



Submit a public comment on a rule

Oregon Parks and Recreation Department

Proposed rule change:

Marine plant and Macroalgae collection rule

Date comment received:

October 31, 2023 04:27 PM

Commenter name (if provided):

Brett Kenney

Commenter email (if provided):

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Location (if provided): North Bend, OR

Public comment:

Comments to proposed changes to 736-021-0090:

Thank you for the opportunity to comment on the proposed changes to the proposed rule changes relating to

the collection of marine plants and macroalgae in marine protected areas

. I am the Tribal Attorney for the Coquille Indian Tribe, a federally recognized tribal government headquartered in Oregon. The Tribe has authorized me to share a few comments for your consideration:

Coquille Tribe has a few comments to the text at 736-021-0090 (3):

a.

First, the Tribe requests that OPRD replace the definition of “Indian Tribe” based on ORS 97.740. The definition used in that statute includes all federally recognized tribes in the United States. Instead, the Tribe urges OPRD to use the definition of “Eligible Indian Tribe” located at ORS 285C.306, or to craft a new definition referencing those Oregon tribes with substantial ties to the coast: Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians, Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz and the Coquille Indian Tribe. This change would be consistent with the Territorial Sea Plan, which calls out the interests of “Oregon coastal tribes” in offshore habitats.

b.

The Tribe requests that the proposed language to be struck here be reinserted so that tribal enrollment can be documented.

c.

Finally, the Tribe requests that after the phrase “traditional cultural heritage” the Department insert the phrase, “or as authorized in any agreement between an Indian Tribe and the Department . . . “

At 736-021-0090(4)(b)(H), the Tribe requests

a.

The insertion of “or seaweeds” after the phrase “...non-living plants...”

b.

Clarification that members of Indian Tribes (as

defined) may access marine reserve and marine protected areas for the purposes identified in 736-021-0090(3).

Thank you.