions could include symbolic fencing, signage, and enforcement to be implemented by OPRD. ▪ Within SPMA, the extent of these restrictions would be determined by the USFWS-approved site management plan, but limited to the management boundary. ▪ At the seven RMAs, restrictions would be put in place at the request of the landowner and after completion of a USFWS-approved site management plan. For RMAs, OPRD would work with the landowner to provide signs, supervision, and avenues for the landowner's enforcement authority.
		<p><u>Areas Occupied by Snowy Plovers</u></p> <ul style="list-style-type: none"> ▪ Use of non-motorized vehicles would be prohibited during the nesting season once a site became occupied by nesting snowy plovers. ▪ These restrictions could be applied anywhere along the Oregon coast where nesting snowy plovers appeared. Within areas not owned or leased by OPRD, these restrictions would be implemented at the request of the landowner. The nature of the restrictions and the extent of the restricted area would be developed in consultation with USFWS and the landowner. ▪ In addition to any new nesting sites, it is anticipated that these restrictions would be implemented at locations currently occupied by nesting snowy plovers, including Sutton/Baker Beach, the Siltcoos portion of the Siltcoos Estuary/Dunes Overlook/Tahkenitch, Tenmile, Coos Bay North Spit, Bandon, and New River. 	<p><u>Areas Occupied by Snowy Plovers</u></p> <ul style="list-style-type: none"> ▪ Use of non-motorized vehicles would be prohibited from areas occupied by snowy plovers during the nesting season. ▪ These restrictions would apply at up to the five SPMA and up to 11 RMAs during the nesting season once a site became occupied. ▪ The restrictions would be automatically implemented by OPRD once a site became occupied within the covered lands. At SPMA, the extent of the restricted area would be determined by USFWS per the site management plan. At RMA, OPRD would issue and enforce recreational use restrictions within the full extent of the RMA until an agreement is reached between USFWS and the landowner, and/or a site management plan is developed, and OPRD is notified of any changes that may modify recreational use restrictions to a more focused area. ▪ At nesting locations outside SPMA or RMA within the covered lands, non-motorized vehicle use would be prohibited within a 50-meter-radius buffer on the dry sand portion of the nesting site should the location become occupied by snowy plovers. 	<p><u>Areas Occupied by Snowy Plovers</u></p> <ul style="list-style-type: none"> ▪ Use of non-motorized vehicles would be prohibited from areas occupied by snowy plovers during the nesting season. ▪ These restrictions would apply at up to nine SPMA and up to 12 RMAs during the nesting season once a site became occupied. ▪ The restrictions would be automatically implemented by OPRD once a site became occupied within the covered lands. At SPMA, the extent of the restricted area would be determined by USFWS per the site management plan. At RMA, OPRD would issue and enforce recreational use restrictions within the full extent of the RMA until an agreement is reached between USFWS and the landowner, and/or a site management plan is developed, and OPRD is notified of any changes that may modify recreational use restrictions to a more focused area. ▪ At nesting locations outside SPMA or RMA within the covered lands, non-motorized vehicle use would be prohibited within a 50-meter-radius buffer on the dry sand portion of the nesting site should the location become occupied by snowy plovers.
Kite flying	Kite flying is unrestricted.	<p>General recreational use restrictions not associated with snowy plover management areas or superseded by the measures described below would continue as described under existing conditions (e.g., dogs on leash adjacent to State Parks).</p> <p><u>Unoccupied Areas Actively Managed for Snowy Plovers</u></p> <ul style="list-style-type: none"> ▪ OPRD would not actively manage any unoccupied areas for active snowy plover management under Alternative 1. ▪ OPRD would not issue recreational use restrictions at locations not occupied by nesting snowy plovers. 	<p>General recreational use restrictions not associated with snowy plover management areas or superseded by the measures described below would continue as described under existing conditions.</p> <p><u>Unoccupied Areas Actively Managed for Snowy Plovers</u></p> <ul style="list-style-type: none"> ▪ Kite flying would be allowed at sites targeted for active management of snowy plovers. 	<p>General recreational use restrictions not associated with snowy plover management areas or superseded by the measures described below would continue as described under existing.</p> <p><u>Unoccupied Areas Actively Managed for Snowy Plovers</u></p> <ul style="list-style-type: none"> ▪ Kite flying would be allowed at sites targeted for active management of snowy plovers.

Recreational Use	Existing Conditions	Alternative 1 – Current Management (No Action)	Alternative 2 – Proposed HCP	Alternative 3 – Management of Additional OPRD sites
Other Dry Sand Activities	<ul style="list-style-type: none"> Recreation use of certain areas of the dry sand surrounding nesting locations is restricted as indicated by signage and roping. These restrictions apply to Sutton/Baker Beach, the Siltcoos Estuary portion of Siltcoos Estuary/Dunes Overlook/Tahkenitch, Tenmile, Coos Bay North Spit, Bandon, and New River. 	<p><u>Areas Occupied by Snowy Plovers</u></p> <ul style="list-style-type: none"> There would be no restrictions on kite flying at sites occupied by nesting snowy plovers under Alternative 1. 	<p><u>Areas Occupied by Snowy Plovers</u></p> <ul style="list-style-type: none"> Kite flying would be prohibited from areas occupied by snowy plovers during the nesting season. These restrictions would apply at up to five SPMA's and up to 11 RMA's during the nesting season once a site became occupied. The restrictions would be automatically implemented by OPRD once a site became occupied within the covered lands. At SPMA's, the extent of the restricted area would be determined by USFWS per the site management plan. At RMA's, OPRD would issue and enforce recreational use restrictions within the full extent of the RMA until an agreement is reached between USFWS and the landowner, and/or a site management plan is developed, and OPRD is notified of any changes that may modify recreational use restrictions to a more focused area. At nesting locations outside SPMA's or RMA's within the covered lands, kite flying would be prohibited within a 50-meter-radius buffer on the dry sand portion of the nesting site should the location become occupied by snowy plovers. 	<p><u>Areas Occupied by Snowy Plovers</u></p> <ul style="list-style-type: none"> Kite flying would be prohibited from areas occupied by snowy plovers during the nesting season. These restrictions would apply at up to nine SPMA's and up to 12 RMA's during the nesting season once a site became occupied. The restrictions would be automatically implemented by OPRD once a site became occupied within the covered lands. At the SPMA's, the extent of the restricted area would be determined by USFWS per the site management plan. At RMA's, OPRD would issue and enforce recreational use restrictions within the full extent of the RMA until an agreement is reached between USFWS and the landowner, and/or a site management plan is developed, and OPRD is notified of any changes that may modify recreational use restrictions to a more focused area. At nesting locations outside SPMA's or RMA's within the covered lands, kite flying would be prohibited within a 50-meter-radius buffer on the dry sand portion of the nesting site should the location become occupied by snowy plovers.
		<p>General recreational use restrictions not associated with snowy plover management areas or superseded by the measures described below would continue as described under existing conditions (e.g., dogs on leash adjacent to State Parks).</p>	<p>General recreational use restrictions not associated with snowy plover management areas or superseded by the measures described below would continue as described under existing conditions.</p>	<p>General recreational use restrictions not associated with snowy plover management areas or superseded by the measures described below would continue as described under existing conditions.</p>
		<p><u>Unoccupied Areas Actively Managed for Snowy Plovers</u></p> <ul style="list-style-type: none"> OPRD would not actively manage any unoccupied areas to attract snowy plovers under Alternative 1. OPRD would not issue recreational use restrictions at locations not occupied by nesting snowy plovers. 	<p><u>Unoccupied Areas Actively Managed for Snowy Plovers</u></p> <ul style="list-style-type: none"> Use of the dry sand would not be prohibited at sites targeted for active management of snowy plovers. 	<p><u>Unoccupied Areas Actively Managed for Snowy Plovers</u></p> <ul style="list-style-type: none"> Use of the dry sand would not be prohibited at sites targeted for active management of snowy plovers.
Other Dry Sand Activities	<ul style="list-style-type: none"> Recreation use of certain areas of the dry sand surrounding nesting locations is restricted as indicated by signage and roping. These restrictions apply to Sutton/Baker Beach, the Siltcoos Estuary portion of Siltcoos Estuary/Dunes Overlook/Tahkenitch, Tenmile, Coos Bay North Spit, Bandon, and New River. 	<p><u>Areas Occupied by Snowy Plovers</u></p> <ul style="list-style-type: none"> Use of certain areas of the dry sand surrounding an occupied nesting site would be prohibited during the nesting season. These restrictions could be applied anywhere along the Oregon coast where nesting snowy plovers appeared. Within areas not owned or leased by OPRD, these restrictions would be implemented at the request of the landowner. The nature of the restrictions and the extent of the restricted area would be developed in consultation with USFWS and the landowner. In addition to new nesting sites, it is anticipated that these restrictions would continue to be implemented at Sutton/Baker Beach, the Siltcoos Estuary portion of Siltcoos Estuary/Dunes Overlook Tahkenitch, Tenmile, Coos Bay North Spit, Bandon, and New River. 	<p><u>Areas Occupied by Snowy Plovers</u></p> <ul style="list-style-type: none"> Use of the dry sand at occupied nesting sites would be prohibited during the nesting season. These restrictions would apply at up to five SPMA's and up to 11 RMA's during the nesting season once a site became occupied. The restrictions would be automatically implemented by OPRD once a site became occupied within the covered lands. At SPMA's, the extent of the restricted area would be determined by USFWS per the site management plan. At RMA's, OPRD would issue and enforce recreational use restrictions within the full extent of the RMA until an agreement is reached between USFWS and the landowner, and/or a site management plan is developed, and OPRD is notified of any changes that may modify recreational use restrictions to a more focused area. At nesting locations outside of SPMA's or RMA's within the covered lands, use of certain areas of the dry sand would be prohibited within a 50-meter-radius buffer of the site location should the location become occupied by snowy plovers. 	<p><u>Areas Occupied by Snowy Plovers</u></p> <ul style="list-style-type: none"> Use of certain areas of the dry sand surrounding an occupied nesting site would be prohibited during the nesting season. These restrictions would apply at up to nine SPMA's and up to 12 RMA's during the nesting season once a site became occupied. The restrictions would be automatically implemented by OPRD once a site became occupied within the covered lands. At SPMA's, the extent of the restricted area would be determined by USFWS per the site management plan. At RMA's, OPRD would issue and enforce recreational use restrictions within the full extent of the RMA until an agreement is reached between USFWS and the landowner, and/or a site management plan is developed, and OPRD is notified of any changes that may modify recreational use restrictions to a more focused area. At nesting locations outside of SPMA's or RMA's within the covered lands, use of certain areas of the dry sand would be prohibited within a 50-meter-radius buffer of the nesting site should the location become occupied by snowy plovers.

Source: Schutt pers. comm., Oregon Parks and Recreation Department 2008.
USFWS = U.S. Fish and Wildlife Service; OPRD = Oregon Parks and Recreation Department; RMA = Recreation Management Area; SPMA = Snowy Plover Management Area

3.3.4 Environmental Consequences

Under all of the alternatives, recreational use restrictions for the protection of snowy plovers have the potential to affect recreational opportunities in the study area. The location and extent of these restrictions would differ depending on the alternative and whether the site was being actively managed to attract snowy plovers or it was currently occupied by nesting snowy plovers. Although the extent of the restrictions at SPMA and RMA would be developed in consultation with FWS and ODFW and documented in the site management plan, for the purposes of this analysis, it is assumed that the restricted area would include the full extent of the SPMA and RMA boundary.

Potential recreational use restrictions on the covered lands could include restrictions on dog exercising, driving, non-motorized vehicle use, kite flying, or other activities on portions of the dry sand. These restrictions would differ between all the alternatives, as summarized in Table 3.3-3 and discussed in detail below. These restrictions would apply primarily to the dry sand portion of the beach, with the exception of implementing restrictions on certain portions of the wet sand as specified below. Activities that would not normally occur on the wet sand, such as beach camping, picnicking, beach fires, etc. would be allowed to continue in compliance with existing conditions outside of the restricted dry sand areas, but would effectively not occur on the wet sand.

Some of the natural resource management activities, such as habitat maintenance, predator management, snowy plover monitoring, and public outreach and education, are not expected to result in effects on recreation. This is because these activities are compatible with recreational use, would occur infrequently, and would occur at relatively isolated locations.

Alternative 1 – No Action (Current Management)

Potential Effects of the Covered Activities on Recreational Use Opportunities at Unoccupied Areas Actively Managed for Snowy Plovers

Under Alternative 1, OPRD would not actively manage any unoccupied locations to attract nesting populations of snowy plovers. In addition, OPRD would not issue recreational use restrictions at sites not occupied by nesting snowy plovers. The general recreational use restrictions described above under Affected Environment and summarized in Table 3.3-3 under existing conditions, would continue to be implemented.

Potential Effects of the Covered Activities on Recreational Use Opportunities at Sites Occupied by Snowy Plovers

Under Alternative 1, once a location is occupied by nesting snowy plovers, the recreational use restrictions listed in Table 3.3-3 would be implemented during the

snowy plover nesting season. On lands not owned or leased by OPRD, restrictions would only be implemented at the request of the landowner. The extent of the restricted area and the degree of the restrictions would be determined in consultation with FWS. For the purposes of this analysis, it is assumed that the restrictions would include prohibitions on driving and non-motorized vehicle use; requirements that dogs be on leash and restricted to the wet sand portion of the beach; and prohibitions on recreational use at portions of the dry sand area surrounding a nest site as indicated by roping and signage.

These restrictions could be automatically implemented anywhere within the covered lands that nesting snowy plovers were observed. These restrictions would be implemented automatically on lands owned or leased by OPRD and at the request of the landowner on all other lands. For the purposes of this analysis, it is anticipated that in addition to any new nesting location, snowy plover protections would continue to be implemented at the six currently occupied locations, including Sutton/Baker Beach, the Siltcoos Estuary portion of Siltcoos Estuary/Dunes Overlook/Tahkenitch Estuary, Coos Bay North Spit, Tenmile Estuary, Bandon, and New River.

Some recreational use restrictions are currently in place either because certain beach areas already have nesting populations of snowy plovers or because of existing recreational restrictions unrelated to snowy plover protections. The current recreational use restrictions are listed in Table 3.3-3 under existing conditions. With respect to the six currently occupied sites, dogs are already required to be on leash and are prohibited entirely from the Siltcoos Estuary during the snowy plover nesting season. Driving is also already prohibited at all of these locations either year-round or during the nesting season and the use of certain portions of the dry sand at each of these areas is also prohibited during the nesting season as indicated by roping and signage. For each of these recreational activities, there would be no difference in recreational use restrictions at the six occupied sites under Alternative 1 when compared with existing conditions.

In addition to the existing recreational use restrictions, OPRD is planning to prohibit non-motorized vehicle use at currently occupied sites under Alternative 1. Prohibition of non-motorized vehicle use would be more restrictive under Alternative 1 since there are currently no restrictions in place for this activity. As noted in Table 3.3-4, there are substitute locations at all six of the currently occupied sites where non-motorized vehicle use could take place unrestricted.

Table 3.3-4. Alternate Locations for Activities Restricted Under Alternative 1 at Sites Occupied by Snowy Plovers

Location	Non-Motorized Vehicle Use
Sutton/Baker Beach	Non-motorized vehicle use would be allowed to continue to the north from the Heceta Head Lighthouse access point and to the south from existing access points north of Florence.
Siltcoos/Dunes Overlook/Tahkenitch	Non-motorized vehicle use would be allowed to continue on the beach immediately to the north from the existing Siltcoos access point and in the area to the south from the Three Mile Creek access point.
Tenmile	Non-motorized vehicle use would be allowed to continue to the north from the Dunes National Recreation Area access point and to the south from the Sider Tree access point.
Coos Bay North Spit	Non-motorized vehicle use would be allowed to continue to the north from the Horsefall access point.
Bandon	Non-motorized vehicle use would be allowed to continue on the beach immediately north from existing China Creek access point and south from the Lower Four Mile Road access, if the New River RMA is not occupied by nesting snowy plovers.
New River	Non-motorized vehicle use would be allowed to continue on the beach immediately north from existing China Creek access point and at Floras Lake.

RMA = Recreation Management Area

In spite of the fact that the effect of these restrictions would be minimal at the six currently occupied sites, there is a potential for these restrictions to be implemented at any other location along the Oregon coast where nesting snowy plovers may appear. Although some of these locations may already have restrictions on certain recreational activities (e.g., dogs must be on leash on beaches adjacent to State Parks and driving is prohibited at certain locations by State Rule), other beach areas may not have any restrictions. Therefore, there is a potential for implementation of Alternative 1 to affect recreational activities at other locations where nesting snowy plovers may appear.

Alternative 2 – Proposed HCP

Potential Effects of the Covered Activities on Recreational Use Opportunities at Unoccupied Areas Actively Managed for Snowy Plovers

Under Alternative 2, if an SPMA becomes actively managed to attract nesting populations of snowy plovers (after completion of a FWS-approved site management plan), OPRD would implement the recreational use restrictions described in Table 3.3-3 during the nesting season. Within SPMAs, the extent of these restrictions would be determined by the FWS-approved site management plan, but limited to the management boundary. At RMAs, restrictions would be put in place at the request of the landowner and after completion of a FWS-approved site management plan. For RMAs, OPRD would work with the landowner to provide signs, supervision, and avenues for the landowner's enforcement authority. The restrictions that would be implemented include requiring dogs to be on leash,

restricting non-motorized vehicle use, and prohibiting driving during the nesting season.

These restrictions would only be implemented at the four currently unoccupied SPMA's and the six currently unoccupied RMA's over the term of the 25-year ITP, as described in Section 2.3.2, "Alternative 2 – Proposed HCP." The SPMA's targeted by OPRD under Alternative 2 would be located at Columbia River South Jetty (Figure 1-3), Necanicum Spit (Figure 1-4), Nehalem Spit (Figure 1-5), and Netarts Spit (Figure 1-6). The RMA's would be located at Bay Ocean Spit, South Sand Lake Spit, Tahkenitch South, Umpqua River North Jetty, Elk River Spit, and Euchre Creek. The RMA locations are shown in Appendix A of this FEIS.

Because OPRD would not target any areas for active snowy plover management or issue recreational use restrictions at sites not occupied by snowy plovers under Alternative 1, implementation of Alternative 2 would result in more prohibitive recreation use restrictions with respect to the active management of unoccupied sites. The key differences between the two alternatives would occur at locations where dogs, driving, and non-motorized vehicle use are not already restricted. Dogs are already required to be on leash at all four currently unoccupied SPMA's and driving is already prohibited during the snowy plover nesting season at three of the four currently unoccupied SPMA's, with the exception of Columbia River South Jetty. Dogs are not currently required to be on leash at any of the six currently unoccupied RMA's, and driving is unrestricted at Tahkenitch South, North Umpqua River, and Elk River. Table 3.3-5 lists the alternate beach areas where dog exercising and driving could occur unrestricted for these locations. Non-motorized vehicle use would be more prohibitive than Alternative 1 for all locations. This is because no restrictions are proposed for non-motorized vehicle use under Alternative 1 at unoccupied sites.

Table 3.3-5. Alternate Locations for Activities Restricted Under Alternative 2 at Unoccupied Sites Targeted for Snowy Plover Management

Location	Dog Exercising	Driving	Non-Motorized Vehicle Use
SPMA's			
Columbia River South Jetty	There would be no difference compared with Alternative 1. Dogs are required to be on leash in areas adjacent to State lands.	Driving could occur unrestricted on the Ocean Shore to the south of the Peter Iredale access point.	Non-motorized vehicle use would be allowed to continue to the south of the northernmost State Park access point on the Ocean Shore and to the east of the SPMA on the river shore.
Necanicum Spit	There would be no difference compared with Alternative 1. Dogs are required to be on leash in areas adjacent to State Parks.	There would be no difference compared with Alternative 1. Driving is already prohibited at this location by State Rule.	Non-motorized vehicle use could occur on the Ocean Shore to the north of the proposed SPMA from the Gearhart Beach Access Ramp (10th Street).

Location	Dog Exercising	Driving	Non-Motorized Vehicle Use
Nehalem Spit	There would be no difference compared with Alternative 1. Dogs are required to be on leash in areas adjacent to State Parks.	There would be no difference compared with Alternative 1. Driving is already prohibited at this location by State Rule.	Non-motorized vehicle use could occur on the Ocean Shore to the north from the existing access points within the State Park, and to the south of the SPMA across from the Nehalem River. Land-sailing would be allowed to continue to the south, on the other side of the Nehalem River.
Netarts Spit	There would be no difference compared with Alternative 1. Dogs are required to be on leash in areas adjacent to State Parks.	There would be no difference compared with Alternative 1. Driving is already prohibited at this location by State Rule.	Non-motorized vehicle use could occur on the Ocean Shore to the south of the SPMA, accessible from the existing State Park access. The area to the north would continue to be accessible from the Happy Camp access point.
RMA			
Bay Ocean Spit	Dogs could be exercised off-leash in the area adjacent to the existing access points to the south of the RMA along the full length of the beach.	There would be no difference compared with Alternative 1. Driving is already prohibited at this location by State Rule.	Non-motorized vehicle use could occur on the Ocean Shore would be allowed to continue in the area adjacent to the existing access points to the south of the RMA along the full length of the beach.
South Sand Lake Spit	Dogs could be exercised off-leash to the south from the Tierra Del Mar access points.	There would be no difference compared with Alternative 1. Driving is already prohibited seasonally at this location by State Rule.	Non-motorized vehicle use could occur on the Ocean Shore to south from the Tierra Del Mar access points.
Tahkenitch South	Dogs could be exercised off-leash to the south from the Three Mile Creek access point.	Driving would be allowed to occur unrestricted to the south from the Three Mile Creek access point.	Non-motorized vehicle use would be allowed to occur unrestricted in the area to the south from the Three Mile Creek access point.
North Umpqua River	Dogs could be exercised off-leash on the beach immediately north of the RMA reached from the existing access point at Three Mile Creek.	Driving could occur unrestricted north of the RMA reached from the existing access point at Three Mile Creek.	Non-motorized vehicle use would be allowed to continue to the north of the RMA, which is closer in proximity to the existing access point at Three Mile Creek and on the beach south of the Umpqua River.
Elk River	Dogs could be exercised off-leash on the beach immediately adjacent to the north from the existing Cape Blanco State Park access and to the south from the Paradise Point access point.	Driving could occur unrestricted north of the RMA from the Cape Blanco State Park Access and could occur to the south from the Paradise Point access.	Non-motorized vehicle use would be allowed to continue to the north immediately adjacent to the north from the Cape Blanco State Park access and to the south from the Paradise Point access point.
Euchre River	Dogs could be exercised off-leash on the beach immediately to the south of the potentially restricted area from the existing Ophir Wayside access point.	There would be no difference compared with Alternative 1. Driving is already prohibited at this location by State Rule.	Non-motorized vehicle use could occur on the Ocean Shore to the south at the Ophir access point.

RMA = Recreation Management Area; SPMA = Snowy Plover Management Area

Although these restrictions would limit some recreational opportunities in these areas relative to Alternative 1, the potential effects would likely be minimal. The locations of the SPMA and RMA were specifically selected to minimize potential effects on recreation based on recreational use survey data (Shelby and Tokarczyk 2002). Compared to other more frequently used areas of the beach, the areas selected for snowy plover management are considered low-density use areas where the heaviest concentration of use occurs outside of the proposed management boundary. As indicated in Table 3.3-5, there would be multiple locations in proximity to these areas where recreational activities would be allowed to continue unrestricted. Furthermore, the extent of the recreational use restrictions would be determined during the development of the site management plans for SPMA and through consultation with FWS for RMA. Therefore, it is possible that there may be areas within an SPMA or RMA where some of the restrictions may not apply. In all cases, access to the wet sand would be maintained and activities not otherwise restricted would be allowed to continue on the wet sand. As a result, the potential effects on recreational opportunities at these areas are expected to be minimal under Alternative 2, but greater than Alternative 1 at unoccupied sites.

Potential Effects of the Covered Activities on Recreational Use Opportunities at Areas Occupied by Snowy Plovers

Under Alternative 2, if a site becomes occupied by nesting populations of snowy plovers, OPRD would automatically implement the restrictions summarized in Table 3.3-3 on the covered lands. These restrictions would be applied at up to five SPMA and possibly at up to 11 RMA during the nesting season over the course of the 25-year ITP, as described in Section 2.3.2, “Alternative 2 – Proposed HCP.”

The restrictions would automatically be implemented at SPMA and non-Federal RMA. At RMA, OPRD would issue and enforce recreational use restrictions within the full extent of the RMA until an agreement is reached between FWS and the landowner, and/or a site management plan is developed, and OPRD is notified of any changes that may modify recreational use restrictions to a more focused area. In areas not identified as an SPMA or RMA within the covered lands, the restrictions would be implemented within a set 50-meter-radius buffer on the dry sand portion of the nesting location.

The SPMA and RMA where restrictions would take place would include all of the unoccupied areas noted above, as well as the Bandon SPMA (Figure 1-9) and the RMA located at Sutton/Baker Beach, Siltcoos Estuary/Dunes Overlook/Tahkenitch, Tenmile, Coos Bay North Spit, and New River (Appendix A).

Under Alternative 2, at occupied sites, dog exercising, driving, non-motorized vehicle use, and kite flying would be prohibited during the nesting season, including the wet sand portion of the beach. In addition, use of a portion of the dry sand area surrounding a nesting site would also be prohibited. Access to the wet sand for activities not otherwise restricted under Alternative 2 would be maintained.

The dog exercising restrictions proposed under Alternative 2 would be more prohibitive than Alternative 1 for all five of the SPMA's and 10 of the 11 RMA's. This is because under Alternative 1, dogs are already prohibited at Siltcoos Estuary RMA, but are only required to be on leash at the other currently occupied areas during the nesting season. Under Alternative 2, dogs would be prohibited entirely during the nesting season at all occupied sites. Similarly, kite flying restrictions under Alternative 2 would be more prohibitive than Alternative 1 for all locations. This is because no kite flying restrictions are proposed under Alternative 1 at occupied sites.

Restrictions on driving, non-motorized vehicle use, and use of the dry sand area surrounding a nesting site would be similar under Alternative 2 compared to Alternative 1 because these activities would be prohibited during the nesting season under both alternatives. However, there are subtle differences between the two alternatives. Under Alternative 1, the nature and extent of these restrictions would be determined on a case-by-case basis with FWS and could be applied to any location along the Oregon coast. Under Alternative 2, the full extent of these restrictions would be implemented at up to five SPMA's and 11 RMA's (as described above) only. Table 3.3-6 summarizes the alternate locations where the potentially affected recreational activities could occur unrestricted.

Although the proposed restrictions have the potential to further limit recreational opportunities relative to Alternative 1, the potential effects on recreational use under Alternative 2 would likely be minimal because of the availability of substitute locations where these activities could be unrestricted (Table 3.3-6). In addition, the locations of the targeted areas were selected because they supported lower recreational use relative to the surrounding beach areas. Furthermore, the extent of the recreational use restrictions would be determined during the development of the site management plans for SPMA's and through consultation with FWS for RMA's. Therefore, it is possible that there may be areas within an SPMA or RMA where some of the restrictions may not apply. In all cases, access to the wet sand would be maintained and activities not otherwise restricted would be allowed to continue on the wet sand. For these reasons, the potential effects on recreational opportunities at these five SPMA's and 11 RMA's are expected to be minimal, but slightly greater than Alternative 1.

At locations outside of the SPMA's or RMA's within the covered lands, the potential recreational restrictions would be limited to an area within a 50-meter-radius buffer on the dry sand portion of the nesting location. These restrictions would include prohibiting use of the dry sand within the buffer area, as determined by FWS. Under Alternative 1, the nature and extent of the restrictions would be determined in consultation with FWS on a case-by-case basis and could have the potential to be more restrictive and affect a larger area. Therefore, implementation of Alternative 2 is anticipated to have less of an effect than Alternative 1 on recreational opportunities for areas outside SPMA's and RMA's because the extent of the restrictions would be limited to a specific 50-meter-radius buffer.

Table 3.3-6. Alternate Locations for Activities Restricted under Alternative 2 at Occupied Actively Managed SPMA's and RMAs

Location	Dog Exercising	Kite Flying	Driving and Non-Motorized Vehicle Use	Other Dry Sand Activities
SPMA's				
Columbia River South Jetty	Dog exercising could occur on the Ocean Shore to the south of the SPMA from the northern most Fort Stevens State Park access point and to the east of the SPMA along the river shore. Dogs would continue to be required to be on leash in areas adjacent to State lands.	Unrestricted kite flying would be allowed on the Ocean Shore south from the northernmost State Park access point and to the east of the SPMA Ocean Shore along the river shore.	The restrictions proposed under Alternative 2 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 2 at this location. Driving would be allowed to continue year-round on the Ocean Shore south of the Peter Iredale Fort Stevens State Park access. Non-motorized vehicle use would be allowed to continue to the south of the northernmost State Park access point on the Ocean Shore and to the east of the SPMA on the river shore.	The restrictions proposed under Alternative 2 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 2 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Unrestricted use of the dry sand would be allowed on the Ocean Shore from the northernmost State Park access point.
Necanicum Spit	Dog exercising could occur in the area to the north of the proposed SPMA from the Gearhart Beach Access Ramp (10th Street). Dogs would continue to be required to be on leash in areas adjacent to State lands.	Kite flying would be allowed to continue on the Ocean Shore to the north of the proposed SPMA from the Gearhart Beach Access Ramp (10th Street).	Driving is already prohibited year-round by State Rule at this location. Non-motorized vehicle use could occur on the Ocean Shore to the north of the proposed SPMA from the Gearhart Beach Access Ramp (10th Street).	The restrictions proposed under Alternative 2 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 2 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Unrestricted use of the dry sand would be allowed to continue north of the Gearhart Beach Access Ramp (10th Street), approximately 1.6 kilometers (1 mile) north of the potentially restricted area.
Nehalem Spit	Dog exercising could occur in the area to the north from the existing access points within the State Park and to the south of the SPMA across the Nehalem River. Dogs would continue to be required to be on leash in areas adjacent to State lands.	Unrestricted kite flying would be allowed to the north from the existing access points within the State Park, and to the south of the SPMA across the Nehalem River.	Driving is already prohibited year-round by State Rule at this location. Non-motorized vehicle use could occur on the Ocean Shore to the north from the existing access points within the State Park, and to the south of the SPMA across the Nehalem River. Land-sailing would be allowed to continue to the south, on the other side of the Nehalem River.	The restrictions proposed under Alternative 2 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 2 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Unrestricted use of the dry sand would be allowed to continue to the north from the existing access points within the State Park and to the south across the Nehalem River.
Netarts Spit	Dog exercising could occur on the beach to the south of the SPMA, which is accessible from the existing State Park access. The area to the north would continue to be accessible from the Happy Camp access point. Dogs would continue to be required to be on leash in areas adjacent to State lands.	Unrestricted kite flying would be allowed on the beach to the south of the SPMA, accessible from the existing State Park access. The area to the north would continue to be accessible from the Happy Camp access point.	Driving is already prohibited year-round by State Rule at this location. Non-motorized vehicle use could occur on the Ocean Shore to the south of the SPMA, accessible from the existing State Park access. The area to the north would continue to be accessible from the Happy Camp access point.	The restrictions proposed under Alternative 2 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 2 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Unrestricted use of the dry sand would be allowed to continue south of the potentially restricted area, which is accessible from the existing State Park access. The area to the north would continue to be accessible from the Happy Camp access point.
Bandon*	Dog exercising would be allowed to the north on the beach immediately adjacent to the SPMA from the exiting China Creek beach access and south from Lower Fourmile Road as long as the New River RMA is not occupied. Dogs would continue to be required to be on leash in areas adjacent to State lands.	Unrestricted kite flying would be allowed immediately to the north of the SPMA from the existing China Creek Access and south from the Lower Four Mile Road access, as long as the New River portion of this site was not occupied by nesting snowy plovers.	Driving is already prohibited year-round by State Rule at this location. Non-motorized vehicle use could occur on the Ocean Shore immediately to the north of the SPMA from the existing China Creek Access and south from the Lower Four Mile Road access, as long as New River is not occupied by nesting snowy plovers.	This location is already actively managed for snowy plovers, which includes restricting use of the dry sand. There is no difference between Alternatives 1 and 2 at this location.

Location	Dog Exercising	Kite Flying	Driving and Non-Motorized Vehicle Use	Other Dry Sand Activities
RMA				
Bay Ocean Spit	Dog exercising could occur in the area adjacent to the existing access points to the south of the RMA along the full length of the beach.	Unrestricted kite flying would be allowed in the area adjacent to the existing access points to the south of the RMA along the full length of the beach.	Driving is already prohibited year-round by State Rule at this location. Non-motorized vehicle use could occur on the Ocean Shore would be allowed to continue in the area adjacent to the existing access points to the south of the RMA along the full length of the beach.	The restrictions proposed under Alternative 2 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 2 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Unrestricted use of the dry sand would be allowed to continue in the area adjacent to the existing access points to the south of the RMA along the full length of the beach.
South Sand Lake Spit	Dog exercising could occur to the south from the Tierra Del Mar access points.	Unrestricted kite flying would be allowed to the south from the Tierra Del Mar access points.	Driving is already prohibited during the nesting season by State Rule at this location. Non-motorized vehicle use could occur on the Ocean Shore to the south from the Tierra Del Mar access points.	The restrictions proposed under Alternative 2 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 2 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Unrestricted use of the dry sand would be allowed to continue to the south from the Tierra Del Mar access points.
Sutton/Baker Beach*	Dog exercising could occur from the Heceta Head Lighthouse access point to the north and to the south from the existing access points north of Florence.	Unrestricted kite flying would be allowed from the Heceta Head Lighthouse access point to the north and to the south from the existing access points north of Florence.	Driving is already prohibited year-round by State Rule at this location. Non-motorized vehicle use could occur on the Ocean Shore to the north from the Heceta Head Lighthouse access point and to the south from the existing access points north of Florence.	This location is already actively managed for snowy plovers, which includes restricting use of the dry sand. There is no difference between Alternatives 1 and 2 at this location.
Siltcoos/Dunes Overlook/Tahkenitch*	Dog exercising is currently restricted at the Siltcoos portion of this site during the nesting season under existing conditions. Dog exercising would continue to be allowed immediately to the north from the existing Siltcoos access point and in the area to the south from the Three Mile Creek access point.	Unrestricted kite flying would be allowed immediately to the north from the existing Siltcoos access point.	Driving is already prohibited year-round by State Rule at this location. Non-motorized vehicle use could occur on the Ocean Shore immediately to the north from the existing Siltcoos access point.	This location is already actively managed for snowy plovers, which includes restricting use of the dry sand. There is no difference between Alternatives 1 and 2 at this location.
Tahkenitch South	Dog exercising could occur immediately to the north from the existing Siltcoos access point and in the area to the south from the Three Mile Creek access point.	Unrestricted kite flying would be allowed immediately to the north from the existing Siltcoos access point and in the area to the south from the Three Mile Creek access point.	The restrictions proposed under Alternative 2 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 2 at this location. Driving and non-motorized vehicle use would be allowed to occur unrestricted in the area to the south from the Three Mile Creek access point.	The restrictions proposed under Alternative 2 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 2 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Unrestricted use of the dry sand would be allowed to continue in the area to the south from the Three Mile Creek access point.
North Umpqua River	Dog exercising could occur in the area just north of the RMA, which is closer in proximity to the existing access point at Three Mile Creek and on the beach south of the Umpqua River.	Unrestricted kite flying would be allowed in the area just north of the RMA, which is closer in proximity to the existing access point at Three Mile Creek and on the beach south of the Umpqua River.	The restrictions proposed under Alternative 2 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 2 at this location. Driving and non-motorized vehicle use would be allowed to continue to the north of the RMA, which is closer in proximity to the existing access point at Three Mile Creek and on the beach south of the Umpqua River.	The restrictions proposed under Alternative 2 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 2 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Unrestricted use of the dry sand would be allowed to continue to the north of the RMA, which is closer in proximity to the existing access point at Three Mile Creek and on the beach south of the Umpqua River.

Location	Dog Exercising	Kite Flying	Driving and Non-Motorized Vehicle Use	Other Dry Sand Activities
Tenmile*	Dog exercising could occur to the north from the Dunes National Recreation Area access point and to the south from the Sider Tree access point.	Unrestricted kite flying would be allowed to the north from the Dunes National Recreation Area access point and to the south from the Sider Tree access point.	Driving is already prohibited year-round by State Rule at this location. Non-motorized vehicle use could occur on the Ocean Shore to the north from the Dunes National Recreation Area access point and to the south from the Sider Tree access point.	The restrictions proposed under Alternative 2 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 2 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Unrestricted use of the dry sand would be allowed to continue to the north from the Dunes National Recreation Area access point and to the south from the Sider Tree access point.
Coos Bay North Spit*	Dog exercising could occur immediately to the north from the existing access point near the New Carissa site.	Unrestricted kite flying would be allowed immediately to the north from the existing access point near the New Carissa site.	Driving is already prohibited during the nesting season by State Rule at this location. Non-motorized vehicle use could occur on the Ocean Shore immediately to the north from the Horsefall access point.	This location is already actively managed for snowy plovers, which includes restricting use of the dry sand. There is no difference between Alternatives 1 and 2 at this location.
New River*	Dog exercising could occur on the beach immediately north from the existing China Creek access point and at Floras Lake.	Unrestricted kite flying would be allowed on the beach immediately north from the existing China Creek access point and at Floras Lake.	Driving is already prohibited year-round by State Rule at this location. Non-motorized vehicle use could occur on the Ocean Shore immediately north from the existing China Creek access point and at Floras Lake.	The restrictions proposed under Alternative 2 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 2 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Unrestricted use of the dry sand would be allowed to continue immediately north from the existing China Creek access point and at Floras Lake.
Elk River	Dog exercising could occur on the beach immediately adjacent to the north from the Cape Blanco State Park access and to the south from the Paradise Point access point.	Unrestricted kite flying would be allowed on the beach immediately adjacent to the north from the Cape Blanco State Park access and to the south from the Paradise Point access point.	The restrictions proposed under Alternative 2 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 2 at this location. Driving and non-motorized vehicle use would be allowed to continue to the north immediately adjacent to the north from the existing Cape Blanco State Park access and to the south from the Paradise Point access point.	The restrictions proposed under Alternative 2 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 2 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Unrestricted use of the dry sand would be allowed to continue to the north immediately adjacent to the north from the Cape Blanco State Park access and to the south from the Paradise Point access point.
Euchre Creek	Dog exercising could occur on the beach immediately to the south at the Ophir Wayside access.	Unrestricted kite flying would be allowed on the beach immediately to the south at the Ophir Wayside access.	Driving is already prohibited year-round by State Rule at this location. Non-motorized vehicle use could occur on the Ocean Shore to the south at the Ophir Wayside access.	The restrictions proposed under Alternative 2 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 2 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Unrestricted use of the dry sand would be allowed to continue to the south at the Ophir Wayside access.

Note: Only those activities for which there would be a difference compared with Alternative 1 are discussed.

* SPMA and RMA that are currently occupied by nesting populations of snowy plovers are indicated with an asterisk.

SPMA = Snowy Plover Management Area; RMA = Recreation Management Area

Alternative 3 – Management of Additional OPRD Sites

Potential Effects of the Covered Activities on Recreational Use Opportunities at Unoccupied Areas Actively Managed for Snowy Plovers

Similar to Alternative 2, if a targeted area becomes actively managed to attract nesting populations of snowy plovers under Alternative 3, OPRD would require dogs to be on leash, restrict non-motorized vehicle use, and prohibit driving during the nesting season. At SPMAs, the extent of the restrictions would be determined in coordination with FWS per the site management plan. At RMAs, these restrictions would be implemented at the request of the landowner after completion of a FWS-approved site management plan.

These restrictions would apply to the same areas proposed under Alternative 2, but would also include up to four additional SPMAs and one additional RMA over the term of the 25-year ITP, as described in Section 2.3.3, “Alternative 3 – Management of Additional OPRD Sites.” The SPMAs targeted by OPRD under Alternative 3 would be located at Columbia River South Jetty, Necanicum Spit, Nehalem Spit, Netarts Spit, Nestucca Spit (Figure 1-7), Bullards Beach (Figure 1-8), Sixes River Mouth (Figure 1-10), and Pistol River (Figure 1-11). The RMAs would be located at Bay Ocean Spit, North Sand Land Spit, South Sand Lake Spit, Tahkenitch South, Umpqua River North Jetty, Elk River Spit, and Euchre Creek. The locations of the RMAs are shown in Appendix A of this FEIS.

Because OPRD would not target any areas for active snowy plover management or issue recreational use restrictions at sites not occupied by snowy plovers under Alternative 1, implementation of Alternative 3 would be more prohibitive with respect to the active management and recreational use restrictions at unoccupied sites. The key differences between the two alternatives would occur at locations where dogs, driving, and non-motorized vehicle use are not already restricted.

Dogs are already required to be on leash at the eight currently unoccupied SPMAs. Dogs are not currently required to be on leash at any of the seven currently unoccupied RMAs. Driving is already prohibited at six of the eight unoccupied SPMAs, not including Columbia River South Jetty or Nestucca Spit. Driving is already prohibited at all the RMAs except for Tahkenitch South, North Umpqua River, and Elk River. Non-motorized vehicle use is unrestricted at all the SPMAs and RMAs. Table 3.3-7 lists the alternate beach areas where dog exercising, driving, and non-motorized vehicle use could occur unrestricted for the eight currently unoccupied SPMAs and seven unoccupied RMAs.

Table 3.3-7. Alternate Locations for Activities Restricted Under Alternative 3 at Unoccupied Sites Targeted for Snowy Plover Management

Location	Dog Exercising	Driving	Non-Motorized Vehicle Use
SPMAs			
Columbia River South Jetty	There would be no difference compared with Alternative 1. Dogs are required to be on leash in areas adjacent to State lands.	Driving could occur unrestricted on the Ocean Shore to the south of the Peter Iredale access point. Driving could occur unrestricted to the east of the potentially restricted area along the river shore.	Non-motorized vehicle use would be allowed to continue to the south of the northernmost State Park access point on the Ocean Shore and to the east of the SPMA on the river shore.
Necanicum Spit	There would be no difference compared with Alternative 1. Dogs are required to be on leash in areas adjacent to State Parks.	There would be no difference compared with Alternative 1. Driving is already prohibited at this location by State Rule.	Non-motorized vehicle use could occur on the Ocean Shore to the north of the proposed SPMA from the Gearhart Beach Access Ramp (10th Street).
Nehalem Spit	There would be no difference compared with Alternative 1. Dogs are required to be on leash in areas adjacent to State Parks.	There would be no difference compared with Alternative 1. Driving is already prohibited at this location by State Rule.	Non-motorized vehicle use could occur on the Ocean Shore to the north from the existing access points within the State Park, and to the south of the SPMA across from the Nehalem River. Land-sailing would be allowed to continue to the south, on the other side of the Nehalem River.
Netarts Spit	There would be no difference compared with Alternative 1. Dogs are required to be on leash in areas adjacent to State Parks.	There would be no difference compared with Alternative 1. Driving is already prohibited at this location by State Rule.	Non-motorized vehicle use could occur on the Ocean Shore to the south of the SPMA, accessible from the existing State Park access. The area to the north would continue to be accessible from the Happy Camp access point.
Nestucca Spit	There would be no difference compared with Alternative 1. Dogs are already required to be on leash in areas adjacent to State Parks.	Driving could occur on the Ocean Shore to the north of the SPMA from the Bob Straub State Park access point and north of Cape Kiwanda.	Non-motorized vehicle use would be allowed in the area to the north of the SPMA from the Bob Straub State Park access point.
Bullards Beach	There would be no difference compared with Alternative 1. Dogs are already required to be on leash in areas adjacent to State Parks.	Driving could occur on the Ocean Shore to the north of the SPMA from the Whisky Creek access point.	Non-motorized vehicle use would be allowed in the area immediately to the north of the SPMA from the Whisky Creek access point. Driving is already prohibited year-round in the area to the south of the SPMA.
Sixes River Mouth	There would be no difference compared with Alternative 1. Dogs are already required to be on leash in areas adjacent to State Parks.	There would be no difference compared with Alternative 1. Driving is already prohibited at this location by State Rule.	Non-motorized vehicle use would be allowed to continue in the area south of the SPMA from the Sixes River access at Cape Blanco State Park.

Location	Dog Exercising	Driving	Non-Motorized Vehicle Use
Pistol River	There would be no difference compared with Alternative 1. Dogs are already required to be on leash in areas adjacent to State Parks.	There would be no difference compared with Alternative 1. Driving is already prohibited at this location by State Rule.	Non-motorized vehicle use could occur on the Ocean Shore immediately adjacent to the north of the SPMA.
RMA's			
Bay Ocean Spit	Dogs could be exercised off-leash in the area adjacent to the existing access points to the south of the RMA along the full length of the beach.	There would be no difference compared with Alternative 1. Driving is already prohibited at this location by State Rule.	Non-motorized vehicle use could occur on the Ocean Shore would be allowed to continue in the area adjacent to the existing access points to the south of the RMA along the full length of the beach.
North Sand Lake Spit	Dogs could be exercised off-leash in the area to the north of the RMA from the North Sand Lake Federal access point.	Driving could occur on the Ocean Shore from the North Sand Lake Federal access point.	Non-motorized vehicle use could occur in the area immediately to the north of the RMA from the North Sand Lake Federal access point.
South Sand Lake Spit	Dogs could be exercised off-leash to the south from the Tierra Del Mar access points.	There would be no difference compared with Alternative 1. Driving is already prohibited seasonally at this location by State Rule.	Non-motorized vehicle use could occur on the Ocean Shore to the south from the Tierra Del Mar access points.
Tahkenitch South	Dogs could be exercised off-leash to the south from the Three Mile Creek access point.	Driving would be allowed to occur unrestricted to the south from the Three Mile Creek access point.	Non-motorized vehicle use would be allowed to occur unrestricted in the area to the south from the Three Mile Creek access point.
North Umpqua River	Dogs could be exercised off-leash on the beach immediately north of the RMA reached from the existing access point at Three Mile Creek.	Driving could occur unrestricted north of the RMA reached from the existing access point at Three Mile Creek.	Non-motorized vehicle use would be allowed to continue to the north of the RMA, which is closer in proximity to the existing access point at Three Mile Creek and on the beach south of the Umpqua River.
Elk River	Dogs could be exercised off-leash on the beach immediately adjacent to the north from the Cape Blanco State Park access and to the south from the Paradise Point access point.	Driving could occur unrestricted north of the RMA from the Cape Blanco State Park Access and could occur to the south from the Paradise Point access.	Non-motorized vehicle use would be allowed to continue to the north immediately adjacent to the north from the Cape Blanco State Park access and to the south from the Paradise Point access point.
Euchre River	Dogs could be exercised off-leash on the beach immediately to the south of at the Ophir access point.	There would be no difference compared with Alternative 1. Driving is already prohibited at this location by State Rule.	Non-motorized vehicle use could occur on the Ocean Shore to the south at the Ophir Wayside access.

RMA = Recreation Management Area; SPMA = Snowy Plover Management Area

As indicated in Table 3.3-7, there would be multiple locations in proximity to all of the SPMA's and RMA's where recreational activities would be allowed to continue unrestricted. For the majority of SPMA's and RMA's, there is a location immediately

adjacent to the restricted area where the activity could occur unrestricted and in most cases, the unrestricted areas could be reached using the same access point. Although these restrictions would limit some recreational opportunities in these areas relative to Alternative 1, the potential effects would likely be minimal because alternate locations are available in close proximity to the restricted areas.

In addition, the locations of the SPMA and RMA were specifically selected to minimize potential effects on recreation based on recreational use survey data (Shelby and Tokarczyk 2002). As indicated in Table 3.3-1, recreational use at three of the additional SPMA and the additional RMA is relatively low. Use at Bullards Beach, Sixes River Mouth, and Pistol River is 57 people per day, 27 people per day, and three people per day, respectively, on a summer weekend. This indicates that changes in allowed recreational uses would likely have a minimal effect on recreationists at these locations. Compared to other more frequently used beaches, these areas are considered low-density use areas where the heaviest concentration of use occurs outside of the proposed management boundary. Although the level of recreational use at Nestucca Spit is relatively high (295 people/day), the portion of the beach identified as the SPMA would generally be located at a distance from known concentrations of recreationists.

Furthermore, the extent of the recreational use restrictions would be determined during the development of the site management plans for SPMA and through consultation with FWS for RMA. Therefore, it is possible that there may be areas within an SPMA or RMA where some of the restrictions may not apply. In all cases, access to the wet sand would be maintained and activities not otherwise restricted under Alternative 3 would be allowed to continue on the wet sand.

For these reasons, the potential effects on recreational opportunities under Alternative 3 are expected to be minimal. However, because there are no restrictions proposed for unoccupied sites under Alternative 1, the potential effects of Alternative 3 are expected to be greater than Alternative 1 at unoccupied sites.

Potential Effects of the Covered Activities on Recreational Use Opportunities at Sites Occupied by Snowy Plovers

Similar to Alternative 2, if a site became occupied by nesting populations of snowy plovers, OPRD would automatically implement the restrictions summarized in Table 3.3-3 under Alternative 3 within the covered lands. These restrictions would be applied at up to nine SPMA and possibly up to 12 RMA during the nesting season over the course of the 25-year ITP as described in Section 2.3.2, “Alternative 2 – Proposed HCP.”

The restrictions would automatically be implemented at SPMA and RMA. At RMA, OPRD would issue and enforce recreational use restrictions within the full extent of the RMA until an agreement is reached between FWS and the landowner,

and/or a site management plan is developed, and OPRD is notified of any changes that may modify recreational use restrictions to a more focused area. In areas not identified as an SPMA or RMA within the covered lands, the restrictions would be implemented within a set 50-meter-radius buffer on the dry sand portion of the nesting location. In areas not identified as an SPMA or RMA within the covered lands, the restrictions would be implemented within a set 50-meter-radius buffer on the dry sand portion of the nesting location.

The potential effects of Alternative 3 on recreational opportunities would be similar to those of Alternative 2, except that four additional SPMAs (for a total of up to nine SPMAs) and one additional RMA (for a total of up to 12 RMAs) would also be targeted for snowy plover management. The SPMAs and RMAs where restrictions would take place under Alternative 3 would include the eight unoccupied SPMAs noted above, plus the Bandon SPMA, and the seven unoccupied RMAs noted above, plus Sutton/Baker Beach, Siltcoos Estuary/Dunes Overlook/Tahkenitch, Tenmile, Coos Bay North Spit, and New River (Appendix A).

Under Alternative 3 at occupied sites, dog exercising, driving, non-motorized vehicle use, and kite flying would be prohibited during the nesting season. In addition, use of a portion of the dry sand area surrounding a nesting site would also be prohibited.

The dog exercising restrictions proposed under Alternative 3 would be more prohibitive than Alternative 1 for all nine of the SPMAs and 11 of the 12 RMAs. This is because under Alternative 1, dogs are already prohibited at Siltcoos Estuary Restoration Management Area, but are otherwise only required to be on leash at the other currently occupied areas during the nesting season. Under Alternative 3, dogs would be prohibited entirely during the nesting season at all occupied sites. Similarly, kite flying restrictions under Alternative 3 would be more prohibitive than Alternative 1 for all locations. This is because no kite flying restrictions are proposed under Alternative 1.

Restrictions on driving, non-motorized vehicle use, and use of the dry sand area surrounding a nesting site would be similar compared to Alternative 1 because these activities could be prohibited during the nesting season under both alternatives. However, there are subtle differences between the two alternatives. Under Alternative 1, the nature and extent of these restrictions would be determined on a case-by-case basis with FWS and could be applied to any location along the Oregon coast. Under Alternative 3, the full extent of these restrictions would be implemented at the nine SPMAs and 12 RMAs (as described above) only. Table 3.3-8 summarizes the alternate locations where the potentially affected recreational activities could occur unrestricted.

Although the proposed restrictions have the potential to further limit recreational opportunities relative to Alternative 1, the potential effects on recreational use under Alternative 3 would likely be minimal because of the availability of substitute

locations where these activities could occur without restrictions (Table 3.3-8). In addition, the locations of the targeted areas were selected for areas with relatively lower recreational use relative to the surrounding beach areas. Furthermore, the extent of the recreational use restrictions would be determined during the development of the site management plans for SPMA and through consultation with FWS at RMA. Therefore, it is possible that there may be areas within an SPMA or RMA where some of the restrictions may not apply. In all cases, access to the wet sand would be maintained and activities not otherwise restricted would be allowed to continue on the wet sand. For these reasons, the potential effects on recreational opportunities at these nine SPMA and 12 RMA are expected to be minimal, but slightly greater than Alternative 1.

At locations outside of the SPMA or RMA within the covered lands, the potential recreational restrictions would be limited to an area within a set 50-meter-radius buffer on the dry sand portion of the nesting location. These restrictions would include prohibiting use of the dry sand within the buffer area, as determined by FWS. Under Alternative 1, the nature and extent of the restrictions would be determined in consultation with FWS on a case-by-case basis and would have the potential to affect a larger area and be more restrictive. Therefore, implementation of Alternative 3 is anticipated to have less of an effect than Alternative 1 on recreational opportunities for areas outside the SPMA and RMA because the extent of the restrictions would be limited to a specific 50-meter-radius buffer.

Table 3.3-8. Alternate Locations for Activities Restricted under Alternative 3 at Occupied Actively Managed SPMA's and RMAs

Location	Dog Exercising	Kite Flying	Driving and Non-Motorized Vehicle Use	Other Dry Sand Activities
SPMA's				
Columbia River South Jetty	Dog exercising could occur on the Ocean Shore to the south of the SPMA from the northern most Fort Stevens State Park access point. Dogs would continue to be required to be on leash in areas adjacent to State lands. Dogs would be allowed to exercise off leash to the east of the SPMA along the river shore.	Unrestricted kite flying would be allowed on the Ocean Shore south from the northernmost State Park access point and to the east of the SPMA along the river shore.	The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location. Driving would be allowed to continue year-round on the ocean south of the Peter Iredale Fort Stevens State Park access. Non-motorized vehicle use would be allowed to continue to the south of the northernmost State Park access point on the Ocean Shore and to the east of the SPMA on the river shore.	The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Unrestricted use of the dry sand would be allowed on the Ocean Shore south from the northernmost State Park access point.
Necanicum Spit	Dog exercising could occur in the area to the north of the proposed SPMA from the Gearhart Beach Access Ramp (10th Street). Dogs would continue to be required to be on leash in areas adjacent to State lands.	Unrestricted kite flying would be allowed to continue on the Ocean Shore to the north of the proposed SPMA from the Gearhart Beach Access Ramp (10th Street).	Driving is already prohibited year-round by State Rule at this location. Non-motorized vehicle use could occur on the Ocean Shore to the north of the proposed SPMA from the Gearhart Beach Access Ramp (10th Street).	The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Unrestricted use of the dry sand would be allowed to continue north of the Gearhart Beach Access Ramp (10th Street), approximately 1.6 kilometers (1 mile) north of the potentially restricted area.
Nehalem Spit	Dog exercising could occur in the area to the north from the existing access points within the State Park and to the south of the SPMA across the Nehalem River. Dogs would continue to be required to be on leash in areas adjacent to State lands.	Unrestricted kite flying would be allowed to the north from the existing access points within the State Park, and to the south of the SPMA across the Nehalem River.	Driving is already prohibited year-round by State Rule at this location. Non-motorized vehicle use could occur on the Ocean Shore to the north from the existing access points within the State Park, and to the south of the SPMA across the Nehalem River. Land sailing would also be allowed to continue unrestricted to the south just on the other side of the Nehalem River.	The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Unrestricted use of the dry sand would be allowed to continue to the north from the existing access points within the State Park.
Netarts Spit	Dog exercising could occur on the beach to the south of the SPMA, which is accessible from the existing State Park access. The area to the north would continue to be accessible from the Happy Camp access point. Dogs would continue to be required to be on leash in areas adjacent to State lands.	Unrestricted kite flying would be allowed on the beach to the south of the SPMA, accessible from the existing State Park access. The area to the north would continue to be accessible from the Happy Camp access point.	Driving is already prohibited year-round by State Rule at this location. Non-motorized vehicle use could occur on the Ocean Shore to the south of the SPMA, accessible from the existing State Park access. The area to the north would continue to be accessible from the Happy Camp access point.	The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Unrestricted use of the dry sand would be allowed to continue south of the potentially restricted area, which is accessible from the existing State Park access. The area to the north would continue to be accessible from the Happy Camp access point.
Nestucca Spit	Dog exercising would be allowed on the beach in the area immediately north of the SPMA from the Bob Straub State Park access point. Dogs would continue to be required to be on leash in areas adjacent to State lands.	Unrestricted kite flying would be allowed immediately north of the SPMA from the Bob Straub State Park access point.	The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location. Driving and non-motorized vehicle use would be allowed in the area to the north of the SPMA from the Bob Straub State Park access point and north of Cape Kiwanda. Driving is already prohibited year-round in the area to the south of the SPMA.	The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Dry sand activities would be allowed to continue in the area immediately to the north of the SPMA from the Bob Straub State Park access point.

Location	Dog Exercising	Kite Flying	Driving and Non-Motorized Vehicle Use	Other Dry Sand Activities
Bullards Beach	Dog exercising would be allowed on the beach in the area immediately to the north of the SPMA from the Cut Creek access point and to the south from the Bullards Beach access point. Dogs would continue to be required to be on leash in areas adjacent to State lands.	Unrestricted kite flying would be allowed immediately to the north of the SPMA from the Cut Creek access point and to the south from the Bullards Beach access point.	The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location. Driving and non-motorized vehicle use would be allowed in the area immediately to the north of the SPMA from the Cut Creek access point. Driving is already prohibited year-round in the area to the south of the SPMA.	The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Dry sand activities would be allowed to continue in the area immediately to the north of the SPMA from the Cut Creek access point and immediately to the south from the Bullards Beach State Park access point.
Sixes River Mouth	Dog exercising would be allowed in the area immediately adjacent to the south from the Sixes River access point. Dogs would continue to be required to be on leash in areas adjacent to State lands.	Unrestricted kite flying would be allowed immediately adjacent to the south from the Sixes River access point.	Driving is already prohibited year-round by State Rule at this location. Non-motorized vehicle use would be allowed to continue in the area south of the SPMA from the Sixes River access at Cape Blanco State Park.	The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Dry sand activities would be allowed to continue in the area immediately south of the SPMA from the Sixes River access at Cape Blanco State Park.
Bandon*	Dog exercising would be allowed to the north on the beach immediately adjacent to the SPMA from the exiting China Creek beach access and south from Lower Fourmile Road as long as the New River RMA is not occupied. Dogs would continue to be required to be on leash in areas adjacent to State lands.	Unrestricted kite flying would be allowed immediately to the north of the SPMA from the existing China Creek Access and south from the Lower Four Mile Road access, as long as the New River portion of this site was not occupied by nesting snowy plovers.	Driving is already prohibited year-round by State Rule at this location. Non-motorized vehicle use could occur on the Ocean Shore immediately to the north of the SPMA from the existing China Creek Access and south from the Lower Four Mile Road access, as long as New River is not occupied by nesting snowy plovers.	This location is already actively managed for snowy plovers, which includes restricting use of the dry sand. There is no difference between Alternatives 1 and 2 at this location.
Pistol River	Dog exercising would be allowed on the beach immediately adjacent to the SPMA to the north. Dogs would continue to be required to be on leash in areas adjacent to State lands.	Unrestricted kite flying would be allowed on the beach immediately adjacent to the north of the SPMA.	Driving is already prohibited year-round by State Rule at this location. Non-motorized vehicle use could occur on the Ocean Shore immediately adjacent to the north of the SPMA.	The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Unrestricted use of the dry sand would be allowed to continue from the existing access points on the beach immediately adjacent to the north.
RMA s				
Bay Ocean Spit	Dog exercising could occur in the area adjacent to the existing access points to the south of the RMA along the full length of the beach.	Unrestricted kite flying would be allowed in the area adjacent to the existing access points to the south of the RMA along the full length of the beach.	Driving is already prohibited year-round by State Rule at this location. Non-motorized vehicle use could occur on the Ocean Shore would be allowed to continue in the area adjacent to the existing access points to the south of the RMA along the full length of the beach.	The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Unrestricted use of the dry sand would be allowed to continue in the area adjacent to the existing access points to the south of the RMA along the full length of the beach.

Location	Dog Exercising	Kite Flying	Driving and Non-Motorized Vehicle Use	Other Dry Sand Activities
North Sand Lake Spit	Dog exercising could occur in the area immediately to the north of the RMA from the North Sand Lake Federal access point.	Unrestricted kite flying would be allowed in the area immediately to the north of the RMA from the North Sand Lake Federal access point.	<p>The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location.</p> <p>Driving would be allowed to the south from the North Sand Lake Federal access point. Non-motorized vehicle use could occur in the area immediately to the north of the RMA from the North Sand Lake Federal access point.</p>	<p>The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location.</p> <p>To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open.</p> <p>Unrestricted use of the dry sand would be allowed to continue in the area immediately to the north from the North Sand Lake Federal access point.</p>
South Sand Lake Spit	Dog exercising could occur to the south from the Tierra Del Mar access points.	Unrestricted kite flying would be allowed to south from the Tierra Del Mar access points.	<p>Driving is already prohibited during the nesting season by State Rule at this location.</p> <p>Non-motorized vehicle use could occur on the Ocean Shore to the south from the Tierra Del Mar access points.</p>	<p>The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location.</p> <p>To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open.</p> <p>Unrestricted use of the dry sand would be allowed to continue to the south from the Tierra Del Mar access points.</p>
Sutton/Baker Beach*	Dog exercising could occur from the Heceta Head Lighthouse access point to the north and to the south from the existing access points north of Florence.	Unrestricted kite flying would be allowed from the Heceta Head Lighthouse access point to the north and to the south from the existing access points north of Florence.	<p>Driving is already prohibited year-round by State Rule at this location.</p> <p>Non-motorized vehicle use could occur on the Ocean Shore to the north from the Heceta Head Lighthouse access point and to the south from the existing access points north of Florence.</p>	This location is already actively managed for snowy plovers, which includes restricting use of the dry sand. There is no difference between Alternatives 1 and 2 at this location.
Siltcoos/Dunes Overlook/Tahkenitch*	Dog exercising is currently restricted at the Siltcoos portion of this site during the nesting season under existing conditions. Dog exercising would continue to be allowed immediately to the north from the existing Siltcoos access point and in the area to the south from the Three Mile Creek access point.	Unrestricted kite flying would be allowed immediately to the north from the existing Siltcoos access point.	<p>Driving is already prohibited year-round by State Rule at this location.</p> <p>Non-motorized vehicle use could occur on the Ocean Shore immediately to the north from the existing Siltcoos access point.</p>	This location is already actively managed for snowy plovers, which includes restricting use of the dry sand. There is no difference between Alternatives 1 and 2 at this location.
Tahkenitch South	Dog exercising could occur immediately to the north from the existing Siltcoos access point and in the area to the south from the Three Mile Creek access point.	Unrestricted kite flying would be allowed immediately to the north from the existing Siltcoos access point and in the area to the south from the Three Mile Creek access point.	<p>The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location.</p> <p>Driving and non-motorized vehicle use would be allowed to occur unrestricted in the area to the south from the Three Mile Creek access point.</p>	<p>The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location.</p> <p>To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open.</p> <p>Unrestricted use of the dry sand would be allowed to continue in the area to the south from the Three Mile Creek access point.</p>
North Umpqua River	Dog exercising could occur in the area just north of the RMA, which is closer in proximity to the existing access point at Three Mile Creek and on the beach south of the Umpqua River.	Unrestricted kite flying would be allowed in the area just north of the RMA, which is closer in proximity to the existing access point at Three Mile Creek and on the beach south of the Umpqua River.	<p>The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location.</p> <p>Driving and non-motorized vehicle use would be allowed to continue to the north of the RMA, which is closer in proximity to the existing access point at Three Mile Creek and on the beach south of the Umpqua River.</p>	<p>The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location.</p> <p>To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open.</p> <p>Unrestricted use of the dry sand would be allowed to continue to the north of the RMA, which is closer in proximity to the existing access point at Three Mile Creek and on the beach south of the Umpqua River.</p>

Location	Dog Exercising	Kite Flying	Driving and Non-Motorized Vehicle Use	Other Dry Sand Activities
Tenmile*	Dog exercising could occur to the north from the Dunes National Recreation Area access point and to the south from the Sider Tree access point.	Unrestricted kite flying would be allowed to the north from the Dunes National Recreation Area access point and to the south from the Sider Tree access point.	Driving is already prohibited year-round by State Rule at this location. Non-motorized vehicle use could occur on the Ocean Shore to the north from the Dunes National Recreation Area access point and to the south from the Sider Tree access point.	The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Unrestricted use of the dry sand would be allowed to continue to the north from the Dunes National Recreation Area access point and to the south from the Sider Tree access point.
Coos Bay North Spit*	Dog exercising could occur immediately to the north from the existing access point near the New Carissa site.	Unrestricted kite flying would be allowed immediately to the north from the existing access point near the New Carissa site.	Driving is already prohibited during the nesting season by State Rule at this location. Non-motorized vehicle use could occur on the Ocean Shore immediately to the north from the Horsefall access point.	This location is already actively managed for snowy plovers, which includes restricting use of the dry sand. There is no difference between Alternatives 1 and 2 at this location.
New River*	Dog exercising could occur on the beach immediately north from the existing China Creek access point and south at Floras Lake.	Unrestricted kite flying would be allowed on the beach immediately north from the existing China Creek access point and south at Floras Lake.	Driving is already prohibited year-round by State Rule at this location. Non-motorized vehicle use could occur on the Ocean Shore immediately north from the existing China Creek access point and south from Floras Lake.	The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Unrestricted use of the dry sand would be allowed to continue immediately north from the existing China Creek access point and south at Floras Lake.
Elk River	Dog exercising could occur on the beach immediately adjacent to the north from the Cape Blanco State Park access and to the south from the Paradise Point access point.	Unrestricted kite flying would be allowed on the beach immediately adjacent to the north from the Cape Blanco State Park access and to the south from the Paradise Point access point.	The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location. Driving and non-motorized vehicle use would be allowed to continue to the north immediately adjacent to the north from the Cape Blanco State Park access and to the south from the Paradise Point access point.	The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Unrestricted use of the dry sand would be allowed to continue to the north immediately adjacent to the north from the Cape Blanco State Park access and to the south from the Paradise Point access point.
Euchre Creek	Dog exercising could occur on the beach immediately to the south at the Ophir Wayside access point.	Unrestricted kite flying would be allowed on the beach immediately to the south at the Ophir Wayside access point.	Driving is already prohibited year-round by State Rule at this location. Non-motorized vehicle use could occur on the Ocean Shore to the south from at the Ophir Wayside access point.	The restrictions proposed under Alternative 3 would be the same as those proposed under Alternative 1 with the exception that the nature of the restrictions and the size of restricted area could potentially be greater under Alternative 3 at this location. To the extent possible, dry sand activities would be allowed to continue on the wet sand portion of the Ocean Shore. Access to the wet sand would remain open. Unrestricted use of the dry sand would be allowed to continue to the south from the Ophir Wayside access point.

Note: Only those activities for which there would be a difference compared with Alternative 1 are discussed.

*SPMAs and RMAs that are currently occupied by nesting populations of snowy plovers are indicated with an asterisk.

RMA = Recreation Management Area; SPMA = Snowy Plover Management Area

3.4 Socioeconomics and Environmental Justice

This section describes socioeconomic resources and environmental justice considerations in the study area, as well as potential socioeconomic and environmental justice effects resulting from implementation of the alternatives. For this analysis, the study area extends beyond the Ocean Shore to the adjacent coastal communities. This includes the limits of Clatsop, Tillamook, Lincoln, Coos, and Curry Counties and selected coastal communities within Lane County (Florence, Mapleton and Westlake) and Douglas County (Reedsport, Scottsburg and Gardiner) (Figure 3.4-1).

3.4.1 Approach and Methodology

The description of the socioeconomic environment presented in this section is based on information from the U.S. Census Bureau 2000 Census.

The potential effects on socioeconomic resources in the study area were assessed based on a review of the management strategies for each of the alternatives, including the *Western Snowy Plover Habitat Conservation Plan* (Oregon Parks and Recreation Department 2008). More specifically, this analysis considers potential effects on tourism and visitor spending in coastal communities that could occur as a result of the possible displacement of recreational activities related to the alternatives. The potential effects on recreational activities and uses are discussed in more detail in Section 3.3, “Recreation.” The environmental justice analysis considers whether the recreation and related socioeconomic effects of the alternatives would disproportionately affect low income or minority individuals.

The *Draft Economic Analysis of Critical Habitat Designation for the Western Snowy Plover* (Critical Habitat Report) (Industrial Economics, Inc. 2005) was also considered in the analysis of potential effects for this FEIS. The analysis of potential recreational effects in the Critical Habitat Report is programmatic in nature and considers a much larger study area (35 units along the West Coast) compared with the FEIS (which includes up to nine SPMA's and 12 RMA's within Oregon only, depending on the alternative). In addition, the Critical Habitat Report assumed that recreation effects occurring as a result of snowy plover management activities would fall into one of two categories: a recreationist would forego a trip to the beach entirely or the recreationist's enjoyment during that trip would be substantially diminished.

Because the alternatives would affect a smaller area, it was determined that a more site-specific approach to the analysis would be needed, and is presented in Section 3.3, “Recreation.” In spite of the more programmatic focus of the Critical

Habitat Report, the conclusions of the potential socioeconomic impacts are relevant to this analysis and are discussed in Section 3.4.3, “Environmental Consequences.”

3.4.2 Regulatory Setting

Environmental Justice

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority and Low-Income Populations, requires that a Federal agency analyze the effects of a proposed action to ensure that it does not disproportionately affect low income or minority populations. Incorporation of environmental justice principles throughout the planning and decision-making processes implements the principles of NEPA, Title VI of the Civil Rights Act, and the Uniform Relocation Act.

3.4.3 Affected Environment

As indicated in Section 3.3, “Recreation,” about 61 percent of the visitors to the Oregon coast lives in Oregon, with the majority of those visitors being residents of Oregon’s major urban centers along I-5. This section describes key demographic characteristics of study area residents and coastal visitors, and economic conditions and trends pertaining to coastal recreation activities.

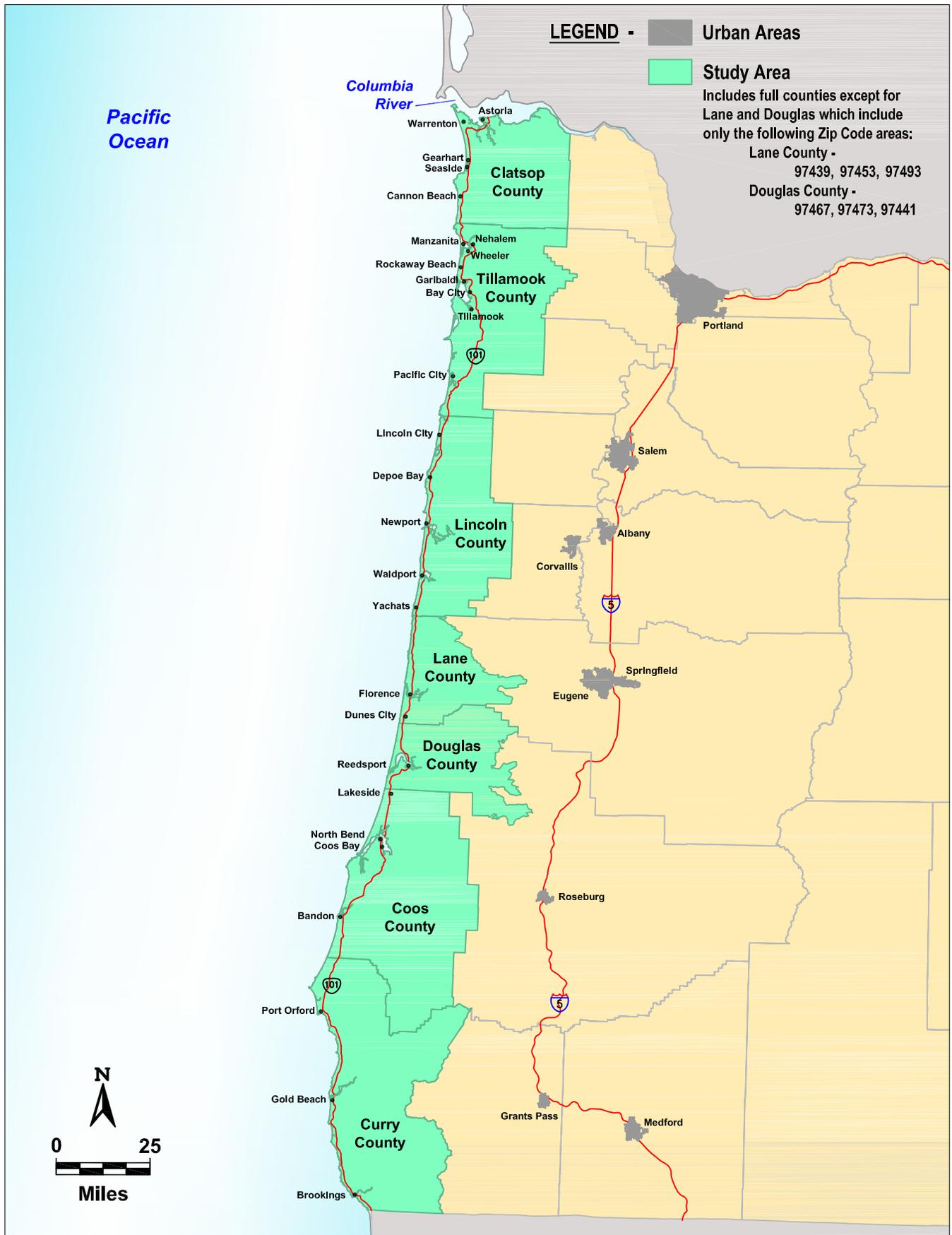
Demographics

Population Distribution

As indicated from data in Table 3.4-1, about 6 percent of Oregon’s population of 3.4 residents is located within the study area (U.S. Census Bureau 2000). Of these 208,850 coastal residents, about 40 percent live in communities with populations greater than 4,000 (Astoria, Warrenton, Seaside, Tillamook, Lincoln City, Newport, Florence, Reedsport, North Bend, Coos Bay, and Brookings). The remainder of the coastal population lives in relatively small communities spread along the coast. Coastal populations are projected to grow over the next several decades, with average annual growth rates approaching the State average of 1.3 percent per year. However, this growth is projected to be slower for the next 25 years (2008 to 2033) than it was in the previous 30 years (1970 to 2000). Only Clatsop and Coos Counties are projected to have higher growth rates than in the past 30 years.

Age Composition

Counties with higher proportions of residents from smaller coastal communities such as Florence (Lane County), Reedsport (Douglas County), and Brookings (Curry County) tend to have a relatively higher proportion of residents who are 65 years of age or older.



These same counties are expected to experience the highest population growth within this age group during the 25-year management period. In general, the population of younger residents is more concentrated in the counties with the more urbanized coastal communities such as Seaside, Coos Bay, and the Newport-Lincoln City area. Nearly one out of four residents of Clatsop, Tillamook, Lincoln or Coos County is under 20 years old.

Low Income Characteristics

To define poverty, the U.S. Census Bureau follows the Office of Management and Budget's Directive 14 (May 1978). If the total income for a family or unrelated individual falls below the relevant poverty threshold (based on family size and composition), then the family or unrelated individual is classified as being "below the poverty level." The official poverty definition counts income before taxes and does not include capital gains and non-cash benefits (such as public housing, Medicaid, and food stamps). Poverty is not defined for people in military barracks, institutional group quarters, or for unrelated individuals under age 15 (such as foster children). The poverty threshold is not adjusted for regional, State, or local variation in the cost of living; however, poverty thresholds are updated annually for inflation, based on the Consumer Price Index.

The term "low-income" is used to describe persons whose median household income is at, or below the Department of Health and Human Services poverty guidelines for the applicable household size. These poverty guidelines are a simplified version of the Census Bureau's poverty thresholds. Neither the Census Bureau nor the Department of Health and Human Services prepares tabulations of the number of people below the Department of Health and Human Services poverty guidelines. The best method for approximating the poverty levels for a particular area is to use the number of persons below the Census Bureau poverty thresholds in that area, as reported in the 2000 Census.

Income information for the study area is presented in Table 3.4-1. With the exception of Tillamook County, all of the counties in the study area have a higher percentage of *individuals* below the poverty line than the statewide average. All of the counties also have a higher percentage of *households* below the poverty line. The median household incomes and number of people in the labor force were also lower than the statewide average

Table 3.4-1. Low Income and Minority Characteristics of the Coastal Counties

	State of Oregon	Clatsop	Tillamook	Lincoln	Lane ¹	Douglas ¹	Coos	Curry
SOCIOECONOMIC CHARACTERISTICS								
Average household size	2.51	2.35	2.33	2.27	2.26	2.26	2.34	2.19
In labor force (16 years or older)	1,742,638	18,119	11,499	21,079	5043	2459	27,700	8,683
In labor force (16 years or older)	65.2%	63.6%	58.7%	58.3%	35.6%	38.4%	54.3%	49.3%
Median household income in 1999	40,916	36,301	34,269	32,769	29,347	26,630	31,542	30,117
Per capita income in 1999 (\$)	20,940	19,515	19,052	20,187	18,468	13,634	17,547	18,138
Families below the poverty level	70,032	869	553	1,216	396	225	1,948	601
Families below the poverty level	7.9%	9.1%	8.1%	9.8%	11%	15.5%	11.1%	9.7%
Individuals below the poverty level	388,740	4,625	2,718	6,084	1914	1020	9,257	2,554
Individuals below the poverty level	11.6%	13.2%	11.4%	13.9%	13.5%	15.9%	15.0%	12.2%
RACE CHARACTERISTICS								
Black or African American	55,662 (1.6%)	185 (0.5%)	54 (0.2%)	132 (0.3%)	27 (0.19%)	2 (0.0003%)	194 (0.3%)	32 (0.2%)
American Indian and Alaskan Native	45,211 (1.3%)	367 (1.0%)	289 (1.2%)	1,397 (3.1%)	162 (1.1%)	83 (1.3%)	1,515 (2.4%)	452 (2.1%)
Asian	101,350 (3.0%)	430 (1.2%)	157 (0.6%)	413 (0.9%)	75 (0.5%)	28 (0.43%)	568 (0.9%)	147 (0.7%)
Native Hawaiian and other Pacific Islander	7,976 (0.2%)	60 (0.2%)	50 (0.2%)	70 (0.2%)	20 (0.1%)	2 (0.0003%)	107 (0.2%)	24 (0.1%)
Total Population	3,421,399	35,630	24,262	44,479	14163	6397	62,779	21,137
Hispanic or Latino (of any race)	275,314 (8.0%)	1,597 (4.5%)	1,244 (5.1%)	2,119 (4.8%)	324 (2.3%)	253 (3.9%)	2,133 (3.4%)	761(3.6%)

Source: U.S. Census Bureau, 2000 Census

¹For Lane County, only coastal zip codes were included (97439, 97453, and 97493). For Douglas County, only coastal zip codes were included (97467, 97473, and 97441)

Minority Characteristics

For purposes of this analysis, “minority” is defined as people who have identified themselves as African American, Hispanic, Asian American, American Indian or Alaskan Native. The U.S. Census defines Hispanic origin as an ethnicity and not a race. Consequently, a person of Hispanic origin may be of any race, and because of this, the U.S. Census reports these characteristics separately.

Table 3.4-1 lists the minority characteristics of the population within the study area, which were quantified by examining racial data at the county level. Overall, minorities tend to make up a smaller percentage of the population along the Oregon coast than the statewide average.

Demographic Characteristics of Recreation Visitors

Based on survey results from the Oregon Shore Recreation Use Study, an estimated 96 percent of visitors to the Oregon Coast reported being Caucasian, with about 1 percent each reporting to be Hispanic, Native American, or Asian. The median household income for respondents to the mail-back survey was between \$50,000 and \$70,000.

Economic Conditions and Trends

Economic Structure and Contribution of the Travel Industry

Based on annual payroll expenditures for 2004, the primary industries along the Oregon coast include manufacturing; retail trade; health care and social services; accommodation and food services; and construction (Table 3.4-2). Other notable industries include professional, scientific, and technical services; wholesale trade; and administration, support, and waste management remediation services.

Industries directly affected by recreation and tourism include accommodation and food services; retail trade; and arts, entertainment, and recreation. For each of the counties within the study area, retail trade is among the top three largest industries, with accommodation and food services ranking in the top 10 largest industries for all counties except Coos County. Arts, entertainment, and recreation tend to be lower on the list of industries for all counties, except Lincoln County for which it was ranked the fifth largest industry. Overall, these industries make up approximately 9 percent of the total payroll for all industries within the study area.

Table 3.4-2 also lists information about the number of employees and the number of establishments by industry within the study area. Based on the information presented, recreation and tourism related industries employed approximately 15 percent of the workforce and consisted of approximately 750 individual establishments (or 14 percent of the total for the study area).

Travel and Tourism Related Economic Trends

The travel and tourism related industries along the Oregon coast represent an important source of income at the local and State levels. Table 3.4-3 presents travel-related spending, earnings, and the number of travel-related jobs between 1991 and 2005. Only the direct contribution from travelers is presented. Secondary effects (often referred to as indirect and induced effects), related to the additional spending of businesses and employees are not included in the estimates. During 2005, travel spending in the study area totaled nearly \$1.4 billion. These travel-related expenditures generated earnings (including wage and salary disbursement, other earned income, and proprietor income) of \$389 million and supported over 20,000 jobs (including full-and part-time employees and proprietors).

Also shown in Table 3.4-3 are the total tax receipts from travel-related industries, which totaled more than \$40 million in 2005. The local tax receipts noted on the table include those levied on applicable travel-related purchases (e.g., room taxes, auto rental taxes). State tax receipts include motor fuel taxes, and business and personal income taxes attributable to travel expenditures. Property taxes are not included.

Travel- and tourism-related economic activity within the study area has experienced steady growth since 1991, with travel-related expenditures growing an average of 5.1 percent per year. This is consistent with growth in travel spending statewide (Dean Runyan Associates, Inc. 2006). Travel related expenditures are anticipated to continue growing in the future as the number of visitors to the coastal communities continues to grow.

Table 3.4-2. Industry Information by County in 2004

Industry	Total			Clatsop County			Tillamook County			Coos County			Curry County			Lincoln County			Lane County			Douglas County		
	Annual Payroll (\$1000)	Employees	Establishments	Annual Payroll (\$1000)	Employees	Establishments	Annual Payroll (\$1000)	Employees	Establishments	Annual Payroll (\$1000)	Employees	Establishments	Annual Payroll (\$1000)	Employees	Establishments	Annual Payroll (\$1000)	Employees	Establishments	Annual Payroll (\$1000)	Employees	Establishments	Annual Payroll (\$1000)	Employees	Establishments
Accommodation and food services	342,110	26,542	35,890	40,691	2,922	230	12,454	983	121	21,786	2,115	181	11,984	982	118	50,652	3,498	248	146,715	11,934	832	57,828	4,108	271
Administration, support, waste management, remediation services	240,171	11,957	43,611	3,830	209	48	3,608	193	24	39,332	2,361	60	4,326	181	24	10,587	604	58	153,482	7,135	432	25,006	1,274	97
Arts, entertainment, and recreation	81,877	4,468	20,743	4,330	210	27	1,025	66	13	19,468	814	25	1,381	80	14	26,810	1,055	38	24,093	1,824	150	4,770	419	23
Construction	400,604	11,383	38,406	23,491	780	175	10,425	347	101	26,068	849	174	15,212	466	126	17,972	618	157	256,037	6,890	1,111	51,399	1,433	345
Educational services	36,181	2,263-2,381	4,826	-	20-99	15	3,248	155	8	1,399	95	10	-	0-19	2	1,762	77	14	23,960	1,478	129	5,812	438	27
Finance and insurance	270,452	6,795	23,145	9,477	287	45	3,926	115	24	18,325	532	93	7,232	239	39	10,426	350	59	198,256	4,526	578	22,810	746	125
Forestry, fishing, hunting, and agriculture support	163,911	4,151	47,556	7,070	463	52	11,447	351	28	35,695	1,034	107	3,733	142	29	7,126	239	78	61,445	1,780	171	37,395	142	29
Health care and social assistance	1,029,796	30,668	126,708	51,083	1,734	124	24,661	819	56	100,395	3,305	218	15,283	745	82	51,110	1,512	109	600,457	17,088	927	186,807	5,465	316
Information	133,200	3,763	16,412	5,042	164	20	1,860	73	11	14,277	486	26	2,598	96	13	5,929	179	27	90,610	2,385	170	12,884	380	39
Management	73,836	1,572-2,268	67	1,998	64	4	-	-	-	-	20-99	5	-	100-249	1	-	20-99	5	71,838	1,268	48	-	100-249	8
Manufacturing	1,010,975	30,949	99,670	25,294	800	49	46,617	1,326	22	52,154	1,410	74	26,175	675	26	47,479	937	55	776,862	19,594	605	36,394	6,207	139
Mining	14,807	381-499	3,208	-	20-99	2	-	-	-	3,175	66	6	-	0-19	3	1,819	54	4	6,530	166	12	3,283	75	8
Other services (except public administration)	166,543	9,009	20,792	9,379	629	115	5,309	344	69	13,997	774	162	2,732	173	53	9,537	604	136	106,356	5,400	906	19,233	1,085	229
Professional, scientific, and technical services	345,646	9,212	19,146	6,523	282	92	4,843	161	33	12,870	451	111	2,532	105	45	11,091	359	89	272,200	6,890	1,001	35,587	964	187
Real estate	87,464	4,243	12,015	3,646	218	58	2,071	106	35	9,059	377	65	2,623	141	55	4,533	246	78	55,149	2,633	552	10,383	522	135
Retail trade	649,602	35,562	97,932	50,532	2,473	288	20,020	963	119	75,341	3,314	293	24,851	1,302	117	55,182	2,876	332	422,659	19,482	1,371	01,017	5,152	458
Transportation and warehousing	180,977	5,685	38,630	10,469	240	45	6,168	200	24	31,940	871	78	1,622	51	11	6,079	228	54	88,383	2,804	264	36,316	1,291	115
Unclassified establishments	690	84-221	279	-	0-19	2	-	0-19	1	146	23	15	122	12	12	95	5	8	327	24	28	-	20-99	70
Utilities	21,932	453-769	32	2,553	54	8	-	0-19	2	-	20-99	3	-	20-99	3	-	20-99	4	8,397	153	11	10,982	186	11
Wholesale trade	298,901	7,870	23,241	7,702	227	37	4,870	185	18	17,721	474	43	1,936	104	12	7,341	224	38	227,366	5,474	491	31,965	1,182	66
TOTAL	5,549,675	207,010-208,395	672,312	275,003	11,877	1,436	162,596	6,392	709	499,737	19,435	1,749	133,653	5,685	785	330,705	13,757	1,591	3,591,122	118,928	9,789	908,139	32,427	2,823

Source: Dean Runyan Associates 2006

**Table 3.4-3. Travel-Related Economic Data for the Study Area
(1991 – 2005)**

Year	Spending (\$Million)	Earnings (\$Million)	Employment (Jobs)	Tax Receipts (\$Million)		
				Local	State	Total
1991	691	197.6	16,130	5.8	13.0	18.8
1992	734	209.9	16,090	6.6	13.7	20.3
1993	776	222.1	16,460	7.3	14.5	21.8
1994	818	234.4	16,660	7.8	15.3	23.2
1995	871	249.8	17,290	8.4	16.3	24.7
1996	926	261.4	17,590	9.0	16.9	26.0
1997	977	275.3	17,640	9.5	17.7	27.1
1998	1,014	287.4	17,740	9.8	18.3	28.2
1999	1,074	303.6	18,540	10.4	19.3	29.6
2000	1,169	327.6	19,240	11.0	21.0	32.0
2001	1,243	348.3	20,450	11.7	22.0	33.8
2002	1,271	356.9	20,440	12.5	22.3	34.7
2003	1,277	359.8	20,310	12.5	22.6	35.1
2004	1,331	374.2	20,480	13.5	25.6	39.0
2005	1,378	389.1	20,690	13.9	26.6	40.6
ANNUAL PERCENTAGE CHANGE						
2004-2005	3.5	4.0	1.0	3.6	4.1	3.9
1991-2005	5.1	5.0	1.8	6.4	5.3	5.6

Source: Dean Runyan Associates 2006

Table 3.4-4 shows the percentage contribution of travel-related expenditures to the overall expenditures in 2004 for each county within the study area. Travel-related expenditures were greater than 10 percent for Clatsop, Tillamook, Lincoln, and Curry Counties, and less than 5 percent for Lane, Douglas, and Coos Counties. All had much smaller contributions at less than 5 percent of total expenditures for all other industries.

Table 3.4-4. Percentage of Travel-Related Expenditures by County for 2004

County	Travel-Related Expenditures	Total Expenditure	Percentage
Clatsop	102.3	701.5	14.6
Tillamook	43.3	384.3	11.3
Lincoln	109.5	757.7	14.5
Lane	125.4	6,488.1	1.9
Douglas	58.4	1,672.2	3.5
Coos	43.7	948.5	4.6
Curry	31.8	272.8	11.7

Source: Dean Runyan Associates 2006

Note: Lane County includes the cities of Eugene, Springfield, as well as other non-coastal communities. Douglas County includes the city of Roseburg as well as other non-coastal communities.

Note: Estimates do not include spending made by local residents.

Local Community Conditions

While information at the county level provides context for this analysis, the potential socioeconomic and environmental justice effects associated with the alternatives would be more substantial at the local level. This is because implementation of the alternatives could potentially result in beach visitors going to another beach area to avoid recreational use restrictions. If beach visitors did choose to recreate at a different beach, visitor spending at local businesses near potentially restricted areas could be affected.

As discussed in Section 3.3, “Recreation,” the beaches where recreational use restrictions are most likely include the SPMAs and RMAs listed in Chapter 2, “Alternatives.” Table 3.4-5 lists the community profiles for those communities that are closest to these targeted areas that could potentially be affected by the alternatives.

Table 3.4-5. Local Community Information by County

Local Community	Nearest Areas Targeted for Snowy Plover Management Regardless of Ownership	Distance to Nearest SPMA or RMA kilometer (miles)	Population (Census 2000)	Primary Recreational Activities and Amenities	Principal Industries	Approximate Drive Time/Distance from Nearest Major City
CLATSOP COUNTY						
Astoria	Columbia River South Jetty	16.1 (10)	9,813	Astoria Column, Columbia River Maritime Museum, Lewis and Clark Historical Site, Victorian Homes, Galleries, Beaches, Fort Clatsop, Fort Stevens, Scandinavian Midsummer Festival, Astoria Regatta, Astoria-Warrenton Crab and Seafood Festival, Tillamook State Forest, Clatsop State Forest, Columbia River Parks and Riverwalk.	Fishing, Lumber, Agriculture, Food and Kindred Products	Portland, 1½ hours 152 kilometers (95 miles)
Warrenton	Columbia River South Jetty	9.7 (6)	4,096	Clatsop State Forest, Fort Clatsop National Memorial, Fort Stevens State Park, Youngs Bay, Warrenton Trails System, Beaches, Buoy 10 Fishery, Warrenton/Hammond Mooring Basins.	Fishing, Lumber, Agriculture, Food and Kindred Products	Portland, 1½ hours 152 kilometers (95 miles)
Gearhart	Necanicum Spit	0.8 (0.5)	995	Tillamook State Forest, Clatsop State Forest, Clatsop National Memorial, Fort Stevens Historical Area, 2 Public Golf Courses.	Fishing, Lumber, Agriculture, Food and Kindred Products	Portland, 1½ hours 129.6 kilometers (81 miles)
Seaside	Necanicum Spit	4.0 (2.5)	5,900	Pacific Ocean coast, Seaside historical Museum, Oceanfront Promenade, Aerial Tours, Town Center Carousel, Tillamook Head.	Fishing, Lumber, Agriculture, Food and Kindred Products	Portland, 1½ hours 126.4 kilometers (79 miles)
Cannon Beach	Necanicum Spit	9.7 (6)	1,588	Ecola State Park, Haystack Rock, Sand Castle Day, Stormy Weather Festival, Kite Festival, Haystack Holiday Festival, Art Galleries, Shopping, Whale Watching.	Fishing, Lumber, Agriculture, Food and Kindred Products	Portland, 1½ hours 129.6 kilometers (81 miles)
TILLAMOOK COUNTY						
Manzanita	Nehalem Spit	2.4 (1.5)	564	Camping, Boating, Picnicking, Hiking up Neahkanie Mt., Nehalem Bay State Park, Oswald West State Park, and Manzanita Golf Course.	Agriculture, Lumber, Recreation and Tourism, Food Processing	Portland, 1½ hours 136 kilometers (85 miles)
Nehalem	Nehalem Spit	6.4 (4)	203	Fishing, Hunting, Crabbing, Charter Fishing, Kayaking, Swimming, Golf, Camping, State Parks, Horseback Riding, Crafts Fair (July), Art's Festival (August), Christmas Bizarre, Boat Rentals, 2 miles to Ocean Beaches, Nature Trail, Bicycling.	Agriculture, Lumber, Recreation and Tourism, and Food Processing	Portland, 1½ hours 160 kilometers (100 miles)

Local Community	Nearest Areas Targeted for Snowy Plover Management Regardless of Ownership	Distance to Nearest SPMA or RMA kilometer (miles)	Population (Census 2000)	Primary Recreational Activities and Amenities	Principal Industries	Approximate Drive Time/Distance from Nearest Major City
Wheeler	Nehalem Spit	9.7 (6)	391	Boat Launch, Waterfront Park, Mountain Park, Fishing, Boating, Clamming, Hiking, Beachcombing, Scenic Coastline, Art Galleries, Crab Festival and Salmon Festival.	Agriculture, Lumber, Recreation and Tourism, Food Processing	Portland, 1½ hours 155.2 kilometers (97 miles)
Rockaway Beach	Nehalem Spit	19.3 (12)	1,267	City Parks, Ocean Beach, Golf.	Agriculture, Lumber, Recreation and Tourism, and Food Processing	Portland, 1½ hours 139.2 kilometers (87 miles)
Garibaldi	Nehalem Spit	20.9 (13)	899	Fishing, Hunting, Crabbing, Clamming, Charter Boats, County Park, Bicycling, ¼ mile to Ocean Beaches.	Agriculture, Lumber, Recreation and Tourism, and Food Processing	Portland, 1½ hours 145.6 kilometers (91 miles)
Bay City	Nehalem Spit	22.5 (14)	1,149	Art Gallery, Crabbing, Fishing.	Agriculture, Lumber, Recreation and Tourism, Food Processing	Portland, 1½ hours 128 kilometers (80 miles)
Tillamook	Nehalem Spit Netarts Spit	25.7 (16) 19.3 (12)	4,352	Fishing, Boating, Clamming, Hiking, Beachcombing, Tillamook Creamery, Scenic Coastline, Tillamook County Fair, June Dairy Festival and Rodeo, Bays and Rivers.	Agriculture, Lumber, Recreation and Tourism, and Food Processing	Portland, 1½ hours 118.4 kilometers (74 miles)
Pacific City	Nestucca Spit Sand Lake Spit	4.8 (3) 9.7 (6)	900	Fishing, Boating, Clamming, Hiking, Beachcombing, Scenic Coastline, Storm Watching, Whale Watching, Pacific City Birding and Blues Festival, Dory Days Parade.	Fishing and Tourism	Portland, 2½ hours 166.4 kilometers (104 miles)
LANE COUNTY						
Florence	Sutton/Baker Beach	1.6 (1)	7,263	Oregon Dunes National Recreation Area, Neptune State Park, Devil's Elbow State Park, Washburne Memorial State Park, Honeyman State Park.	Retail, Manufacturing, Health Services	Eugene, 1½ hours 96 kilometers (60 miles)
DOUGLAS COUNTY						
Reedsport	Tahkenitch South North Umpqua River	12.9 (8) 9.7 (6)	4,378	Salmon Harbor, Wildflower Show, Loon Lake, Ten Mile Lakes, Winchester Bay, Umpqua River, Siltcoos, Dean Creek Elk Viewing Area, Tahkenitch, Pacific beaches, numerous art galleries, Umpqua Discovery Center, Oregon Dunes Recreation Area, water skiing, hunting, fishing, art viewing, bird watching, crabbing, beach combing, biking/hiking trails.	Fishing, Manufacturing, Recreation and Tourism	Coos Bay, 30 minutes 43.2 kilometers (27 miles)

Local Community	Nearest Areas Targeted for Snowy Plover Management Regardless of Ownership	Distance to Nearest SPMA or RMA kilometer (miles)	Population (Census 2000)	Primary Recreational Activities and Amenities	Principal Industries	Approximate Drive Time/Distance from Nearest Major City
COOS COUNTY						
Lakeside	Tenmile Coos Bay North Spit	11.3 (7) 22.5 (14)	1,371	The Mill Casino, Simpson Park Nature Walk. Eel Lake; Dean Creek Elk Viewing Area, Tenmile Lake, Oregon Dunes National Recreation Area, Pacific Ocean Campgrounds, Dune Musers Mail Run, Mayday Blast Off, Bass Tournaments, Drag Boat Racing, Boat Rentals, Charleston, Bastendorff Beach County Park.	Wood Products, Fishing, Recreation and Tourism, Agriculture	Portland, 4 hours 315.2 kilometers (197 miles)
North Bend	Coos Bay North Spit	8.0 (5)	9,544	Ocean and freshwater fishing, boating, surfing, Scuba diving, wind surfing, kayaking, camping, ATV dune riding, water skiing, horseback riding, hunting, clamming, hiking, mountain biking, whale watching, canoeing, beachcombing, golf, Oregon Dunes National Recreation Area, South Slough National Estuarine Reserve, Tenmile Lake County Park, Bastendorff Beach County Park and several other county parks, Little Theater on the Bay, July Jubilee Celebration, and The Mill Casino.	Wood Products, Fishing, Recreation and Tourism, Agriculture	Portland, 4 hours 339.2 kilometers (212 miles)
Coos Bay	Coos Bay North Spit	11.3 (7)	15,374	Oregon Dunes National Recreation Area, South Slough National Estuarine Shore Acres Botanical Gardens, The Mill Casino, On Broadway Thespians, Little Theater on the Bay, Coos Art Museum, Marshfield Sun Printing Museum, Coos County Historical Society Museum, Charleston Seafood Festival, Blackberry Arts Festival, Bay Area Fun Festival, Bass Tournaments, Drag Boat Races, Myrtlewood Factories and Tours, Charleston (a small fishing village), Empire Lakes, bird watching, fishing (ocean, bay and freshwater), boating, surfing, wind surfing, kayaking, camping, ATV dune riding, water skiing, horseback riding, hunting, clamming, crabbing, hiking, mountain bike riding.	Wood Products, Fishing, Recreation and Tourism, Agriculture	Portland, 4 hours 339.2 kilometers (212 miles)
Bandon	Bandon/New River Bullards Beach	12.9 (8) 8.0 (5)	2,833	Coquille Point, Face Rock Viewpoint State Park, Bandon Marsh, Bullards Beach State Park, Bandon State Park, West Coast Game Park, Cranberry Tours, Bandon Cheese Factory, Lighthouse at Bullards Beach, Old Towne Bandon, Bandon Dunes Golf Course, Wildlife Watching, Shrader Old Growth Trail, Ride the Rogue River and Storm Watching.	Wood Products, Fishing, Tourism, and Agriculture	Coos Bay, 20 minutes 28.8 kilometers (18 miles)

Local Community	Nearest Areas Targeted for Snowy Plover Management Regardless of Ownership	Distance to Nearest SPMA or RMA kilometer (miles)	Population (Census 2000)	Primary Recreational Activities and Amenities	Principal Industries	Approximate Drive Time/Distance from Nearest Major City
CURRY COUNTY						
Port Orford	Bandon/New River	19.3 (12)	1,153	Battle Rock Park, W. Coast Game Park Safari, Cape Blanco, Shrader Old Growth Trail, Jet Boats on the Rogue River, Beaches, Surfing, Fishing, Camping.	Fishing, Recreation and Tourism, and Lumber	Coos Bay, 1 hour 70.4 kilometers (44 miles)
	Sixes River Mouth	9.7 (6)				
	Elk River	6.4 (4)				
	Euchre Creek	19.3 (12)				
Gold Beach	Pistol River	16.1 (10)	1,897	Freshwater and Ocean Fishing, Jet Boat Tours, Rafting, Recreational Boating, Ocean Viewpoints, Windsurfing, Clamming, Tide pools, Beachcombing, Whale Watching, Hiking, Trail riding, Golf, Prehistoric Gardens, Museums, Camping, Backcountry Lodges, Shrader Old Growth Trail, Battle Rock park, W. Coast Game Park Safari.	Fishing, Recreation and Tourism, and Lumber	Coos Bay, 1½ hours 124.8 kilometers (78 miles)
Brookings	Pistol River	29.0 (18)	5,447	Samuel Boardman State Park, Kalmiopsis Wilderness Area, Chetco River, Myrtlewood Forests, Botanical Viewing, Tide pools, Historical Sites, Hiking, Fishing and River Tours, Shrader Old Growth Trail Ride, Rogue River, Special Forest Products Floral Display, Azalea Festival, American Music Festival.	Fishing, Recreation and Tourism, and Lumber	Coos Bay, 2 hours 160 kilometers (100 miles)

Source: U.S. Census Bureau 2000, Dean Runyan Associates 2007.

ATV = all terrain vehicle; RMA = Recreation Management Area; SPMA = snowy plover management area

3.4.4 Environmental Consequences

Consequences Common to All Alternatives

Potential Effects of the Covered Activities on Tourism and Local Economies

Under each of the alternatives, OPRD would restrict certain recreational activities along the Ocean Shore for the protection of snowy plovers. As discussed in Section 3.3, “Recreation,” these restrictions would have the potential to disrupt recreation by prohibiting or limiting certain activities during the snowy plover nesting season. If visitors to the beach were displaced to locales far enough away from the existing beach areas because of the proposed recreational use restrictions, potential effects on the economy of local communities could occur. This would be because visitors would no longer be spending money at nearby businesses. As mentioned above, travel and tourism related industries are an important component of the economy at the local and State levels.

Although there is a potential for some visitors to relocate their recreational activities to out-of-the-area locations in response to the proposed restrictions, the likelihood of this occurring is expected to be minimal. As discussed in Section 3.3, “Recreation,” the issuance of recreational use restrictions under each of the alternatives would have only a minimal potential to disrupt recreational activity. This is because easily accessible, alternative beach areas are available in fairly close proximity to most of the potentially restricted areas under all of the alternatives (Tables 3.3-4 through 3.3-8 in Section 3.3, “Recreation”).

In the majority of cases, unrestricted recreational activity could occur on the same beach and could be reached by using the same existing access point. In most cases, the alternative beach would be located within the immediate vicinity of the potentially restricted beach area and would be served by the same community. Because these alternative beach areas are geographically located within the same proximity to the communities closest to each management area, it is anticipated that nearly all the beach visitors would still frequent the same local businesses under each of the alternatives. Furthermore, the extent of the recreational use restrictions would be determined during the development of the site management plans for SPMA and through consultation with USFWS for RMA. Therefore, it is possible that there may be areas within an SPMA or RMA where some of the restrictions may not apply. For these reasons, the local and regional socioeconomic effects directly attributable to any of the alternatives would be minimal.

This conclusion is further supported by the Critical Habitat Report (Industrial Economics, Inc. 2005) to the extent that conservation-related measures (such as symbolic fencing or enclosures) were not anticipated to result in the loss of local employment for those beaches with proposed critical habitat designations. It is,

however, important to note that the Critical Habitat Report also estimated some losses in expenditures. This outcome is different from what is presented in this FEIS because of a key difference in the assumptions for the Critical Habitat Report. Unlike the analysis presented in this FEIS, the Critical Habitat Report did not consider that alternate locations are available within the same beach area where recreational activities could occur unrestricted. Therefore, estimates of potential losses in expenditures, although minimal, were likely overestimated in the Critical Habitat Report.

Potential Disproportionate Effects of the Covered Activities on Environmental Justice Populations

As discussed in Section 3.3, “Recreation,” implementation of the alternatives would have the potential to affect visitors who recreate at beaches where snowy plover management actions or beach use restrictions would occur. However, the displacement effects are expected to be minor for all visitors to the Oregon coast. As a result, the economic effects of all the alternatives are also expected to be minimal. As stated in the analysis above, because there are alternative beach areas located in close proximity to the communities closest to each management area and often reached by the same access point, it is anticipated that nearly all beach visitors would still frequent the same beaches and local businesses under each of the alternatives. For these reasons, the recreational and local and regional socioeconomic effects directly attributable to any of the alternatives would be minimal and would not disproportionately affect environmental justice populations.

Furthermore, demographic data compiled from the surveys in the Recreational Use Study show that minority populations do not appear to be disproportionately represented among visitors to the Oregon coast. A very small percentage (1 percent or less) of the respondents was from a minority group (Shelby and Tokarczyk 2002). Surveys were mailed during the summer of 2001 to those individuals who participated in on-site surveys. The on-site surveys were conducted at each of the six beach segments listed Section 3.3, “Recreation,” of the FEIS, from July 29 through September 3, 2001, and encompass virtually all accessible beaches on the Oregon coast.

The income characteristics for Coos County, Curry County, and the coastal portion of Douglas County indicate that there are slightly more individuals and families below the poverty line compared with the statewide average. However, as noted in the discussion above, the potential socioeconomic effects of implementing recreational use restrictions on the Ocean Shore under all alternatives would be minimal. For these reasons, the local and regional socioeconomic effects directly attributable to any of the alternatives would be minimal and would not disproportionately affect environmental justice populations.

3.5 Air Quality

This section describes air quality in the study area, as well as potential effects on air quality resulting from implementation of the alternatives. For this section, the study area is the same as the covered lands described in Section 3.1.1, “Covered Lands.”

3.5.1 Approach and Methodology

The description of air quality presented in this section is based on a review of the available literature and a summary of Federal, State, and local policies and regulations related to air quality. The potential effects on air quality in the study area were assessed based on a review of the management strategies for each of the alternatives, including the *Western Snowy Plover Habitat Conservation Plan* (Oregon Parks and Recreation Department 2008), and a programmatic assessment of how those strategies could impact air quality.

The primary source of pollutants associated with the alternatives would be exhaust emissions from the equipment used for habitat maintenance as well as from vehicle trips associated with the other OPRD management activities. The specific equipment that would be used for these activities is unknown; consequently, emissions from these activities are assessed qualitatively.

3.5.2 Regulatory Context

Criteria Pollutants

The Federal and State governments have established ambient air quality standards for the following six criteria pollutants: ozone, carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), particulate matter (particulate matter smaller than 10 microns or less in diameter [PM₁₀] and particulate matter smaller than 2.5 microns or less in diameter [PM_{2.5}]), and lead. Ozone and NO₂ are generally considered “regional” pollutants because these pollutants or their precursors affect air quality on a regional scale. Pollutants such as CO, SO₂ and lead are considered local pollutants that tend to accumulate in the air locally. Particulate matter is considered a localized pollutant as well as a regional pollutant. Within the study area, CO, PM₁₀, and ozone are considered pollutants of concern. Brief descriptions of these pollutants are provided below, while a complete summary of State and Federal ambient air quality standards (Oregon State Ambient Air Quality Standards (SAAQS) and the National Ambient Air Quality Standards [NAAQS], respectively) for all regulated pollutants is provided in Table 3.5-1.

Table 3.5-1. Ambient Air Quality Standards Applicable in Oregon

Pollutant	Averaging Time	NAAQS Violation Determination	Federal Standard Exceedance Level	State Standard Exceedance Level
CO	1-hour	Not to be exceeded more than once/year.	35 ppm	35 ppm
	8-hour	Not to be exceeded more than once/year.	9 ppm	9 ppm
Lead	Calendar Quarter	Quarterly arithmetic mean	1.5 µg/m ³	1.5 µg/m ³
NO ₂	Annual	Annual arithmetic mean	0.05 ppm	0.05 ppm
Ozone	8-hour	3-year average of the annual 4th highest daily maximum 8-hour average concentration.	0.08 ppm	0.08 ppm
PM _{2.5}	Annual Average	3-year average of the annual arithmetic mean.	15 µg/m ³	15 µg/m ³
	24 hour	98th percentile of the 24-hour values determined for each year. 3-year average of the 98th percentile values.	65 µg/m ³	65 µg/m ³
PM ₁₀	Annual Average	3-year average of the annual arithmetic mean.	50 µg/m ³	50 µg/m ³
	24 hour	The expected number of days per calendar year with 24-hour average concentrations above 150 µg/m ³ is equal to or less than 1 over a 3-year period.	150 µg/m ³	150 µg/m ³
SO ₂	Annual Arithmetic Mean	Not to be exceeded more than once per calendar year.	0.03 ppm	0.02 ppm
	24 hour	Not to be exceeded more than once per calendar year.	0.14 ppm	0.10 ppm
	3 hour	Not to be exceeded more than once per calendar year.	N/A	0.5 ppm

Source: Oregon Department of Environmental Quality 2006

µg/m³ = micrograms of pollutant per cubic meter of air; CO = carbon monoxide; NAAQS = National Ambient Air Quality Standard; NO₂ = nitrogen dioxide; PM_{2.5} = particulate matter smaller than 2.5 microns or less in diameter;

PM₁₀ = particulate matter smaller than 10 microns or less in diameter; ppm = parts per million; SO₂ = sulfur dioxide

Toxic air contaminants are also included in this discussion, although no State or Federal ambient air quality standards exist for these pollutants.

Ozone

Ozone is a respiratory irritant that increases susceptibility to respiratory infections. It is also an oxidant that can cause substantial damage to vegetation and other materials. It is a severe eye, nose, and throat irritant and attacks synthetic rubber, textiles, plants, and other materials. Ozone can cause extensive damage to plants by leaf discoloration and cell damage.

Ozone is not emitted directly into the air, but is formed by a photochemical reaction in the atmosphere. Ozone precursors—reactive organic gases and oxides of nitrogen (NO_x)—react in the atmosphere in the presence of sunlight to form ozone. Because photochemical reaction rates depend on the intensity of ultraviolet light and air temperature, ozone is primarily a summer air pollution problem. The ozone precursors, reactive organic gases and NO_x, are mainly emitted by mobile sources and by stationary combustion equipment.

Carbon Monoxide

CO is essentially inert to plants and materials, but can affect human health. It is a public health concern because it combines readily with hemoglobin to reduce the amount of oxygen transported in the bloodstream. CO can cause health problems such as fatigue, headache, confusion, dizziness, and even death.

Motor vehicles are the dominant source of CO emissions in most areas. High CO levels develop primarily during winter when periods of light winds combine with the formation of ground-level temperature inversions (typically from the evening through early morning). These conditions result in reduced dispersion of vehicle emissions. Motor vehicles also exhibit increased CO emission rates at low air temperatures.

Inhalable Particulates

Inhalable particulates can damage human health and retard plant growth. Health concerns associated with suspended particulate matter focus on those particles small enough to reach the lungs when inhaled. Particulates also reduce visibility and corrode materials. Particulate emissions are generated by a wide variety of sources, including agricultural activities, industrial emissions, dust suspended by vehicle traffic and construction equipment, and secondary aerosols formed by reactions in the atmosphere.

Air Toxics

Toxic air contaminants are pollutants which may cause an increase in mortality or serious illness, or which may pose a present or potential hazard to human health. Health effects include cancer, birth defects, neurological damage, damage to the body's natural defense system, and diseases which can lead to death. Although ambient air quality standards exist for criteria pollutants, no standards exist for toxic air contaminants. The EPA has designated air toxics as air pollutants that are known or suspected of causing cancer or other serious health effects.

Federal Regulations

Federal Clean Air Act

The Federal Clean Air Act (CAA) of 1963 as amended establishes the framework for modern air pollution control. The CAA directs the EPA to establish ambient air

standards for ozone, CO, lead, NO₂, particulate matter, and sulfur dioxide. The standards are divided into primary and secondary standards. Primary standards are designed to protect human health, including the health of "sensitive" populations such as people with asthma, children, and the elderly within an adequate margin of safety. Secondary standards are designed to protect public welfare, including protection against decreased visibility and damage to animals, crops, vegetation, and buildings. Federal standards are listed in Table 3.5-1.

State Implementation Plans

Areas that do not meet the Federal ambient air quality standards shown in Table 3.5-1 are called *nonattainment areas*. For these nonattainment areas, the CAA requires States to develop and adopt State Implementation Plans (SIPs), which are air quality plans showing how air quality standards will be attained. The SIP, which is reviewed and approved by the EPA, must demonstrate how the Federal standards will be achieved. Failing to submit a plan or secure approval could lead to denial of Federal funding and permits for such improvements as highway construction and sewage treatment plants.

Federal Conformity Requirements

The primary legislation that governs Federal air quality regulations is the Clean Air Act Amendments of 1990 (CAAA). The CAAA delegates primary responsibility for clean air to the EPA. The EPA develops rules and regulations to preserve and improve air quality, as well as delegating specific responsibilities to State and local agencies.

The CAAA of 1990 requires that all federally funded projects come from a plan or program that conforms to the appropriate SIP. Federal actions are subject to either the Transportation Conformity Rule (40 CFR 51[T]), which applies to Federal highway or transit projects, or the General Conformity Rule (40 CFR 51[W]), which applies to all other Federal actions.

General Conformity Requirements

The purpose of the General Conformity Rule is to ensure that Federal actions conform to applicable SIPs so that they do not interfere with strategies employed to attain NAAQS. The rule applies to Federal actions in areas designated as nonattainment areas for any of the six criteria pollutants and in some areas designated as maintenance areas. The rule applies to all Federal actions except:

- programs specifically included in a transportation plan or program that is found to conform under the Federal transportation conformity rule,
- projects with associated emissions below specified *de minimis* (too small to be concerned about) threshold levels, and
- certain other projects that are exempt, or presumed to conform.

A general conformity determination would be required if a proposed Federal action's total direct and indirect emissions failed to meet any of the following two conditions:

- emissions for each affected pollutant for which the region is classified as a maintenance or nonattainment area for the national standards are below the *de minimis* levels indicated in Tables 3.5-2 and 3.5-3, and
- emissions for each affected pollutant for which the region is classified as a maintenance or nonattainment area for the national standards are regionally insignificant (total emissions are less than 10 percent of the area's total emissions inventory for that pollutant).

If a general conformity determination is required, it must be demonstrated that total direct and indirect emissions for each affected pollutant for which the region is classified as an area of maintenance or nonattainment for the national standards would conform to the applicable SIP.

Attainment Classifications

If monitored pollutant concentrations meet State or Federal standards over a designated period of time, the area is classified as being in attainment for that pollutant. If monitored pollutant concentrations violate the standards, the area is considered a nonattainment area for that pollutant. If data are insufficient to determine whether a pollutant is violating the standard, the area is designated unclassified.

Table 3.5-2. Federal *de minimis* Threshold Levels for Criteria Pollutants in Nonattainment Areas

Pollutant	Emission Rate (Tons per Year)
OZONE (VOC OR NO_x)	
Serious nonattainment areas	50
Severe nonattainment areas	25
Extreme nonattainment areas	10
Other ozone nonattainment areas outside an ozone transport region	100
MARGINAL AND MODERATE NONATTAINMENT AREAS INSIDE AN OZONE TRANSPORT REGION	
VOC	50
NO _x	100
CO: All nonattainment areas	100
SO ₂ or NO ₂ : All nonattainment areas	100
PM10	
Moderate nonattainment areas	100
Serious nonattainment areas	70
Pb: All nonattainment areas	25

Source: 40 CFR 51.853

Note: *de minimis* threshold levels for conformity applicability analysis.

CO = carbon monoxide; NO_x = oxides of nitrogen; NO₂ = nitrogen dioxide; PM10 = particulate matter smaller than 10 microns in diameter; SO₂ = sulfur dioxide; VOC = volatile organic compound

Table 3.5-3. Federal *de minimis* Threshold Levels for Criteria Pollutants in Maintenance Areas

Pollutant	Emission Rate (Tons per Year)
OZONE (NO_x), SO₂ OR NO₂	
All maintenance areas	100
OZONE (VOCs)	
Maintenance areas inside an ozone transport region	50
Maintenance areas outside an ozone transport region	100
CO: All maintenance areas	100
PM10: All maintenance areas	100
Pb: All maintenance areas	25

Source: 40 CFR 51.853

Note: *de minimis* threshold levels for conformity applicability analysis.

CO = carbon monoxide; NO_x = oxides of nitrogen; NO₂ = nitrogen dioxide; Pb= lead; PM10 = particulate matter smaller than 10 microns in diameter; SO₂ = sulfur dioxide; VOC = volatile organic compound

Regional Haze Plan

The CAA contains requirements for states to protect and improve visibility in national parks and wilderness areas. In 1977, Congress designated certain national parks and wilderness areas as “Class I areas,” where visibility was identified as an important value. There are 12 Class I areas, including Crater Lake National Park and 11 wilderness areas within Oregon. The Kalmiopsis Wilderness Area in southern Oregon is the nearest Class I area, located approximately 64 kilometers (40 miles) east of the Pistol River State Park.

In response to EPA’s first visibility rules, the Oregon Department of Environmental Quality (ODEQ) adopted the Oregon Visibility Protection Plan (OVPP) in 1986. The OVPP focuses on protecting Oregon’s Class I areas from smoke due to nearby forest and agricultural burning, and industrial air pollution from new and expanding facilities. In 1990, the CAA was amended to place additional emphasis on the regional haze problem. The amendments established the Grand Canyon Visibility Transport Commission (GCVTC), which conducted a 4-year comprehensive study of regional haze in the Grand Canyon and 15 other areas on the Colorado Plateau in the Southwest. In 1996 the GCVTC developed recommendations that included specific regional haze strategies for industrial and mobile sources, fire, road dust, and pollution prevention, which were forwarded to EPA.

In July 1999, the EPA adopted the Regional Haze Rule (40 CFR 51), which contains two rule sections: Section 308 and Section 309. Section 308 applies to the majority of states in the country, and requires adopting a plan to improve regional haze out to the year 2064. Section 309 applies to the nine western states that were part of the GCVTC study. These states have the option of adopting a Section 308 plan or a Section 309 plan; the latter based on the GCVTC recommendations from 1996.

On December 5, 2003, ODEQ adopted the first regional haze plan for Oregon. This plan follows Section 309, which requires a second plan to be submitted by the end of 2007. Oregon's Section 309 Regional Haze Plan contains strategies that apply to sources such as industrial facilities, motor vehicles, and fire (forestry and agricultural burning). Pollution prevention is also a key strategy. The plan involves a 2-step process for reducing regional haze. The first step involves applying these strategies to improve haze in the 16 Class I areas of the Colorado Plateau. The second step involves developing a similar plan by 2007 that focuses on Oregon's 12 Class I areas. This provides 5 years to evaluate the strategies to determine the overall effectiveness and how well they would work in improving haze in Oregon. During this time ODEQ will also be reviewing monitoring data to identify the degree of regional haze in Class I areas across Oregon.

State Regulations

The ODEQ's Air Quality Division manages air quality in Oregon. The role of the ODEQ Air Quality Division is to ensure that Oregon meets and maintains public health and visibility standards and goals. Using a variety of activities, including public health advisories, inspections, ambient air monitoring, education, and incentives, the ODEQ Air Quality Division promotes clean air and the control of greenhouse gases and air toxics.

The ODEQ Air Quality Division works with local governments, communities, and businesses to find solutions that will prevent or reduce air pollution and solve current air quality problems. Oregon Revised Statutes Chapter 468a contains Oregon's laws pertaining to air quality, and are legally enforceable, while Division 200 through 268 are rules enacted by the ODEQ to control air quality within the State.

3.5.3 Affected Environment

Regional Climate and Meteorology

The Oregon coastal zone stretches along Oregon's Pacific Ocean border, and is characterized by mild temperatures throughout the year, with wet winters and relatively dry summers. The terrain of the coastal zone is widely varied, and includes a coastal plain (which can extend from less than 1.6 kilometers [1 mile] to 0.5 kilometer [a few tens of miles in width]); numerous coastal valleys; and the Coast Range, whose peaks range from 610 to 1,676 meters (2,000 to 5,500 feet) above sea level and extend down the full length of the State. The Coast Range is dissected and drained by many rivers, including the Coquille, Umpqua, and Yaquina Rivers. Moist air masses moving off the Pacific Ocean onto land result in the region's heavy precipitation, especially during winter months. This abundant moisture supports valley crops of grass seed, flower bulbs, nuts, and fruit, as well as lush pastures for dairy and animal production.

The warmest months typically occur during July, August, and September with the average summer temperature being only approximately 15 degrees above the coldest month, January. The mild temperatures result in the coastal region having the lowest heating and cooling degree days (base 65° Fahrenheit [°F]) (18.3° Celsius [°C]) than any other Oregon region. Extremely high or low temperatures are rare, with temperatures of 90° F (32.2° C) or above occurring less than once per year, on average, and freezing temperatures occurring infrequently. Killing frosts occur even less frequently, as most of the area averages more than 300 days between the last occurrence (spring) and the first occurrence (fall) of 28° F (-2.2° C) temperatures.

Normal annual precipitation is between 165 to 229 centimeters (65 to 90 inches) along the lower elevations of the immediate coast. However, spots high on the west slopes of the Coast Range may get up to 200 inches annually. Strong flood events can result from several days of abundant rainfall.

However, flood control dams have greatly reduced the incidence of damaging floods in some locations. The highest monthly precipitation values for the coastal zone occur in the winter months (November, December, and January), which is typical of western Oregon. Typically, snowfall in the coastal zone is minimal, with only one to three inches occurring in most instances. However, some of the higher elevations receive considerable amounts of snowfall. Mary's Peak, the highest peak in the Coast Range at 1,249 meters (4,097 feet), can have snow pack that lasts into May.

Strong winds, often in advance of winter storms, occasionally strike the Oregon coast. Wind speeds can exceed hurricane force, and cause extensive damage to structures or vegetation in rare cases. Damage typically occurs at exposed coastal locations, but may extend into inland valleys. However, such events are typically short-lived, lasting less than one day.

Skies are typically cloudy during winter and partly cloudy during summer. Summer cloud cover is due mostly to fog and low clouds. Total solar radiation is lower here than in any other part of the State due to the persistent cloudiness (Oregon Climate Service 2006).

Sensitive Receptors

For the purposes of air quality analysis, sensitive land uses are defined as locations where people reside or where the presence of pollutant emissions could adversely affect the use of the land. Sensitive land uses in the study area include residences and beaches that support recreational use.

Attainment Status

Currently, there are no areas within Oregon that are classified by the EPA as being nonattainment areas for the NAAQS. However, there are areas within Oregon that have been designated by the EPA as being maintenance areas for certain pollutants

(Table 3.5-4) or are in the process of being redesignated as such (Table 3.5-5). These areas are predominantly located in the vicinity of populated areas (i.e., cities and towns).

Table 3.5-4. Oregon Communities with Air Quality Maintenance Strategies (Re-designated as Attainment Areas)

City	Pollutant	Re-designation Date
Eugene/Springfield	CO	1994
Grants Pass	CO	1999
Portland	CO	1996
Klamath Falls	CO	2001
Medford/Ashland	CO	2001
Klamath Falls	PM10	2002
Grants Pass	PM10	2003

Oregon Department of Environmental Quality 2006

CO = carbon monoxide; PM10 = particulate matter with a diameter less than 10 microns

Table 3.5-5. Remaining Non-Attainment Communities with Air Quality Maintenance Strategy Development in Progress

City	Pollutant	Redesignation Status
Salem-Keizer	CO	NAAQS met, plan in development
Eugene/Springfield	PM10	NAAQS met, plan in development
La Grande	PM10	NAAQS met, plan in EPA review
Lakeview	PM10	NAAQS met, plan in EPA review
Medford	PM10	NAAQS met, plan in EPA review
Oakridge	PM10	NAAQS met, plan in development

Source: Oregon Department of Environmental Quality 2006

CO = carbon monoxide; PM10 = particulate matter with a diameter less than 10 microns

Global Climate Change

Since 1997, Federal agencies executing projects under NEPA have been charged with determining how those projects contribute to greenhouse emissions and ultimately changes in the global climate. The following draft guidance was given to Federal agencies on October 8, 1997:

Global climate change is a serious environmental concern which, given the current state of scientific knowledge, must be viewed under NEPA as a reasonably foreseeable impact of continued emission and changes in sinks of greenhouse gases (Executive Office of the President 1997).

The issue of how emissions from human activities may affect the global climate has been the subject of extensive international research in the past several decades. There is now a broad consensus among atmospheric scientists that emissions caused by humans have already caused measurable increases in global temperature and are expected to result in significantly greater increases in temperature in the future. However, there is still considerable uncertainty about the exact magnitude of future global impacts and the best approach to mitigate the impacts.

The United Nations' Intergovernmental Panel on Climate Change (IPCC) published its most recent sets of 5-year progress reports summarizing worldwide research on global climate change in 2001 and 2007 (Intergovernmental Panel on Climate Change 2007). These reports indicated that some level of global climate change is likely to occur and that there is a significant possibility of adverse environmental effects. Several alternative mitigation measures were evaluated by the worldwide scientific community to reduce global emissions, including the first round of worldwide reductions in greenhouse gases (GHGs), as prescribed by the Kyoto Protocol. For more information about the potential environmental effects of global climate change, refer to Section 3.7, "Wildlife and Their Habitat."

3.5.4 Environmental Consequences

Consequences Common to All Alternatives

Potential Increase in the Emission of Pollutants

Some of the covered activities that would be conducted under each of the alternatives, such as habitat restoration, would involve activities that could increase the emission of air pollutants. This includes operating equipment for installing enclosures fences, ropes, and signage, as well as for habitat restoration. Emissions would also result from an increase in vehicle trips associated with snowy plover management activities (e.g., equipment deliveries and employee commute trips). These activities would continue under all of the alternatives, although the extent of habitat restoration could be greater under Alternatives 2 and 3, relative to Alternative 1, due to habitat restoration activities being proposed at additional SPMA's (Chapter 2, "Alternatives").

It is anticipated that these emissions would be minimal under each of the alternatives because the type of equipment and number of vehicle trips that would be required would be minimal and the use would occur temporarily. In addition, because the study area is classified as a Federal attainment area for the ozone, CO, and PM10 standards, the alternatives would not be subject to general conformity requirements. It is also possible that localized emissions from recreational vehicles would be lower in areas where driving would be restricted seasonally (except for administrative uses).

Potential Effects of the Covered Activities on Global Climate Change Caused by Emissions from Construction Equipment for Beach Restoration Projects

Temporary emissions from construction equipment used to restore beach habitat under the alternatives would have a negligible effect on global climate change in Oregon. Global climate change is a worldwide problem caused by combined GHG emissions throughout the planet. Global circulation patterns ensure that local emissions from any given spot on earth will be well mixed globally. In effect, all emissions (no matter how local) will become part of the worldwide emission inventory for GHGs. Thus, climate change in coastal Oregon would be affected as much by a ton of emissions from power plants in China, for example, as by that same ton of emissions from construction equipment restoring beach habitat in Oregon.

To provide perspective on whether construction emissions for beach habitat restoration could affect global climate change, it is necessary to consider worldwide GHG emissions. GHG emission rates are quantified in units of million metric tons of carbon dioxide (CO₂) equivalent per year (MMTCO₂E/year). The current worldwide annual emissions of combined GHGs are roughly 45,000 MMTCO₂E/year, and those emissions are expected to increase over the next 20 years. If the diesel-powered construction equipment used for the beach restoration projects used a conservatively high 10,000 gallons of fuel in a year, that equipment would emit 110 tons of CO₂, which would equate to only 0.0001 MMTCO₂E/year of greenhouse gases. That project-related emission rate would be a tiny fraction of the worldwide total, and would have a negligible influence on climate either in Oregon or anyplace on the planet. For a discussion of global climate change and potential effects on wildlife species, including snowy plovers, please refer to Section 3.7, “Wildlife and Their Habitat.”

3.6 Noise

This section describes noise considerations in the study area, as well as potential noise effects from implementation of the alternatives. For this section, the study area is the same as the covered lands described in Section 3.1.1, “Covered Lands.”

3.6.1 Approach and Methodology

The description of noise-related issues presented in this section is based on a review of the available literature and a summary of Federal, State, and local policies and regulations related to noise. The potential effects of noise in the study area were assessed based on a review of the management strategies for each of the alternatives, including the *Western Snowy Plover Habitat Conservation Plan* (Oregon Parks and Recreation Department 2008), and a programmatic assessment of how those strategies could impact the surrounding environment.

The primary source of noise associated with the alternatives would be from the equipment used for habitat maintenance, and from vehicle trips associated with the other OPRD management activities. The specific equipment that would be used for these activities is unknown; consequently, noise levels near these activities have been assessed based on published data from representative construction operations.

Noise Effect Criteria

There are no Federal, State, or local regulations limiting allowable noise levels generated by the construction operations likely to be used for the alternatives. For purposes of evaluating noise effects in this FEIS, a potential noise effect was considered substantial if daytime construction would cause a noise increase at a home or established campsites or picnic areas exceeding 10 A-weighted decibel (dBA), compared to daytime background.

3.6.2 Regulatory Setting

Noise Terminology

Sound is mechanical energy transmitted by pressure waves moving through the air. Noise can be defined as unwanted sound. Sound is characterized by various parameters that include the rate of oscillation of sound waves (frequency or pitch), and the pressure level or energy content (amplitude or sound volume). In particular, the sound pressure level is the most common descriptor used to characterize the loudness of an ambient sound level. The decibel (dB) scale is used to quantify sound intensity. Because sound pressure can vary enormously within the range of human hearing, a logarithmic loudness scale is used to express sound intensity numbers in a

convenient and manageable manner. The human ear is not equally sensitive to all frequencies in the entire spectrum, so community noise measurements are typically weighted more heavily for frequencies to which humans are sensitive in a process called “A-weighting,” written “dBA.”

The ability to perceive a new noise source intruding onto background conditions depends on the nature of the intruding sound and the background sound. For situations where the nature of the new sound is similar to the background sound (e.g., new traffic noise added to background traffic noise) a noise of 3 dB is just noticeable, a change of 5 dB is clearly noticeable, and a change of 10 dB is perceived as doubling or halving sound level. For situations where the nature of the new intruding sound is different from background (e.g., construction noise in an otherwise quiet setting), the new sound (including sporadic “clanks” from construction equipment) can be perceived even if it only raises the overall noise level by less than 1 dBA.

Different types of measurements are used to characterize the time-varying nature of sound. These measurements include the equivalent sound level (L_{eq}) and, the maximum sound levels (L_{max}). Below are brief definitions of these measurements and other terminology used in this analysis.

- **Sound.** Acoustical energy generated by a vibrating object, which, when transmitted by pressure waves through a medium such as air, is capable of being detected by a receiver or receptor, such as a human or animal ear, or a microphone.
- **Noise.** Sound that is loud, unpleasant, unexpected, or otherwise undesirable.
- **dB.** A dimensionless measure of the ratio between two quantities (levels) of sound. Decibels are quantified on a logarithmic scale, which indicates the squared ratio of sound pressure amplitude to a reference (or baseline) sound pressure amplitude. The standard reference pressure used for comparison is 20 micro-pascals.
- **dBA.** An overall frequency-weighted sound level measured in decibels, which approximates the frequency response of the human ear.
- **L_{max} .** The maximum sound level measured during the measurement period. For commonly used sound level monitors, the L_{max} is generally equivalent to the loudest 1 second during the measurement period.
- **L_{eq} .** The equivalent steady state sound level that in a stated period of time would contain the same acoustical energy.

Federal Regulations

There are no Federal regulations applicable to noise that could be generated by the proposed alternatives. Region 10 of the EPA published guidance for evaluating long-term noise increases at residential areas caused by noise from industrial or

transportation projects. That guidance suggests a long-term noise increase of 5 to 10 dBA above background noise should be considered to have a noticeable effect (Environmental Protection Agency 1980).

State Regulations

Oregon Revised Statutes Chapter 467, which is legally enforceable, contains Oregon's laws pertaining to noise. Division 35 contains noise control regulations enacted by Oregon Department of Environmental Quality (ODEQ). Temporary construction noise and noise from motor vehicles traveling on public roads are specifically exempted from the noise limits specified by the State regulation enacted by Division 35.

Local Policies and Regulations

Several Oregon cities and counties, such as Lincoln and Clatsop Counties and the City of Newport have enacted local noise ordinances. Project elements located in jurisdictions where noise ordinances have been enacted may be subject to these ordinances if they are not located on State-owned property.

3.6.3 Affected Environment

Ambient Noise Environment

Within the study area, the predominant sources of noise are wind and waves at the ocean, recreational activity on the beaches, traffic on adjacent roadways, and general aviation aircraft overflights. Background noise levels typically found at a beach environment are 40 to 45 dBA during calm wind conditions, and 50 to 55 dBA during windy, wavy conditions (U.S. Forest Service 1980).

Noise-Sensitive Land Uses

Noise-sensitive land uses are usually residences, campgrounds, quiet picnic areas, and other similar uses where noise can adversely affect use of the land. Noise-sensitive land uses in the study area include residences and beaches where recreation typically occurs. Temporary construction activities (e.g., temporary bulldozing for dune restoration) could occasionally be required near some noise-sensitive receivers.

3.6.4 Environmental Consequences

Consequences Common to All Alternatives

Potential Effects of the Covered Activities on Noise-Sensitive Receptors

Some of the covered activities that would be conducted under each of the alternatives, such as habitat restoration, could increase localized noise levels in the study area. These include operating equipment for installing enclosures, fences, ropes, and signage, as well as for habitat restoration (temporary bulldozing for dune modification). These activities would continue under all of the alternatives, although the extent of habitat restoration could be greater under Alternatives 2 and 3, relative to Alternative 1, due to habitat restoration activities being proposed at additional snowy plover management areas (Chapter 2, “Alternatives.”)

It is anticipated that the use of noise generating equipment would be infrequent and would occur for only a short duration at any given site. In addition, noise from the loudest activities (temporary bulldozing for dune restoration) is not anticipated to be audible at great distances due to ocean noise in the immediate vicinity. For example, a typical bulldozer that could be used for dune restoration generates a noise emission of 81 dBA (L_{eq}) at a 15-meter (50-foot) reference distance (Thalheimer 2000). That noise emission would dissipate with increasing distance from the bulldozer. As described previously, noise from temporary bulldozer operation is considered noteworthy if it increases noise levels by more than 10 dBA above background levels. The bulldozer noise would dissipate to within 10 dBA of background noise levels at the distances listed in Table 3.6-1, depending on the background conditions, ground type, and local topography. Calculations for noise levels are shown in Appendix B of this FEIS.

Table 3.6-1. Distance Beyond which Bulldozer Noise Dissipates to Inconsequential Levels

Background Condition	Distance to End of Noticeable Effect
Quiet conditions (45 dBA background)	152 to 274 meters (500 to 900 feet)
Windy, wavy conditions (55 dBA background)	61 to 91 meters (200 to 300 feet)

Source: noise calculations in Appendix B

Note: Noticeable effect is defined as more than 10 dBA above background

dBA=10 A-weighted decibel

In addition, bulldozing would seldom be required close to homes, campsites, or picnic areas. Therefore, the potential noise effects of the covered activities under all alternatives are anticipated to be minimal.

3.7 Wildlife and Their Habitat

This section describes wildlife species listed under the Federal ESA or the Oregon ESA that have the potential to occur in Ocean Shore habitats in the study area. A general discussion of coastal wildlife communities and species movement within the study area is also provided. Although the study area for this section is the same as the covered lands described in Section 3.1.1, “Covered Lands,” the analysis focuses on wildlife and their habitat in the specific portions of the key State parks, State natural areas, and State recreation areas described in Section 1.2.3, “Context,” and illustrated in Figures 1-3 through 1-11.

3.7.1 Approach and Methodology

Wildlife species with the potential to occur in Ocean Shore habitats on the Oregon coast were determined by reviewing species lists from USFWS, ODFW, and Oregon Natural Heritage Information Center (ORNHIC). Wildlife occurrence information was cross-referenced with the extent of suitable habitat on the covered lands to determine which wildlife species could occur in the study area. If a species is known to occur along the Oregon coast, and there is suitable habitat to support the species within the study area, it was assumed that the species was present and could be potentially affected by the proposed alternatives.

Potential effects on wildlife were analyzed by reviewing the proposed management strategies associated with each of the alternatives and comparing those impacts with information in current field guides, biological field survey reports, annotated lists of local birds, and general information collected during a site visit in July 2006. Relevant scientific literature and reports were also reviewed for information on potential impacts on individual species or species groups associated with the proposed restoration and management activities.

3.7.2 Regulatory Context

Federal Endangered Species Act

As described in Chapter 1, “Purpose and Need,” wildlife species listed as threatened or endangered are protected under the Federal ESA. Section 7 of the ESA requires that Federal agencies ensure that the actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of listed species, or result in the destruction or adverse modification of habitat critical for these species.

Federally listed wildlife species and critical habitat that may occur in the study area are described in Section 3.7.3, “Affected Environment.”

Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act prohibits the taking of both bald and golden eagles or any parts, nests, or eggs. This act prohibits killing, collection, and disturbance of these species. Project activities that cause direct mortality of these species or removal or alteration of a nest site would likely violate the provisions of the Bald and Golden Eagle Protection Act.

Bald eagles have the potential to occur in the study area, as described in Section 3.7.3, “Affected Environment,” and would be protected under the Bald and Golden Eagle Protection Act.

Migratory Bird Treaty Act and Executive Order 13186

The Migratory Bird Treaty Act (MBTA) prohibits the take of any migratory bird, or any part, nest, or egg of any such bird. Take under the MBTA is defined as “the action of or attempt to pursue, hunt, shoot, capture, collect, or kill” (50 CFR 10.12) and includes intentional take (i.e., take that is the purpose of the activity in question) and unintentional take (i.e., take that results from, but is not the purpose of, the activity in question). The MBTA applies to all persons and organizations in the United States, including Federal and State agencies.

The MBTA is administered by USFWS, with regulation of listed migratory birds delegated to the agency staff handling Section 7 of the ESA, and regulation of unlisted migratory birds delegated to USFWS’s Migratory Bird Division.

Executive Order 13186, Responsibilities of Federal Agencies to Protect Migratory Birds, provides guidance for USFWS programs relative to the management and conservation of migratory birds. The Executive Order directs each Federal agency taking actions that could adversely affect migratory bird populations to work with USFWS to develop a memorandum of understanding (MOU) that will promote the conservation of migratory bird populations. Protocols developed under the MOU should include the following agency responsibilities:

- avoid and minimize, to the extent practicable, adverse impacts on migratory bird resources when conducting agency actions;
- restore and enhance habitat of migratory birds, as practicable; and
- prevent or abate the pollution or detrimental alteration of the environment for the benefit of migratory birds, as practicable.

The Executive Order is designed to assist Federal agencies in their efforts to comply with the MBTA and does not constitute any legal authorization to take migratory birds.

Several species of migratory birds may use lands in the study area, as described in Section 3.7.3, “Affected Environment,” and would be protected under the MBTA and Executive Order 13186.

Oregon State Endangered Species Act

Similar to the Federal ESA, the Oregon ESA offers protection to species listed as threatened or endangered in the State. However, the Oregon ESA is much more limited in scope and applies only to State agencies taking actions on State owned or leased lands. Protections afforded wildlife species listed under Oregon’s ESA are administered by the ODFW.

State listed wildlife species that may occur on the covered lands are described in Section 3.7.3, “Affected Environment.” Since the covered lands are managed by the State, OPRD would be required to consult with ODFW for impacts on State listed wildlife species.

3.7.3 Affected Environment

Wildlife communities within the study area are representative of the types of wildlife communities found on the Ocean Shore along the entire Oregon coast. Wildlife species using highly volatile dune environments, such as the Ocean Shore, are typically adapted to conditions like strong winds, blowing sand, and salt spray. The intertidal (low tide to extreme high tide) area, otherwise referred to as the wet sand, along the Ocean Shore supports a diverse array of invertebrates, particularly along the wrack line (the area where seaweed and woody debris wash up and accumulate on the beach). This nutrient rich portion of the Ocean Shore supports many nesting migratory bird species, both on the sandy beach and in the adjacent uplands.

Table 3.7-1 provides a list of seven special status species that could occur in the vicinity of the study area. These species are addressed in this FEIS because they 1) are closely associated with beach or Ocean Shore environments; 2) are known to, or could potentially, occur in the study area, or 3) are considered sensitive to the management activities proposed under the alternatives.

Table 3.7-1. Threatened or Endangered Wildlife Species in the Study Area

Species Name	Federal Status	State Status
Oregon silverspot butterfly (<i>Speyeria zerene hippolyta</i>)	Threatened	Threatened
Bald eagle (<i>Haliaeetus leucocephalus</i>)	Delisted	Threatened
Brown pelican (<i>Pelecanus occidentalis</i>)	Delisted	Endangered
Marbled murrelet (<i>Brachyramphus marmoratus marmoratus</i>)	Threatened	Threatened
Northern spotted owl (<i>Strix occidentalis</i>)	Threatened	Threatened
Western snowy plover (<i>Charadrius alexandrinus nivosus</i> [coastal population])	Threatened	Threatened
Steller sea lion (<i>Eumetopias jubatus</i>)	Threatened	None

Source: U.S. Fish and Wildlife Service 2006b

Endangered = species that is in danger of extinction throughout all or a significant portion of its range

Threatened = species that is likely to become endangered in the foreseeable future

Sensitive/Vulnerable = species for which listing as threatened or endangered is not believed to be imminent and can be avoided through continued or expanded use of adequate protective measures and monitoring

Oregon Silverspot Butterfly

Species Ecology

The Oregon silverspot butterfly occurs in coastal environments along the coast of Oregon. Historically the species likely occurred from northern California to the coast of Washington. In 1982, the only sites considered viable for the species were found in Oregon at the mouths of Big and Rock Creeks in Lane County (about 500 acres), and at Mt. Hebo in Tillamook County (about 1,200 acres) (NatureServe 2006a). The Clatsop Plains in Clatsop County are also currently considered viable habitat for the butterfly (U.S. Fish and Wildlife Service 2001a).

This species occupies early successional, coastal grassland habitat that contains the caterpillar host plant, early blue violet (*Viola adunca*), and adult nectar sources. Soil and climatic conditions, salt spray or mist, and disturbance regimes historically contributed to maintaining low, open grasslands within the species' range by suppressing encroaching trees and shrubs (U.S. Fish and Wildlife Service 2001a).

Threats to Species

Invasion by non-native (invasive) species, natural succession due to stabilization of historically ephemeral habitats, and land development have resulted in modification and loss of the species' habitat. Historic and ongoing land management practices preclude the type of disturbance necessary to maintain existing habitats and create new habitats for species expansion (U.S. Fish and Wildlife Service 2001a). Other threats include off-road vehicle use, grazing, erosion, road kill, and pesticides. The most recent pressures on the species include lack of genetic diversity due to a reduction in the total number of viable populations (NatureServe 2006a).

Management and Status in Western Oregon

The Oregon silverspot butterfly is listed as threatened under the Federal ESA and Oregon ESA. Critical habitat for the species was designated in Lane County in 1980. USFWS prepared a recovery plan for the species in 1982, which was revised in 2001 (U.S. Fish and Wildlife Service 2001a).

In June 2007, USFWS entered into a county-wide Safe Harbor Agreement with The Nature Conservancy that authorizes The Nature Conservancy and private landowners to carry out habitat management measures that benefit the Oregon silverspot butterfly in Lane County (Walker pers.comm.2008). Habitat management measures over the next 35 years could include suppressing or removing invasive vegetation, planting native coastal meadow vegetation, or enhancing early blue violet plant populations.

Current OPRD Management Prescriptions

There are currently no OPRD management prescriptions in place for Oregon silverspot butterfly.

Bald Eagle

Species Ecology

Bald eagles are closely associated with freshwater, estuarine, and marine ecosystems that provide abundant prey and suitable habitat for nesting and communal roosting (Buehler 2000). Breeding territories are typically located within one mile of permanent water in predominantly coniferous; uneven aged stands with old growth structural components (U.S. Fish and Wildlife Service 1986; Buehler 2000). Bald eagles winter along ice-free lakes, streams, and rivers where food and perch sites are abundant and the level of human disturbance is low (U.S. Fish and Wildlife Service 1986; Buehler 2000). Communal night roosts are used by bald eagles primarily during the winter months. In the Pacific Northwest, communal roosts occur generally in multi-layered mature or old growth conifer stands that provide protection from weather and human disturbance (Buehler 2000).

The bald eagle can be found along the entire Oregon coast, from the Columbia River to the California border. Although many birds nest along the Oregon coast, it is unlikely that nest trees large enough to support breeding pairs would be located in close proximity to the covered lands. Nests are often reused year after year, and with additions made annually, the nests can become very large. Bald eagle nests have been found within or in proximity to a number of coastal parks, including Fort Stevens State Park. The bald eagle, which breeds in all seven coastal counties, nests from February through mid-August (Oregon Parks and Recreation Department 2005). Winter foraging areas are usually located near open water on rivers, lakes, reservoirs, and bays where fish and waterfowl are abundant, or in areas with little or no water (i.e., rangelands, barren land, suburban areas, etc.) where other prey species (e.g., rabbit, rodents, scavenged deer, and other carrion) are abundant. Waterfowl are the

most common avian prey, but shorebirds and land birds are also eaten. On the Oregon coast, varieties of mammals are also taken as prey, although mammals are less important than fish and birds.

Threats to Species

Population declines are attributed to reproductive failure associated with eggshell thinning resulting from widespread use of organochloride compounds, habitat loss, shooting, secondary lead poisoning, exposure to lethal poisons from vertebrate control programs, and other environmental contaminants (U.S. Fish and Wildlife Service 1986). Other threats include disturbances associated with urban and recreational development and associated human activities (i.e., hiking, camping, boating, and off-highway vehicle use). Use of fireworks is another activity that can affect nesting bald eagles (Oregon Parks and Recreation Department 2005).

Management and Status in Western Oregon

The bald eagle was listed as threatened under the Federal ESA in 1978 and as a threatened species under the Oregon ESA in 1987. USFWS appointed a recovery team in 1979, and a Pacific Bald Eagle Recovery Plan for seven western states was completed in 1986 (U.S. Fish and Wildlife Service 1986). No critical habitat has been designated for bald eagle in Oregon or other western states.

In 1998, the Oregon Fish and Wildlife Commission proposed to remove the bald eagle from the State list because most bald eagle recovery goals had been met or exceeded. USFWS announced its intent to begin the Federal process for delisting the bald eagle in 1999. Both proposals were put on hold shortly after they were announced due to concerns about protection of the species after delisting. The ODFW recently re-initiated the process for reviewing the State status of bald eagle in Oregon. In June 2007, USFWS removed the bald eagle from the Federal list after determining that threats to the species have been eliminated or reduced to the point that the species has recovered (Federal Register, Volume 72, Number 130, pages 37346 to 37371). The National Bald Eagle Management Guidelines were finalized in May 2007 (U.S. Fish and Wildlife Service 2007c).

Current OPRD Management Prescriptions

There are currently no OPRD management prescriptions in place for the bald eagle. In accordance with State and Federal law, OPRD avoids disturbance to nesting sites during the nesting season (January to August) and roosts during the wintering season (November to March). Use of fireworks on the covered lands is also illegal without a permit from OPRD. Although permits are generally issued to local communities for July 4th celebrations, no permits are issued for firework activities within 1,000 feet of known bald eagle nests.

Brown Pelican

Species Ecology

The brown pelican can be found along the entire Oregon coast, from the Columbia River to the California border. Brown pelicans feed mostly in shallow estuarine water on fish, and make extensive use of sand spits, offshore sand bars, and islets for nocturnal roosting and daytime loafing (NatureServe 2006b). They breed in California, and then disperse along the Pacific coast as far north as Vancouver Island during the non-breeding season (Shields 2002). The brown pelican is a common spring, summer, and fall visitor along the Oregon coast, and has been known to winter in the Charleston and Coos Bay area.

Brown pelicans are often seen frequenting the rocky shoreline of the Oregon coast, but rarely occur on the Ocean Shore. Large numbers of pelicans have congregated on East Sand Island at the mouth of the Columbia River in the past several years. Breeding behavior (i.e., courtship displays, nest building, and attempted copulations) was observed as recently as 2006 on East Sand Island, although there was no evidence of egg laying (Reinalda et al. 2007).

Threats to Species

Population declines are attributed to reproductive failure due to environmental contamination and lack of food, although threats to essential habitats, human disturbance, and the need for continued population monitoring are molding current recovery and management efforts (NatureServe 2006b). Human disturbance during critical times in the breeding cycle can also affect the reproductive success of brown pelican.

Management and Status in Western Oregon

The brown pelican is listed as endangered under the Oregon ESA. It was removed from the Federal list of Endangered and Threatened Wildlife in November 2009 (74 FR 59443). Critical habitat has not been designated for the brown pelican.

Current OPRD Management Prescriptions

There are currently no OPRD management prescriptions in place for the brown pelican.

Marbled Murrelet

Species ecology

The marbled murrelet is a small seabird that inhabits coastal areas from Alaska to south-central California. They spend most of their lives in the marine environment where they feed primarily on small fish and invertebrates in nearshore marine waters (U.S. Fish and Wildlife Service 1997; Nelson 1997). The species typically nests

within remaining older forest stands that are close enough to the coast for murrelets to fly back and forth. In the Pacific Northwest, murrelets nest in low elevation old growth and mature coniferous forests that contain multilayered canopies (Hamer and Nelson 1995; Nelson 1997). Nests are typically in the largest diameter trees available in a stand. Trees commonly used for nesting include Douglas-fir (*Pseudotsuga menziesii.*), western hemlock (*Tsuga heterophylla*), and Sitka spruce (*Picea sitchensis*). Individual tree attributes that provide conditions suitable for nesting include large branches (average 13 inches in diameter, range of 4 to 32 inches), forked branches, deformities, witches' brooms, or other structures that provide a platform for nesting (U.S. Fish and Wildlife Service 1996).

Documented nests in Oregon and Washington have been in trees greater than 32 inches diameter at breast height (U.S. Fish and Wildlife service 1997; Hamer and Nelson 1995). The farthest known inland occurrence of marbled murrelets in Oregon is 61 km (38 miles) (U.S. Fish and Wildlife Service 1997). At sea, marbled murrelets can be found during the breeding season at Boiler Bay, Yaquina Head, and Cape Perpetua (Oregon Parks and Recreation Department 2005). The breeding season for the marbled murrelet is late March through late September.

Threats to the Species

The *Recovery Plan for the Threatened Marbled Murrelet* (U.S. Fish and Wildlife Service 1997) lists threats to the species' survival and recovery in both marine and terrestrial habitats. Terrestrial threats include the loss of nesting habitat, poor reproductive success, and predation of nests and adults. At-sea threats include mortality from fishing nets, oil spills, marine pollutants, and changes in prey abundance and distribution.

McShane et al. (2004) conducted a 5-year review of the status of marbled murrelet and found the threat posed to the species by past and ongoing habitat loss and oil spills had not changed since listing. Threats from the rate of habitat loss mortality and from gill net fisheries had decreased. The review identified disease as one possible new threat.

Management and Status in Western Oregon

The marbled murrelet is listed as threatened under the Federal ESA and the Oregon ESA. Critical habitat for the marbled murrelet was designated in 1996 (U.S. Fish and Wildlife Service 1996), and the Recovery Plan for the Threatened Marbled Murrelet was released in 1997 (U.S. Fish and Wildlife Service 1997). USFWS published a revised proposed designation of critical habitat on September 12, 2006.

Current OPRD Management Prescriptions

There are currently no OPRD management prescriptions in place for marbled murrelets.

Northern Spotted Owl

Species Ecology

The northern spotted owl is a forest-dwelling owl that prefers mature/old growth mixed coniferous forest habitats (U.S. Fish and Wildlife Service 2007d). Spotted owls will occupy second growth (managed) forest if key components of old-growth forest are present. However, population density and reproductive success are usually lower than for owls inhabiting old growth forests (U.S. Fish and Wildlife Service 2007d). Major roosting and nesting areas are generally dispersed throughout a spotted owl territory, and their pattern of use varies seasonally (U.S. Fish and Wildlife Service 2007d). Spotted owls prey on a variety of small animals, including mammals, birds, and insects. Diets vary considerably between regions and habitat types; however, small mammals are the principal prey throughout their range (U.S. Fish and Wildlife Service 2007d). Since the study area encompasses the Ocean Shore, it is devoid of all mature coniferous and mixed coniferous forest that represent potential nesting habitat for the spotted owl.

Threats to Species

USFWS initiated a 5-year review of the northern spotted owl in January 2003. For the review, USFWS contracted with Sustainable Ecosystems Institute to produce a report on the status of the northern spotted owl, summarizing and evaluating new information available since its listing, and any new understanding of information that existed at the time of listing (U.S. Fish and Wildlife Service 2004). The conclusions of the Sustainable Ecosystems Institute Panel, as documented in a report titled *Scientific Evaluation of the Status of the Northern Spotted Owl (Status Report)* (Courtney et al. 2004), provided the primary biological basis for the conclusions of the 5-year review.

In summary, the Status Report found that primary threats to northern spotted owls include loss of habitat from timber harvest and, potentially, from catastrophic wildfires, and impacts from competition and potential interbreeding with barred owls (*Strix varia*). Other factors considered in the listing of the species may still affect the species, including disease or predation, inadequate regulatory mechanisms for protection of spotted owls, and isolation of small populations (Courtney et al 2004).

In April 2007, USFWS released the *Draft Recovery Plan for the Northern Spotted Owl* (U.S. Fish and Wildlife Service 2007d). The *Final Recovery Plan for the Northern Spotted Owl* was released in May 2008 (U.S. Fish and Wildlife Service 2008). The Final Recovery Plan identifies competition from the barred owl and current and past habitat loss due to harvest and catastrophic fire as the primary threats to northern spotted owl.

Management and Status in Western Oregon

The northern spotted owl is listed as threatened under the Federal ESA and the Oregon ESA. USFWS designated critical habitat for the northern spotted owl in 1992. All State lands were deleted from the final designation of critical habitat. A draft recovery plan for northern spotted owl was completed in 1992 (U.S. Fish and Wildlife Service 1992), but not finalized due to the development of the Northwest Forest Plan. The draft recovery plan was revised and released for public review in April 2007 (U.S. Fish and Wildlife Service 2007d), and finalized in May 2008 (U.S. Fish and Wildlife Service 2008). Since the proposed alternatives would only be implemented on the Ocean Shore, and are not likely to affect forested areas typical of northern spotted owl, this species is not evaluated further in this FEIS.

Current OPRD Management Prescriptions

There are currently no OPRD management prescriptions in place for northern spotted owl.

Western Snowy Plover

Species Ecology

The western snowy plover is a small shorebird that nests on the sandy beach. The Pacific Coast population of western snowy plover in Oregon (snowy plover) is at the northern end of the subspecies' range and consists of approximately 135 birds spread between seven breeding sites (U.S. Fish and Wildlife Service 2009). Current Oregon breeding sites are Baker/ Sutton Beaches; the north and south spits of the mouth of the Siltcoos River; beachgrass removal sites at Dunes Overlook; north and south spits of Tahkenitch Creek; north and south spits of Tenmile Creek; Coos Bay North Spit; Bandon State Natural Area (SNA); and the New River spit.

Surveys conducted in earlier years indicated that before 1978, the snowy plover population in Oregon was larger and more widely distributed than it is currently. Along the Oregon coast, snowy plover nesting habitat is characterized by wide, open sandy beaches, river mouths, or dredge spoils, often with scattered driftwood or vegetation. Driftwood, wrack, and native dune plants often harbor snowy plover food sources, and provide cover for chicks hiding from predators (Page et al. 1995; U.S. Fish and Wildlife Service 2001b). Driftwood and plants can also provide protection from the wind and cover from predators. In 2009, a total of 236 snowy plover nests were located. These nests generated a total of 565 eggs, of which 193 hatched, resulting in 96 fledged snowy plovers (Lauten et al. 2009).

Threats to the Species

The primary threats to snowy plovers include loss of habitat for nesting and foraging, predation, climate change, and reproductive failures. Sources for habitat loss include the introduction of European beachgrass, which stabilizes sand dunes and results in

diminished sandy beach area available for habitat. Development of adjacent properties may also result in loss of habitat, through installation of riprap facings to sustain embankments and seawalls, which affect beach erosion processes (U.S. Fish and Wildlife Service 2001b).

Reproductive failure is the indirect result of European beachgrass, which provides cover for predatory species, including fox, skunk, raccoon, and feral cats. Human recreational activity on the beach may also result in an increase in reproductive failure. Birds will flush from their nests if approached too closely by humans or their pets, and particularly when approached by dogs (Lafferty 2001). A thorough discussion of how various recreation activities are thought to affect snowy plovers is outlined in the *Recovery Plan for the Pacific Coast Population of the Western Snowy Plover* (U.S. Fish and Wildlife Service 2007a). Collection and removal of driftwood may result in the loss of protective cover for snowy plovers and their chicks, although excessive amounts of driftwood can provide places for predators to hide. Natural occurrences, such as windstorms, may also bury eggs (U.S. Fish and Wildlife Service 2001b).

Management and Status in Western Oregon

The Pacific Coast population of snowy plovers is listed as threatened under the Federal ESA and the Oregon ESA. Critical habitat was designated for the coastal population of snowy plovers in 2005 (U.S. Fish and Wildlife Service 2005b), and a recovery plan was prepared for the Pacific Coast Population in 2001 (U.S. Fish and Wildlife Service 2001b).

Current OPRD Management Prescriptions

Section 2.3.1, “Alternative 1 – Current Management (No-Action),” describes OPRD’s current management prescriptions for snowy plovers. In summary, OPRD currently manages the Habitat Restoration Area (HRA) at the Bandon SNA for nesting populations of snowy plovers. Management activities typically occur during the nesting season (March 15 to September 15), and include recreation use restrictions; habitat maintenance; predator management; monitoring; and public outreach and education.

In addition, if a snowy plover nest is currently discovered outside of the HRA at Bandon SNA, OPRD works with USFWS to determine what protections should be put in place. Generally, OPRD places an enclosure and 50-meter (164 foot) radius buffer around the identified nest, although the size of the enclosure varies with the local geography and physical constraints (i.e., high tide line, drifting sand, level of recreational use). OPRD also considers permit applications on a case-by-case basis to temporarily limit recreational use on portions of the Ocean Shore owned or managed by other private landowners for nesting populations of snowy plovers. At recreation management areas (RMAs) adjacent to federally owned lands, OPRD historically has developed agreements with the Federal landowner to jointly issue the

restrictions on adjacent land ownerships. Since 1994, OPRD has restricted recreation use on the dry sand portions of the Ocean Shore at Baker/Sutton Beach, Siltcoos Estuary/Dunes Overlook/Tahkenitch Estuary, Tenmile Estuary, Coos Bay North Spit, and Bandon/New River. The actual recreational use restrictions that are currently implemented at these sites are described in Section 3.3, "Recreation."

Steller Sea Lion

Species Ecology

The Steller sea lion is found in the Pacific Ocean from Japan to southern California. Steller sea lions tend to remain offshore or haul out in unpopulated areas, and are not often seen in bays or rivers. The main haul-out areas in Oregon are Rogue Reef, Three Arch Rocks, and Shell Island (Oregon Parks and Recreation Department 2005). During the May to July breeding season, Steller sea lions congregate at offshore island rookeries, where mating takes place and pups are born. Stellers are opportunistic predators, feeding primarily on a wide variety of fishes and cephalopods. Steller sea lions have been known to prey on harbor seal, fur seal, and ringed seal to supplement their diet (National Marine Mammal Laboratory 2006).

Threats to the Species

There is concern that a population decline, similar to that observed in Alaska, could occur in Oregon. The cause of the decline in the Alaskan population is not fully understood, but possibly includes epidemic diseases, predation, reproductive rate decline, entanglement in fishing nets, and loss of their primary prey, the walleye pollock (*Theragra chalcogramma*) to the North Pacific trawl fishing industry. The latter is considered the most probable cause. Steller sea lions can also be disturbed by human presence in some places, if there is easy access (Oregon Parks and Recreation Department 2005).

Management and Status in Western Oregon

The Steller sea lion is listed as threatened under the Federal ESA. Critical habitat was designated in 1993 (National Marine Fisheries Service 1993). The *Recovery Plan for the Steller Sea Lion* was revised and released by NMFS in March 2008 (National Marine Fisheries Service 2008a).

Current OPRD Management Prescriptions

Steller sea lion haul out areas in the study area are under the jurisdiction of USFWS (Refuge system), and ODFW and NMFS have management responsibility for the species. Currently, OPRD works with ODFW and NMFS on recreation or permitting issues that may result in adverse effects to the species (Oregon Parks and Recreation Department 2005).

Other Coastal Species

Waters adjacent to the covered lands support a wealth of biological diversity, including many special-status species. There is the possibility that many species of seabirds, such as the State and federally endangered short-tailed albatross (*Diomedea albatrus*), could occur in near shore waters at some point during the permit term. Several species of waterfowl and gulls use nearshore habitats and the wet sand portion of the beach for foraging and daytime loafing. Shorebirds, including but not limited to sanderling (*Calidris alba*), surfbird (*Aphriza virgata*), western sandpiper (*Calidris mauri*), least sandpiper (*Calidris minutilla*), and willets (*Catoptrophorus semipalmatus*), also forage on the wet sand portion of the beach.

Many species of mammals that are commensal (live in close relationship) with humans are present in beach environments. These include raccoon, (*Procyon lotor*), opossum (*Didelphis virginiana*), striped skunk (*Mephitis mephitis*), red fox (*Vulpes vulpes regalis*), black rat (*Rattus rattus*), and Norway rat (*Rattus norvegicus*). Other species of mammals that may use beach habitats but would be encountered less frequently include coyote (*Canis latrans*), mink (*Mustela vison*), long-tailed weasel (*Mustela frenata*), and deer mice (*Peromyscus maniculatus*).

Marine species such as sea turtles and whales also use near shore waters for foraging and migration. There are no known concentrations of nesting sea turtles along the Oregon coast.

Global Climate Change and Rising Sea Levels

Since 1997, Federal agencies executing projects under NEPA have been charged with determining how those projects contribute to GHG emissions and ultimately changes in the global climate. The following draft guidance was given to Federal agencies on October 8, 1997:

“Global climate change is a serious environmental concern which, given the current state of scientific knowledge, must be viewed under NEPA as a reasonably foreseeable impact of continued emission and changes in sinks of greenhouse gases (Executive Office of the President 1997).”

Since that guidance was issued, a growing body of research has documented changes in the biotic and abiotic environment that are the result of an increase in global temperature and the continued concentration of GHGs in the Earth’s atmosphere. During the last 50 years, winter and spring temperatures have been warmer, spring snow levels in lower- and mid-elevation mountains have dropped, snow pack has been melting 1 to 4 weeks earlier, and flowers have been blooming one to two weeks earlier (California Climate Change Center 2006a).

In coastal areas, one of the primary concerns associated with global climate change is the potential for sea levels to rise and for the frequency and intensity of coastal storm

events to increase. Climate change simulations completed by the California Climate Change Center (2006b) project a substantial rate of global sea level rise over the next century due to thermal expansion as the oceans warms, and as runoff from melting land based snow and ice accelerates.

In general, sea level rise projected from these models increases with increases in temperature. Relative to sea levels in 2000, by the 2070-2099 period, sea level rise projections range from 11-54 centimeters (cm) (4.3-21 inches) for the lower GHG emissions scenario (B1), from 14-61 cm (5.5-24 inches) for the middle-upper emissions scenario (A2), and from 17-72 cm (6.7-28 inches) for the highest emissions scenario (A1) (California Climate Change Center 2006b). For a detailed account of these three scenarios see California Climate Change Center 2006c and 2006d.

3.7.4 Environmental Consequences

The following discusses potential effects on wildlife in the study area resulting from management actions associated with each of the alternatives.

Consequences Common to All Alternatives

Potential Effects of Beach Fires on Ground Nesting Shorebirds

Under all of the alternatives, small recreational fires would be allowed on the beach in open, dry, sand areas, downwind of and below beachgrass and driftwood lines; and beyond 25 feet (7.6 meters) of a seawall construction of wood or other combustible material. Beach fires that are within the line-of-site of nesting or foraging shorebirds, including snowy plovers, could disorient birds at night and could cause them to abandon their nests. Smoke from these fires could also affect adults that are incubating nests and are relatively stationary. Further, there could be large numbers of people associated with beach fires, which can put undue stress on nesting birds if fires are located near the nests. Garbage or refuse left on the beach after the fire is extinguished and the public has gone could attract predators (e.g., crows, ravens, raccoons) which may, in turn, impact nesting and foraging populations of shorebirds.

The potential effects of beach fires on ground nesting shorebirds would be similar under all alternatives and would increase over the next 25 years as recreational use continues to increase. Potential effects on ground nesting shorebirds from beach fires would be minimal because most dense beach recreation activity occurs away from known nesting areas, and ground nesting shorebird species tend to nest away from concentrations of recreation activity. Most impacts would also occur on a site-specific basis, likely affecting only one nest, as beach fires are typically small and would not produce enough smoke to affect an entire nesting area. Ongoing patrols by beach rangers would help to ensure that incidental effects of beach fires,

including residual garbage or refuse left on the beach, are minimized under all alternatives.

Section 3.3, “Recreation,” describes recreational use restrictions that would be implemented at areas where nesting populations of snowy plovers are known to be present. As described in that section, under all of the alternatives, beach fires (considered “dry sand activities”) would not be allowed at any occupied snowy plover nesting area during the nesting season (March 15 to September 15). These prescriptions would also likely provide some protection for other species of ground nesting shorebirds.

Potential Effects of Driftwood Collection and Removal on Snowy Plover

Under all of the alternatives, OPRD would continue to allow the collection of driftwood by beach visitors for personal use at State Park beaches. On non-State Park beaches, removal of driftwood for firewood or ornamental purposes would be allowed if it was for personal use, and if the amount collected could be loaded by hand.

Driftwood is an important component of suitable nesting habitat for snowy plovers, as discussed above. Removal of driftwood from occupied snowy plover nesting areas would reduce the suitability of the habitat, if driftwood is in short supply. Similarly, driftwood removal from targeted, unoccupied snowy plover nesting areas would reduce the likelihood that individuals would attempt to nest in those areas. Collection of driftwood near snowy plover nesting areas, and the proximity of beach visitors to such nests, could also impact nest success.

The potential effects of driftwood collection and removal on nesting populations of snowy plovers would be similar under all alternatives due to the rules governing its removal, and would likely increase over the next 25 years as recreational use of the Ocean Shore increases. However, due to the distance from access points and personal use limitations, the amount of driftwood removed from these sites would likely remain very low and would have minimal effects on snowy plovers. Additional restrictions on driftwood collection and removal in the vicinity of SPMA would be outlined in the site management plans prepared for each SPMA, if necessary.

Potential Effects of Recreational Activities on Foraging, Migrating, and Wintering Shorebirds

Recreational activities on the beach include, but are not limited to, dog exercising, driving, non-motorized vehicle use (e.g., bicycling, kite-boarding), kite flying, walking, and horseback riding (Section 3.3, “Recreation”). Many of these activities take place on the wet sand portion of the beach and have the potential to impact shorebirds, including snowy plovers, and gulls foraging along the wrack line and in other intertidal areas.

Recreation activities can have similar effects on foraging shorebirds during the nesting, migrating, or wintering periods. The Oregon coast is particularly important to shorebirds during the winter months or as stop over sites during migration between breeding and wintering locations. Migrating shorebirds spend most of their time foraging during the migration period and winter months. Recreation activities may temporarily displace foraging or wintering shorebirds, altering the normal behavior patterns of individuals. It is also possible for these activities to flush foraging adult shorebirds from optimal habitat into less-than-suitable habitat, and possibly into harm's way. Recreational use adjacent to snowy plover nesting areas could also affect chicks as they leave protected management areas to forage on the adjacent wet sand. Similarly, recreation activities could affect other young shorebirds (i.e., sanderlings) as they forage on the wet sand during the breeding season.

The potential effects of recreation activities on foraging, migrating, and wintering shorebirds would increase under all of the alternatives over the next 25 years as recreational use on the Oregon coast increases. It is likely that the effects of recreational use on these populations would be similar under the alternatives; however, conservation efforts under a given alternative that could result in increased populations of shorebirds could increase the likelihood for recreational activities to conflict with ongoing bird use. Effects would be limited to birds being temporarily displaced.

Although snowy plovers may be less susceptible to recreation impacts during the non-breeding season, they could be negatively affected by activities that disrupt or destroy foraging areas or unnecessarily disturb birds that are roosting or foraging. Heightened public awareness of the beach as sensitive nesting habitat for shorebirds, as a result of the public outreach and education programs associated with all alternatives, would serve to educate the public about bird species using habitat along the Oregon coast.

Potential Effects of Beach Management on Sensitive Wildlife Populations

As described in Chapter 2, "Alternatives," OPRD personnel are responsible for managing the beaches in the study area to ensure that beaches are safe for public use; for assisting law enforcement personnel with pending investigations; and for assisting with boat strandings and other salvage operations. All of these activities have the potential to impact wildlife species that utilize the Ocean Shore, depending upon the location that these management activities occur, and the nature of the activity that is undertaken.

The beach management activities noted above are typically carried out without much advance notice, limiting the opportunity for coordination with agency biologists to determine an approach for avoidance of impacts on sensitive wildlife species. These activities can be particularly damaging in biologically sensitive areas, such as

shorebird nesting concentrations (e.g., snowy plover nest areas), pinneped haul-outs, or waterbird (e.g., brown pelicans) loafing/foraging areas.

The potential effects of implementing beach management activities would be similar under all alternatives, and could increase over the next 25 years as the population of Oregon and use of the Oregon coast increases. To minimize potential effects on sensitive wildlife species, OPRD would, as time permits, attempt to contact USFWS and ODFW for input on how best to implement beach management activities near established snowy plover nesting areas, known pinneped haul-outs, or other biologically sensitive areas. OPRD would also meet with USFWS and ODFW after the beach management activity has been completed, as necessary, to determine if any habitat rehabilitation or other mitigation measures are necessary to compensate for effects on wildlife species.

Potential Effects of Predator Management on Nesting or Foraging Raptor Species and Roosting Brown Pelicans

As described in Chapter 2 “Alternatives,” under all alternatives, OPRD would continue to provide funding to manage the snowy plover predator base along the Oregon coast through a contract administered by the USDA. Predator management is typically implemented between February and August and has historically included both lethal and non-lethal methods, although lethal methods would be limited to areas occupied by nesting populations of snowy plovers.

Several sound making harassment techniques that are used for predator management could have an effect on nesting raptors by forcing them from their nests or deterring them from foraging in optimal habitat. Similarly, such devices can force roosting brown pelicans from optimal loafing or roosting areas.

The potential effects of predator management on these species would be similar under all alternatives, but slightly greater under Alternatives 2 and 3, relative to Alternative 1, due to the increased extent of predator management activities at additional targeted SPMA's. OPRD would work with the USDA and USFWS to minimize potential effects from predator management activities on nesting or foraging populations of raptor species or colonies of brown pelicans.

Potential Effect of Predator Management Activities on Local and Regional Corvid Populations and Other Mammal Populations

Corvids (e.g., ravens, crows, jays) and some carnivore populations (e.g., red fox, raccoon, and striped skunk) flourish in areas with high human use, such as the beach. This is the result of opportunistic feeding in unmaintained trash facilities, and unwanted trash being left behind after beach visitors have gone. These species also prey on shorebird nests and chicks.

Under all of the alternatives, OPRD would continue non-lethal and lethal predator control measures to reduce corvid foraging proficiency, and local population numbers

near nesting populations of shorebirds, including snowy plovers. Ongoing predator control at areas currently occupied by nesting populations of snowy plovers relies first on deterrence measures to discourage predators from concentrating in areas used by nesting shorebirds. Lethal measures of control are only used when non-lethal techniques fail or when “problem” animals are identified. Similar techniques would be used at other occupied SPMAs in the future. Only non-lethal predator control measures would be used at actively managed, unoccupied SPMAs.

Although these measures may temporarily reduce local populations of these species, they would not likely be detrimental to regional populations. None of the species targeted for predator management are at risk, nor are they trending toward being at risk. Continued coordination between USFWS, ORNHIC, ODFW, USDA, OPRD, and other Federal landowners on predator management activities would ensure that regional populations do not decline as the result of predator management.

The potential effects of predator management on these species would be similar under all alternatives, but slightly greater under Alternatives 2 and 3, relative to Alternative 1, due to the increased extent of predator management activities at additional targeted SPMAs.

Potential Effects of Monitoring Activities on Nesting or Foraging Snowy Plovers

Monitoring activities are critical to understanding the population dynamics of snowy plovers on the Oregon coast and for documenting how the population is responding to conservation efforts. Under all of the alternatives, OPRD would provide funding to determine where populations of snowy plovers are present (detect / non-detect monitoring) and to monitor breeding populations at occupied sites (breeding population monitoring). These monitoring efforts would be designed to collect information on snowy plover populations, habitat changes, habitat use, and recreational use in the surrounding vicinity, including inappropriate recreational use within managed nesting areas. Both monitoring efforts would be conducted generally within the snowy plover breeding season (March/April to September). OPRD would also continue to provide staff to assist with conducting wintering and breeding window surveys at currently occupied sites, and at new SPMAs as they become occupied. These surveys would be conducted in accordance with Monitoring Guidelines for the Western Snowy Plover, Pacific Coast Populations (U.S. Fish and Wildlife Service 2007a).

Monitoring may bring biologists in contact with nesting snowy plovers on a regular basis. These interactions may affect individual birds, and could result in a change in their behavior in response to human presence.

To minimize these potential effects, all monitors would be trained in accordance with USFWS standard protocol for monitoring populations of snowy plovers. Monitoring

would be completed in coordination with the ORNHIC, USFWS, and OPRD to ensure that snowy plover populations would not be adversely affected.

As a result, under all alternatives, it is likely that monitoring activities would result in an overall benefit for snowy plover populations over the next 25 years. Although the type of effects associated with monitoring would be the same under all alternatives, monitoring efforts, and subsequent benefits, would likely be greater under Alternatives 2 and 3 when compared to Alternative 1 due to additional areas targeted for management.

Potential Effects of Global Climate Change on Nesting Shorebirds

As described in Section 3.7.3, “Affected Environment, Global Climate Change and Rising Sea Levels,” it is projected that sea levels will rise along the Oregon coast over the next 25 years. Under a mean sea level rise scenario, the sea level could rise 2 to 4 inches along the west coast of North America by 2032 (California Climate Change Center 2006b), which could result in a loss of beach habitat available for nesting shorebirds, including snowy plovers.

While sea level rise along the Oregon coast could reduce that quantity of dry sand shorebird nesting habitat over the term of the permit, none of the alternatives analyzed in this FEIS would contribute substantial GHG to the environment (Section 3.5, “Air Quality”). As a result, none of the alternatives would increase the rate of global climate change or further contribute to the resulting effect of rising sea levels.

Nonetheless, under Alternatives 2 and 3, OPRD and USFWS have included provisions for dealing with rising sea levels in the covered lands. Specifically, in the event that rising sea levels result in a net loss of snowy plover nesting habitat over the term of the ITP, OPRD would implement appropriate measures to address these changes in consultation with USFWS. Future actions responding to this “changed circumstance” would be determined by consensus agreement between OPRD and the USFWS, and would be based on the nature and extent of the effects associated with rising sea levels.

Alternative 1 –Current Management (No Action)

Potential Effects of Recreational Activities on Nesting Snowy Plovers

As described above, recreational activities on the beach include, but are not limited to dog exercising, driving, non-motorized vehicle use, kite flying, and other dry sand activities, such as walking and horseback riding. Recreational use on dry sand portions of the beach may disturb nesting populations of snowy plovers, including adults, eggs, and chicks (Lafferty 2001, U.S. Fish and Wildlife Service 2007a).

Under Alternative 1, the potential effects of recreational activities on nesting populations of snowy plovers would likely increase over the next 25 years as

recreational use on the Ocean Shore increases. To minimize these effects, OPRD would continue to implement recreational use restrictions at existing snowy plover nesting areas located within the HRA at Bandon SNA during the nesting season. At the HRA, dogs would continue to be required to be on leash and confined to the wet sand, and driving (except for administrative use) and non-motorized vehicle use would continue to be prohibited. Recreational use restrictions, limited fencing, and enclosures, if necessary, would also be implemented at isolated nests outside of the Bandon SNA or other occupied RMAs within in the covered lands if nests are found in the future. Table 3.3-3 in Section 3.3, “Recreation,” summarizes recreational use restrictions that would be implemented at occupied snowy plover nesting areas under Alternative 1.

For the portions of RMAs adjacent to federally owned lands, historically OPRD has entered into agreements with the Federal landowner regarding the implementation of recreational use restrictions. Under Alternative 1, OPRD would continue to pursue agreements with Federal landowners to jointly issue restrictions on adjacent ownerships within the Ocean Shore boundary. OPRD would also consider applications for “Recreational Use Restriction Permits” on a case-by-case basis for temporarily limiting recreational use at private RMAs, as requested by the landowner. The actual recreational use restrictions in these areas would be the same as those for occupied snowy plover nesting areas managed by OPRD, as described above.

Finally, OPRD would continue to fund three full time beach ranger positions under Alternative 1 to encourage compliance with Ocean Shore and State Park rules, including beach use restrictions designed to protect snowy plovers.

Potential Effects of Predator Management Activities on Nesting Shorebirds

Under Alternative 1, OPRD would continue to provide funding (in collaboration with other agencies) to manage the snowy plover predator base along the Oregon coast. Some of the anticipated predator management activities would not likely have an effect on nesting shorebirds (e.g., non-lethal trapping and relocation). Other predator management activities may have some impact on nesting shorebirds if carried out in proximity to known nest locations. Predator deterrence activities, such as shooting mammals or predatory birds, would likely frighten adult shorebirds off of nests or chicks out of optimal habitat and into harm’s way.

Potential short term adverse effects of predator management on populations of shorebirds would be considered on a case-by-case basis by OPRD, USDA, and USFWS. It is likely, however, that shorebird populations would benefit from predator management activities; increases in snowy plover nest success due to predator control activities in the Bandon/New River area have been documented in the past (Lauten et al. 2006). As a result, continued predator management under

Alternative 1 would likely provide an overall benefit to shorebirds and snowy plover populations over the next 25 years.

Potential Effects of Habitat Maintenance on Nesting or Overwintering Shorebird Populations

Under Alternative 1, OPRD would continue to maintain the 50 acres of habitat for nesting snowy plovers at the HRA in the Bandon SNA that has been restored at the site to date. Maintenance work would be completed between October and December. Since maintenance work would be completed outside of the snowy plover nesting season, there would be no effect on nesting snowy plovers. Further, effects of maintenance activities on wintering shorebirds, including snowy plovers, would likely be minimal due to the ability of adult birds to move to other suitable locations when maintenance activities are occurring.

In the long term, maintenance activities at the HRA at Bandon SNA under Alternative 1 would ensure that nesting habitat suitable for snowy plovers would be maintained at a level comparable to existing conditions.

Alternative 2 – Proposed Habitat Conservation Plan

Potential Effects of Recreational Activities on Nesting Snowy Plovers

As described for Alternative 1, recreational use on dry sand portions of the beach may disturb nesting populations of snowy plovers, including adults, eggs, and chicks. Under Alternative 2, the potential effects of these recreational activities on nesting populations of snowy plovers would be similar to those described for Alternative 1; however, recreational use restrictions to minimize these effects would be more extensive and protective under Alternative 2, as described below.

Specifically, under Alternative 2, OPRD would implement recreational use restrictions at the Bandon SPMA and at up to four additional SPMA's targeted for management over the term of the 25-year permit. The four additional SPMA's subject to recreational use restrictions would be located at Columbia River South Jetty; Necanicum Spit; Nehalem Spit; and Netarts Spit (Figures 2-1 through 2-3; Section 2.3.2, "Alternative 2 – Proposed HCP").

Under Alternative 2, OPRD could also potentially implement recreational use restrictions at up to 11 RMAs as the areas become occupied. These RMAs would be located at New River; Sutton/Baker Beach; Siltcoos/Dunes/Tahkenitch; Tenmile; Coos Bay North Spit; Bayocean Spit; South Sand Lake Spit; Tahkenitch South; Umpqua River North Jetty; Elk River; and Euchre Creek (Figures 2-1 through 2-3).

The extent of the restrictions at SPMA's would be developed in consultation with USFWS and described in the site management plan. At RMAs, OPRD would implement the restrictions at the request of the landowner or automatically once the

site became occupied. At RMAs, OPRD would issue and enforce recreational use restrictions within the full extent of an occupied RMA until an agreement is reached between USFWS and the landowner, and/or a site management plan is developed, and OPRD is notified of any changes that may modify recreational use restrictions to a more focused area.

As summarized in Table 3.3-3 in Section 3.3, “Recreation,” recreational use restrictions at SPMA and RMA would be more restrictive than Alternative 1. At occupied SPMA and RMA, dog exercising, kite flying, driving (except for administrative use), and non-motorized vehicle use would be prohibited during the nesting season. At unoccupied, targeted SPMA and RMA, dogs would be required to be on leash during the nesting season and driving would be prohibited (except for administrative use).

OPRD would also establish a 50-meter radius roped buffer around nesting sites found outside of occupied or targeted SPMA or RMA within the covered lands, and would consult with USFWS to consider installing a nest enclosure, if necessary, to protect the nest from predation. If snowy plovers nest in that area three years in a row, and there is nesting success at least two of those three years, OPRD could manage that area as a SPMA as part of the adaptive management program prescribed under the HCP and in Chapter 2, “Alternatives,” of this FEIS.

OPRD would also improve the visibility of the signage used to designate the boundaries of managed SPMA under Alternative 2. Specifically, barriers and signs would be erected on the dry sand portions of the beach adjacent to SPMA to limit access and provide information on the natural resources protected in the restricted area. Both the frequency and size of the signs would be increased relative to existing signage so that the public can more easily identify the restricted area. During the breeding season, a sign would be erected at each end of the restricted area, and midway between extreme high tide and average high tide. These signs would be approximately 6 feet (2 meters) tall and would be readable at 200 feet (61 meters) by a person with 20/20 vision. Signs would be readable from both directions along the wet sand and from the water, to alert beach users from all directions of the importance of the area. The signs should be equipped with anti-perch tines to deter raptors or other potential predators from using them as hunting perches.

Finally, similar to Alternative 1, under Alternative 2, OPRD would commit to continuing to fund three full time beach ranger positions to encourage compliance with Ocean Shore and State Park rules, including beach use restrictions designed to protect snowy plovers. OPRD would also contract with State Troopers and additional law enforcement officers as needed. These enforcement commitments would be comparable to Alternative 1.

Potential Effects of Predator Management Activities on Nesting Shorebirds

Similar to Alternative 1, under Alternative 2, OPRD would provide funding to manage the snowy plover predator base along the Oregon coast. The level of funding would be similar to Alternative 1, but would increase as additional SPMA's are targeted for management over the term of the 25-year permit.

Predator management funded by OPRD would be implemented by the USDA between February and August and would include both lethal and non-lethal methods, as described for Alternative 1. If for some reason the USDA discontinued predator management activities over the term of the permit, OPRD would assume responsibility for implementing these activities at all actively managed SPMA's.

Nest enclosures could also be used, if necessary, to prevent predators from destroying nests and eggs. As part of the adaptive management program under Alternative 2, through monitoring efforts, OPRD, in collaboration with USFWS and ODFW, would evaluate the relative success of nest enclosures to determine if changes in the management or application (e.g., elimination of the enclosure, timing changes for application of the enclosure, design changes) should be considered. OPRD would make the design adjustments, provided such adjustments will not result in significant impacts to existing legal recreational activities.

Potential Effects of Habitat Maintenance on Nesting or Overwintering Shorebird Populations

Under Alternative 2, OPRD would continue to maintain the 50 acres of restored habitat at the Bandon SPMA. Similar to Alternative 1, maintenance work would be completed between October and December and would not affect nesting populations of snowy plovers, or other wintering populations of adult shorebirds capable of relocating to other suitable habitat during maintenance work.

In addition to habitat maintenance activities at the Bandon SPMA, under Alternative 2, OPRD would restore up to 40 acres of habitat at the Columbia River South Jetty SPMA, Nehalem Spit SPMA, and Necanicum Spit SPMA, if necessary (Schutt pers. comm.). Given that none of these areas currently support snowy plovers, initial habitat restoration activities would not be likely to have an effect on nesting populations. To minimize potential effects to other populations of nesting shorebirds, initial habitat restoration activities would be completed between October and December, and would be preceded by a shorebird nest survey to ensure that there are no active nests within the restoration area. If shorebirds, including snowy plovers, nest at these SPMA's in the future, habitat maintenance activities would also be carried out between October and December.

Over the term of the 25-year permit, maintenance and habitat restoration activities at the sites described above would increase the amount and the quality of habitat available for snowy plovers and other shorebirds compared to Alternative 1.

Alternatives 3 – Management of Additional OPRD Sites

Potential Effects of Recreational Activities on Nesting Snowy Plovers

Under Alternative 3, the potential effects of recreational activities on nesting populations of snowy plovers would be similar to those described for Alternative 1. However, similar to Alternative 2, recreational use restrictions to minimize these effects would be more extensive and protective under Alternative 3, as described below.

Under Alternative 3, OPRD would implement recreational use restrictions at the Bandon SPMA and at up to eight additional SPMAs targeted for management over the term of the 25-year permit. The eight additional SPMAs would be located at Necanicum Spit; Columbia River South Jetty; Nestucca Spit; Pistol River; Nehalem Spit; Netarts Spit; Bullards Beach; and Sixes River (Figures 2-1 through 2-3; Section 2.3.3, “Alternative 3 – Management of Additional OPRD Sites”).

OPRD could also potentially implement recreational use restriction at up to 12 RMAs once those areas become occupied by snowy plovers. These RMAs would be located at New River; Sutton/Baker Beach; Siltcoos/Dunes/Tahkenitch; Tenmile; Coos Bay North Spit; Bayocean Spit; South Sand Lake Spit; Tahkenitch South; Umpqua River North Jetty; Elk River; Euchre Creek; and North Sand Lake Spit (Figures 2-1 through 2-3).

Similar to Alternative 2, the extent of the restrictions at SPMAs would be developed in consultation with USFWS and described in the site management plan. At RMAs, OPRD would implement recreational use restrictions at the request of the landowner or automatically if the site became occupied. At RMAs, OPRD would issue and enforce recreational use restrictions within the full extent of an occupied RMA until an agreement is reached between USFWS and the landowner, and/or a site management plan is developed, and OPRD is notified of any changes that may modify recreational use restrictions to a more focused area.

Recreational use restrictions under Alternative 3 at occupied and unoccupied SPMAs are summarized in Table 3.3-3 and would include prohibitions on dog exercising, kite flying, driving (except for administrative use), and non-motor vehicle use during the nesting season at occupied SPMAs, and restrictions on dogs (required to be on leash) and driving (prohibited except for administrative use) at unoccupied SPMAs during the nesting season.

OPRD would also establish a 50-meter radius fenced buffer around nesting sites found outside of an occupied or targeted SPMA or RMA within the covered lands under Alternative 3, and would consider installing a nest enclosure, if necessary, to protect the nest from predation after consultation with USFWS.

Finally, similar to Alternative 1, under Alternative 3, OPRD would commit to continuing to fund three full time beach ranger positions to encourage compliance with Ocean Shore and State Park rules, including beach use restrictions designed to protect snowy plovers. OPRD would also contract with State Troopers and other law enforcement officials as needed. Commitments to enforcement under Alternative 3 would be comparable to Alternative 1.

Potential Effects of Predator Management Activities on Nesting Shorebirds

Similar to Alternative 1, under Alternative 3, OPRD would provide funding to manage the snowy plover predator base along the Oregon coast. The level of funding would be similar to Alternative 1, but would increase as additional SPMA's are targeted for management over the term of the 25-year ITP.

Predator management funded by OPRD would be implemented by the USDA between February and August and would include both lethal and non-lethal methods, as described for Alternative 1. OPRD and USFWS would also work together to determine if site management plans for SPMA's contain adequate predator control measures, and would implement adaptive management measures if it is determined that next exclosures, if used, are preventing predators from destroying nest and eggs as long as significant disruptions to recreational use opportunities do not occur.

Potential Effects of Habitat Maintenance on Nesting or Overwintering Shorebird Populations

Under Alternative 3, OPRD would continue to maintain the 50 acres of restored habitat at the Bandon SPMA. Similar to Alternative 1, maintenance work would be completed between October and December and would not affect nesting populations of snowy plovers, or other wintering populations of adult shorebirds capable of relocating to other suitable habitat during maintenance work.

In addition to habitat maintenance activities at the Bandon SPMA, under Alternative 3, OPRD would restore up to 40 acres of habitat at the following six targeted SPMA's, as necessary: Necanicum Spit, Columbia River South Jetty, Nestucca Spit, Nehalem Spit, Bullards Beach, and Sixes River Mouth (Schutt pers. comm.). Given that none of these sites currently support snowy plovers, initial habitat restoration activities would not have an effect on nesting populations. To minimize potential effects to other populations of nesting shorebirds, initial habitat restoration activities would be completed between October and December, and would be preceded by a shorebird nest survey to ensure that there are no active nests within the restoration area. If shorebirds, including snowy plovers, nest at these SPMA's in the future, habitat maintenance activities would also be carried out between October and December, outside of the nesting season.

Over the term of the 25-year permit, maintenance and habitat restoration activities at the sites described above would increase the amount and the quality of habitat available for snowy plovers and other shorebirds compared to Alternative 1.

3.8 Aquatic Species and Their Habitat

This section describes aquatic (fish and marine invertebrate) species that have the potential to occur in waterways in the study area. For this section, the study area includes streams that traverse the covered lands, as well as estuary mouths and nearshore waters of the Pacific Ocean, including the area from extreme low tide to ordinary high tide adjacent to Oregon coastal beaches.

3.8.1 Approach and Methodology

Fish species with the potential to occur in waters within or adjacent to the study area were determined by reviewing species lists available through USFWS, ODFW, and NMFS websites. Relevant peer-reviewed journal articles, books, theses/dissertations, technical reports, and governmental reports, reviews, and Federal register notices on fish and invertebrates were also reviewed for information on species' uses of the study area, as cited in the text of this section. Much of the information on the affected environment was also derived from the *Draft Ocean Shores Management Plan, Beach-by-Beach Inventory and Analysis* (Oregon Parks and Recreation Department 2004).

Potential effects on fish and marine invertebrates were analyzed by reviewing the proposed management strategies associated with each of the alternatives and using professional judgment to compare those impacts to information presented in the reference sources noted above.

3.8.2 Regulatory Context

Federal Endangered Species Act

As described in Chapter 1, "Purpose and Need," fish species listed as threatened or endangered are protected under the Federal ESA. Section 7(a)(2) of the ESA requires that Federal agencies ensure that the actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of listed species, or result in the destruction or adverse modification of habitat critical for the species.

Federally listed fish species that may occur in the study area are described in Section 3.8.3, "Affected Environment." The following provides a summary of critical habitat designations in the study area.

Critical Habitat

Critical habitat is designated in the study area for Columbia River salmonids, Southern Oregon/Northern California coho salmon (coho) evolutionarily significant unit (ESU), and Oregon Coast coho salmon ESU.

In estuarine and nearshore marine areas, Columbia River salmonid critical habitat includes areas contiguous with the shoreline from the line of extreme high water out to a depth no greater than 30 meters (98.4 feet) relative to mean lower low water. These areas support migration, smoltification, and rearing for listed salmonids. The essential features of the estuarine and marine designated critical habitat for Columbia River salmonids in the study area include:

- water quality, water quantity, and salinity conditions that support juvenile and adult physiological transitions between fresh and salt water, support invertebrate and forage fish food sources, and support growth to maturation;
- natural cover such as submerged and overhanging large wood, aquatic vegetation, large rocks and boulders, and side channels; and
- areas free of obstruction including free of excessive predation (National Marine Fisheries Service 2005).

Critical habitat for the southern Oregon/northern California coho ESU on the Oregon coast consists of all river reaches and estuaries accessible to listed coho between Cape Blanco, Oregon, and Punta Gorda, California, and consists of the water, substrate, and riparian areas of estuaries (National Marine Fisheries Service 1999).

Critical habitat for Oregon Coast coho ESU includes coastal streams within 75 watersheds extending south of the Columbia River to north of Cape Blanco. In total, this designation encompasses 6,568 stream miles and 15 square miles of lake habitats within the geographical area presently occupied by the Oregon Coast coho ESU (National Marine Fisheries Service 2008).

Magnuson-Stevens Act (Essential Fish Habitat)

Habitat for salmon, and certain species of groundfish and coastal open-ocean (pelagic) fish, is protected under the Magnuson-Stevenson Act. The Magnuson-Stevens Act governs the conservation and management of essential fish habitat (EFH), or “those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity.”

EFH has been designated for 83 species of Pacific Coast groundfish, 4 species of salmon, and 5 species of coastal pelagic fish and squid that are managed by the Pacific Fishery Management Council. EFH for groundfish (rockfish, flatfish, skates, and sharks) and pelagic fish (sardines, anchovy, mackerel and squid) is located along all areas of the Oregon coast from nearshore marine and estuarine waters, to 200 miles offshore at the U.S. Economic Exclusion Zone boundary. EFH in estuarine and marine habitats for salmon include all coastal areas from Point Conception northward (National Marine Fisheries Service 2006a).

Coastal Zone Management Act

The Federal CZMA encourages states to voluntarily preserve and protect resources along the nation’s coast. With an approved coastal zone management plan, a State is authorized to ensure that development within their designated coastal zone is consistent with that plan. In addition, under the “Federal consistency” provisions of the CZMA, a State is also afforded the opportunity to review Federal actions, inside or outside of the coastal zone, which may affect coastal resources to ensure that those actions are consistent with the approved plan.

The Oregon Coastal Management Program (OCMP) is administered by the DLCD, in collaboration with local coastal jurisdictions and other State agencies, including OPRD and Oregon Department of State Lands (ODSL). In addition to addressing the goals and policies of the CZMA, the OCMP incorporates provisions specific to the Oregon’s Statewide Planning Goals, Beach Bill; and Oregon’s Removal-Fill Law, as described in Section 3.2, “Land Use.”

Oregon Endangered Species Act

Similar to the Federal ESA, the Oregon ESA offers protection to species listed as threatened or endangered in the State. However, the Oregon ESA is much more limited in scope and applies only to State agencies taking actions on State owned or leased lands. Protections afforded fish species listed under Oregon’s ESA are administered by the ODFW.

State listed fish species that may occur in the study area are described in Section 3.8.3, “Affected Environment.” Since the covered lands are managed by the State, OPRD would be required to consult with ODFW for impacts on State listed fish species.

3.8.3 Affected Environment

Special-Status Fish Species

Table 3.8-1 provides a list of special-status fish species that occur within the study area. It is followed by a general description of the life and habitat requirements for Chinook salmon, chum salmon, coho salmon, sockeye salmon (sockeye), steelhead trout (steelhead), and bull trout.

Table 3.8-1. Special-Status Fish Species in the Study Area

Species	Scientific Name	Federal Status	State Status	Critical Habitat
Upper Columbia River Spring-Run Chinook ESU	<i>Oncorhynchus tshawytscha</i>	Endangered	Threatened	Designated
Lower Columbia River Fall-Run Chinook ESU	<i>O. tshawytscha</i>	Threatened	Threatened	Designated
Upper Willamette River Chinook ESU	<i>O. tshawytscha</i>	Threatened	Threatened	Designated
Snake River Spring-Summer Run Chinook ESU	<i>O. tshawytscha</i>	Threatened	Threatened	Designated
Snake River Fall-Run Chinook ESU	<i>O. tshawytscha</i>	Threatened	Threatened	Designated
Columbia River chum ESU	<i>O. keta</i>	Threatened	Threatened	Designated
Lower Columbia River coho ESU	<i>O. kisutch</i>	Threatened	Endangered	Under Review
Snake River Sockeye ESU	<i>O. nerka</i>	Endangered	Not listed	Designated
Lower Columbia River steelhead DPS	<i>O. mykiss</i>	Threatened	Not listed	Designated
Upper Columbia River steelhead DPS	<i>O. mykiss</i>	Threatened	Not listed	Designated
Snake River Basin steelhead DPS	<i>O. mykiss</i>	Threatened	Not listed	Designated
Middle Columbia River steelhead DPS	<i>O. mykiss</i>	Threatened	Not listed	Designated
Upper Willamette River steelhead DPS	<i>O. mykiss</i>	Threatened	Not listed	Designated
Bull trout	<i>Salvelinus confluentus</i>	Threatened	Not listed	Designated
Green sturgeon southern DPS	<i>Acipenser medirostris</i>	Threatened	Not listed	Designated
Pacific Eulachon/Smelt – southern DPS	<i>Thaleichthys pacificus</i>	Threatened	Not listed	Not designated
Oregon Coast coho ESU	<i>O. kisutch</i>	Threatened	Not listed	Designated
Southern Oregon/Northern California coho ESU	<i>O. kisutch</i>	Threatened	Endangered	Designated

Source: National Marine Fisheries Service 2006a, U.S. Fish and Wildlife Service 2006b, U.S. Fish and Wildlife Service 2008b

Endangered = species that is in danger of extinction throughout all or a significant portion of its range

Threatened = species that is likely to become endangered in the foreseeable future

ESU = Evolutionary Significant Unit

DPS = Distinct Population Segment

Chinook Salmon (*Oncorhynchus tshawytscha*)

Weighing up to 120 pounds, Chinook salmon (Chinook) are the largest of the salmon species (salmonids). They range from larger rivers in San Francisco Bay north to Alaska, and eastward to Russia and Japan (Beauchamp et al. 1983). Chinook are anadromous fish, meaning they migrate from marine waters to their birth or natal freshwater rivers to mate and spawn. They are also semelparous, meaning they spawn only once. Timing of freshwater entries differs by population, and migration “runs” may occur in the spring, summer, fall, or winter. It is believed that freshwater entry and spawning timing are related to local temperature and water flow regimes (National Marine Fisheries Service 2006b).

Differing life histories are also exhibited by population stocks being either stream-type or ocean-type fish. Commonly found in headwater streams of large river systems, stream-type Chinook have a longer freshwater residency, and perform extensive offshore migrations in the central North Pacific before returning to their natal streams in the spring or summer months. Stream-type juveniles are much more dependent on freshwater stream ecosystems because of their extended residence in these areas. A stream-type life history may be adapted to areas that are more consistently productive and less susceptible to dramatic changes in water flow. At the time of saltwater entry, stream-type (yearling) smolts are much larger, averaging 73 to 134 millimeters (mm) (3.0–5.25 inches) depending on the river system, than their ocean-type (subyearling) counterparts, and therefore, are able to move offshore relatively quickly (National Marine Fisheries Service 2006b).

Other Chinook are considered ocean-type and are commonly found in coastal streams in North America. Ocean-type Chinook typically migrate to sea within the first three months of life, but may spend up to a year in freshwater prior to emigration to the sea. They also spend their ocean life in coastal waters, returning to their natal streams or rivers in spring, winter, fall, summer, and late-fall (summer and fall runs predominate). Ocean-type Chinook are likely to use estuaries and coastal areas more extensively than other Pacific salmonids for juvenile rearing, and tend to migrate along the coast. Populations of Chinook salmon south of the Columbia River drainage appear to consist predominantly of ocean-type fish (National Marine Fisheries Service 2006b).

Coho Salmon (*O. kisutch*)

Another anadromous Pacific salmon species, coho was historically distributed throughout the North Pacific Ocean from central California to Alaska, and across the Pacific Ocean to Russia and Japan (National Marine Fisheries Service 2006c). Historically, coho probably inhabited most coastal streams in Washington, Oregon, and central and northern California.

Coho spend approximately the first half of their life cycle rearing and feeding in freshwater streams. The remainder of the life cycle is spent foraging in estuarine and marine waters of the Pacific Ocean (National Marine Fisheries Service 2006c).

Chum Salmon (*O. keta*)

Weighing up to 21 kilograms (46 pounds), chum are the second largest Pacific salmon. Chum spawn in the lowermost reaches of rivers and streams, typically within 100 kilometers (km) (62 miles) of the ocean. They migrate almost immediately after hatching to estuarine and ocean waters, in contrast to other Pacific salmonids, which migrate to sea after months or even years in fresh water. This means that survival and growth for juvenile chum salmon depend less on freshwater conditions than on favorable estuarine and marine conditions (National Marine Fisheries Service 2006d).

This species has the widest natural geographic and spawning distribution of any Pacific salmonid, primarily because its range extends farther along the shores of the Arctic Ocean than that of the other salmonids. Spawning populations are known from Korea and Japan and into the far north of Russia. Historically, in North America, chum salmon were distributed throughout the coastal regions of western Canada and the United States, as far south as Monterey, California. Presently, major spawning populations are found only as far south as Tillamook Bay on the northern Oregon coast (National Marine Fisheries Service 2006d).

Sockeye Salmon (*O. nerka*)

On the Pacific Coast, sockeye inhabit riverine, marine, and lake environments from the Klamath River and its tributaries north to Alaska. As they generally require lakes for part of their life cycle, their distribution in river systems depends on the presence of usable lakes in the system (National Marine Fisheries Service 2006e).

Sockeye exhibit a wide variety of life history patterns that reflect varying dependency on the freshwater environment. With the exception of certain river-type and sea-type populations, the vast majority of sockeye spawn in or near lakes, where the juveniles rear for 1 to 3 years prior to migrating to sea. For this reason, the major distribution and abundance of large sockeye stocks are closely related to the location of rivers that have accessible lakes in their watersheds for juvenile rearing (National Marine Fisheries Service 2006e).

Most sockeye stay at sea for 2 years, returning to spawn in their fourth year, but some may be 5 or 6 years old when they spawn.

Steelhead Trout (*O. mykiss*)

In the United States, steelhead are found along the entire Pacific Coast. Individuals develop differently depending on their environment. While all steelhead hatch in gravel-bottomed, fast-flowing, well-oxygenated rivers and streams, some remain in fresh water their entire lives. These resident forms are known as rainbow trout (National Marine Fisheries Service 2006f).

Steelhead can be divided into two basic reproductive types, stream-maturing or ocean-maturing, based on the state of sexual maturity at the time of river entry and duration of spawning migration. The stream-maturing type (summer-run steelhead) enters freshwater in a sexually immature condition between May and October and requires several months to mature and spawn. The ocean-maturing type (winter-run steelhead) enter freshwater between November and April as sexually mature individuals, and spawn shortly thereafter. Coastal streams are dominated by winter-run steelhead, whereas inland, steelhead of the Columbia River Basin are almost exclusively summer-run steelhead (National Marine Fisheries Service 2006f).

Bull Trout (*Salvelinus confluentus*)

Bull trout are members of the char subgroup of salmonids, and exhibit resident and migratory life history strategies through much of their current range (U.S. Fish and Wildlife Service 2003). Anadromous bull trout also occur, although only in the Puget Sound region. Historically, bull trout occurred in the Columbia River Basin, western Montana, northern Nevada, the Klamath Basin in Oregon, the McCloud River in California, and parts of Washington, Canada and Alaska (U.S. Fish and Wildlife Service 2003). Today bull trout are found primarily in upper tributary streams and several lake and reservoir systems. They have been eliminated from, or their numbers reduced, in the mainstems of most large rivers. Bull trout are known to migrate from tributary rivers and streams of the Columbia River Basin to the Columbia River estuary to forage (U.S. Army Corps of Engineers 2001). Juvenile bull trout rear in their natal stream system from 1 to 4 years before migrating into other rivers, lakes, and saltwater (Rieman and McIntyre 1993).

Fish Habitat

The description of the affected environment for fisheries resources in the study area follows the regions and beach boundaries outlined in the *Draft Ocean Shores Management Plan, Beach by Beach Inventory and Analysis* (Oregon Parks and Recreation Department 2004), where appropriate. In that document, beaches were listed from north to south, grouped by region, and numbered. The presentation in this section is based on that format with north coast region beaches labeled with an “N” followed by a number between 1 and 18 (e.g., N1); central coast region beaches labeled with a “C” followed by a number between 1 and 14 (e.g., C1); and south coast region beaches labeled with a “S” followed by a number between 1 and 23 (e.g., S1). Figures 2-1 to 2-3 in Chapter 2, “Alternatives” illustrate the location of these boundaries in the study area for each geographic region.

North Coast Region Beaches (N1 to N18)

The extent of north coast region beaches is illustrated on Figure 2-1 in Chapter 2, “Alternatives.”

N1: Columbia River to Necanicum River

The Columbia River estuary provides rearing and/or migrating habitat for hatchery salmon and for the following ESUs and distinct population segments (DPSs) of salmon and trout¹: Deschutes River Summer/fall-run Chinook, Lower Columbia River Chinook, Upper Columbia River Spring-run Chinook, Snake River Fall-run Chinook, Snake River Spring/summer-run Chinook, Upper Willamette River Chinook, Columbia River chum, Lower Columbia River coho, Snake River sockeye, Lower Columbia River steelhead, Upper Columbia River steelhead, Snake River Basin steelhead, Middle Columbia River steelhead, Upper Willamette River

steelhead, Columbia River Basin bull trout, and Oregon Coast coho.¹ Anadromous coastal cutthroat trout (*O. clarki clarki*) also occur in the estuary.

Coho, stream-type Chinook (summer and spring-run Chinook, excluding Upper Willamette River Chinook), steelhead, and anadromous cutthroat trout move rapidly through the estuary on their way seaward (Northwest Power and Conservation Council 2004). Bull trout have not been observed in the mainstem Columbia River lower than river mile 50, and utilization of this area for bull trout is unknown. However, chum may spend several weeks in the estuary, and ocean-type Chinook sub-yearlings utilize the estuary and lower mainstem for up to several months as they forage and grow to a size to enhance their ocean survival (Northwest Power and Conservation Council 2004). Ocean-type Chinook, such as Lower Columbia River, Snake River Fall, and Upper Willamette River Chinook, are known to use shallow water areas, beaches, and flats in the estuary, and can be found in lower mainstem nearshore areas year-round (Friesen 2005). Stream-type juvenile Chinook may also use these shallow habitats, but for a shorter period of time (National Marine Fisheries Service 2002).

Within Fort Stevens State Park, the Columbia River South Jetty is a popular place for salmon fishing (Oregon Department of Fish and Wildlife 2006), and coastal areas provide recreational fishing opportunities for redbtail surfperch (*Amphistichus rhodoterus*) and silver surfperch (*Hyperprosopon ellipticum*). Other fish and invertebrates that use the intertidal soft-bottom areas of the Columbia River estuary and nearshore areas of beach N1 include Pacific tomcod (*Microgadus proximus*), northern anchovy (*Engraulis mordax*), English sole (*Parophrys vetulus*), larval smelt (*Osmeridae*), staghorn sculpin (*Leptocottus armatus*), shiner surfperch (*Cymatogaster aggregate*), larval flatfish (*Pleuronectidae*), starry flounder (*Platichthys stellatus*), whitebait smelt (*Allosmerus elongates*), longfin smelt (*Spirinchus thaleichthys*), and small and juvenile Dungeness crab (*Cancer magister*). Waters and substrates necessary to some of these fish for spawning, breeding, feeding, or growing to maturity are protected under the Magnuson-Stevenson Act.

A large Caspian tern (*Sterna caspia*) colony exists on East Sand Island, located at the mouth of the Columbia River north of Fort Stevens State Park. Caspian terns prey on salmon smolts and other juvenile and small forage fish. The East Sand Island colony is of concern because of the impact of predation on the recovery of federally listed salmonids, which migrate and rear in the Columbia River, as discussed above.

Beach section N1 includes Necanicum Spit and the Gearhart Ocean State Recreation Area. The Gearhart Ocean State Recreation Area contains the north shoreline of the

¹ NMFS defines a salmon DPS as an ESU of a biological species. A salmon ESU is a salmon stock that is substantially reproductively isolated from other conspecific population units and represents an important component in the evolutionary legacy of the species (61 FR 4722)

Necanicum River estuary outlet and the ocean beach. The lower river channel and river mouth are relatively unrestricted, and are allowed to meander under natural conditions. The estuary contains anadromous fish such as Oregon coastal Chinook, coho, and steelhead, Pacific Coast chum, sea-run cutthroat trout, white sturgeon (*Acipenser transmontanus*), and Pacific lamprey (*Lampetra tridentate*) (Kavanagh et al. 2006). There are also Pacific Coast estuarine fish such as starry flounder, longfin smelt, and a variety of sculpin, among others.

N2 through N12: Necanicum River to Tillamook Bay

South of the Necanicum River estuary, the beach is wide, flat, and lightly vegetated with European beachgrass (*Ammophila arenaria*) and other native and non-native vegetation. Razor clams (*Siliqua patula*) populate intertidal areas, and sculpin, flatfish, coastal cutthroat trout, and a variety of other species use intertidal and nearshore areas of the beach.

Tillamook Head and Cape Falcon beaches present a variety of beach characteristics such as small sand coves surrounded by rocky cliffs, expansive flat sandy beaches, short stream outlets, rocky shores and points, cobble/rock beaches, and beaches containing aspects of development such as rip-rap, stairs, and beach stabilization structures. Anglers fish from the beach for redbay surfperch and other nearshore fishes. This area contains a number of small anadromous fish streams that provide habitat for Oregon coastal coho, steelhead, and coastal cutthroat trout.

Nehalem Bay State Park is located south of Cape Falcon, and is composed of the southern portion of a sand spit that separates Nehalem Bay and Nehalem River from the Pacific Ocean. The bay outlet is restricted by two jetties on either side which channelize and restrict movement of the channel and mouth. Nehalem Bay and the Nehalem River contain Pacific Coast chum; Oregon Coast coho, Chinook, and steelhead; and coastal cutthroat trout. The bay also contains Dungeness crab, softshell clams, and redrock crab (*Cancer productus*).

Beaches from Nehalem Bay to Cape Meares (excluded) are characterized by moderately flat sandy beaches, and include coastal areas around the outlet of Tillamook Bay. Five major rivers (Miami, Kilchis, Wilson, Trask, and Tillamook) that drain into Tillamook Bay provide habitat for anadromous fish such as Oregon coastal coho, steelhead and Chinook; white sturgeon; and Pacific lamprey. The southernmost major chum salmon population also occurs in Tillamook Bay and associated watersheds. Tillamook Bay provides important wintering habitat for resident and migratory piscivorous birds, such as brown pelicans, great blue herons (*Ardea Herodias*), and surf scoters (*Melanitta perspicillata*).

N13 through N18: Cape Meares to Cascade Head

Sandy and cobble low profile beaches and some rocky intertidal areas characterize Tillamook County beaches from Cape Meares to Cascade Head. Wave erosion

problems exist in many areas. Estuaries such as Netarts Bay, Sand Lake and Nestucca Bay provide migration and rearing habitat for anadromous fish such as Oregon Coast coho, steelhead, and Chinook, hatchery and wild chum salmon, eulachon (*Thaleichthys pacificus*) and other smelt. Shellfish are prevalent in Nestucca Bay and Netarts Bay.

Central Coast Region Beaches (C1 to C16)

The extent of the central coast region beaches is illustrated in Figure 2-2 in Chapter 2, “Alternatives.” Beaches of Oregon’s central coast begin at the confluence of the Salmon River in Lincoln County, and end at Umpqua River in Douglas County. These beaches have a variety of characteristics such as sandy flat beaches, rocky intertidal areas, drift-wooded shores, sand spits, and estuary outlets that provide migrating and foraging habitat for anadromous fish. The existing conditions of central coast beaches are similar to those of northern coast beaches discussed above. The region does not contain any notable climatic, oceanographic, geographic, or biologic differences from those described for northern coast beaches.

South Coast Region Beaches (S1 to S23)

The extent of the south coast region beaches is illustrated in Figure 2-3 in Chapter 2, “Alternatives.” Beaches of Oregon’s south coast begin on the southern shores of the Umpqua River outlet to the Pacific Ocean in Douglas County and end at the Oregon/California border. The south coast region supports populations of Southern Oregon/Northern California coho and Oregon Coast coho, both of which are federally listed as threatened.

S1 to S9: Umpqua River (Excluded) to Sixes River Mouth

Wide sandy beaches with adjacent grassy sand dunes and a number of small lagoons and large estuary outlets characterize beaches from the Umpqua River (excluded), to the mouth of the Sixes River. Salmon rivers and streams include the Umpqua River, Coquille River, and Ten Mile, Two Mile, and Four Mile creeks. Surf fishing occurs along the shorelines and jetty fishing occurs at Coos Head Jetty.

Cape Arago is the only rocky shoreline area between Heceta Head and Cape Blanco and is a marine protected area. The wide variety of habitat types at Cape Arago has created a very diverse intertidal community. A high diversity and abundance of algal species occur in North Cove, behind the protection of Simpson Reef, and subtidal kelp beds are extensive. Simpson Reef is the only site in Oregon where major beds of giant kelp (*Macrocystis integrifolia*) are found.

The Bandon SNA beaches consist of sandy beaches and adjacent sand dunes between Bradley Lake and Laurel Lake. Two Mile Creek and Four Mile Creek discharge at the beach and provide habitat for Oregon Coast coho. Four Mile Creek also contains Oregon Coast Chinook and coho.

South of Bandon SNA, Bethel Creek, Croft Lake outlet, Floras Creek, New River, and Sixes River contain anadromous fish such as Oregon coastal steelhead, coho, and Chinook; coastal cutthroat trout; and Pacific lamprey that migrate through the estuary outlet. The beach at Sixes River Mouth includes estuarine habitats that support crab, juvenile salmonids, trout, and marine and estuarine fish. Herring (*Clupea harengus*), surf smelt (*Hypomesus pretiosus*), and shiner perch (*Cymatogaster aggregata*) also spawn in the estuary (Oregon Department of Fish and Wildlife 1973).

S10 to S23: Cape Blanco to the Oregon/California Border

Beaches from Cape Blanco to the Oregon/California border are characterized by coarse sloping sands, rocky shores, and flat sandy beaches.

Cape Blanco forms the westernmost point in Oregon and is also the boundary for the southern range of the Oregon Coast salmon ESU. South of Cape Blanco, Euchre Creek marks the northernmost distribution of the Southern Oregon and Northern California Coastal ESU of Chinook. The Elk River (at beach S11) marks the northernmost range of Southern Oregon/Northern California coho, listed as threatened under the Federal ESA.

There is heavy vehicle traffic in October and November between Cape Blanco and the mouth of the Elk River as fisherman drive to the Elk River and estuary area to fish for salmon during the return migration. Surf fishing occurs here mainly in the spring (Oregon Parks and Recreation Department 2004). Blanco and Orford reefs, which are part of the Oregon Island's National Wildlife Refuge, are located offshore and provide rich and diverse subtidal and kelp habitats for many of the fish species in this area.

South of Cape Blanco and the Elk River, Hubbard Creek and Brush Creek discharge into the Pacific Ocean on the beach and provide habitat for steelhead and cutthroat trout. Migrating Oregon/Northern California coho are found at the outlets of Euchre Creek and Greggs Creek. Butter clams (*Saxidomus giganteus*) are harvested at Rocky Point, and surf fishing occurs along the coastal beaches to the Rogue River jetties.

The Rogue River contains Southern Oregon/Northern California coho, Oregon coastal steelhead, Southern Oregon and Northern California Coastal Chinook, and green sturgeon (*Acipenser medirostris*). South of the Rogue River, Hunter Creek estuary seasonally contains Chinook, coho, and steelhead although reduced estuarine habitat and passage barriers in the upper system limit salmonid production (Massingill 2001). The Pistol River estuary discharges into the Pacific and is located adjacent to the Pistol River State Park. The Pistol River estuary contains Southern Oregon and Northern California Coastal Chinook, Southern Oregon/Northern California coho, and Oregon coastal steelhead. The outlet of the river is extremely dynamic and changes seasonally as well as year to year (Oregon Parks and

Recreation Department 2004). The Pistol River State Park contains sandy beaches, grassy dunes, and sea stacks.

The beaches south of Pistol River State Park are composed of sandy beaches interspersed with rocky inter-tidal areas that provide habitat for clams and other marine invertebrates. These beaches contain numerous small stream outlets, and support populations of Southern Oregon/Northern California coho and Oregon coastal steelhead. Chetco and Winchuck Rivers also contain Southern Oregon and Northern California Coastal Chinook. Surf fishing also occurs along these beaches.

3.8.4 Environmental Consequences

Consequences Common to All Alternatives

Potential Benefits to Fishery Resources from Law Enforcement Activities

Under all of the alternatives, OPRD would continue to fund three full time beach ranger positions to patrol the beach and implement recreational use restrictions in accordance with Ocean Shore and State Park rules. Those enforcement activities would include monitoring the study area and checking for valid permits (including fishing permits), which could reduce poaching and protect aquatic resources by decreasing opportunities for natural resource abuse. Benefits to fishery resources from law enforcement would be the same under all alternatives and similar to those realized under existing conditions.

Alternative 1 – No Action (Current Management)

Potential Effects on Marine Invertebrates from Motor Vehicle Use

As described in Section 3.3, “Recreation,” the Ocean Shore is open to motor vehicle access unless otherwise posted or prohibited. All-terrain vehicle/off-highway vehicle (ATV/OHV) riding is limited to three locations on the coast under the No-Action Alternative: Sand Lake Recreation Area and two sections of the Dunes National Recreation Area.

Beach driving has the potential to affect marine invertebrates on and in the sand and those that live in the wrack line (area where vegetation accumulates at high tide) (Steinback et al. 2004). Sand may also be compacted, thereby destroying burrows or hiding places and forcing moisture out of the sand. The potential long-term effects of these impacts are not known, nor are the indirect effects on fish prey and intertidal fish habitat. These impacts are likely to increase over the next 25 years as a result of increases in recreational use on the Oregon Coast.

Potential Effects on Fishery Resources from Public Recreational Use

It has long been recognized that human recreation activities can have adverse effects on anadromous fisheries (Clark and Gibbons 1991). Although the recreational activity with the greatest effect on salmonids is fishing, there are also indirect effects related to hiking, boating, tide pooling, walking, water sports, camp fires (including the burning or removal of large woody debris), off-road vehicle use, concentrated uses in areas such as parks and campgrounds, and horseback riding (Clark and Gibbons 1991; Spence et al. 1996).

Recreational use in the study area could affect both fish habitats and fish populations. Changes in management, population center size and location, and access could result in either detrimental or beneficial effects on fish populations and fish habitat (Clark and Gibbons 1991). For example, driving on the beach can introduce contaminants into adjacent waterbodies, including oil, gasoline, or other automobile fluids. Intense beach use by humans could impact riparian vegetation, streambank stability, and/or stream and lagoon outlet dimensions. Increased beach use could also increase fishing pressure on coastal, estuarine and anadromous species, and log removal by recreational boaters or campers could decrease the quality of lower estuary and marine habitats (Maser and Sedell 1994 cited in Spence et al. 1996).

The potential effects of recreational use in the study area would likely increase over the next 25 years. However, the potential effects of recreational use on the Ocean Shore on aquatic resources are expected to be minimal.

Potential Effects of Invasive Species Removal

Under Alternative 1, OPRD would continue to manage dunes in the study area to remove targeted invasive species, including European beachgrass (*Ammophila arenaria*), and provide habitat for native vegetation. In addition, OPRD would continue to maintain the 50 acres of snowy plover habitat restored in 1998 at the HRA on the Bandon SNA. These maintenance activities would likely include removal of invasive plant species as they encroach into the HRA.

Non-native beachgrass can cause sand spits at the mouths of rivers and small creeks to become more stable than those without vegetation, affecting fish and fish habitat (U.S. Fish and Wildlife Service 2001b). Removal of European beachgrass has the potential to alter the dimension and environmental zones of dunes, shorelines, and sand spits (Wiedemann et al. 1969 cited in U.S. Fish and Wildlife Service 2001b), and could increase sedimentation and erosion to waterbodies in the study area.

Invasive species removal would likely occur in areas located landward of beaches, outside of the direct influence of tides and river outlets. In addition, the habitat maintenance activities at the Bandon SNA would not directly affect an estuary or a waterbody adjacent to the restoration site. As a result, it is unlikely that invasive species removal under Alternative 1 would result in substantial, long-term, adverse

effects on fish or fish habitat. Such effects would likely be greater than existing conditions; however, given that additional areas would be targeted for invasive species removal over the next 25 years under Alternative 1.

Alternative 2 – Proposed HCP

Potential Effects on Marine Invertebrates from Motor Vehicle Use

Under Alternative 2, motor vehicle use would be prohibited during the nesting season at occupied SPMA's and adjacent RMA's, which would represent a reduction in motor vehicle use in areas where driving is not already prohibited under Alternative 1. As such, Alternative 2 may reduce impacts on marine invertebrates compared to Alternative 1.

Potential Effects on Fishery Resources from Public Recreational Use

Under Alternative 2, some recreational uses would be restricted near areas managed for nesting populations of snowy plovers. This could reduce the potential effects of recreation on aquatic resources in those areas compared to Alternative 1.

Potential Effects of Invasive Species Removal

Similar to Alternative 1, under Alternative 2, OPRD would manage dunes in the study area to control invasive species, as needed, and would maintain the 50 acres of snowy plover habitat that have been restored at the Bandon SPMA, which would include removal of invasive species. In addition, under Alternative 2, OPRD would restore up to 40 acres of snowy plover habitat at the Columbia River South Jetty SPMA, the Nehalem Spit SPMA, and the Necanicum Spit SPMA, if needed (Schutt pers. comm.). Although the exact nature of the restoration would be determined after site plans for each SPMA have been prepared by OPRD and approved by USFWS, it is anticipated that non-native beach grass in these areas would be removed to provide conditions more favorable for nesting snowy plovers.

As described under Alternative 1, removal of European beachgrass has the potential to alter the dimension and environmental zones of dunes, shorelines, and sand spits (Wiedemann et al. 1969 cited in U.S. Fish and Wildlife Service 2001b). However, general dune management or habitat maintenance at the Bandon SPMA would not result in substantial, long-term, or adverse effects on fish or fish habitat because restoration would occur landward of beaches, outside of the direct influence of tides and river outlets, and would not directly affect estuaries or adjacent waterbodies. Similarly, habitat restoration and invasive species removal at the Necanicum Spit SPMA would have no effect on fisheries resources because the Necanicum Spit and estuary outlet are in a relatively natural state and are able to meander. Although clearing large areas of non-native beach grass may affect erosion processes of the beach and outlet, restoration efforts at this SPMA would not affect fisheries resources

given the size of the river outlet and shoreline area, and the distance of vegetation from fisheries habitat.

Removing vegetation at the Nehalem Spit SPMA could destabilize beach sands and dampen the beach slope during flood events. This is attributable to the fact that the Nehalem River estuary outlet is small in relation to the size and hydrology of the Nehalem River, and is further restricted by jetties built on either side of the river. Vegetation on the Nehalem Spit is also closer to the river channel. Coordination with USFWS and NMFS during development of the site management plan for this area, as required under the HCP, would allow the regulatory agencies to determine if removal of non-native beach grasses could alter beach and shoreline erosion processes and to ensure that fishery resources are not adversely affected.

Finally, removal of beach grass at the Columbia River South Jetty SPMA could create additional nesting habitat for the Caspian tern colonies established on East Sand Island, just northeast of Columbia River South Jetty because terns prefer bare sandy beaches for nesting (U.S. Fish and Wildlife Service 2005c). Juvenile salmon are known to comprise 31 percent of the East Sand Beach Island Caspian tern colony's diet and terns have been implicated in reducing the potential for recovery of federally listed salmonids in the Columbia River. Coordination with USFWS and NMFS during development of the site management plan for this SPMA, as required under the HCP, would minimize the potential for additional Caspian tern nesting areas to be inadvertently created as a result of habitat restoration activities at the Columbia River South Jetty SPMA.

Overall, it is anticipated that invasive species removal under Alternative 2 would have no effect on fish and fish habitat.

Alternative 3 – Management of Additional OPRD Sites

Potential Effects on Marine Invertebrates from Motor Vehicle Use

Similar to Alternative 2, motor vehicle use would be prohibited during the nesting season at occupied SPMA's and adjacent RMA's under Alternative 3, which would represent a potential reduction in motor vehicle use in areas where driving was not already prohibited under Alternative 1. As such, Alternative 3 may reduce impacts on marine invertebrates compared to Alternative 1.

Potential Effects on Fishery Resources from Public Recreational Use

Similar to Alternative 2, some recreational uses would be restricted near areas managed for nesting populations of snowy plovers under Alternative 3. This could reduce the potential effects of recreation on aquatic resources in those areas. In either case, Alternative 3 would have no impact on fishery resources not previously realized under Alternative 1.

Potential Effects of Invasive Species Removal

Similar to Alternative 1, under Alternative 3, OPRD would manage dunes in the study area to control invasive species, as needed, and would maintain the 50 acres of restored snowy plover habitat at the Bandon SPMA. In addition, OPRD would restore up to 40 acres of snowy plover habitat at the following six SPMA: Necanicum Spit, Columbia River South Jetty, Nestucca Spit, Nehalem Spit, Bullards Beach, and Sixes River Mouth (Schutt pers. comm.).

The exact nature of the restoration at these SPMA would be determined after site plans have been prepared by OPRD and approved by USFWS. Although the removal of European beachgrass has the potential to alter the dimension and environmental zones of dunes, shorelines, and sand spits at these areas, invasive species management would be coordinated with USFWS and NMFS to ensure that it would not result in unanticipated adverse effects on fish or fish habitat.

Overall, it is anticipated that invasive species removal under Alternative 3 would have no effect on fish and fish habitat.

3.9 Plant Communities

This section describes the community structure and typical species composition of vegetation in the study area, and the potential effects on those plant communities resulting from implementation of the alternatives. For this section, the study area is the same as the covered lands described in Section 3.1.1, “Covered Lands.”

3.9.1 Approach and Methodology

The descriptions of vegetation communities and typical plant species presented in this section was derived from a review of photographs taken on-site in July 2006; interpretation of aerial photographs mapped in 2003 (Oregon State University 2003); and a review of pertinent literature, including *Natural Vegetation of Oregon and Washington* (Franklin and Dyrness 1973) and *Wildlife-Habitat Relationships in Oregon and Washington* (Johnson and O’Neil 2001). Information on special-status plant species was gathered from a review of relevant plant profiles on the website for the Center for Plant Conservation (CPC); from *Flora of the Pacific Northwest* (Hitchcock and Cronquist 1973) and *Rare and Endangered Plants of Oregon* (Eastman 1990); and review of the *Ocean Shore Management Plan* (Oregon Parks and Recreation Department 2005).

Evaluation of the potential effects on vegetation in the study area was assessed based on a review of the management strategies for each of the alternatives, and a programmatic assessment of how those strategies could impact plant diversity, invasive species, and special-status plant communities.

3.9.2 Regulatory Context

Federal Endangered Species Act

Similar to wildlife species, plant species listed as threatened or endangered are also protected under the Federal ESA. During consultation with a Federal agency, USFWS must insure that a proposed project would not result in incidental take of a federally listed plant species. For listed plant species, incidental take may only occur if USFWS determines that a proposed project would result in jeopardy to the species. Chapter 1, “Purpose and Need,” provides a more detailed discussion of the Federal ESA, and the Section 7 consultation process required by the ESA.

A description of the federally listed, special status plant species that occur in the study area is provided in Section 3.9.3, “Affected Environment.”

Executive Order 13112

Executive Order 13112, Invasive Species, directs Federal agencies to prevent the introduction of invasive species; control their populations (through eradication, if necessary); monitor their distribution; and provide for restoration of native species and habitat conditions in those ecosystems that have been invaded, to the extent practical and permitted by law. The Executive Order also states that Federal agencies should not fund or carry out actions that are likely to cause or promote the introduction or spread of invasive species.

Oregon Endangered Species Act

Similar to the Federal ESA, the Oregon ESA offers protection to plant species listed as threatened or endangered in the State. However, the Oregon ESA is much more limited in scope and applies only to State agencies taking actions on State owned or leased lands. Protections afforded listed plant species under Oregon's ESA are administered by the Oregon Department of Agriculture (ODA).

State listed plant species that may occur on the covered lands are described in Section 3.9.3, "Affected Environment." Since the covered lands are State-owned lands, OPRD would be required to consult with ODA to ensure that its actions would not appreciably reduce the likelihood of the survival or recovery of any State-listed plant species (ORS 564.115).

Ocean Shore Management Plan

In January 2005, OPRD completed the comprehensive OSMP. The OSMP is a long-range plan for ocean recreational beach use and management, and is designed to balance recreation needs with natural and cultural resource protection and adjoining land uses (Oregon Parks and Recreation Department 2005). Within the OSMP, OPRD identifies management strategies for invasive species and for protection of special status plant communities along the Oregon coast, as described in the following sections.

3.9.3 Affected Environment

Ecoregions and Plant Communities

The entire study area is located within the Coast Range Ecoregion of Oregon (Ecoregion 1; Thorson et al. 2003). Ecoregions are geographic areas with similar features, such as climate, vegetation, geology, geomorphology, soils, and ecosystem processes. They tend to support characteristic natural ecological communities and are typically used to provide natural resource managers with a common basis to aid in managing similar resource areas.

Plant communities within the study area are typical of ocean shore vegetation, and are strongly influenced by high winds and salt spray. Franklin and Dyrness (1973) identified three major categories of oceanfront plant communities:

- tideland (salt marsh) communities which are characterized by a dominance of plants that thrive in saline soil (halophytes), such as pickleweed (*Salicornia depressa*), saltgrass (*Distichlis spicata*) and common arrow-grass (*Triglochin maritimum*);
- sand dune/strand communities, which are characterized by sand colonizing/stabilizing species such as European beachgrass (*Ammophila arenaria*) and beach strawberry (*Fragaria chiloensis*); and
- herb- and shrub-dominated communities, which vary in species composition based on location in either northern or southern Oregon, but are primarily restricted to exposed headlands.

Vegetation in Identified Portions of State Parks, State Natural Areas, and State Recreation Areas

As noted in Chapter 1, “Purpose and Need,” specific portions of key State parks, SNAs, and State recreation areas are included in the covered lands, including portions of Fort Stevens State Park, Gearhart Ocean State Recreation Area, Nehalem Bay State Park, Cape Lookout State Park, Robert Straub State Park, Bullards Beach State Park, Bandon SNA, Cape Blanco State Park, and Pistol River State Park (see Figures 1-3 through 1-11).

In addition to the oceanfront plant communities identified above, vegetation within these areas includes species more representative of coast range forest communities. Forest communities are primarily characterized by:

- a woody overstory dominated by lodgepole pine (*Pinus contorta*) and Sitka spruce. In southern Oregon, Port Orford cedar (*Chamaecyparis lawsoniana*) is an important overstory tree species;
- a shrub layer dominated by salal (*Gaultheria shallon*), thimbleberry (*Rubus parviflorus*), evergreen huckleberry (*Vaccinium ovatum*) and Pacific rhododendron (*Rhododendron macrophyllum*); and
- an herbaceous layer typified by bracken fern (*Pteridium aquilinum*) and deer fern (*Blechnum spicant*).

Mosaics of coastal freshwater wetlands dominated by slough sedge (*Carex obnupta*), willow (*Salix* spp.), bog Labrador tea (*Ledum groenlandicum*) and sweet gale (*Myrica gale*) are also quite common in these areas. Within these forested wetlands, Sitka spruce and western redcedar (*Thuja plicata*) are common dominant tree species,

with deer fern and skunk cabbage (*Lysichiton americanum*) as dominant understory species.

Table 3.9-1 summarizes typical vegetation community structure and species composition within the study area.

Table 3.9-1. Typical Vegetation within the Study Area

Habitat Type	Dominant Tree Species	Dominant Shrub Species	Dominant Herb Species
Salt marsh	None present	None present	Pickleweed, salt grass, common arrow-grass
Dune/strand	Lodgepole pine, Sitka spruce, Port Orford cedar	Salal, evergreen huckleberry, sweet gale, rhododendron	Early colonizers, European beachgrass, sand verbena, beach strawberry
Freshwater wetlands	Sitka spruce, western redcedar	Sweet gale, willow, western Labrador tea	Slough sedge (and other sedge species), deer fern, skunk cabbage

Non-Native/Invasive Vegetation

European beachgrass was introduced to the Oregon coast in the late 1800s as a means of dune stabilization (Franklin and Dyrness 1973). Today, it acts as a pioneer species along most of the dunes in Oregon and is responsible for the establishment of foredunes along the majority of the coastline. This means that European beachgrass captures sand, decreasing natural sand movement and causing the dunes to increase in height. As the dunes increase in height and coastal winds diminish behind the dunes, a new microclimate develops that is no longer suitable for species that use dune habitat, such as pink sand verbena (*Abronia umbellata* ssp. *brevifolia*), as described below (Oregon Parks and Recreation Department 2005). Large dune areas also provide less space for recreational activities on the beach.

As dunes encroach inland, native coastal vegetation species have been recolonized by other exotic species, including Scotch broom (*Cytisus scoparius*) and gorse (*Ulex europaeus*). Scotch broom is a perennial shrub native to the British Isles and central and southern Europe. It tolerates a variety of soil types and depths, and can reach heights of more than 3 meters (9.84 feet). This species continues to expand its range and dominates many acres of land along the Oregon coast, where it crowds out native plant species (Oregon Parks and Recreation Department 2005).

Gorse, a relative of Scotch broom, is another perennial, non-native species that aggressively invades stabilized dunes and deflation plans, and quickly excludes native vegetation. Currently, it covers many acres of land in Douglas, Coos, and Curry Counties. Gorse is difficult to control due to its waxy cuticle, which inhibits herbicide penetration. Goats and sheep feed on the young growth, but animals are not known to graze on adult plants. Gorse plants also produce a large number of

seeds that can remain viable in the soil for over 30 years. The plant is also prone to burning and can cause safety problems (Oregon Parks and Recreation Department 2005).

The OPRD is currently formalizing an internal invasive species committee made up of field and headquarters staff. This committee will be responsible for developing a statewide invasive species management plan to address invasive species on State Park property.

Special-Status Species

Table 3.9-2 lists the special-status plant species that may occur in the study area, and their State and Federal listing status in Oregon. A data request was submitted to the ORNHIC for information on special-status plant species within a 2-mile radius of the key State parks, SNAs, and State recreation areas noted above. Due to the spatial scale of the study area, only data within these areas were selected for focused assessment. The ORNHIC printout documented three special-status plant species within the search area: pink sand verbena, saltmarsh bird's-beak (*Cordylanthus maritimus* ssp. *palustris*) and silvery phacelia (*Phacelia argentea*).

The OSMP also addresses four additional species: western lily (*Lilium occidentale*), Wolf's evening primrose (*Oenothera wolfii*), large-flowered goldfields (*Lasthenia californica* ssp. *macrantha*) and manyleaf gilia (*Gilia millefoliata*). Of these, western lily, a coastal bog species, is not likely to occur within the study area (Center for Plant Conservation 2006a). The remaining species are described below.

Table 3.9-2. Special-Status Plant Species in the Study Area

Species Name	Listing Status	
	Federal	State
Pink sand verbena (<i>Abronia umbellata</i> ssp. <i>brevifolia</i>)	Species of Concern	Endangered
Saltmarsh bird's-beak (<i>Cordylanthus maritimus</i> ssp. <i>palustris</i>)	None	Endangered
Silvery (Sand dune) phacelia (<i>Phacelia argentea</i>)	Species of Concern	Threatened
Wolf's evening primrose (<i>Oenothera wolfii</i>)	Species of Concern	Threatened
Large-flowered goldfields (<i>Lasthenia macrantha</i> ssp. <i>prisca</i>)	Species of Concern	Candidate
Manyleaf (Seaside) gilia (<i>Gilia millefoliata</i>)	Species of Concern	None

Source: U.S. Fish and Wildlife Service 2006b, U.S. Fish and Wildlife Service 2005d, Center for Plant Conservation 2006a through 2006e

Endangered = species that is in danger of extinction throughout all or a significant portion of its range

Threatened = species that is likely to become endangered in the foreseeable future

Species of Concern = species whose conservation status is of concern to USFWS. This listing status is based on their status in the State of Oregon.

Candidate = species designated for study by ODA whose numbers are believed low or declining, or whose habitat is sufficiently threatened and declining in quantity and quality, so as to potentially qualify for listing as threatened or endangered in the foreseeable future.

Pink Sand Verbena

Pink sand verbena is listed as an endangered plant species under the Oregon ESA and is identified as a species of concern in Oregon by the Oregon USFWS office. It is a prostrate perennial that occupies open sandy beaches above the high tide line (Eastman 1990), and is often found near populations of yellow sand verbena (*Abronia latifolia*) (Oregon Parks and Recreation Department 2005). This species is known to occur in only a few sites in northern California and southern Oregon, although its historic range extended north to British Columbia (Center for Plant Conservation 2006b). It is presumed to be extinct in Washington.

The primary threats to pink sand verbena are competition from European beach grass and habitat disturbance from motor vehicles (Center for Plant Conservation 2006b; Oregon Parks and Recreation Department 2005).

The USFS, Siuslaw National Forest, and the BLM, Coos Bay District, have undertaken projects to transplant and seed pink sand verbena at several beaches and dune habitats along the Oregon coast since 1997. In addition, OPRD received a grant from USFWS to seed the HRA recently restored for nesting snowy plovers at Bandon SNA.

Salt Marsh Bird's-Beak

Salt marsh bird's-beak is listed as an endangered plant species under the Oregon ESA. It is an annual herb that grows above the high tide line in salt marshes, is halophytic, and can live either independently or as a parasite (hemiparasitic) (Eastman 1990). Associated species include pickleweed, salt grass and fleshy jaumea (*Jaumea carnosa*), which are likely host species for salt marsh bird's-beak (Center for Plant Conservation 2006c). It is currently known to occur in clustered populations in Coos Bay and Tillamook, Oregon, and in Humboldt Bay, California (Center for Plant Conservation 2006b). Threats to its habitat are related to draining, filling and pollution of its estuarine wetland habitat (Eastman 1990).

Silvery Phacelia

Silvery phacelia is listed as threatened under the Oregon ESA and is identified as a species of concern in Oregon by the Oregon USFWS office. It is a perennial herb that grows in open sandy dunes and reproduces by seed and rhizome. Silvery phacelia is known to occur in Coos and Curry Counties, Oregon, and from four extant populations in Del Norte County, California (Center for Plant Conservation 2006d). Limited distribution in only a few specific habitat types reduces the ability for the species to rebound from adverse habitat changes (Oregon Parks and Recreation Department 2005).

The primary threat to silvery phacelia is habitat loss attributable to OHV use and encroachment by European beach grass (Center for Plant Conservation 2006d;

Oregon Parks and Recreation Department 2005). Other threats include succession to forest communities, recreation use, and development.

Wolf's Evening Primrose

Wolf's evening primrose is listed as threatened under the Oregon ESA and is identified as a species of concern in Oregon by the Oregon USFWS office. Wolf's evening primrose is an erect, perennial herb that occupies sandy soils on grasslands, coastal strand, roadsides and coastal bluffs that are well drained but receive adequate moisture (Center for Plant Conservation 2006e). Populations are known to occur on 16 sites from Del Norte County, California to Curry County on the southern Oregon coast (Eastman 1990, Center for Plant Conservation 2006e). The species usually occurs to the south of headlands or at the mouths of rivers. These types of sites tend to accommodate the species' requirement of protection from northwesterly exposure (Center for Plant Conservation 2006e).

The predominant threat to Wolf's evening primrose is hybridization with the weedy, ornamental red sepal evening primrose (*Oenothera glazioviana*) (Center for Plant Conservation 2006e). Hybridization compromises the genetic integrity of Wolf's evening primrose, and appears to be a larger threat than habitat disturbance or alterations. Herbicide application and road development are two other threats to existing populations of Wolf's evening primrose.

Large-flowered Goldfields

Large-flowered goldfield is identified as a species of concern in Oregon by the Oregon USFWS office, and as an Oregon candidate species by ODA. This perennial herb grows on seaward slopes, rocky cliffs and sandy areas above the beach (Eastman 1990). Its known occurrences are limited to a few isolated populations in Curry County (Eastman 1990), and has been found at several sites in State Parks (Oregon Parks and Recreation Department 2005).

Manyleaf Gilia

Manyleaf gilia is identified as a species of concern in Oregon by the Oregon USFWS office. This herbaceous perennial grows on semi-stabilized sand dunes within 183 meters (600 feet) of the ocean. Known distribution of this species ranges from Curry County, Oregon (Oregon Parks and Recreation Department 2005) south to Santa Barbara County, California (CalFlora 2006). Predominant threats to manyleaf gilia are similar to that of other dune species and include competition from European beachgrass, vehicular disturbance, and development.

This species is not known to occur in any State Park, but OPRD intends to prepare a species conservation management plan should manyleaf gilia be discovered at any State Park in Curry County (Oregon Parks and Recreation Department 2005).

3.9.4 Environmental Consequences

Alternative 1 – Current Management (No-Action)

Potential Effects of Invasive Species Management

Under Alternative 1, OPRD would continue to maintain the 50-acres of snowy plover nesting habitat that were restored at the HRA on the Bandon SNA in 1998.

Maintenance activities would include removal of invasive plant species, such as Scotch broom, European beachgrass, and gorse.

Outside of the habitat maintenance at the Bandon SNA, additional dune management and invasive species control measures would be implemented in accordance with a statewide invasive species management plan that OPRD is currently preparing for State park property. For the purposes of the analysis in this FEIS, it is assumed that this plan would be in place within the next 25-years, and that the general prescriptions would result in the beneficial removal of non-indigenous invasive species.

Overall, maintenance activities at Bandon SNA, and at other locations along the Ocean Shore as outlined in the statewide invasive species management plan, would reduce the extent of invasive plant species on covered lands over the next 25-years under Alternative 1.

Potential Effects of the Covered Activities on Special-Status Plant Species

As described above, seven special-status plant species may occur in the study area. Pink sand verbena, silvery phacelia, Wolf's evening primrose, large-flowered goldfields and manyleaf gilia are typically found in dunes and sandy areas above beaches; salt marsh bird's beak is found above the high tide line in salt marshes. The primary threats to each of these species are attributed to habitat disturbance (motor vehicles, recreational use, and development) and encroachment of non-native species.

Under Alternative 1, OPRD would continue to manage the public's use of the beach in accordance with existing management practices and to avoid potential effects on snowy plover habitat, some of which may support populations of sensitive plant species. Current recreational use restrictions on the covered lands (e.g., dogs on leash in all State Parks, ATV/OHV use allowed only at three locations on the Oregon coast without a permit) would remain in place under Alternative 1. Driving would continue to be prohibited (except for administrative use) during the nesting season or year round at a number of locations, as described in Section 3.3, "Recreation." At the HRA on the Bandon SNA, dogs would be required to be on leash and confined to the wet sand, and driving (except for administrative use) and non-motorized vehicle use would be prohibited during the breeding season.

Where populations of special-status plant species are known to be present on the covered lands, OPRD would continue to manage those areas to avoid conflicts with recreational use under Alternative 1. In addition, efforts to control invasive species, including implementation of the statewide invasive species management plan, once it is approved, and maintenance activities at the HRA on Bandon SNA, would likely allow native dune stabilizing species, including sensitive-status species, to re-colonize the study area. As such, Alternative 1 is expected to benefit special-status plant species over the next 25 years.

Alternative 2 – Proposed HCP

Potential Effects of Invasive Species Management

Similar to Alternative 1, OPRD would continue to maintain the 50-acres of snowy plover nesting habitat at the Bandon SPMA under Alternative 2. Maintenance activities would include removal of invasive plant species, as necessary. In addition, OPRD would restore up to 40 acres of habitat at the Columbia River South Jetty SPMA and the Nehalem Spit SPMA as prescribed in the USFWS-approved site management plan. Restoration would be conducted at the Necanicum Spit SPMA, if necessary and as prescribed in the site management plan. Restoration activities at the three noted SPMAs would likely include removal of invasive plant species. Although the timing of restoration activities at the SPMAs could vary over the term of the permit (Section 2.3.2, “Alternative 2- Proposed HCP, Management of Targeted Snowy Plover Nesting Sites”), for the purpose of this assessment, it is assumed that these restoration activities would occur within the next 25-year.

Outside of the SPMAs, additional dune management and invasive species control measures would be implemented in accordance with a statewide invasive species management plan that OPRD is currently preparing for State park property. As described for Alternative 1, it is assumed that this plan would be in place within the next 25-years, and that the general prescriptions would result in the beneficial removal of non-indigenous invasive species. Overall, management of invasive species resulting from implementation of a statewide invasive species management plan, maintenance activities at the Bandon SPMA, and restoration activities at three additional targeted SPMAs, would likely reduce the extent of invasive plant species on covered lands. These benefits would be similar to those described for Alternative 1, if not slightly greater due to the additional restoration efforts at the Columbia River South Jetty SPMA, Nehalem Spit SPMA, and Necanicum Spit SPMA.

Potential Effects of the Covered Activities on Special-Status Plant Species

Under Alternative 2, OPRD would manage the public’s use of the beach to minimize potential effects on snowy plover habitat, some of which may support populations of sensitive plant species. Current recreational use restrictions on the covered lands

(e.g., dogs on leash in all State Parks, ATV/OHV use allowed only at three locations on the Oregon coast without a permit) would remain in place under Alternative 2. Driving would continue to be prohibited (except for administrative use) during the nesting season or year round at a number of locations, as described in Section 3.3, “Recreation.” In addition, at all occupied SPMAs and RMAs, dogs, kite flying, driving (except for administrative use), and non-motorized vehicle use would be prohibited during the nesting season. Dogs would also be required to be on leash, and driving would be prohibited (except for administrative use) at all actively managed, unoccupied SPMAs and RMAs during the nesting season. Up to five SPMAs and 11 RMAs would be managed under Alternative 2 (Section 2.3.2, “Alternative 2- Proposed HCP”).

Where populations of special-status plant species are known to be present on the covered lands, OPRD would manage those areas to avoid conflicts with recreational use. Similar to Alternative 1, efforts to control invasive species, including implementation of the statewide invasive species management plan, once it is approved, and habitat maintenance and restoration activities at up to four SPMAs, would likely allow native dune stabilizing species, to recolonize the study area (including pink sand verbena and silvery phacelia). As such, Alternative 2 is expected to provide more benefit to special-status plant species over the next 25 years than Alternative 1.

Alternative 3 – Management of Additional OPRD Sites

Potential Effects of Invasive Species Management

Under Alternative 3, OPRD would continue to maintain the 50 acres of snowy plover nesting habitat at the Bandon SPMA. Maintenance activities would include removal of invasive plant species outside the snowy plover nesting season, as necessary. In addition, OPRD would restore up to 40 acres of snowy plover habitat at the following six SPMAs, as needed: Necanicum Spit, Columbia River South Jetty, Nestucca Spit, Nehalem Spit, Bullards Beach, and Sixes River Mouth (Schutt pers. comm.). Restoration activities at these six SPMAs would include removal of invasive plant species, as described in the site management plan. Outside of the SPMAs, additional dune management and invasive species control measures would be implemented in accordance with a statewide invasive species management plan that OPRD is currently preparing for State park property. As described for Alternative 1, it is assumed that this plan would be in place within the next 25-years, and that the general prescriptions would result in the beneficial removal of non-indigenous invasive species.

Overall, management of invasive species resulting from implementation of a statewide invasive species management plan, maintenance activities at the Bandon SPMA, and restoration activities at six additional targeted SPMAs, would likely

reduce the extent of invasive plant species on covered lands. These benefits would be similar to Alternative 1, if not slightly greater due to the additional restoration efforts at the six noted SPMA.

Potential Effects of the Covered Activities on Special-Status Plant Species

Under Alternative 3, OPRD would manage the public's use of the beach to minimize potential effects on snowy plover habitat, some of which may support populations of sensitive plant species. Recreational use restrictions currently in place on the covered lands would remain in place under Alternative 3, as described in Section 3.3, "Recreation." In addition, recreational use restrictions similar to those described for Alternative 2 would be implemented at occupied and actively managed unoccupied SPMA and RMA. Up to nine SPMA and 12 RMA could be managed under Alternative 3 (Section 2.3.3, "Alternative 3- Management of Additional OPRD Sites").

Where populations of special-status plant species are known to be present on the covered lands, OPRD would manage those areas to avoid conflicts with recreational use. Efforts to control invasive species, including implementation of the statewide invasive species management plan, when approved, maintenance activities at the Bandon SPMA, and restoration activities at up to six other SPMA would likely allow native dune stabilizing species to re-colonize the study area. As such, Alternative 3 is expected to provide more benefit to special-status plant species over the next 25 years than Alternative 1.

Chapter 4 References

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4.2 Personal Communications

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