

# Section 5. Conservation Plan

## 5.1. Management Strategy

### 5.1.1. Introduction

The OPRD has prepared a set of guiding principles to assist in determining the extent of its participation in the conservation and recovery of the snowy plover. From these principles, OPRD (working with other State and Federal agencies) identified a conservation strategy and principles that will ensure that habitat for snowy plover is provided along the Oregon coast, not just in the southern portion of the state.

Using the 19 Oregon recovery areas identified in the Draft Recovery Plan as a guide, State and Federal biologists and an appointed Steering Committee identified 17 management areas determined to be the best existing and potential snowy plover habitat. Six of these management areas are either owned or leased by OPRD and are identified as SPMAs. Eleven of these management areas are identified as RMAs and are owned by other landowners where OPRD only has authority to restrict recreation activities on the Ocean Shore. These management areas constitute approximately 48 miles of the 230 miles of sandy Ocean Shore. Snowy plovers that inhabit beach areas outside of these 48 miles will receive limited protection, i.e., only known active nest sites will be protected.

Based on this conservation strategy, the focus of OPRD's management actions will be on up to six SPMAs that OPRD either owns or leases, and where snowy plovers currently nest or are most likely to successfully nest in the future. OPRD's snowy plover conservation strategy is designed to implement the Draft Recovery Plan on their lands and complement snowy plover conservation efforts on other ownerships. In addition, OPRD restrictions on recreational activities will be applied to as many as six SPMAs, and 11 RMAs. Occupied RMAs will have restrictions automatically applied while unoccupied RMAs will have restrictions applied only upon request of the landowner in coordination with the USFWS.

### 5.1.2. Guiding Principles

The OPRD guiding principles, herein set forth in this HCP and included below, will:

- Assist with and contribute to conservation and protection of the Pacific coast population of the snowy plover in Oregon;
- Manage for conservation and recovery of snowy plover and their habitat in a manner that balances this effort with human use of the Ocean Shore;
- Identify areas along the Oregon Ocean Shore where public use will be managed to reduce the likelihood of impacts to snowy plovers;
- Protect and restore habitat in critical locations at OPRD SPMA's;
- Work with the other resource agencies to manage for predators so as to minimize impacts on snowy plover breeding success and improve the survival of the snowy plover in occupied SPMA's and RMA's;
- Work to increase public support and understanding of snowy plover and habitat needs, in cooperation with partners;
- Work with other resource management agencies on habitat restoration, predator management, snowy plover population monitoring, snowy plover research, and public outreach, where appropriate to achieve cost efficiencies;
- Develop strategies that complement the habitat needs of other ocean shore wildlife (e.g., shorebirds, marine mammals, seabirds) in addition to snowy plover;
- Use future research as one of the criteria for guiding adaptive management principles to help in management of the snowy plover; and
- Seek assurances from USFWS about future human use of the Oregon's beaches by completing an HCP and submitting an ITP application. Following issuance of the ITP, OPRD will comply with the permit conditions, including implementation of the HCP.

Using these guiding principles as a basis for the development of the HCP, OPRD prepared a set of conservation goals and principles for snowy plover management along Oregon's coast.

### 5.1.3. Conservation Approach

Historically snowy plovers nested at 21 or more separate sites along the Oregon Coast. Today, only six sites (represented by one SPMA and five RMA's) are occupied by snowy plovers for breeding and wintering. Snowy plover habitat is subject to frequent and unpredictable natural changes due to coastal formation processes that include the occurrence and lack of major storm events that change its suitability. Relatively large SPMA's/RMA's increase the opportunity for averaging

effects of these types of events on snowy plover distribution and productivity, and will facilitate a meaningful evaluation of the effects of the HCP on the species' conservation and recovery. Sufficient breeding and wintering sites along the Oregon south, central, and north coast are needed to ensure sufficient habitat is available should a demographic disturbance occur. Sites along the north coast have the potential to play a particularly important role in snowy plover recovery because this area is closest to historically occupied sites to the north in Washington, and would provide a protected nesting area between sites in southern Oregon and Washington. This habitat should be of sufficient quantity and quality to allow breeding, foraging, brood rearing, and roosting activities. The north coast sites will provide habitat to accommodate breeding and wintering snowy plover as their numbers increase and in the event of a demographic disturbance that destroys existing habitat on the southern and central coast.

### *Conservation Criteria*

Based upon the above strategy, OPRD, along with other State and Federal agencies, developed the following criteria for identifying potential SPMA/RMA:

- Areas should provide breeding and wintering habitat for multiple pairs of snowy plovers within SPMA/RMA;
- Establish large, wide SPMA/RMA, rather than linear areas;
- Areas should be scattered geographically to provide for a well-distributed snowy plover population, yet close enough so as to facilitate snowy plover dispersal between occupied and unoccupied areas;
- Areas should provide all necessary habitat components (courtship, nesting, roosting, foraging and brood rearing);
- Areas should be managed for quality habitat in sufficient amounts to minimize impacts of tides, weather, predators, and human use of the ocean shore;
- Areas should be established in locations that will provide ongoing and future management certainty. For example, Federal and State-owned land are more likely to conserve resources in perpetuity than privately owned land;
- The approach should be flexible so it can be adaptively managed as new information becomes available; and
- OPRD should seek State and local community support.

Based on these conservation criteria, 17 separate areas along Oregon's coast were identified for snowy plover management with the HCP focusing on six OPRD owned or leased SPMA.

### 5.1.4. Snowy Plover Management Areas

As mentioned previously, seventeen snowy plover management areas, owned by a variety of landowners, located along Oregon’s coast have been identified as areas where snowy plover management will be “emphasized” for conservation of the snowy plover (see figure 1.1). Six of these areas are owned or leased by OPRD and the remaining 11 areas are owned by other landowners. These areas are located from the Columbia River South Jetty in Clatsop County to Pistol River south of Gold Beach in Curry County, and range in size from approximately 0.62 mile to 11.78 miles long. Six of these areas are currently occupied by snowy plover during the breeding season (table 5.1). Most, if not all, of these areas have been used by snowy plovers in the past—during both the breeding season and winter.

Of the six areas owned or leased by OPRD (18.39 miles), four of these SPMA’s will be the primary focus for OPRD snowy plover conservation activities (refer to Figures 2.3 through 2.8) for this HCP. These include Columbia River South Jetty, Necanicum Spit, Nehalem Spit, and Bandon (table 5.1). The remaining eleven RMAs are areas where OPRD will implement recreational use restrictions on the Ocean Shore. Management of RMAs will be undertaken by the landowner.

**Table 5-1. Oregon Snowy Plover Management Areas**

Recovery Unit*	Snowy Plover Management Areas	Land Ownership and Management Designation	Miles	County
OR-1	Columbia River South Jetty	Army Corps of Engineers (Corps); leased by OPRD - SPMA	0.62	Clatsop
OR-1	Necanicum Spit	OPRD - SPMA	1.00	Clatsop
OR-2	Nehalem Spit	OPRD - SPMA	2.11	Tillamook
OR-3	Bayocean Spit	Corps - RMA	1.73	Tillamook
OR-4	Netarts Spit	OPRD - SPMA	2.01	Tillamook
OR-5	South Sand Lake Spit	Private - RMA	1.44	Tillamook
OR-8	Sutton/Baker Beach**	Forest Service (USFS) - RMA	4.00	Lane
OR-9	Siltcoos Estuary/ Dunes Overlook/ Tahkenitch Estuary	USFS - RMA	6.87	Lane
OR-10	Tahkenitch South	USFS - RMA	2.00	Douglas
OR - 11	Umpqua River North Jetty	USFS, Division of State Lands - RMA	3.00	Douglas
OR-12	Tenmile Estuary	USFS - RMA	4.20	Coos
OR-13	Coos Bay North Spit	Bureau of Land Management (USBLM), Corps - RMA	3.37	Coos
OR-15	Bandon	OPRD - SPMA	1.50	Coos
OR-15	New River	Coos County/ Curry County/Private - RMA	10.28	Coos

Recovery Unit*	Snowy Plover Management Areas	Land Ownership and Management Designation	Miles	County
OR-16	Euchre River	Private - RMA	1.13	Curry
OR-17	Pistol River	OPRD - SPMA	0.87	Curry
OR-18	Elk River	Private - RMA	2.27	Curry
<b>TOTAL</b>			48.40	

\* Recovery Unit identified in the USFWS Draft Recovery Plan; duplicate Recovery Unit numbers indicate more than one Snowy Plover Management Area is located in one Recovery Unit.

\*\***Bolded** Snowy Plover Management Areas indicate that the site was occupied by snowy plover in 2006.

The goal for all landowners that have SPMA/RMAs is to restore sufficient habitat for snowy plover nesting and brood rearing to occur, reduce the amount of predators present, and keep human disturbance to a minimum. While human use can continue in these areas, the type of use that can occur will be restricted through implementation of management plans, developed when OPRD and other landowners begin managing SPMA/RMAs for snowy plover occupancy, to reduce the potential disturbance to the snowy plover.

The six SPMA/RMAs under OPRD's ownership or lease responsibility that form the basis of the conservation plan are described below. Descriptions of the remaining 11 RMAs are provided in Appendix F.

### *Columbia River South Jetty – Unoccupied (Clatsop County)*

The SPMA encompasses 0.62 miles of beach along the Columbia River within the park and is located north of the south jetty of the Columbia River. This SPMA is a river beach rather than an ocean beach. It is owned by the Corps but is under lease to OPRD until 2023 as part of Fort Stevens State Park, at which time OPRD will renew the lease or purchase the land. Under the lease related Site Management Plan OPRD develops with the Corps, OPRD can impose HCP restrictions. OPRD has the responsibility for management of the natural resources, facilities and visitors within the lease area, except for any special projects undertaken by the Corps. Snowy plovers have not been observed here since 1983. The beach is relatively flat and wide, although narrow in some places (approximately 30 feet), with a relatively low foredune. The foredune height increases the closer you get to the jetty. Inland, the beach is overgrown with shore pine, European beachgrass, and some alder.

This SPMA has the potential for playing a particularly important role in snowy plover recovery because this area is closest to historically occupied sites to the north in Washington, and would provide a protected nesting area between those in southern Oregon and Washington. This SPMA is one of three northern sites considered important because it is so far north relative to where snowy plovers are currently nesting in Oregon.

This SPMA has potential for restoration of snowy plover habitat—by grading the vegetation to make the open sand area wider and flatter. A row of trees may be left to provide a visual barrier from the lookout tower at the south jetty. Some sections of the beach collect a lot of driftwood, which may require removal. With moderate effort towards restoration and recreation management, this SPMA could easily accommodate 2 or more pairs of breeding snowy plovers.

The proposed SPMA is a very small portion of the 4,500-acre Fort Stevens State Park. The park has 174 full hookup sites, 303 electrical sites, 19 tent sites, 15 yurts, hiker/biker sites, a day use area with beach access, 9 miles of bike trails, 5 miles of hiking trails a coastal wildlife-viewing platform, large historic fort site and large administrative area. OPRD has full time staff at Fort Stevens State Park.

There are two parking lots near this SPMA. From both lots, the public can access the river shore. The Oregon Department of State Lands governs the wet sand up to the mean high water mark as part of the Columbia River Estuary and currently has no restrictions on river shore driving in this area. There is an access point from the park road that provides for unofficial vehicular access to the river shore. OPRD manages the upland portion of the park and prohibits driving on the dry sand within this park so this access point will be closed, at least during the nesting season. As a result of the ability to control access, the same recreational restrictions that are applied to the Ocean Shore wet sand will be in place for the river shore wet sand.

### *Necanicum Spit– Unoccupied (Clatsop County)*

This SPMA is owned by OPRD and is a portion of its Gearhart Ocean State Recreation Area. The SPMA encompasses 0.74 miles along the Ocean Shore. Snowy plovers have nested here as recently as 2002. While the nest hatched, the brood failed shortly thereafter. In 2000, a nest hatched and at least one chick fledged. Habitat for this SPMA is good because much of it is flat and open, especially near the river mouth. There is some driftwood. A local birder regularly monitors this area.

While recreation use here is primarily limited to local residents, there is heavy use in the vicinity, which attracts predators. This is a popular dog-walking beach. Also, during the 4th of July, local residents gather on the beach to let off fireworks, which is prohibited under State rules. Although OPRD owns the SPMA, it has not “developed” the property, and therefore does not have full time staff stationed there. The beach is closed to vehicle driving. Habitat restoration is not likely to be needed here, but additional docent outreach and supervision will be essential in helping to keep dogs on-leash and driving off this section of the beach.

### *Nehalem Spit – Unoccupied (Tillamook County)*

OPRD owns and manages this SPMA as part of Nehalem Bay State Park. The SPMA encompasses 2.11 miles of the Ocean Shore. The beach is very linear with

steep foredunes (20+ feet). Extensive habitat restoration work would be needed for this site, at the far south end of the spit. The area of the spit with restoration potential is miles from the northern boundary of the proposed SPMA. At the end of the spit, large amounts of driftwood accumulate, and would need to be removed annually, as necessary. The jetty at the end of Nehalem Spit is owned by the Corps. Snowy plover have not been observed at this site since the winter of 1983 (one snowy plover observed) and the summer of 1984.

Nehalem Bay State Park includes a campground with 276 sites, 16 yurts, and 17 horse campsites (maximum capacity of 68 horses), and a day use area with beach access. This SPMA includes a very popular horse-use beach and inland horse trails on the spit. A horse concession operates between May and September. OPRD has staff stationed full time at Nehalem Bay State Park. Equestrian access to the wet sand will be directed away from the spit end but will allow access to the wet sand portion of most of the spit. The beach is closed to vehicle driving.

### *Netarts Spit – Unoccupied (Tillamook County)*

OPRD owns and manages this SPMA as part of Cape Lookout State Park. The SPMA encompasses 2.01 miles of the Ocean Shore. From the Cape Lookout State Park campground to almost the end of the spit, the foredune is very high, very stable, and covered with Shore pines (*Pinus contorta*), Scotch Broom (*Cytisus scoparius*), and E. beachgrass. At high tide the beach is very narrow in places. At the end of the spit the dunes are much lower and covered primarily with E. beachgrass at the spit. There is a broad expanse of open beach during low tide and driftwood would likely need to be removed annually, as necessary. There is a large area that could easily be restored (dozed). A subsurface sewage disposal system is located on the spit, north of the campground. This beach is highly erodible. Portions of the beach further south from the spit are rocky (cobbles).

Snowy plover have not been observed at this site since 1982, when three birds were observed during the breeding season. The SPMA, which begins several miles from the campground at Cape Lookout State Park, is relatively isolated. Not many people travel the entire length of the spit, however, this area is popular for fishing and crabbing in Netarts Bay. The beach is closed to vehicle driving.

Cape Lookout State Park has 38 full hookup sites, 173 tents sites, 13 yurts, 3 log cabins, 4 group tent camping areas, a hiker/biker camp, and meeting hall. There is also a day-use parking area with beach access in this portion of the park. OPRD has full time staff stationed at Cape Lookout State Park.

### *Bandon – Occupied (Coos County)*

OPRD owns the Bandon SPMA. The rest of the area has sections that are owned by Coos County, Curry County, the USBLM, and by private owners. Only the Bandon SNA portion is addressed here. The Bandon SPMA is 1.5 miles.

OPRD has restored approximately 50 acres of habitat at Bandon SNA near the mouth of Two Mile River. Snowy plover have nested at this SPMA as late as 2004. There were 17 nests producing 15 fledglings on the Bandon portion of the SPMA in 2004. Since 1991, 33 chicks have fledged from Bandon. The significant increase in the number of nests is due in part to the habitat restoration work accomplished by OPRD. OPRD intends to maintain this habitat area under the HCP. Bandon is also a popular wintering area for snowy plover.

Predator management activities (lethal control) have been occurring at Bandon and New River since 2002. Park rangers from Bullards Beach State Park provide periodic maintenance. Recreation at this SPMA is moderate due to the distance from the beach access site. Driving (street vehicles) on the beach is currently allowed on only a small portion of the beach in front of Bandon SNA. Although vehicular access to the beach is blocked, OPRD's Ocean Shore Management Plan recommends that this section of beach open to driving be closed year-round. There is a serious problem with illegal ATV use, especially near Lower Four Mile at the park's southern boundary. Seasonal dry sand beach restrictions, including no driving, have occurred at Bandon SNA since 1997. The site is popular for dog walkers, beach walkers, and surf fisherman. Some use occurs at night.

### *Pistol River – Unoccupied (Curry County)*

OPRD owns and manages this SPMA as part of Pistol River State Park, which encompasses approximately 0.87 miles of Ocean Shore. The SPMA is closed to vehicle driving. There are no developed facilities at this park, other than a day-use parking lot that holds approximately 50 vehicles, when blowing sand has not covered portions of the lot. The river mouth meanders, and has moved to the north. The river could change directions and eliminate much of the current habitat at this site. This site is currently unoccupied. The last observance of a snowy plover was in November 1978. The habitat at this SPMA is not very good. There is little wrack line. Some driftwood accumulates. Corvid activity in the area is high.

Locals are the primary users of this SPMA, with the primary uses being horseback riding and walking. There is a commercial horseback riding operation conducted by Hawk's Rest Ranch, under an OPRD miscellaneous use permit, taking riders to the park. North of the SPMA, the area is a popular windsurfing site. This site may need corvid management and a designated equestrian route to the wet sand to support populations of snowy plover in the future.

### 5.1.5. Management Approach

OPRD's HCP conservation strategy will focus on (1) implementing restrictions on recreational activities that could occur in occupied and managed unoccupied OPRD SPMA's, (2) implementing restrictions, via a permit or State Rule, on recreational activities that could occur in occupied and managed unoccupied RMAs owned by other landowners, and (3) conducting snowy plover management activities on up to six SPMA's for which it has management responsibility, i.e., own entirely or lease.

### 5.1.6. Snowy Plover Management Areas: Occupied vs. Unoccupied

Management actions to be conducted by the OPRD will differ in some respects depending upon whether the SPMA/RMA is occupied or unoccupied, and whether or not the dry sand is owned or leased by OPRD, and under OPRD's management control.

#### *Occupied Snowy Plover Management Areas*

An "occupied" SPMA/RMA is an area where there has been at least one nest or nesting attempt in the previous two years. That 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.

On OPRD owned or leased lands, once the SPMA is determined to be unoccupied, it will be managed as an "actively managed" unoccupied SPMA.

- Two consecutive nesting seasons refers to nesting between March 15 and September 15 in any two consecutive years.

For example:

- Nesting activity occurred in 2002
- Mar 15, 2003 through Sep 15, 2003 – no nesting or nesting activity occurs
- Mar 15, 2004 through Sep 15, 2004 – no nesting or nesting activity occurs
- September 16, 2004 – management area is considered unoccupied.

A previously identified unoccupied SPMA/RMA will be considered occupied if at least two snowy plovers are present and/or nest scrapes are discovered. The area will then be managed as occupied until July 15th. If a nest is discovered, then the SPMA/RMA will continue to be managed as an occupied area and will be recognized the next year as occupied.

### *Unoccupied Snowy Plover Management Areas*

An “unoccupied” SPMA/RMA is an area that has suitable or potentially suitable habitat and other characteristics that may be attractive to snowy plovers for nesting. Unoccupied SPMAs are specific areas that have been identified in this HCP to be managed to attract snowy plovers for nesting. To verify that a SPMA is unoccupied, surveys will be conducted. If no nests are discovered by July 15th, then the SPMA will be managed as unoccupied for that given year.

### *Nests Outside of Snowy Plover Management Areas*

If a snowy plover should nest outside occupied or unoccupied SPMAs/RMAs, OPRD will work with the USFWS and the landowner to monitor the nest, install exclosures around the nest, and provide a buffer of 50 meters radius around the nest to reduce the potential for human disturbance. The buffer will consist of ropes affixed to light poles in the dry sand area only (wet sand areas will not be roped off). Signs will be located at intervals around the buffer informing the public of the restriction. No other active management will occur in these areas, including no protection of broods (chicks). Many of these areas receive high recreation use and the probability of snowy plover nesting outside of SPMAs/RMAs is quite low.

## **5.1.7. Minimization and Mitigation Measures**

In order to obtain an ITP, OPRD must develop a conservation strategy that avoids, minimizes, or mitigates impacts to snowy plovers resulting from activities it manages on the covered lands. Approximately 48 miles of Ocean Shore have been identified as SPMAs/RMAs for concerted conservation efforts on Ocean Shore lands owned by private landowners and city, county, State and Federal governments. These areas include both occupied and unoccupied sites, and constitute the maximum number of miles where seasonal beach restrictions would occur if snowy plover were occupying all 17 of the SPMAs/RMAs at a given time. [Note: although OPRD only has snowy plover conservation management control for the six SPMAs it owns or leases, it also has management control over all recreation activities that occur along the entire Ocean Shore.]

Minimization measures will restrict some, but not all, of the covered activities that may occur at a given location. The restricted activities are the ones most likely to have an effect on snowy plovers should they occur in or near nests or individuals. Covered activities that occur away from existing occupied SPMAs/RMAs, and future SPMAs/RMAs that may become occupied, are not likely to result in impacts to snowy plovers. However, covered activities that occur elsewhere along the remaining 182 miles of Ocean Shore may inadvertently result in harm to snowy plovers when they are in the area of the activity. This part of the conservation strategy is expected to mitigate for recreational activities that may inadvertently affect snowy plovers somewhere along the 182 miles of Ocean Shore not specifically

identified as SPMAs/RMAs. The only exception to this is when a snowy plover nests outside of one of these areas that may be discovered during the annual population monitoring surveys. For these nests, an enclosure and 50-meter buffer will be put around the nest to protect the nest from predators and human disturbance.

Conservation and protection measures for snowy plovers are currently being implemented at specific locations along the Oregon coast (refer to Section 4.3.4). These measures include yearly monitoring; predator management including use of enclosures; implementing seasonal dry sand beach restrictions; conducting habitat restoration; and conducting law enforcement activities. These measures have helped to increase snowy plover populations in Oregon. Under the HCP, OPRD will commit to continuing these snowy plover conservation and protections measures and/or expand them, as described below, for the entire term of the ITP.

### *Public Use/Recreation Management*

OPRD has management responsibility for recreational activities that occur along all of Oregon's Ocean Shore. It manages recreation on the State park units, as well as all areas of the sandy ocean shore where snowy plovers could occur. The majority of recreational activities are allowed to occur on the Ocean Shore without restrictions. However, a number of activities are currently restricted either seasonally or year-round on the OPRD-owned nesting area at Bandon SNA, as well as five other occupied areas owned by other landowners (described below). These restrictions are intended to protect snowy plover nesting, other natural resource components of the Ocean Shore, and quality beach experiences for the public.

None of the activities described below will be allowed in the dry sand portions of any occupied SPMA/RMA. Some types of activities will be restricted from occurring in the wet sand portion of the beach, as well, in occupied SPMAs/RMAs and managed unoccupied SPMAs/RMAs. To minimize the impacts of recreational activities on snowy plovers, OPRD will restrict certain recreation activities on managed SPMAs/RMAs for the permit term as described below.

**Camping** – As described in Section 3, 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 Neahkahnie Mountain, and from the Necanicum River to the Columbia River. Beach camping will not be allowed in any occupied, SPMA/RMA during the breeding season.

**Dog Exercising** - Dogs are required to be on-leash year round at all beaches adjacent to State Parks, and either on-leash or under voice command within the communities of Seaside, Rockaway, and Cannon Beach. Under the HCP, dogs will be required to

be on-leash at all unoccupied SPMAs/RMAs being actively managed for snowy plover occupancy under a plan developed in coordination with the USFWS. Once a SPMA or RMA is occupied, dogs will be prohibited during the nesting season.

**Pedestrian Traffic** - At existing nesting sites, walkers are restricted to the wet sand during the nesting season. Under the HCP, walkers will be restricted to the wet sand on beaches at occupied SPMAs/RMAs, and from areas where nest enclosures have been erected outside of SPMAs/RMAs, as necessary. Walkers will not be restricted at managed SPMAs/RMAs that are not occupied

**Picnicking** - Under the HCP, restrictions would be the same as under the Pedestrian Traffic section. However, since picnicking is not likely to occur in the wet sand it is unlikely that it will continue to occur on beaches within occupied SPMAs/RMAs.

**Near Shore Activities/Surf Sports** - Currently these activities are restricted to the wet sand at occupied nesting sites. Under the HCP, these activities will be restricted to the wet sand in occupied SPMAs/RMAs. In addition, those activities that move along the land such as kite buggies and land sailing, pose similar impacts as motorized driving on the beach and will have the same restrictions as those described in the Driving section below.

**Driving** - Beach driving includes all-terrain vehicles/off-highway vehicles (ATV/OHV), ordinary motor vehicles, and non-motorized vehicles. 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 Recreation Area. None of these areas is adjacent to any of the SPMAs/RMAs, or where snowy plovers are known to occur. All other beach segments are off limits to ATV/OHV use without a drive-on beach permit.

The Ocean Shore is generally open to “street legal” motor vehicle access, unless otherwise posted. Beaches closed to driving may only be accessed with a vehicle permit issued by OPRD, or in the event of an emergency. Approval of drive-on beach permits and vehicle permits is conditioned on demonstration that such activities would avoid effects on snowy plover.

Driving is currently prohibited on all occupied nesting areas during the breeding season and is prohibited year-round south of Two Mile Creek near Bandon SNA, as well as other areas as directed under OAR, e.g., Sutton Beach, Siltcoos south to south of Tahkenitch, the Tenmile area, Nehalem, etc. Driving is allowed on the beach at Bandon SNA north of Two Mile Creek but there is no physical access to the beach for driving at this location.

Under the HCP, driving, including non-motorized vehicle use, will be restricted from all SPMAs/RMAs during the breeding season whether occupied or not.

**Horseback Riding** - Horseback riding is prohibited by State Rule on beaches within the city limits of Rockaway and seasonally at certain locations along the Ocean Shore. Horse concessions operate at Nehalem Bay State Park, Pistol River State Park, and Baker/Sutton Beach. Under the HCP, horses will be restricted to the wet sand during the nesting season at occupied SPMA/RMA. Horses will not be restricted in unoccupied SPMA/RMA.

**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 25-feet of a seawall constructed of wood or other combustible material. OPRD also has the authority to restrict or prohibit such fires during high fire hazard conditions.

Beach fires are currently restricted at Bandon SNA nesting area and at other occupied nesting areas during the snowy plover breeding season. Beach fires will continue to be restricted from the dry sand at occupied SPMA/RMA during the nesting season. Since beach fires are not feasible on the wet sand portion of the beach, it is unlikely that they will occur at these beaches during the nesting season. Beach fires will not be restricted at unoccupied SPMA/RMA.

**Beachcombing** - Restrictions on beachcombing will be the same as stated in the Pedestrian Traffic and Driving sections.

**Driftwood Collection/Removal** - Restrictions for driftwood collection will be the same as stated in the Pedestrian Traffic and Driving sections.

**Kite Flying** - Kite flying is currently unrestricted. Under the HCP, kite flying would be prohibited during the nesting season at occupied SPMA/RMA.

**Adequacy of Recreational Use Restrictions at Unoccupied SPMA** - Recreational use restrictions at unoccupied SPMA are limited to prohibitions on the use of vehicles and a requirement that dogs be on-leash during the breeding season. Discussions between OPRD and the snowy plover working group revealed that lack of adequate habitat is considered to be the limiting factor at the Columbia River South Jetty and Nehalem SPMA, and that predator management and enforcement of current recreational use restrictions are the limiting factors at the Necanicum SPMA. It was also noted if vehicle use and keeping dogs on-leash were controlled adequately, then snowy plovers would likely occupy the new sites. Thus, OPRD believes that placing restrictions on other recreational activities is unnecessary. The site management plans that OPRD develops in coordination with USFWS will specifically provide for habitat restoration, predator management, and enforcement, as appropriate for each SPMA to facilitate snowy plover occupancy.

**Mechanism for Implementing Recreational Use Restrictions on Lands Owned by Other Landowners** - Because of the Beach Rule, landowners who desire to restrict recreational use on the beach portion of their ownership to protect the snowy plover

cannot do so without a permit from OPRD. The Beach Rule gave OPRD the authority to issue temporary “Recreational Use Restriction Permits” to restrict recreational activities on the Ocean Shore, including recreational activities that may occur on RMAs owned and/or managed by other government agencies or private landowners. Federal landowners are obligated to consult with the USFWS when Federal activities may affect snowy plover use on Federal lands adjacent to occupied RMAs, and are required to minimize take of snowy plovers. Federal agencies have restricted public access to snowy plover nesting areas in an effort to minimize potential take. However, they do not have the authority to implement such restrictions and, therefore, must request a recreational use restriction permit from OPRD. Private landowners could also apply for a Recreational Use Restriction Permit, contingent upon any separate, ongoing negotiations they may have with the USFWS with respect to impacts on snowy plover and/or its habitat.

Under the HCP, OPRD will continue to consider applications (requests) for temporarily limiting recreation use, and issue such permits for *unoccupied* RMAs until changes can be made to State Rules to allow the restrictions without a temporary permit. However, OPRD will require recreational use restrictions to be applied to *occupied* RMAs through a State Rule to reduce the potential for effects on snowy plovers. Permit issuance decisions would be made in collaboration with USFWS and ODFW based on the results of annual snowy plover surveys and occupancy data.

It is assumed that landowners with nesting populations of snowy plover on their lands would continue to request the recreational restriction permit on an annual or biennial basis, as they have been doing since at least 1990. OPRD has historically considered and approved permit applications submitted by Federal landowners to limit recreational use of the Ocean Shore at Baker/Sutton Beach, Siltcoos Estuary/Dunes Overlook/Tahkenitch Estuary, Tenmile Estuary, Coos Bay North Spit, and New River. Under the HCP, OPRD will proactively issue these permits to Federal landowners with occupied RMAs, whether requested or not, contingent on implementation of acceptable conservation actions. OPRD will also approve recreational restriction permits requested by Federal, County, and private landowners for unoccupied RMAs after coordinating with the USFWS.

In addition, OPRD will seek to modify the State Rule after receipt of an ITP from the USFWS to allow landowners, who meet certain terms and conditions, to implement and enforce seasonal recreational use restrictions on an annual basis, without having to reapply for a recreational use restriction permit each year. To comply with the State Rule, each eligible landowner would need to provide OPRD with documentation describing the following:

- the type of management activities they will implement (e.g., installing fences and signs, enforcing access restrictions, and conducting public outreach and education);
- the locations where such activities will take place; and
- the mechanism by which the proposed management actions have been reviewed and approved by the USFWS (e.g., an ESA Section 7 BO or an approved ESA Section 10 HCP).

If the State Rule cannot be amended, OPRD will continue to consider issuance of annual permits, upon request, to seasonally restrict recreation, as described above, for RMAs managed by other landowners.

OPRD will also continue to provide three full time beach rangers to enforce beach restrictions, as well as additional senior State trooper support where needed. OPRD will also work with landowners to provide supervision and enforcement at these RMAs, and to provide avenues for their enforcement authority.

The minimization and mitigation measures for RMAs described above are summarized in table 5.2

**Table 5-2. Public Use/Recreational Management Minimization and Mitigation Measures**

<b>Occupied Recreation Management Areas</b>
<p>For all occupied RMAs, the following restrictions will be imposed during the nesting season:</p> <ul style="list-style-type: none"> <li>▪ Dry sand recreation restrictions will be in place;</li> <li>▪ Vehicles will be prohibited on the dry and wet sand (except in limited circumstances, and under permit from OPRD);</li> <li>▪ Dogs will be prohibited;</li> <li>▪ Kite flying will be prohibited (kite flying does not include kite boarding);</li> <li>▪ No beach camping or beach fires will be allowed,</li> <li>▪ Picnicking will not occur due to a loss of access to the dry sand; and</li> <li>▪ OPRD will provide 3 full time beach rangers and additional support, as needed, to support enforcement.</li> </ul>
<b>Managed Unoccupied Recreation Management Areas</b>
<p>For unoccupied RMAs being actively managed for snowy plover occupancy: the following seasonal (breeding) use restrictions will be imposed, upon request, after OPRD coordination with USFWS:</p> <ul style="list-style-type: none"> <li>▪ Dogs will be required to be on-leash;</li> <li>▪ Vehicles will be prohibited on the dry and wet sand (except in limited circumstances, and under permit from OPRD); and</li> <li>▪ OPRD will provide 3 full time beach rangers and additional support, as needed, to support enforcement.</li> </ul>

### *Beach Management*

All beach management activities, including marine mammal strandings and removals, public safety, external and internal law enforcement, and response to boat strandings, are conducted in a manner that attempts to avoid take of snowy plover. OPRD will

consult with USFWS regarding any of these activities that will occur in an occupied or unoccupied SPMA prior to conducting the activity, unless there is an emergency situation. Emergency situations are addressed in Chapter 7 of this HCP.

### *Natural Resource Management*

OPRD will conduct a number of natural resource related activities on the Ocean Shore related to snowy plover management in SPMA's. Management activities addressing snowy plovers involves predator management; installing, maintaining, and removing symbolic fencing; managing volunteers who conduct public outreach and education to beach users; habitat restoration and maintenance work; and monitoring activities. These activities are described below.

**Predator Management** - OPRD will contract with the USDA, APHIS, Wildlife Services or other comparable provider, to perform a variety of snowy plover predator management activities depending on the location; i.e., occupied or managed unoccupied SPMA's. Activities typically begin in February or March and continue into August. Methods used to manage predators may be both lethal and non-lethal for occupied SPMA's, and non-lethal only for unoccupied SPMA's. Predator management may entail hazing of corvids, trapping and shooting corvids or mammals, and installing nest exclosures and/or fencing. OPRD staff will assist the Wildlife Service contractor, as needed.

**Symbolic Fencing** - OPRD field staff will install symbolic fencing (ropes and signs) around nesting areas at the start of the snowy plover nesting season at OPRD-owned nesting areas, and will provide signs for all SPMA's/RMA's, regardless of ownership. Fencing will be installed in the dry sand area around the nest but will not extend onto any wet sand areas. The symbolic fencing will be checked regularly, and maintained as needed. The fencing will be removed after September 15 unless there are no broods present within the nesting area, in which case the symbolic fencing may be removed earlier. This activity will reduce the potential for take from recreational activities such as horseback riding, pedestrian traffic, and other human activities conducted on foot.

**Public Outreach and Education** - OPRD will recruit and train volunteers to serve as docents for public outreach and education efforts on the Ocean Shore for SPMA's. These individuals will be stationed at appropriate beach accesses for at least 20 hours per week, including weekends from May through August. They will be available to advise beach users about any beach restrictions, and to answer questions regarding snowy plovers. Occasionally these individuals will also help clean up the beach by removing litter. Informing and educating the public is an important preventive measure in protecting breeding snowy plovers.

**Habitat Restoration and Maintenance** - Habitat restoration work has been successful in reclaiming snowy plover habitat in Oregon. Restoration efforts have

historically included removal of European beachgrass by hand pulling, burning, scarification, spraying with seawater, and removal with a front-end loader; herbicide application; and planting with native vegetation. At some sites, European beachgrass has been bulldozed and the foredune lowered, allowing overwash areas to be created during winter storm events.

Approximately 50 acres of snowy plover habitat in Bandon SNA have been restored by OPRD near the mouth of Two Mile Creek. This restoration effort, begun in the fall of 2002, resulted in the area being used by snowy plover for nesting during the 2003-2006 nesting seasons.

Future restoration of up to 40 acres will be conducted by OPRD at the Columbia River South Jetty SPMA and the Nehalem Spit SPMA, and, if needed, at the Netarts Spit SPMA. The restoration efforts at Nehalem Spit SPMA, and potentially Netarts Spit SPMA, will be conducted within two years of completing the site management plans. However, habitat restoration will be conducted within five years of completing the site management plan for the Columbia River South Jetty SPMA to accommodate the schedule of ongoing restoration efforts being conducted by the Corps (the lessor), in coordination with OPRD. Removal of European beach grass will be the focus of these restoration efforts, all of which will be completed by a contractor outside of the snowy plover nesting season (primarily from October through December). Effective control of European beachgrass will require ongoing maintenance efforts at each of the SPMAs, and OPRD is committed to maintaining SPMAs for which it has management responsibility so that European beachgrass does not become re-established.

**Monitoring Activities** - OPRD staff will conduct monitoring activities along the Ocean Shore for SPMAs to evaluate the habitat for snowy plovers, monitor numbers (winter and breeding window surveys), and compliance monitoring of HCP provisions. Breeding population monitoring will be conducted by the Oregon Natural Heritage Information Center, in cooperation with several State and Federal agencies. Monitoring activities will be designed to collect information on snowy plover population, habitat changes, and habitat use. This information will be used to determine the effectiveness of the snowy plover conservation management activities and to make adaptive management decisions.

The activities described above are summarized in tables 5.3 and 5.4.

**Table 5-3. Natural Resource Management Minimization and Mitigation Measures Specific to OPRD Occupied and Unoccupied Snowy Plover Management Areas**

<b>OPRD Occupied Snowy Plover Management Areas</b>
<ul style="list-style-type: none"> <li>▪ Install symbolic fencing (ropes and signs) around nesting areas.</li> <li>▪ Conduct predator management activities.</li> <li>▪ Conduct public outreach and education; provide interpretive programs at OPRD park units. Provide a docent, where appropriate, at each occupied SPMA.</li> <li>▪ Conduct breeding population monitoring at OPRD snowy plover monitoring areas (in cooperation with other land managers where feasible) during the nesting season.</li> <li>▪ Install "Snowy Plover Management Area" signs at all SPMAs.</li> <li>▪ Prepare site management plan for Bandon within 1 year of permit issuance.</li> <li>▪ Conduct habitat restoration and maintenance on SPMAs during the non-breeding season, as necessary.</li> <li>▪ Conduct monitoring to detect adverse effects resulting from recreation or permitting activities; assess the actual level of incidental take in comparison with the anticipated incidental take level documented in the HCP, detect when the level of take is expected to exceed permitting amount, and determine the effectiveness of the mitigation and minimization measures. Report findings to the USFWS annually.</li> <li>▪ Conduct habitat evaluation monitoring on an annual basis.</li> </ul>
<b>OPRD Unoccupied Snowy Plover Management Areas</b>
<ul style="list-style-type: none"> <li>▪ Install "Snowy Plover Management Area" signs at all SPMAs.</li> <li>▪ Prepare site management plans for the first three actively managed SPMAs within 2 years of ITP issuance.</li> <li>▪ Conduct public outreach and education; provide interpretive volunteers at selected SPMAs.</li> <li>▪ Conduct detect/non-detect surveys pursuant to site management plan and USFWS protocols.</li> <li>▪ Conduct habitat restoration and maintenance work, within 2 or 5 years of site management plan completion, depending on the SPMA, during the non-breeding season pursuant to the site management plan.</li> <li>▪ Conduct predator management activities, e.g., garbage removal, pursuant to site management plan.</li> <li>▪ Conduct habitat evaluation monitoring on an annual basis.</li> </ul>

**Table 5-4. Additional Natural Resource Management Minimization and Mitigation Measures Specific to Non-OPRD Snowy Plover Management Areas (RMAs)**

<b>Additional Minimization and Mitigation Measures</b>
<ul style="list-style-type: none"> <li>▪ Install "Snowy Plover Management Area" signs at all managed RMAs in cooperation with landowners.</li> <li>▪ Review and comment on the preparation of site management plans for RMAs, if requested.</li> <li>▪ If a snowy plover nest is discovered outside an identified RMA, OPRD will work with USFWS or ODFW to place an enclosure around the nest, and to establish a rope and sign buffer of 50 meters radius around the enclosure.</li> <li>▪ If any RMA is acquired by OPRD or for which a management agreement is entered into, then that RMA shall fall within the minimization and mitigation efforts described above for SPMAs.</li> </ul>

The minimization and mitigation measures described above will increase the prospect for survival and recovery of the snowy plover through development of additional habitat, management of predators, seasonal restrictions on beach use in nesting areas, some seasonal beach use restrictions in managed unoccupied areas, public outreach and education to inform the public the importance of sharing the beach with the snowy plover, and law enforcement efforts. OPRDs efforts will occur in conjunction

with, and complement, similar efforts being undertaken by the owners of other RMAs.

### 5.1.8. Goals and Actions of Snowy Plover Management Measures

#### *Habitat Restoration*

**Goals:** Increase the amount and quality of available habitat for nesting and wintering snowy plovers at OPRD-owned SPMAAs.

Historically, snowy plovers nested and/or wintered at over 21 sites along the Oregon coast. In Oregon, snowy plover nest primarily along the sandy beaches or spits. In many cases, those beaches were much wider than they are today, with little adjacent foredune. Much of the snowy plover's habitat has been lost due to the introduction and spread of European beachgrass. With the removal of this invasive species (and others), and the re-contouring of dune areas (including lowering of the foredune where necessary), snowy plovers may once again begin to use these areas for nesting and wintering activities.

Habitat restoration efforts have proven successful at restoring and maintaining snowy plover habitat at currently occupied SPMAAs/RMAAs. However, some level of habitat restoration and maintenance is needed at most of these areas.

It is anticipated that recreational use along with the other covered activities would occur during a short period of time, usually outside of wintering areas. In addition, the normal behavior of wintering plover is to flock and avoid disturbance. It is anticipated that the effects on wintering populations would be within the normal range of disturbance. Given these factors, disturbance is likely to be minimal and unlikely to result in take of wintering snowy plovers.

**Action:** This management action involves restoring coastal dune habitat through the removal of invasive species, e.g., European beachgrass and gorse, as well as lowering the foredune to allow storm wave overwash to occur. This work would be done in areas that would not impact existing structures or cultural resources.

The acreage and location of habitat restoration efforts will be specified in a site management plan to be developed by OPRD for each SPMA with a maximum of 40 acres at each SPMA (See Appendix A for a general outline of site management plans). Restoration work will begin within two years following the completion and approval by USFWS of each SPMA site management plan except for the Columbia River South Jetty SPMA owned by the Corps but leased by OPRD. For this SPMA, OPRD will work with the Corps and Clatsop County to obtain the necessary approval and consent to do restoration work according to the Corps schedule. Restoration

work will begin within five years following the completion and approval of the site management plan.

### *Predator Management*

**Goal:** Improve nesting success of snowy plover by reducing the predator base.

Predators are one of the primary causes for the loss of snowy plover adults, eggs, and chicks. Predator management efforts began in 1999 and have increased in intensity over the last few years. In 2001, an interagency Predator Management Plan was prepared for the snowy plover. From this plan, an annual action plan is prepared that addresses predator management activities for the upcoming breeding season at the occupied SPMA/RMAs.

Predator management activities include, but are not limited to, the following lethal and non-lethal control methods:

#### **Non-lethal Control**

- Support, increase or improve trash management;
- Purchase and installation of special trash receptacles that prevent animal access to trash;
- Relocation of live trapped animals (abandoned domestic animals, such as cats and dogs) to nearby animal shelters;
- Aversion methods that harass or deter predators such as electronic calls, vehicle harassment, repellants, effigies, electrified or non-electrified exclusionary nest site fencing and exclosures, and habitat removal;
- Prohibiting fish cleaning on the beach;
- Removal of beached marine mammals and seabirds;
- Public education;

#### **Lethal Control**

- Shooting;
- Euthanasia;
- Snares/Traps;
- Denning;
- Avicide;
- Egg Oiling;
- Snap Traps; and
- Rodenticide.

The effects on snowy plovers of all chemicals used by OPRD for lethal control of predators were analyzed by USFWS in a BO published in 2001 (USFWS 2001b). Future changes in chemical applications, and their potential effects on snowy plover, would be addressed by the Federal action agencies implementing that BO.

Predator management activities will vary at each site depending upon the type of predators present. The site management plans will address what predator species are present, the extent of the problem, and what efforts will be undertaken to address the problem. Corvids will be the most difficult predator to manage. At unoccupied SPMAs/RMAs, the primary predator management goal is the removal of garbage, which may attract predators to the site.

**Action:** Continue to participate in the development and implementation of annual predator management action plans. OPRD will provide financial assistance for predator management activities on OPRD SPMAs for which it has snowy plover management control, including full funding for garbage removal at OPRD unoccupied SPMAs, and implementation of the annual predator management action plans for all occupied OPRD SPMAs. In addition, OPRD will facilitate predator management efforts through a cooperative agreement with APHIS, Wildlife Services, or a similar organization, for all lethal control methods, and will continue to renew as necessary based on discussions with USFWS. Exclosures will continue to be used, where necessary and appropriate.

### *Monitoring and Reporting*

Monitoring is an important component of any program involving the recovery of a listed species or for habitat management purposes. Establishing a baseline before management actions begin, will serve as the starting point for knowing whether goals and objectives are being met. Two types of monitoring will occur: snowy plover population monitoring, and HCP compliance and effectiveness monitoring.

#### **Snowy Plover Breeding Population Monitoring**

**Goal:** Determine the nesting success of the breeding population of snowy plovers on occupied OPRD SPMAs.

Several State and Federal agencies participate in a joint effort to monitor the breeding population of the snowy plover. This monitoring occurs each year beginning around April 1 and continuing through September 15th. Each of the participating agencies, including OPRD, ODFW, USFWS, USBLM, and USFS, commit financial resources for monitoring activities conducted by the Oregon Natural Heritage Information Center.

**Action:** OPRD will continue to contribute to the joint funding of annual breeding population monitoring activities of the snowy plover for occupied OPRD SPMAs for the 25-year permit term. If the joint funding effort ceases for some reason, OPRD

will conduct its own breeding population surveys following accepted USFWS protocols.

Information from the breeding monitoring will be used to determine whether the snowy plover numbers are increasing or decreasing and the reasons for any increase or decrease along the Oregon coast. The information will help assess whether additional habitat restoration, predator management, law enforcement, and/or public outreach efforts are needed. OPRD will report annually to the USFWS the results of the breeding population surveys.

### **Snowy Plover Detect/Non-detect Monitoring**

**Goal:** Determine whether snowy plovers are dispersing to unoccupied SPMA's.

**Action:** OPRD will perform regularly scheduled USFWS-approved detect/non-detect monitoring at unoccupied OPRD SPMA's, pursuant to an established site management plan for the area. The frequency of the monitoring will be set forth in the site management plans established by OPRD, but will occur twice monthly during the nesting season. During these surveys, the monitor will record existing habitat quality, predator presence or signs of their presence, recreation use, and snowy plover food availability. If detected birds begin nesting at these locations, breeding population surveys will be implemented. OPRD will report annually to the USFWS the results of the detect/non-detect monitoring surveys. At this time, if nests are established outside of SPMA's, OPRD will install an enclosure and 50-meter radius buffer around the nest to protect the nest from predators and human disturbance.

### **HCP Compliance Monitoring**

**Goal:** Determine whether the public is complying with the seasonal recreational beach use restrictions.

**Action:** Compliance monitoring will be conducted regularly throughout the nesting season to determine whether recreational users in an occupied OPRD SPMA are complying with recreational beach restrictions. Monitors will note footprints, vehicle tracks, and animal tracks within the restricted areas. Monitors will also note any humans or animals located within the roped off areas. OPRD will report observations regarding non-compliance of recreational beach restrictions as necessary during the breeding season, and provide informal monthly summaries, e.g., via email or in the form of beach monitor recreational use reports, to the USFWS detailing the results of their compliance monitoring efforts.

### **HCP Compliance Auditing**

**Goal:** Ensure that the HCP, ITP, and IA are implemented as written.

**Action:** On an annual basis, a review of the requirements of the HCP, IA and ITP will be conducted to determine whether OPRD has been implementing the

management actions as required. OPRD will review, with USFWS and ODFW, the performance and effectiveness of the implementation of management actions described in the HCP and any site management plans. This review will be conducted every five years following issuance of the ITP.

### HCP Effectiveness Monitoring

**Goal:** Evaluate the effectiveness of conservation measures outlined in the HCP on the status of snowy plover in Oregon.

**Action:** Work with snowy plover partners (Federal, State, and/or local agencies, and private landowners) annually, to develop effectiveness-monitoring protocols for OPRD SPMAs. Utilize these protocols on an annual basis to determine the effectiveness of OPRD snowy plover conservation strategies. Based on the results of this monitoring, OPRD will work with other managers of RMAs, USFWS, and ODFW to determine appropriate adaptive management options should a significant decline in snowy plover populations and habitat in Oregon be detected (see Section 5.3. Adaptive Management).

### *Recreation Management*

**Goal:** Reduce disturbance to snowy plover by recreational users.

Certain recreation activities have a greater potential threat to snowy plover and their habitat than other types of recreation activities. For instance, dogs off-leash have the potential to flush snowy plovers off their nest or kill chicks. If the adult snowy plover is off the nest too long heat, cold, wind, or predators may kill eggs or chicks.

**Action:** Adopt the Final HCP recreation restrictions as an administrative rule. Seasonal dry and wet sand restrictions would occur automatically in occupied SPMAs/RMAs. Any landowner wishing to have recreational use restrictions incorporated into their management of unoccupied RMAs will be required to put a request in writing with evidence of having approval by USFWS of their management approach.

OPRD will install symbolic fencing (ropes and signs) around the nesting areas on occupied OPRD SPMAs. Similar symbolic fencing will be installed by OPRD, or the landowner in cooperation with OPRD, at non-OPRD occupied RMAs. No wet sand recreational use will be allowed to occur within the roped off areas, dogs and driving will be restricted along the Ocean Shore outside the roped off areas, and these wet and dry sand restrictions will be strictly enforced (see Law Enforcement/Beach Patrol below).

### *Beach Access Modifications*

**Goal:** Reduce the potential for disturbance of snowy plover by moving beach access points located on OPRD properties within or near SPMA's while continuing to provide public beach access on the Oregon coast.

**Action:** No new access points will be created within SPMA's unless it involves the re-routing of an existing access point to move it away from a snowy plover nesting area.

### *Public Outreach and Education*

**Goal:** Inform coastal park staff, volunteers, and the general public of the ecology of the snowy plover, the significance of the Oregon's sandy beaches as habitat for the snowy plover and the species' recovery, the importance of OPRD's monitoring and habitat restoration and protection efforts, the role predators play, and the importance of working together to conserve the species and its habitat.

The public outreach and education efforts needed for each OPRD SPMA will vary. Specific outreach and education efforts will be identified in the site management plans for each OPRD SPMA.

**Actions:** This goal will be achieved through the measures described below.

### **Coordination with other Agencies**

OPRD has, and will continue, to work with other State and Federal agencies in the development of outreach and educational materials to ensure a consistent message and allow for cost efficiencies. Efforts in the past have included the development of a snowy plover "Share the Beach" brochure, table tents, bookmarkers, and interpretive panels.

### **Department Staff - Education and Interpretation**

Provide training to coastal field staff on the requirements of the HCP. Park staff will be trained on the natural history and identification of snowy plover so staff can field questions from visitors.

### **Provide Visitor Information**

The success of the snowy plover management measures depends on the support of the people who visit Oregon's beaches. Park visitors need to be informed about plight of the snowy plover and the part they play in protecting the species.

OPRD will work with the Oregon Western Snowy Plover Working Team in coordinating outreach and education efforts. OPRD will undertake the following activities:

### *a) Interpretive Programs*

Continue to assist with implementation of interpretive programs about snowy plovers at Bullards Beach, Honeyman, Nehalem Bay, and Sunset Bay State Parks each year. Additional programs will be offered at other State park sites, including Fort Stevens State Park, Nehalem Bay State Park, Cape Lookout State Park, and Harris Beach State Park. Programs in these areas will focus on shorebirds in general, and snowy plovers in particular. OPRD will include discussions of snowy plover ecology in nature talks and walks, campfire programs, and at other direct public contact events.

### *b) Webpage*

Develop a snowy plover webpage that contains the HCP, the management action summary matrix, the list of SPMA/RMA beaches, maps of these areas, and the efforts OPRD is currently undertaking to help recover the snowy plover. Links to other agencies that manage snowy plover habitat will be provided.

### *c) Brochures*

Distribute copies of “Share the Beach” brochure to SPMA visitors. In addition, OPRD will prepare a snowy plover brochure describing OPRD efforts in snowy plover conservation and recovery, and how park visitors can help. These brochures will be made available at all coastal State parks. Also, for occupied OPRD SPMA, OPRD will prepare a brochure with an aerial photo showing the areas with beach use restrictions, a brief description of snowy plover biology, an explanation of why OPRD is working toward snowy plover conservation and recovery, and a list of alternative beaches for recreation use.

### *d) Signs/Kiosks*

Develop an information sign to be installed at SPMA State park kiosks. “Snowy Plover Management Area” signs will be installed at the ends of each SPMA.

### *e) Park Reservations*

Many coastal campsites are reserved by telephone. Receipts are sent to each person making reservation. For those located in areas where there are beach restrictions, a statement will be included on the receipt notifying individuals of the beaches with use restrictions and requesting their cooperation in adhering to any restrictions.

### *f) Volunteers*

Continue to provide volunteers at occupied OPRD SPMA. OPRD has volunteers who contribute 20 hours per week from May through August at the China Creek parking lot at Bandon SNA. These volunteers provide information to visitors about the purpose for beach restrictions and the plight of snowy plovers; record information on the type of recreation use that is occurring, document whether anyone is violating the restrictions, and report observed violations to the USFWS. As additional OPRD

SPMAs become occupied, OPRD will provide volunteers to distribute and record the information being provided at Bandon SNA.

### *g) Interpretive Panels*

Bandon SNA has an interpretive panel addressing snowy plover nesting and habitat protections. This panel will be replaced as needed. Similar interpretive panels will be prepared and installed for other OPRD SPMAs that become occupied.

### **Public Outreach**

Public outreach efforts are important so the general public understands the needs of the snowy plovers, and why and what efforts OPRD is undertaking to assist in recovery of this species. OPRD will provide programs and/or information about the snowy plover to community groups, chambers of commerce, and school groups, and recreational enterprises (boat charters, etc.) where the opportunity arises.

### *Law Enforcement/Beach Patrol*

**Goal:** Ensure that the public adheres to OPRD rules and regulations governing Oregon's sandy beaches.

**Action:** OPRD will make a minimum of 3 full-time staff positions available (one each for the north, central, and south coast) to patrol the beach to inform and educate beach users of park rules governing the Ocean Shore, and about beach resources including the snowy plover. Where necessary, i.e., where violations occur, warnings and/or citations will be issued. Additionally, OPRD will take proactive action to contract with the Oregon State Police and/or local law enforcement offices to provide additional enforcement support, where necessary and possible.

### *Adaptive Management*

**Goal:** Allow for changing conditions or circumstances and new information in determining management actions at OPRD SPMAs.

**Action:** Adaptive management is a framework that seeks to focus research on specific management questions about the snowy plover and then refine the management approach based on what is learned. Future research could include wintering habitat requirements, impacts from recreational users (specific to Oregon), impacts from predators such as corvids (crows and ravens), and breeding territory requirements. Research efforts will be undertaken through joint efforts with the other entities involved in snowy plover recovery efforts – the USFS, USBLM, USFWS, and ODFW. This information will assist in further refining the requirements of the HCP and will be implemented through the adaptive management framework.

During the annual reporting meetings, OPRD and USFWS will review whether or not snowy plover recovery efforts, e.g., habitat restoration, predator management, or

recreational restrictions, are adequate. Potential changes in management as a result of the changing status of the snowy plover are discussed in 5.2. Adaptive Management.

### *Habitat Protection*

**Goal:** Protect habitat or potential habitat in OPRD SPMA's by limiting the development of new facilities (including trails) located in or near a SPMA.

**Action:** Whenever OPRD staff desire to develop a facility near an OPRD SPMA boundary, OPRD staff shall inspect the area, review the proposed project, and determine whether the development could potentially impact snowy plover, in cooperation with ODFW and USFWS. No development that will increase the capacity of existing facilities will occur within a SPMA.

### *Coordination*

**Goal:** Improve efficiencies and cost of implementation by working with other agencies through cooperative efforts.

**Action:** Work with land and resource managers on coordinating efforts pertaining to predator management, habitat restoration, monitoring, and public outreach and education on an annual basis and report on these efforts to the USFWS, until no longer deemed necessary by the USFWS.

### *Non-Breeding Season Management*

**Goal:** Enhance survival of the wintering population of snowy plover.

**Action:** Many snowy plovers remain in Oregon throughout the year. Snowy plovers that nest in other parts of the range may winter along the Oregon coast. It is anticipated that recreational use along with the other covered activities would occur during a short period of time, usually outside of wintering areas. In addition, the normal behavior of wintering plover is to flock and avoid disturbance. It is anticipated that the effects on wintering populations would be within the normal range of disturbance. Given these factors, disturbance is likely to be minimal and unlikely to result in take of wintering snowy plovers. Although snowy plover may be less susceptible to recreation impacts during the non-breeding season due to reduced recreation use on the Ocean Shore, they can be negatively impacted by activities that disrupt or destroy foraging areas or unnecessarily disturb birds that are roosting or foraging. OPRD will coordinate with ODFW and USFWS to identify minimization measures to protect wintering snowy plover and will implement such measures, as necessary, as long as the measures do not significantly disrupt otherwise legal recreation activities on the beach.

## 5.2. Adaptive Management

### 5.2.1. Introduction

Adaptive management is a process that allows resource managers to adjust their actions to reflect new information or changing conditions in order to reach a goal – in this case, minimization of take and conservation of the snowy plover, while minimizing recreational impacts. OPRD will use adaptive management processes to minimize take related to management of Oregon’s beaches and to ensure the long-term survival of the snowy plover along the Oregon coast.

Adaptive management will allow OPRD to minimize the uncertainty associated with gaps in scientific information or biological requirements. Information used in the adaptive management process will come from the activities described in Sections 5.1.7 and 5.1.8 of the HCP and from other research as it becomes available. Monitoring data will be analyzed to determine if the goals of this HCP are being met. If the management activities are not producing the desired results, adjustments may be made to the HCP, by consensus agreement between OPRD and USFWS, as described below.

### 5.2.2. Redefining Management Actions

Sections 5.1.7 and 5.1.8 describes management actions to minimize and mitigate for take. If biological monitoring reports indicate consistent population declines in snowy plover along the Oregon coast when compared to population numbers provided in previous biological monitoring reports for Oregon, then OPRD and USFWS shall meet and confer to determine if inadequate management actions by OPRD are responsible for or are contributing to population declines. If inadequate management actions on the part of OPRD are 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 revisions to the management actions in this HCP, as agreed upon by OPRD and USFWS, shall be made as soon as practicable.

### 5.2.3. Snowy Plovers Nesting Outside Snowy Plover Management Areas

Although OPRD believes that the SPMA and RMA identified in the HCP represent the best current and potential snowy plover habitat and are adequate for conservation purposes, snowy plovers may nest outside the SPMA and RMA. If snowy plovers are discovered to nest outside a SPMA or RMA, during the population surveys conducted annually, the nest area will be exclosed (unless the USFWS determines that exclosures are unnecessary or detrimental to snowy plovers) and receive

symbolic fencing (ropes) to establish a 50-meter radius buffer around the nest, while nests are active.

However, if snowy plovers begin to nest on OPRD lands outside a SPMA consistently and predictably (three years in a row), and there is nesting success at least two of the three years, OPRD will consult with USFWS to consider adding the site to the list of SPMAs with the following conditions:

- The SPMA is considered to have potential to be able to contribute to long-term recovery of the species through its size, location and suitability;
- A SPMA not currently being used by snowy plovers may be dropped in exchange for the new site that is occupied;
- The maximum number of occupied SPMAs managed by OPRD will be limited to six;
- SPMA additions or ‘trades’ will require agreement between OPRD, USFWS, and ODFW; and
- Adding the site to the list of SPMAs will not affect OPRD’s ability to manage recreation along the Ocean Shore, i.e., management activities will be conducted as described above for occupied SPMAs.

#### 5.2.4. Success of Nest Enclosures

Through monitoring efforts, OPRD will evaluate the relative success of nest enclosures in preventing predators from destroying nests and eggs. OPRD will meet annually with USFWS to review nest enclosure monitoring results to determine the relative benefits on a site-by-site basis. Continuing evaluation of the effectiveness of nest enclosures may result in elimination of the enclosure, timing changes for application of the enclosure, and/or design changes. If design adjustments are needed to adequately exclude all predators or are needed to exclude specific predators in the area, OPRD will work with USFWS to make the design adjustments provided such adjustments would not result in significant impacts to existing legal recreational activities.

If nest enclosures are no longer required for nests outside of SPMAs and RMAs, OPRD will still install signs and 50-meter radius buffers around the nest during the nesting season.

#### 5.2.5. Predator Management Funding

OPRD will commit to funding predator management at all OPRD SPMAs determined to be in need of such action. However, the limit on the number of SPMAs receiving predator management funding will be no more than six.

### 5.2.6. Failure of Managed Unoccupied SPMA

The initial three OPRD unoccupied SPMA being managed for occupancy may not, in fact, become occupied. However, it would be difficult to readily determine why occupancy may not have occurred at these SPMA. As such, OPRD and USFWS will review annually whether or not snowy plover recovery efforts, e.g., habitat restoration, predator management, or recreational restrictions, are adequate to facilitate snowy plover occupancy. Following the review, OPRD and USFWS will cooperatively determine what adjustments should be made to the plan and management actions to improve the potential for success for occupancy at these SPMA.

In addition, if none of the initial three OPRD SPMA identified for active management for snowy plover occupancy are occupied after five years from the active management start date, i.e., when the site management plan has been completed, and no RMA owned and managed by other landowners are being managed for occupancy, then OPRD will begin active management for occupancy of one of the remaining two unoccupied OPRD SPMA, i.e., Netarts Spit and Pistol River, in this order.

If the condition above is triggered, OPRD will complete a site management plan within one year, and begin managing the Netarts Spit SPMA for snowy plover occupancy. OPRD will continue to manage the original three SPMA for snowy plover occupancy. If, after five years of managing the Netarts Spit SPMA for occupancy, none of the four SPMA are occupied, and no RMA are being managed for occupancy, OPRD will complete a site management plan within one year, and begin managing the Pistol River SPMA for snowy plover occupancy.

### 5.2.7. RMA Exchange for SPMA

#### *RMA Not Being Managed for Occupancy*

If OPRD purchases a RMA that was not being managed for occupancy and commits to manage it as a new SPMA for snowy plover management, the new SPMA will be considered for exchange to replace the Pistol River or Netarts Spit SPMA. This condition would be triggered only if the existing SPMA targeted for exchange is unoccupied. Under this scenario, OPRD will develop a site management plan for the newly purchased SPMA, if none exists, within one year of purchase and begin managing the new SPMA for snowy plover occupancy. The exchange would only occur after consulting with USFWS and ODFW to determine whether or not the new SPMA has greater potential for occupancy than the SPMA being exchanged.

### *RMA Being Managed for Occupancy*

If OPRD purchases a RMA that was being managed for occupancy and commits to continuing to manage this new SPMA for snowy plover management, the new SPMA will be considered for exchange to replace the Pistol River or Netarts Spit SPMA. This condition would be triggered only if the existing SPMA targeted for exchange is unoccupied. Under this scenario, OPRD will continue management of the RMA upon purchase and would review the original site management plan within one year of purchase, revise the plan as necessary, and begin managing the new SPMA for snowy plover occupancy. The exchange would only occur after consulting with USFWS and ODFW to determine whether or not the new SPMA has greater potential for occupancy than the SPMA being exchanged.

## 5.3. Summary of Snowy Plover Conservation Measures

### 5.3.1. Managing for Snowy Plover Occupancy

Seventeen specific areas along the Oregon coast were identified collectively by OPRD, the USFWS, and other State and Federal resource agencies, as important to snowy plover conservation and recovery. These areas were targeted for snowy plover conservation and recovery efforts based on their potential to provide quality habitat in sufficient amounts at geographically strategic locations that are believed to facilitate a well-distributed sustainable population.

Of the 17 targeted areas, OPRD owns or leases six of them. OPRD's contribution to snowy plover recovery includes managing up to six of these areas as SPMA's for snowy plover occupancy. OPRD will manage its SPMA's for snowy plover occupancy according to a site management plan developed in coordination with the USFWS, with a combination of activities including predator management, protection of nesting areas from the recreating public, habitat restoration and maintenance as needed, conducting public outreach and education, and monitoring the breeding population.

Of OPRD's six SPMA's, one area, Bandon SNA, is already occupied. OPRD will continue to protect nesting areas here during the breeding season (March 15 through September 15) with symbolic fencing designed to minimize impacts from human activities on the beach, as well as implement natural resource management activities described in the site management plan.

Of the five remaining unoccupied OPRD SPMA's, OPRD will manage three of these areas, Columbia River South Jetty, Necanicum Spit and Nehalem Spit, as soon as site management plans are developed (all three plans within two years of permit issuance). These areas are believed to have higher potential for snowy plover

occupancy than the remaining two, Netarts Spit and Pistol River, based on existing habitat quality, area size, and geographic location.

The remaining two SPMA's are believed by OPRD and USFWS field staff to be far less important to snowy plover recovery than most of the remaining targeted snowy plover areas owned by other landowners, known as RMAs (see Section entitled, RMAs Owned by Other Landowners below). OPRD will manage Netarts Spit for occupancy, based on a site management plan developed with the USFWS, if one of the following conditions exist: 1) there are less than three unoccupied SPMA's and/or targeted snowy plover RMAs, combined, being managed for occupancy by OPRD and other landowners (this situation could occur either because most of the SPMA's and other targeted areas are occupied or because some landowners are not contributing to recovery of snowy plover by managing their unoccupied targeted snowy plover areas for occupancy.); or 2) after five years of OPRD management, none of the SPMA's have become occupied.

OPRD will manage the Pistol River SPMA for occupancy, based on a site management plan developed with the USFWS, if one of the following conditions exist: 1) after Netarts Spit is added to the SPMA's being managed for occupancy, there are less than three unoccupied SPMA's and/or targeted snowy plover RMAs, combined, being managed for occupancy by OPRD and other landowners; or 2) none of the SPMA's have become occupied after nine years of OPRD management.

### 5.3.2. Recreational Restrictions, Enforcement, and Management Activities

#### *OPRD SPMA's*

In addition to implementing restoration, predator management, public outreach and education, and monitoring activities, OPRD will also implement recreational use restrictions at the six SPMA's. The specific restrictions would differ depending on whether the sites were occupied or unoccupied at the time that they are actively managed as described below.

**Occupied SPMA's** – OPRD will implement recreational restrictions, enforcement, and management activities in SPMA's *occupied* by snowy plovers during the breeding season (March 15 through September 15) as follows. The extent of these restrictions would be developed in consultation with the USFWS.

- prohibition of motorized and non-motorized vehicles on SPMA beaches;
- prohibition of dogs;
- prohibition of kite flying;

- prohibition of activities within the dry sand portion of the beach as indicated by roping and signage;
- erecting fences, ropes, and signs to define breeding areas in the dry sand; and
- providing three full-time beach rangers, and additional senior troopers as needed, for enforcement of SPMA recreation restrictions.

**Unoccupied SPMA**s – OPRD will implement recreational restrictions during the breeding season (March 15 through September 15) and enforcement activities in SPMA*s unoccupied* by snowy plovers as follows:

- prohibiting motorized and non-motorized vehicles on SPMA beaches; and
- requiring dogs to be on-leash on SPMA beaches.

[Note: OPRD may lift the restrictions early if no nesting has occurred by July 15 at a site.]

### *RMA*s Owned by Other Landowners

OPRD would also implement recreational use restrictions at the 11 other areas targeted for snowy plover management under certain conditions. These areas are owned by other landowners and are classified as RMA*s* to signify OPRD's authority to manage recreation on the Ocean Shore portion of other ownerships.

**Occupied RMA**s – OPRD has the authority and will automatically implement recreational restrictions, enforcement, and management activities in *occupied* RMA*s* during the breeding season (March 15 through September 15) as follows:

- prohibition of motorized and non-motorized vehicles;
- prohibition of dogs;
- prohibition of kite-flying;
- prohibition of activities within the dry sand portion of the beach as indicated by roping and signage;
- erecting fences, ropes and signs to define breeding areas in cooperation with the landowner and USFWS; and
- conducting enforcement actions as necessary in cooperation with the landowner.

**Unoccupied RMA**s – OPRD will implement recreational restrictions and enforcement activities in *unoccupied* RMA*s* during the breeding season (March 15 through September 15), upon request, and after coordinating with USFWS, as follows:

- prohibiting motorized and non-motorized vehicles;
- requiring dogs to be on-leash; and

- conducting enforcement actions as necessary in cooperation with the landowner.

[Note: OPRD may lift the restrictions early if no nesting has occurred by July 15 at a site.]

Table 5-5. Summary of Proposed Management Actions in OPRD Owned/Leased Snowy Plover Management Areas (SPMAs)

Currently Occupied SPMAs, Owned/Leased by OPRD	Proposed Management Actions In Occupied SPMAs
Bandon SNA	<p>Following USFWS approval of an OPRD SPMA site management plan:</p> <p><b>Seasonal Recreation Restrictions (March 15 – September 15)</b></p> <ul style="list-style-type: none"> <li>▪ Vehicles will be prohibited on beach or as otherwise restricted by existing OAR.</li> <li>▪ Dogs and kite flying are prohibited.</li> <li>▪ All other recreational activities will be directed to the wet sand (fences, ropes, and signs will define the dry sand breeding areas to be avoided).</li> <li>▪ Restrictions may be lifted early if no nesting by July 15.</li> </ul> <p><b>Other Site Management Plan Commitments</b></p> <ul style="list-style-type: none"> <li>▪ Habitat restoration and maintenance.</li> <li>▪ Predator management.</li> <li>▪ Public interpretation and education.</li> <li>▪ Monitor breeding population.</li> <li>▪ OPRD will provide 3 full-time beach rangers, and additional senior State troopers, as needed, to support enforcement.</li> </ul>
Currently Unoccupied SPMAs, Owned/Leased by OPRD	Proposed Management Actions In Unoccupied SPMAs
<p>Columbia River South Jetty (Corps/OPRD)</p> <p>Necanicum Spit</p> <p>Nehalem Spit</p> <p>Netarts Spit</p> <p>Pistol River</p>	<p>Following USFWS approval of an OPRD SPMA site management plan:</p> <p><b>Seasonal Recreation Restrictions (March 15 – September 15)</b></p> <ul style="list-style-type: none"> <li>▪ Dogs will be required to be on-leash.</li> <li>▪ Vehicles prohibited or as otherwise directed by existing OAR.</li> <li>▪ Restrictions may be lifted early if no nesting by July 15.</li> </ul> <p><b>Other Site Management Plan Commitments</b></p> <ul style="list-style-type: none"> <li>▪ Habitat restoration, as needed.</li> <li>▪ Non-lethal predator management.</li> <li>▪ Public interpretation, and education.</li> <li>▪ Detect/nondetect monitoring for snowy plover presence and nesting activity will be conducted twice monthly.</li> <li>▪ Within two years of obtaining an ITP, OPRD will prepare site management plans for the following OPRD SPMAs: Columbia River South Jetty, Necanicum Spit, and Nehalem Spit.</li> <li>▪ When one of these sites becomes occupied, a new site will be managed for snowy plover occupancy. A minimum of 3 unoccupied areas will always be managed for snowy plover occupancy until all OPRD sites are occupied.</li> <li>▪ As other land managers implement FWS-approved site management plans for non-OPRD unoccupied sites, those sites will be considered part of the minimum of 3 managed unoccupied areas. Netarts and Pistol River (in that order) will be added if and when there are fewer than 3 unoccupied areas being managed collectively between OPRD and other landowners for snowy plover occupancy.</li> </ul>

**Table 5-6. Summary of Proposed Recreation Restrictions and Enforcements for Recreation Management Areas (RMAs) not Owned by OPRD**

Currently Occupied RMAs (owner/manager)	Proposed Actions In Occupied RMAs
Sutton/Baker Beach (USFS) Siltcoos Estuary/Dunes Overlook/Tahkenitch Estuary (USFS) Tenmile Estuary (USFS) Coos Bay North Spit (USBLM, Corps) New River (USBLM, Coos and Curry Counties, Private)	<p><b>Seasonal Recreational Use Restrictions (March 15 – September 15) will be required by OPRD once a RMA site becomes occupied, including the following:</b></p> <ul style="list-style-type: none"> <li>▪ Vehicles, kite-flying, and dogs are prohibited.</li> <li>▪ Other public recreational use is directed to the wet sand outside of roped and signed breeding areas.</li> <li>▪ Restrictions may be lifted early if no nesting by July 15.</li> </ul> <p><b>Other OPRD RMA Commitments</b></p> <ul style="list-style-type: none"> <li>▪ Erect fences, ropes and signs to define breeding areas (dry sand only) in cooperation with landowner.</li> <li>▪ Conduct enforcement actions on managed RMA sites with support from landowner.</li> </ul>
Currently Unoccupied RMAs (owner/manager)	Proposed Actions In Managed Unoccupied RMAs
Bayocean Spit (Corps) South Sand Lake Spit (Private) Tahkenitch South (USFS) Umpqua River North Jetty (USFS, DSL) Elk River Spit (Private) Euchre Creek (Private, Oregon Department of Transportation [ODOT])	<p><b>Seasonal Recreational Use Restrictions (March 15 – September 15) will be authorized for RMAs after coordination with the USFWS, to include the following:</b></p> <ul style="list-style-type: none"> <li>▪ Vehicles will be prohibited or as otherwise directed by OAR.</li> <li>▪ Dogs will be required to be on-leash.</li> <li>▪ Restrictions may be lifted if no nesting by July 15.</li> </ul> <p><b>Other OPRD RMA Commitments</b></p> <ul style="list-style-type: none"> <li>▪ Conduct enforcement actions on managed RMA sites with support from landowner.</li> </ul>