

Staff Summary for October 9-10, 2024

20. Regulation Change Petitions (Wildlife)**Today's Item**Information ☐Action ☒

This is a standing agenda item for the Commission to receive new regulation change petitions and act on regulation change petitions received from the public at previous meetings. For this meeting:

- (A) Receive new petitions for regulation change
- (B) Act on previously received regulation change petitions
- (C) Comments received on referred petitions not yet scheduled for action

Summary of Previous/Future Actions**(A) *New Petitions for Regulation Change – Receipt***

- **Today receive new petitions** **October 9-10, 2024**
- Potentially act on new petitions **December 11-12, 2024**

(B) *Petitions for Regulation Change – Scheduled for Action*

- Received Petition 2023-17 **November 27, 2023**
- Referred Petition 2023-17 to Department for review and recommendation **February 14-15, 2024**
- Commission discussed Petition 2023-17 and continued discussion to its October meeting **August 14-15, 2024**
- **Today potentially act on petitions** **October 9-10, 2024**

(C) *Comments Received on Referred Petitions* **(N/A)****Background****(A) *Receive New Petitions for Regulation Change***

Pursuant to Section 662, any person requesting that the Commission adopt, amend, or repeal a regulation must complete and submit form FGC 1. Regulation change petition forms submitted by the public are “received” at this Commission meeting if they are delivered by the public comment or supplemental comment deadlines or delivered in person to the Commission meeting.

Under the Bagley-Keene Open Meeting Act, the Commission cannot discuss or act on any matter not included on the agenda, other than to determine whether to schedule issues raised by the public for consideration at future meetings. Thus, petitions for regulation change generally follow a two-meeting cycle of receipt and decision. The Commission will act on petitions received at today's meeting at the next regularly scheduled Commission meeting (currently October 9-10, 2024), following staff evaluation, unless the petition is rejected under the 10-day staff review as prescribed in subsection 662(b).

Today, the Commission received one new petition for regulation change (Exhibit A1).

Staff Summary for October 9-10, 2024

(B) Act on Previously-Received Regulation Change Petitions

Petitions received at the previous meeting are scheduled for Commission consideration at the next regularly scheduled business meeting. A petition may be (1) denied, (2) granted, or (3) referred to a Commission committee, staff, legal counsel, or the Department for further evaluation or information-gathering. Referred petitions are scheduled for action once a recommendation is received. Today, one petition is scheduled for action:

- I. *Petition 2023-17*: Request to add horses to list of allowable activities in Bayview Unit of Morro Dunes Ecological Reserve

The Commission discussed this petition at the August 14-15, 2024 meeting. However, the Commission continued discussion and a potential decision on the petition to this meeting, to allow time for the Department to confer with the Santa Ynez Band of Chumash Indians. In late August, the Department communicated to Commission staff that the Santa Ynez Band of Chumash Indians supports the Department's recommendation to deny the petition (see Exhibit B1 for the Department's recommendation).

Commission staff notes that Petition 2024-09 (request to raise the harvest quota for black bear), which the Commission received at its August 2024 meeting, was withdrawn by the petitioner.

(C) Comments Received on Referred Petitions

This agenda sub-item is for receiving public comments for any petition previously referred for review and recommendation, but is not yet ready for Commission action. Action on any referred petition will be scheduled once the Commission receives a recommendation.

Significant Public Comments (N/A)**Recommendation**

Commission staff: Deny Petition 2023-17 for the reasons stated in Exhibit B1.

Department: Deny Petition 2023-17 for the reasons stated in Exhibit B1.

Exhibits

- A1. [Petition 2024-11, received August 8, 2024](#)
- B1. [Department memo, received July 26, 2024](#)
- B2. [Petition 2023-17, received November 27, 2023](#)

Motion

Moved by _____ and seconded by _____ that the Commission adopts the staff recommendation to deny Petition 2023-17.

From: Andy Reynolds <[REDACTED]>

Sent: Thursday, August 8, 2024 11:54 AM

To: FGC <FGC@fgc.ca.gov>

Subject: Southern California - Piru Creek Petition - Re-Submitted

To Whom It May Concern,

Please find attached the re-submitted petition for regulation changes at "Frenchman's Flat" Day use area at Middle Piru Creek in Southern California.

Updated to include a valid authority citation.

I request to waive the 10-day response requirement.

Thank you so much for your time and consideration in this matter.

I look forward to hearing from you soon.

--

Andy Reynolds

[REDACTED]



Tracking Number: ([2024-11](#))

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, (physical address) 1416 Ninth Street, Suite 1320, Sacramento, CA 95814, (mailing address) P.O. Box 944209, Sacramento, CA 94244-2090 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission's authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or FGC@fgc.ca.gov.

SECTION I: Required Information.

Please be succinct. Responses for Section I should not exceed five pages

1. Person or organization requesting the change (Required)

Name of primary contact person: Andrew Reynolds

Address: [REDACTED]

Telephone number: [REDACTED]

Email address: [REDACTED]

2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested:

a. Authority cited: Sections 200, 205, 265, 270, 315 and 399, Fish and Game Code.

b. Reference: Sections 200, 205, 265 and 270, Fish and Game Code.

3. Overview (Required) - Summarize the proposed changes to regulations: This petition advocates for the protection of the wild and native coastal rainbow trout (*Oncorhynchus mykiss irideus*) population in "Middle" Piru Creek through three key measures:

- a. Expanding the coverage of Special Regulations (7.50) to encompass all of Middle Piru creek and its tributaries (starting from 300 yards below Pyramid Lake dam to Piru Lake)
- b. Updating old / adding new signage at Frenchmen's Flat Day Use Area on "Middle" Piru Creek to ensure clarity and compliance with regulations.
- c. Implementing low flow / hoot owl restrictions (closing the creek to fishing during warmest hours of the day during certain times of year) to mitigate adverse impacts on the trout population.



4. **Rationale (Required)** - Describe the problem and the reason for the proposed change: The cessation of stocking programs in “Middle” Piru Creek approximately 15 years ago has rendered current regulations and signage inadequate for protecting the wild and native coastal rainbow trout (*Oncorhynchus mykiss irideus*) population from poaching, unsustainable fishing practices, and the impacts of climate change. Recent years have seen a notable increase in poaching incidents, evident from heightened reports to CAL-Tip and citations issued by CDFW wardens. Both the wild trout section (under Special Regulations 7.50) and sections under general statewide trout regulations witness illegal fishing activity, including during months when zero limit trout regulations are in effect. Furthermore, sporadic and erroneous placement of signage along Middle Piru Creek, particularly at the Frenchmen’s Flat Day Use Area parking lot, fails to effectively communicate regulations or enforce compliance. The escalating threat of climate change exacerbates existing challenges. Historical droughts, elevated water temperatures, and inevitable low flows (minimum 3 CFS) from the Pyramid Lake dam underscore the urgency of implementing seasonal closures and hoot owl measures. These measures are critical to mitigating higher fish mortality rates and preserving vital spawning habitat. Simple yet strategic deployment of new signage, coupled with enhanced enforcement efforts, could serve as effective deterrents against poaching and promote awareness of responsible angling practices.
5. **SECTION II: Optional Information**
6. **Date of Petition:** 8/8/2024 [Click here to enter text.](#)
7. **Category of Proposed Change**
☒ Sport Fishing
☐ Commercial Fishing
☐ Hunting
☐ Other, please specify: [Click here to enter text.](#)
8. **The proposal is to:** (*To determine section number(s), see current year regulation booklet or <https://govt.westlaw.com/calregs>*)
☒ Amend Title 14 Section(s): Division 1, Subdivision 3, General Regs [Click here to enter text.](#)
☐ Add New Title 14 Section(s): [Click here to enter text.](#)
☐ Repeal Title 14 Section(s): [Click here to enter text.](#)
9. **If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition** [Click here to enter text.](#)
Or ☒ Not applicable.
10. **Effective date:** If applicable, identify the desired effective date of the regulation.
If the proposed change requires immediate implementation, explain the nature of the emergency: Immediate implementation requested. Though the necessity of proposed changes is not deemed an emergency, expedited action is preferred. By securing this watershed during



periods of high water flow, we establish vital protections for the wild and native trout population, safeguarding against potential threats during inevitable drought cycles and during months of extreme heat. Any mitigation of poaching sooner rather than later is beneficial to all parties involved. If regulation changes cannot be made in 2024, we request they take effect in January of 2025.

11. **Supporting documentation:** Identify and attach to the petition any information supporting the proposal including data, reports and other documents: Included with this document, please find “FGC1_Piru_Creek_Petition_Letter_240808”. [Click here to enter text.](#)
12. **Economic or Fiscal Impacts:** Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing: Aside from the initial signage installation costs, the adverse impact on CDFW revenues is projected to be minimal. Transforming the entirety of Middle Piru Creek into a year-round catch-and-release fishery enhances sustainability, thereby attracting more anglers and bolstering revenue through increased fishing license purchases. Additionally, with a sustainable, consistent local fishery, the CDFW attracts a potential increase in guide licenses purchased.
13. **Forms:** If applicable, list any forms to be created, amended or repealed:
[Click here to enter text.](#)

SECTION 3: FGC Staff Only

Date received: [Click here to enter text.](#)

FGC staff action:

- ☐ Accept - complete
- ☐ Reject - incomplete
- ☐ Reject - outside scope of FGC authority

Tracking Number

Date petitioner was notified of receipt of petition and pending action: _____

Meeting date for FGC consideration: _____

FGC action:

- ☐ Denied by FGC
- ☐ Denied - same as petition _____
- ☐ Granted for consideration of regulation change

Tracking Number

Subject: Petition for Changes to Freshwater Sport Fishing Regulations to Protect Coastal Rainbow Trout (*Oncorhynchus mykiss irideus*) in Middle Piru creek, Southern California

Dear California Fish And Game Commission,

As a group of passionate anglers and advocates for environmental conservation, we write to you today to urgently request changes to the fishing regulations governing “Middle” Piru creek at Frenchmen’s Flat day use area in Southern California. Specifically, the implementation of stricter regulations and new signage to safeguard the wild and native coastal rainbow trout (*Oncorhynchus mykiss irideus*) population inhabiting this precious waterway.

The cessation of stocking programs in “Middle” Piru Creek approximately 15 years ago has rendered current regulations and signage inadequate for protecting the wild and native coastal rainbow trout (*Oncorhynchus mykiss irideus*) population from poaching, unsustainable fishing practices, and the impacts of climate change.

As practicing catch and release anglers, we are deeply concerned about the already present and escalating threat of poaching at Frenchmen’s Flat Day Use Area. Recent years have seen a notable increase in poaching incidents, evident from heightened reports to CALTIP and citations issued by CDFW wardens. Both the wild trout section (under Special Regulations 7.50) and sections under general statewide trout regulations witness illegal fishing activity, including during months when zero limit trout regulations are in effect. These accounts of wrongdoing have been witnessed not only by the anglers writing this letter, but as well as volunteers within the Fisheries Resource Volunteer Corps during patrol and clean up outings.

Furthermore, sporadic and erroneous placement of signage along Middle Piru Creek, particularly at the Frenchmen’s Flat Day Use Area parking lot, fails to effectively communicate regulations or enforce compliance. The escalating threat of climate change exacerbates existing challenges. Historical droughts, elevated water temperatures, and inevitable low flows (minimum 3 cubic feet per second) from the Pyramid Lake dam underscore the urgency of implementing seasonal closures and hoot owl measures. These measures are critical to mitigating higher fish mortality rates and preserving vital spawning habitat.

Simple yet strategic deployment of new signage, coupled with enhanced enforcement efforts, could serve as effective deterrents against poaching and promote awareness of responsible angling practices. It is imperative that we take decisive action to curb these unlawful practices and ensure the long-term viability of this cherished species.

Moreover, recent actions by a Los Angeles County Superior Court judge to reject a challenge from a water agency seeking to strip protections from the Southern California steelhead underscores the importance of protecting this species and population of trout in Piru Creek. Biology reports have proven that the wild and native fish inhabiting Middle Piru creek are in fact genetically identical to the Southern California Steelhead.

We implore the California Fish And Game Commission and the California Department of Fish and Wildlife to recognize the critical importance of prioritizing the conservation of the thriving trout population in Middle Piru creek by considering the following proposed changes to the fishing regulations for “Middle” Piru creek:

- Implement year-round zero limit, catch-and-release-only, with single barbless hook regulations for the entire Middle Piru section and its tributaries (from 300 yards below Pyramid Lake Dam to Piru Lake, approx 16 miles) in order minimize mortality rates and protect breeding populations.
- Replace current signage and install new signage to better communicate fishing regulations and restrictions (specifically in the parking area at Frenchmen’s Flat). The new signage would also include information on how to report poaching or unlawful activity to CALTIP.
- Enforce seasonal closures and hoot owl measures at minimum flows and higher water temperatures to prevent higher fish mortality rates and safeguard critical spawning habitat.

By adopting these measures, we can mitigate the immediate threats facing the coastal rainbow trout population in Middle Piru creek and contribute to the overall conservation of our precious natural resources.

We trust that you will give due consideration to this petition and take decisive action to protect this thriving trout population. Together, we can ensure a sustainable future for both wildlife and the angling community in Southern California.

Thank you for your attention to this pressing matter.

Sincerely,

The Southern California Angling Community

NAME	ADDRESS	PHONE	SIGNATURE
HAIR TOPADZHIAN			HAIR Top
ANDY REYNOLDS			AR
DAVID KORTY			DK
CHRISTOPHER			Chris
L. Scott Clark			L Scott Clark
Eric Arentsen			Eric
JOHN DICKEY			John Dickey
Dave Baumgartner			Dave Baumgartner
Dale Leshaw			Dale
Ray Harlow			Ray Harlow
RACHEL FERREIRA			Rachel Ferreira
Michael Perazas			Michael
Ben Chasanoff			Ben
JOHN KIM			John Kim
Paul Pigman			Paul Pigman
ANDREW CONE			Andrew Cone
LAURA AYALA-HUNTER			Laura Ayala-Hunter
Tony G. Wyss			Tony G. Wyss
Zen Dochtramm, Ph.D.			Zen
STEVE FERNER			Steve Ferner
STEVEN HUNTLEY			Steven Huntley
Randy Mullins			Randy Mullins
Jane Baumgartner			Jane Baumgartner
MICHAEL HEMBREE			Michael Hembree
ANTON YUPANGCO			Anton Yupangco
JOE DEKIN			Joe Dekin
Daniel Bray			Daniel Bray
Brooks Bonstini			Brooks Bonstini

NAME		SIGNATURE
Sam Reese		Samuel A Reese
Steve Ellis		[Signature]
LARRY KASTER		[Signature]
Joseph Knowles		[Signature]
Daniel Esquivias		[Signature]
ALEX WRIGHT		[Signature]
CHRIS HELLAND		[Signature]
JULIAN COHEN		[Signature]
Jose Aviles		[Signature]
Andy Becker		[Signature]
Chris Nichols		[Signature]
Rodolfo Grechiga		[Signature]
Gregg Martin		[Signature]
David Shaffer		[Signature]
Sara Shaffer		[Signature]
ARTIN MARCOOT		[Signature]
Abrahams, Hilda		[Signature]
Joseph Torres		[Signature]
Henry Truong		[Signature]
Arlene Tieu		[Signature]
ROBERT BROWN		[Signature]
H. Carl Crawford		[Signature]
Camara Perry		[Signature]
Andrea Lavie		[Signature]
MICHAEL FORREST		[Signature]
Justin Townsend		[Signature]
Devon Truno		[Signature]
GROUSE ORTEGA		[Signature]

Andrew Reynolds

Ching Shing

Chandler Aubrey

Belle Cook

Michael H. Hahn

SEAN ROBINSON

James Rexford

Chris Austin

ROGER KNUDSON

Tom Page

FROM CARSON

Naomi Kim

Audrey Kim

AB

C. K.

A collection of handwritten signatures and initials on lined paper. At the top, there are initials that appear to be 'JL'. Below them is a large, stylized signature. Further down is another signature, followed by the name 'Roger Henderson' written in a cursive script. Below the name is a signature that looks like 'Ken'. At the bottom, there are two more signatures, one of which appears to be 'John'.



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4

Jeff Jacobz

Chris Torg
BEN Chris

BEN CHIMP

Ethnom Drury

Lauren Drury

Don Shaul

James Bading

Ezra Dorka
Ethan Rosenberg


Ethan Rosenberg

STEVE DOUGLAS

Trevor Tanne

MARSHALL BIKES

Glenn Hiroyasu



Love

D Shanf

James Bading

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H. Dada

[Handwritten signature]



Memorandum

Date: July 26, 2024

Signed original on file,
received July 30, 2024

To: Melissa Miller-Henson
Executive Director
Fish and Game Commission

From: Charlton H. Bonham
Director

Subject: **Regulation Change Petition No. 2023-17: Request amendment to Title 14, CCR to allow the use of horses on designated trails on the Bayview Unit of Morro Dunes Ecological Reserve**

Background

The California Fish and Game Commission (Commission) referred Petition 2023-017 in February 2024 to the California Department of Fish and Wildlife (Department) for review and recommendation. The Petitioner, representing a portion of the Los Osos Equestrian Community (LOEC), requests to allow the use of horses on designated trails on the Bayview Unit of Morro Dunes Ecological Reserve (MDER) under CCR, Title 14, Section 630(g). The Department acknowledges the recreational values this property has for all people living in the Los Osos community.

The MDER Bayview Unit was acquired in 2000 and 2003, and supports habitat for several special status plant and animal species, many of which are endemic to the area, including:

- Morro manzanita, *Arctostaphylos morroensis* (federal **threatened**)
- Indian Knob Mountain balm *Eriodictyon altissimum*, (State and federal **endangered**)
- Morro shoulderband snail *Helminthoglypta walkeriana* (federal **threatened**)
- Morro Bay kangaroo rat *Dipodomys heermanni morroensis* (federal and State **endangered, California fully protected species**)
- Northern California legless lizard *Anniella pulchra*, (**species of special concern**)
- Blainville's horned lizard *Phrynosoma blainvillii*, (**species of special concern**)
- Crotch's bumblebee, *Bombus crotchii* (candidate for state listing)
- Morro Bay Polyphyllan Scarab Beetle, *Polyphylla morroensis*, (proposed federal listing)
- Blochman's leafy daisy *Erigeron blochmaniae* (rare plant rank 1B.2)
- southern curly-leaved monardella *Monardella sinuata* ssp. *sinuata*, (rare plant

1B.2)

- popcorn lichen *Cladonia firma*, (rare plant 2B.1)
- splitting yarn lichen *Sulcaria isidiifera*, (rare plant 1B.1)
- twisted horsehair lichen *Sulcaria spiralifera*, (rare plant rank 1B.2)

Acquisition summary documents provided by the Petitioner indicate that the parcel was zoned for development at the time of purchase of the Bayview Unit and subsequent transfer to the Department provided for long-term protection of the habitat and species as well as ensuring appropriate public access opportunities could be maintained. The recently approved Los Osos Habitat Conservation Plan depends on successful restoration activities on the MDER to generate mitigation credit. Those activities include reducing the impact of recreation on the MDER.

Analysis of Petition and Response

The Department discussed the petition and associated documents with the Petitioner and the LOEC in a virtual meeting on April 5, 2024. The Community members shared their comments and discussed the history of equestrian use of private property and the continued use after the property was purchased by the Department.

Each of the reasons for allowing horses on the Bayview Unit of MDER included in the petition and discussed in the April 5th meeting are addressed below.

Petitioners state they were not notified of Ecological Reserve status upon designation. MDER was designated in April 1983, and the Bayview Unit was added to the reserve through a regulation package adopted by the Commission in October 2002. The formal regulatory process as outlined by the Office of Administrative Law was followed, including providing a public comment period.

Petitioners state that the equestrian community used this private property under the previous owners when it was a cattle ranch. The land use for this property changed when it was purchased by the State of California and designated as an Ecological Reserve by the Fish and Game Commission. Designation as an Ecological Reserve under California Code of Regulations (CCR), Title 14, Section 630 means that the reserve is to be maintained for the primary purpose of developing a statewide program for protection of rare, threatened, or endangered native plants, wildlife, aquatic organisms, and specialized terrestrial or aquatic habitat types. The Management Summary from the regulation package that amended CCR, Title 14 to add the Bayview Unit to MDER (October 2002) states that an evaluation of these activities such as horseback riding, hiking and dog walking will include potential impacts from the activities on the resources that were intended to be protected through the acquisition.

The existence of established horse trails within the nearby Pecho Unit is documented by prescriptive rights. The Petitioners were made aware that there are no prescriptive rights on the Bayview Unit during the meeting on April 5, 2024.

Additionally, no prescriptive rights exist on the Pecho Unit. Once the Department took ownership of the Bayview Unit, existing regulations for MDER under CCR, Title 14 applied to the property. Actions by land managers to exclude horse use, even though the community has used the property over time, are acting within the authority of approved regulations for management and use of Department lands.

Petitioners state that despite the creation of MDER in 2000, there was no funding allocated for enforcement or property remediation, and recreational activities persisted. Funding and resource availability may have limited the Department's capacity to enforce regulations and provide the infrastructure to prohibit access to the site, although actions are being taken now to protect the resources on the property. While unauthorized recreational use persisted, it does not negate the mandate to manage the property for the resources that were intended to be protected by the acquisition.

Petitioners state that motorcycles and bicycles also damage sensitive habitat, yet there have been no regulatory changes addressing those issues. Bicycle use is prohibited at MDER under the regulation in CCR, Title 14, Section 630(g). Motorcycle use is also prohibited under CCR Title 14 Section 550(y). These damaging illegal activities are also being addressed by the Department.

Petitioner and LEOC acknowledged that the MDER is an environmentally sensitive habitat area that must be protected. The Department agrees that this is a sensitive site which must be managed for native species and their habitat. The site is specifically listed in the recovery plans for Morro Bay kangaroo rat, Morro manzanita, Indian Knob Mountain balm, and Morro shoulderband snail.

The primary purpose of CDFW Ecological Reserves is to protect rare, threatened, or endangered native plants, wildlife, and specialized terrestrial habitat types. Permitting equestrian use in regulation would result in continued trail destabilization, introduction and spread of nonnative invasive grass and other weed species, and habitat fragmentation and erosion on site, which is counterproductive to the recovery of and habitat management for the species listed above.

Petitioners state that confusion surrounding the Bayview Unit property persists due to the lack of remediation activities, enforcement, signs, or acknowledgment of its status as an Ecological Reserve. The Department is actively working to address management of this site including notifying the community that equestrian use is prohibited on the property with signage. This is an appropriate action under CCR, Title 14, 550(c)(2)(D).

The Department is working to add signage and other infrastructure, such as designated walking trails, that will help visitors understand regulations and reduce habitat impacts. New regulations in Title 14, Section 630(h) define visitor access across all MDER units. The regulations will take effect July 1, 2024 (pending OAL approval) and state: *Visitor access allowed only on designated trails during daylight hours.*

Petitioners acknowledge that they temporarily stopped riding in the area to demonstrate willingness to work with the Department. The Petitioners acknowledge that the Bayview Unit of MDER is an environmentally sensitive area and agreed to stop riding in the reserve while their petition was under consideration, which the Department appreciates. The Department has observed some continued equestrian use of the Bayview Unit, and removal of boundary and “no horses” signs by unknown members of the public.

Petitioners state that limited equestrian use is not the sole or leading cause of species and habitat loss. Rejection of this petition does not imply that equestrian use is the sole or leading cause of species and habitat loss.

The Petitioner and LOEC provided personal testimony describing the extent of long-time equestrian use, as well as historic motor cross and jeep use of the property. The LOEC is described in submitted attachments as containing more than 285 equestrian horses. They also acknowledge that the horses, among other factors, do have an impact on the landscape. Removal of these activities and compliance with existing regulations will contribute to restoration of the site.

Equestrians and other people have created a network of trails across the property (Figure 1). Excluding unauthorized use by horses, bicycles, and motorcycles may benefit or even allow recovery of sensitive species on the Bayview Unit that have been impacted by these activities. Designating specific hiking trails and restoring unauthorized trails will create more contiguous habitat and reduce impacts on the landscape, while allowing for public access and enjoyment.

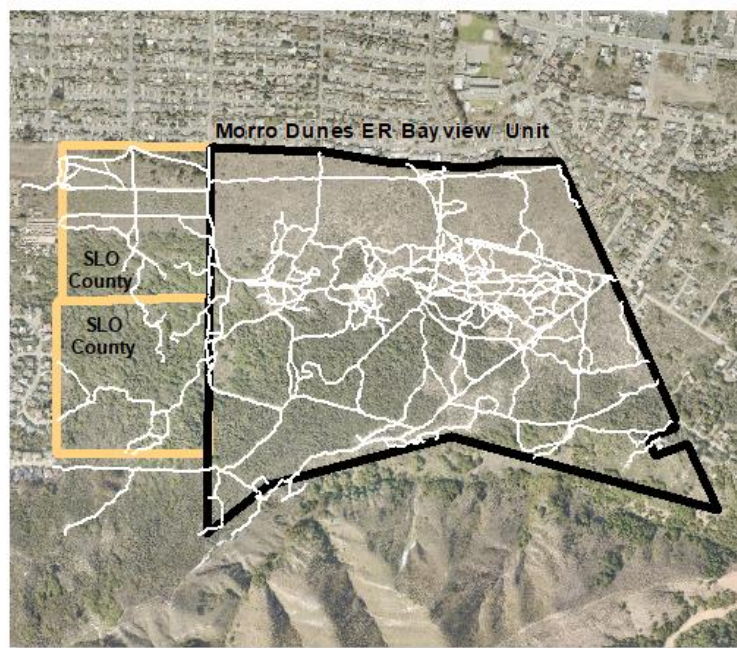


Figure 1. Trail scars (white lines) on the Bayview Unit of MDER

Petitioners disagree with the Implied Dedication Study signed by Wildlife Conservation Board Senior Land Agent Debra Townsend in 2000. This document, and the property evaluation document reference in the petition, is not relevant since historic access rights did not transfer when the property was purchased by the State of California. The Title Exceptions document provided by the Petitioner specifically notes (pg. 2) that the general public has consent to cross over a portion of the property, but "...precludes their ability to claim prescriptive rights" and that the state can revoke all access as needed if resources on the site are impacted. CDFW staff clarified that Department regulations applicable to MDER applied to the Bayview Unit upon acquisition and there are no historic prescriptive rights on this property during the meeting on April 5, 2024.

Petitioner provides a reference to *Reclassification of Morro Shoulderband Snail From Endangered to Threatened With Section 4(d) Rule Species Assessment Report*. The following text is highlighted in bold by Petitioner: **Currently, the most common threats to both species are those associated with land use practices that eliminate, reduce, fragment, and/or modify habitat used by the species. We expect that climate change will likely exacerbate the severity of these threats.**

The statement provides support for the Department's recommendation to continue excluding equestrian use on the Bayview Unit in regulation. The Department is managing the land to reduce practices that eliminate, reduce, fragment, and/or modify habitat on the property that can occur as a result from all recreational use, including hikers, horses, bikes, and motorcycles.

Petitioner indicated that continued closure will force LOEC members living east of the Bayview Unit to have to trailer their horses and use over-crowded existing equestrian access points to reach the Pecho Unit and State Parks trail network to the west. The Department recommends that the Petitioners discuss expansion of those access points with the County, which controls Pecho Road, and State Parks, which controls the trailheads. The primary equestrian use of the Bayview Unit has not been to connect to the State Parks and Pecho Unit trails. Rather, it has been equestrians from one stable west of the Bayview Unit, entering from the west, riding on the Bayview Unit, and then returning east to the stable. Extensive private land with no dedicated trail system lies between the Pecho and Bayview Units, and the Department has observed very little if any equestrian use on those connecting trails. Equestrian access to the State Parks trail system and the Pecho Unit does not depend on access to the Bayview Unit.

The Petitioner provided supplemental materials: Proposal: Re-establishment of Equestrian Trails in MDEP Bayview Unit. Petitioners propose creating limited mixed-use trails to accommodate the "over 285 equestrian horses" in the LEOC within the Bayview Unit. Petitioners provided a map showing existing unauthorized trails in a matrix of authorized trails which included a proposed equestrian trail "within 100ft firebreak". The area proposed by Petitioners for a trail will be managed as a shaded fuel break directly behind houses along the north boundary

of MDER, which will maintain the habitat values while protecting the urban infrastructure. Management of the fuel break will consist of controlling veldt grass and removing other introduced species while maintaining a native dune scrub plant community. Adding a new equestrian trail would create privacy concerns for the residents adjacent to the shaded fuel break and would further degrade habitat. A trail in this location is therefore not a viable option.

The proposal also suggests a flashing equestrian crossing alert system. It is noted that the Pecho Road crossings are already used by equestrians and are posted with 'Horse Crossing' signs. The Department does not control Pecho Road, where Petitioners suggest equestrian crossing improvements; nor does the MDER adjoin the road at that road crossing location.

Recommendation

The Department recommends that the petition be denied.

The Bayview Unit of MDER contains over 200 acres of coastal dune habitat acquired for the protection of sensitive biological resources, which Petitioners describe as "constructed on ancient dunes, forming a unique coastal ecosystem". The cumulative illegal usage in recent years has degraded sensitive dune habitat on lands acquired to protect it. As with bicycles and motorcycles, equestrian use should remain prohibited on the Bayview Unit to protect species such as the Morro Bay kangaroo rat, Morro manzanita, Indian Knob Mountain balm, Morro shoulderband snail, in addition to the large number of other species associated with rare and easily-degraded coastal dune habitat.

The Department is in the process of fencing, designating authorized trails, and closing unauthorized trails on the Bayview to preclude future unauthorized access during or following restoration.

While equestrian use on the Bayview Unit will not be allowed, the Pecho Unit of MDER is surrounded by Montana De Oro State Park and is located approximately 1 mile from the Bayview Unit. The land use of the Pecho Unit property is consistent with the surrounding State Park lands where equestrian use is allowed.

If you have any questions, please contact Michelle Selmon, Lands Program Manager, at michelle.selmon@wildlife.ca.gov or 916-704-3215.

ec: Department of Fish and Wildlife

Chad Dibble, Deputy Director
Wildlife and Fisheries Division

Scott Gardner, Chief
Wildlife Branch

Nathaniel Arnold, Deputy Director
Law Enforcement Division



Tracking Number: 2023-17_

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, (physical address) 1416 Ninth Street, Suite 1320, Sacramento, CA 95814, (mailing address) P.O. Box 944209, Sacramento, CA 94244-2090 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission's authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or FGC@fgc.ca.gov.

SECTION I: Required Information.

Please be succinct. Responses for Section I should not exceed five pages

1. Person or organization requesting the change (Required)

Name of primary contact person: Los Osos Equestrian Community

Address: [REDACTED]

Telephone number: [REDACTED]

Email address: losososequestriancommunity@gmail.com

2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested: Fish and Game Code Section 1580 ["The commission may adopt regulations for the occupation, utilization, operation, protection, enhancement, maintenance, and administration of ecological reserves."] Title 14 Section §630, Ecological Reserves

3. Overview (Required) - Summarize the proposed changes to regulations: Add the use of horses on designated trails in the Bayview Unit of the Morro Dunes Ecological Reserves. Remove: All use of horses on the Bayview Unit will remain prohibited. Amend 14 CCR § Section 630, Additional Visitor Use Regulations on Department Lands Designated as Ecological Reserves: (g)(11): The proposed changes allow the use of horses on designated trails on the Pecho Unit and the Bayview Unit of the Morro Dunes Ecological Reserve.

4. Rationale (Required) - Describe the problem and the reason for the proposed change: The establishment of the Morro Dunes Ecological Reserve in August 2000 raises concerns about the Fish and Game Commission's commitment to countering historic exclusions and ensuring transparency and community participation. There have been inconsistencies in regulation, and sworn accounts by a Senior Agent of the Fish & Game Organization, Debra Townsend, regarding recreational activities in the Bayview Unit, leading to the appropriation of government funding for the reserve's purchase.



Despite the creation of the Ecological Reserve in 2000, there was no funding allocated for enforcement or property remediation. Recreational activities persisted, and adjacent equestrian stables and properties were not notified of the reserve status. Equestrian use continued as it had for decades, as nobody was informed otherwise.

Historically, the property was used for cattle ranching since the 1930s, and it has always been surrounded by agricultural supporting industries, equestrian facilities, and residential developments. However, farming practices and disking led to erosion features and the dominance of invasive weeds in certain areas. Cattle and horses roamed the property during this period as well.

The existence of established horse trails within the nearby Pecho Unit is documented by prescriptive right. It is acknowledged that the Morro Dunes Ecological Reserve is an environmentally sensitive habitat area (ESHA) that must be protected. Limited equestrian use is not the sole or leading cause of species and habitat loss; factors like climate change and species migration must be acknowledged as the dominant impactors. This is basic conservation biology. Despite this, serious remediation efforts and enforcement have been lacking. Unpermitted motorcycles and bicycles also damage sensitive habitat, yet there have been no regulatory changes addressing this issue. In fact, we have witnessed Fish & Wildlife agents high five bicyclists leaving the Bayview Unit area despite it being prohibited. There has never been fencing on this property or signage even prior to it being a Reserve.

The majority of the Los Osos community is constructed on ancient dunes, forming a unique coastal ecosystem. The Coastal Commission, in partnership with the Fish & Game Commission, applied similar arguments for the Los Osos Wastewater Treatment Plant (WWTP) in 2010, considering ESHA disturbance for such projects as the least environmentally damaging feasible alternative. After over ten to twelve years since the MDER was established, Fish & Game was trying to establish a funding mechanism for remediation activities. It is 2023 and it has been 23 years since this property was purchased and there is still not an active funding source in place. It is dependent on the approval of the Coastal Commission confirming there is water in Los Osos and allowing building in the community again. This may take another decade. During this time, one of the dominant species that led to this property being designated an Ecological Reserve was reclassified as Threatened instead of Endangered as "the species' status has improved such that it is not currently in danger of extinction throughout all or a significant portion of its range". Additionally, the Morro Bay Kangaroo Rat was declared functionally extinct. These occurred during the time that no remediation efforts were occurring and equestrian use was occurring in the Bay View unit. Equestrians ride on trails that avoid the vegetation species that are endangered and threatened and the horses do not consume these. We walked by foot trails we used to ride to determine if they were surrounded by coastal sage scrub, dune scrub, Morro manzanita and maritime chaparral. We prefer to ride trails that are horizontal that do not cause erosion and avoid trails that are showing signs of erosion.

However, the confusion surrounding the Bayview Unit property persists due to the lack of remediation activities, enforcement, signs, or acknowledgment of its status as an Ecological Reserve. The Coastal Commission's involvement in mitigation further complicates the situation, with delays in implementing mitigation and conservation measures. On the request of Dave Hacker of Fish & Game, Los Osos equestrians temporarily stopped riding the area to demonstrate a willingness to work



together to come to a solution on the trails and he advised applying to the Commission to clear up the history regarding the property.

He, and the current commission, may not be aware that property evaluation leading to the establishment of the Morro Dunes Ecological Reserve was based on an Implied Dedication Study by Senior Land Agent Debra Townsend, who failed to acknowledge the continuous and uninterrupted equestrian use of the property. Townsend was aware of this recreational use, as evidenced by photographs of her riding in the area. She is a current equestrian and a long term Fish & Game Senior agent employee who retired recently. She rode with members of our community in the Ecological Reserve before this property was a reserve and was aware of the significant, historical equestrian use in this area. The lack of accurate representation during the property evaluation has led to the ongoing issues and disputes concerning the reserve's status and usage.

SECTION II: Optional Information

5. Date of Petition: November 15, 2023

6. Category of Proposed Change

☐ Sport Fishing

☐ Commercial Fishing

☐ Hunting

☒ Other, please specify: Ecological Reserves

7. The proposal is to: *(To determine section number(s), see current year regulation booklet or*

<https://govt.westlaw.com/calregs>)

☒ Amend Title 14 Section(s): 630

☐ Add New Title 14 Section(s): [Click here to enter text.](#)

☐ Repeal Title 14 Section(s): [Click here to enter text.](#)

8. If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition [Click here to enter text.](#)

Or ☒ Not applicable.

9. Effective date: If applicable, identify the desired effective date of the regulation.

If the proposed change requires immediate implementation, explain the nature of the emergency: This petition urgently calls for immediate action because equestrian use predates the creation of the Ecological Reserves. Furthermore, contracting irregularities, lack of transparency, and a failure in due diligence have unjustly denied equestrians their prescribed rights for the past two decades. The upcoming review of the Los Osos Community Plan by the Fish & Game Commission and Coastal Commission, as part of the Los Osos Habitat Conservation Plan (LOHCP), demands urgent attention. Despite the well-known fact that land use, development, and habitat loss significantly contribute to the decline of endangered species, including those in the Morro Dunes Ecological Reserve (MDER), the Fish & Game Commission points fingers at equestrian land disturbances while permitting residential, commercial, and industrial development. The MDER is currently being used as mitigation to



develop vacant residential and commercial properties in Los Osos, where endangered species are thriving under the Fish & Game Commission's Incidental Take Permit program. Allowing construction activities on these covered species, as proposed by the County in the LOHCP conservation program, will further endanger these species. The Commission's decision to permit such activities could lead to the extinction of these species, as they will be threatened by the construction, undermining the very purpose of the conservation program. It is essential to emphasize that equestrian recreation activities do not have the same impact on the environment as large-scale land use development projects. Immediate action is imperative to rectify these issues and protect the endangered species in the Morro Dunes Ecological Reserve.

10. Supporting documentation: Identify and attach to the petition any information supporting the proposal including data, reports and other documents:

- Images of America: Los Osos/Bay Wood Park: Lynette Tornatsky depicts history of the Los Osos/Baywood community and mentions "the Broderson area...is land crisscrossed with hiking and horse trails" (105).
- Endangered and Threatened Wildlife and Plants; Reclassification of Morro Shoulderband Snail From Endangered to Threatened With Section 4(d) Rule Species Assessment Report: Ventura Fish and Wildlife Office U.S. Fish and Wildlife Service: "At the time of listing, we thought *Helminthoglypta walkeriana morroensis* (currently, Chorro shoulderband snail, CSS) was extinct and speculated that there may have been as few as several hundred individuals of *H. walkeriana* (currently, Morro shoulderband snail, MSS) extant. Within a few years of listing, CSS was rediscovered near the northern limit of Morro Bay. Since the time of listing, living CSS individuals have been documented at other locations from northern Morro Bay south and inland through the City of San Luis Obispo and **we now know MSS numbers far exceed what was thought at that time. As part of the listing rule, we identified urban development and other anthropogenic activities such as recreation, grazing, and utility construction as threats to the banded dune snail (Service 1994: 66401). Currently, the most common threats to both species are those associated with land use practices that eliminate, reduce, fragment, and/or modify habitat used by the species. We expect that climate change will likely exacerbate the severity of these threats.**
- Determining Extinction for Small Cryptic Species: The Morro Bay Kangaroo Rat Biological Sciences Department, California Polytechnic State University, San Luis Obispo, CA 93407, USA
- California Fish and Game Commission Justice, Equity, Diversity and Inclusion Policy: The Department's Lands Program, assisted by others throughout the Department, will begin taking steps to acknowledge historical connections and usages at many of the Department's lands
- Baywood Park Training Area
- <https://documents.coastal.ca.gov/reports/2010/6/Th7b-6-2010.pdf>



Bayview Ecological Reserve
(Morro Palisades)
San Luis Obispo County

IMPLIED DEDICATION STUDY

The undersigned has inspected the above noted property which is presently owned by Morro Palisades Co., a General Partnership. It is likely that the general public may have from time to time trespassed upon the property; however, there is no evidence of any systematic, regular or organized trespassers. Therefore, it is doubtful that a case for public prescriptive rights on the property could be perfected using the "open and notorious" definition which is generally a requirement in prescriptive rights cases. It should also be noted that most of the comparable sale properties in the appraisal report have similar capabilities of trespassing.

By 
Debra Townsend
Senior Land Agent

Date Nov. 20, 2002



RECORDER'S OFFICE
SAN LUIS OBISPO COUNTY

VOL 1166 PG 746

1769
GRANT OF EASEMENT

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

NORRIS PALISADES COMPANY, a corporation;
H. B. ALEXANDER;
LYLE G. GRAHAM and NORMA I. GRAHAM;

Hereby grant to

NORRIS PALISADES COMPANY, a corporation;
H. B. ALEXANDER;
LYLE G. GRAHAM and NORMA I. GRAHAM;

their successors and assigns,

AN EASEMENT for utilities and road purposes with the right to grant same to others and/or dedicate to the public use and with the right to enter thereon and clear, grade, excavate, or construct; repair or maintain a roadway and utilities system and appurtenances on, under, or over a strip of land 60.00 feet wide, the center line of which is described as follows:

Beginning at the southerly terminus of the center line of Broderick Avenue, 60 feet wide, as shown on the map of Tract No. 84, recorded in book 5, page 82 of Maps in the office of the County Recorder of San Luis Obispo County, State of California; thence southerly in a direct line to the most northerly corner of lot 77 of the Rancho Canada de los Coas and La Laguna, as shown on map filed in book 1, page 83 of Maps, in the office of the said County Recorder; thence southerly along the westerly line of said lot 77, a distance of 370.00 feet.

NORRIS PALISADES COMPANY, a corporation:

[Signature]
[Signature]
[Signature]
H. B. ALEXANDER
[Signature]
LYLE G. GRAHAM
[Signature]
NORMA I. GRAHAM



JUN 28 1961 1769

Dated: *[Signature]* 1769



LOS OSOS EQUESTRIAN COMMUNITY

PROPOSAL: Re-establishment of Equestrian Trails in MDEP Bayview Unit



Prepared for: County of San Luis Obispo, California Department of Fish and Wildlife

Prepared by: Los Osos Equestrian Community

March 4, 2021

Proposal response to Los Osos Habitat Conservation Plan/Morro Dunes Ecological Preserve Decision



LOS OSOS EQUESTRIAN COMMUNITY - BAYVIEW PRESERVE TRAIL PROPOSAL

PROPOSAL BRIEF

BACKGROUND

The Los Osos Equestrian Community (LOEC) is an informal group formed from six sub-communities within Los Osos, Baywood and Clark Valley. The LOEC has utilized an extensive network of equestrian trails located on county, state parks, and private-easement lands for decades. The LOEC numbers over 285 equestrian horses that use these trails on a daily basis, not including a large number of equestrians visiting from out of the area.

These trails have included areas located within the California Department of Fish and Wildlife-designated Morro Dunes Ecological Preserve (MDEP) Bayview and Pecho units. Within the past decade, the MDEP plan was incorporated into the larger Los Osos Habitat Conservation Plan (LOHCP).

In February of 2021, the final Environmental Impact Report for the LOHCP was accepted and the Memorandum of Understanding was signed by the County of San Luis Obispo and California Department of Fish and Wildlife (DFW). This report included the closure of several trails within the Bayview Unit of the MDEP. These trails were utilized by equestrians and hikers.

Additionally in this decision, a loop and ridge trail was established within the Bayview Unit that was designated for hiker access only. This action closed the Bayview Unit to all equestrian use. (Equestrian trails in the MDEP Pecho Unit were unchanged and equestrian use is still allowed.)

The closure of the trails in the Bayview Unit effectively locked out several of the LOEC's sub-communities from trail access to Montana de Oro (MDO) State Park. The closure of these trails will force an increased use of trailering of horses to one of three already over-crowded access points at MDO: the horse camp, horse camp entrance and the Hazard Reef/Dune Trail Parking Lot. (See "Equestrian Access Points" in Appendix [Figure 1: Los Osos Equestrian Community Trail Map](#).)

The closure will force an increase of equestrian crossings at three high-traffic locations on county-maintained Pecho Road. (See "Pecho Road Crossings" in Appendix [Figure 1: Los Osos Equestrian Community Trail Map](#).)

OBJECTIVE

The LOEC seeks to re-establish and restore a very limited section of equestrian trail within the Bayview preserve, limited to the perimeter of the preserve only. The LOEC also seeks to use as example the successful utilization of mixed-use access of protected public land as found in other equestrian communities, such as Ojai and Nipomo.



LOS OSOS EQUESTRIAN COMMUNITY - BAYVIEW PRESERVE TRAIL PROPOSAL

GOALS

Through assessment of the habitat conservation and public access in the Bayview Preserve, the LOEC seeks to work with the County of SLO and CA DFW to find a balance that still provides essential habitat conservation and protection for the at-risk species as listed in the LOHCP/MDEP while also providing limited access to the equestrian community of Los Osos.

SOLUTION

- 1) The re-establishment of an equestrian trail on the extreme western boundary of the preserve that would provide for a mixed-use trail system, closing a gap in the larger network of equestrian trails. This trail would utilize an existing wide trail already designated for hiker use, easily able to transition to a mixed-use trail.
- 2) The restoration of an equestrian trail on the extreme northern and eastern boundary that would re-open access to three sub-communities (approximately 100 equestrian riders) that are to the east of MDO State Park and the Bayview Preserve. This re-development of a trail would be within the designated and required 100-foot firebreak along the northern and eastern boundary of the preserve where it interacts with public use (homes and country road). See [Figure 20: Fuel Break within the Bayview Unit](#) in the "LOHCP Interim Adaptive Management and Monitoring Plan"
- 3) Alternative solution for protection of equestrian riders at the high-traffic public road crossings on county-maintained Pecho Road, to include equestrian rider-activated flashing lights at the marked crossings to alert drivers. This is similar to the pedestrian crossings (not found at intersections) on high traffic volume roads.

PROPOSAL OUTLINE

The LOEC proposal for the re-establishment and restoration has three separate yet connected solutions revolving around structured access, habitat conservation and erosion control, efficient mixed-use application and equestrian safety.

EQUESTRIAN TRAIL ALONG BRODERSON/LOOP TRAIL ON WEST BOUNDARY

Equestrians and hikers have long used the wide, abandoned Broderon Road south of Highland Drive for many years. The section south of the county access road is now designated as closed to equestrian use, despite being a primary trail for over 200 equestrians. (Reference "Existing/Proposed Mixed-Use Trail in Bayview Preserve" in Appendix [Figure 1: Los Osos Equestrian Community Trail Map](#).)

This section of trail that continues south from the county access road for approximately .3 mile to a point that the trail turns south-east for .1 mile is designated as hiker only. The LOEC is requesting that this portion of the trail (.4-mile in length) become a mixed-use trail for both hiker and equestrian use.

The existing trail from this juncture continues south-west for .1 mile to the western boundary of the Bayview Preserve. This section has been designated closed in the LOHCP and is a section that the LOEC



LOS OSOS EQUESTRIAN COMMUNITY - BAYVIEW PRESERVE TRAIL PROPOSAL

requests become an equestrian-only trail so as to re-connect with the main equestrian trail directly over the preserve boundary.

The LOEC seeks to create a mixed-use environment similar to the equestrian trails created in the community of Ojai, where equestrians and hikers are separated by a fence (as seen in the photo at right).



For the Bayview Preserve western boundary, the equestrian use enters and departs only on the west side of the trail while the hiker use enters and departs from the east side of the trail. This creates a natural pathway that both ensures hiker and equestrian safety through separation of the trail along a center line fencing.

The habitat impact is insignificant as the existing wide trail would remain in use along with the existing side trail to the boundary perimeter that connects with the main trail outside the preserve.

This section of trail has a slope that is identified in the LOHCP as an area of erosion control and the LOEC would provide trail maintenance and erosion controls as detailed by the CAL DFW to ensure insignificant erosion impacts due to equestrian use.

The fencing to separate the mixed-use section of the trail between equestrians and hikers could be the recommended wire rope fencing to be utilized throughout the Bayview Preserve to contain the Loop and Ridge trails and close the smaller secondary trails that criss-cross the preserve. (The above split-rail fencing image from the Ojai community is an example of the separation of the mixed-use trail for equestrian and hiker safety.)

EQUESTRIAN TRAIL IN FIRE BREAK PARALLEL TO HIGHLAND RD. & BAYVIEW HEIGHTS DR.

The LOHCP requires a 100-ft. firebreak be created along the north and east boundary of the Bayview Preserve

The closure of the Bayview Preserve to all equestrian use has effectively blocked a significant portion of the LOEC from accessing the extensive public horse trail network that exists on county and state parks. Closure of the Bayview Preserve would force these equestrian stakeholders to trailer their horses to the already over-crowded equestrian access points in MDO State Park at the three locations marked on the LOEC Trail Map. (See "Equestrian Access Points" in Appendix [Figure 1: Los Osos Equestrian Community Trail Map](#).)

In addition, forcing Bayview Preserve equestrians to MDO State Park would greatly increase the number of horse crossings at three key high-traffic locations on Pecho Road marked on the LOEC Trail Map. (See "Pecho Road Crossings" in Appendix [Figure 1: Los Osos Equestrian Community Trail Map](#).)



LOS OSOS EQUESTRIAN COMMUNITY - BAYVIEW PRESERVE TRAIL PROPOSAL

The LOEC proposes an equestrian trail that would exist within the 100-ft wide firebreak that would run parallel to Highland Road and Bayview Heights Drive. This trail would be on the north and east boundary, starting from the Broderson Road entrance to the preserve, running east along the residential fence line to the junction with Bayview Heights Drive. The equestrian trail would continue in a south-east direction within the 100-ft wide firebreak along Bayview Heights Drive to the junction with Calle Cordoniz, outside the Bayview Preserve, and an existing equestrian trail.

By restoring this extension of the equestrian trail within the firebreak, it would allow for the equestrian stakeholders in the sub-communities of Bayview Heights, LOVE Farm and the Central Coast Polo Club Boarding (approximately 100+ horses) access to the trail network east of the Bayview Preserve and northwest of MDO State Park. In addition, the intersection of Bayview Heights Drive and Calle Cordoniz is a popular horse trailering spot for both satellite LOEC sub-communities and visitors to the area.

Currently, due to the trail closures in the Bayview Preserve, all of these stakeholders are completely cutoff and isolated.

The habitat impact is insignificant as brush clearing (non-protected California Sagebrush-Black Sage) would be required due to the necessity of the firebreak, and the species impact would be insignificant as noted in the LOHCP in this specific zone.

EQUESTRIAN SAFETY AT HIGH TRAFFIC CROSSINGS ALONG PECHO ROAD

Outside of the LOHCP and MDEP areas, the equestrian trail network has three crossings on Pecho Road. (See "Pecho Road Crossings" in Appendix Figure 1: *Los Osos Equestrian Community Trail Map*.) These crossings already are heavily impacted by equestrian usage and are protected only by "Horse Crossing" signs in the vicinity of the crossings.

In addition, traffic volume on this section of Pecho Road is at already at high volumes with an expected increase in traffic following the buildout of Los Osos as per the LOHCP. See *Figures 15-18: Proposed Community Plan Buildout Peak Hour Traffic Volumes at Intersections in Plan Area* in the "*LOHCP Final Environmental Impact Report, 2020*"

The closure of any portion of the Bayview Preserve will force trailering of horses to one of the three trailering locations along Pecho road at the edge of MDO State Park. (See "Equestrian Access Points" in Appendix Figure 1: *Los Osos Equestrian Community Trail Map*.) This increased demand on these access points will also increase usage of the three crossings along Pecho Road.

The LOEC proposes an equestrian crossing alert system, similar to a pedestrian-activated flashing light warning sign, at these three high traffic volume crossings that pose a significant safety risk to equestrians. Even if the above-proposed trails within the Bayview Preserve are restored to equestrian use, these three crossings still remain as a safety issue that the LOEC believes needs to be addressed.



LOS OSOS EQUESTRIAN COMMUNITY - BAYVIEW PRESERVE TRAIL PROPOSAL

CONCLUSION

Equestrian safety, habitat conservation and preservation of the vast equestrian trail network in the Los Osos and Baywood community can be accommodated through mutual agreements and solutions, commitment from stakeholders in trail maintenance and erosion control, and an attention to the details in the Bayview Preserve.

Los Osos and MDO State Park are considered one of the top equestrian riding areas in the state. It is in the best interests of the County of San Luis Obispo, the CA Department of Fish and Wildlife and the local equestrian community to do everything in their ability to preserve the interests of all stakeholders, including all agencies, residents and visitors.

The LOEC seeks to take a more active role in the trail maintenance of the horse trail network within the Bayview Preserve to ensure that habitat preservation and conservation is at the recommended levels in the LOHCP and the MDEP reports.

LOEC members welcome and look forward to a positive and continued discussion in the proposal of limited trail along the Bayview Preserve perimeter that would benefit all involved.

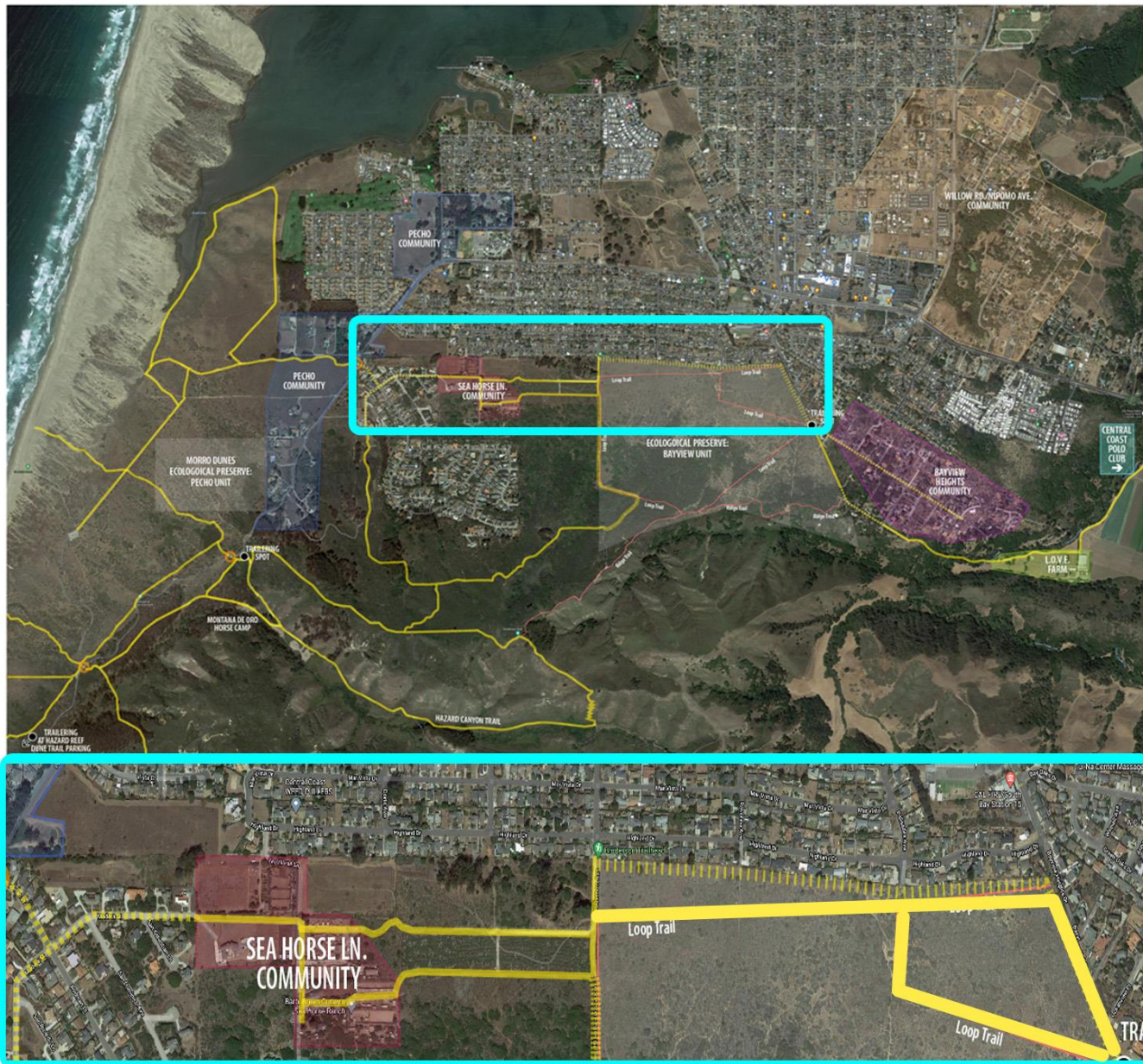
Los Osos Equestrian Community

SEA HORSE LAKE COMMUNITY Sea Horse Lake, south of Highland Dr. Number of horses: 95	LOS OSOS VALLEY EQUINE FARM S.E. of Los Osos Creek off I/OVR Number of horses: 40	WILLOW RD./NIMPOA AVE. COMMUNITY Nimpoa (at 1139), south of Bay to Willow Rd. Number of horses: 40
PECICO COMMUNITY Sea Pines Golf Course south to MDO Border Number of horses: 30	RAYVIEW HEIGHTS COMMUNITY Rayview Heights E. from Lake Cardozo Number of horses: 10	CENTRAL COAST POLO CLUB BOARDING Glen Valley Blvd. S.E. of I/OVR Number of horses: 50

- | | |
|---|---|
|  | EXISTING EQUESTRIAN TRAILS
Current trails located on mix of county property, private easement and within MDO State Park |
|  | EXISTING EQUESTRIAN TRAILS
Current trails that are on paved county roads |
|  | EXISTING PROPOSED MIXED-USE EQUESTRIAN TRAIL IN BAYVIEW PRESERVE
Mixed-use trail on Loop Trail south from Highland at Endoness; Equestrian trail off Loop Trail back toward top of Rodden Dr. |
|  | PROPOSED EQUESTRIAN TRAIL IN BAYVIEW PRESERVE
Equestrian trail west within 100-ft footprint, parallel to Highland Dr. and Bayview Heights Dr. |
|  | EXISTING HIKING TRAILS IN BAYVIEW PRESERVE
DNR-specified hiking trails to remain within Bayview Preserve boundary |

- **EQUESTRIAN ACCESS POINT**
Locations where non-boarding equestrians access the Bayview Preserve and trails connected to the Bayview Preserve.

Access points are used by locals in Nipomo/Willow community and Pecho community, as well as visiting equestrians.
- **PECHO ROAD EQUESTRIAN CROSSING**
High traffic volume locations on Pecho Road where equestrians cross daily.



Corridor allows E to W access. It has always been a multi-use trail.

San Luis Obispo County
FY 2021-22 General Plan Progress Report**Tier I Priority Projects in Progress as of FY 22-23**

The following Tier I Priority Projects are in progress as of FY 22-23.

Table 5: Tier I Priority Projects (In Progress as of FY 22-23)

Los Osos Community Plan LRP2011-00016	
Summary	The Los Osos Community Plan allows new development and establishes a vision and framework for the future orderly development of Los Osos that is in line with available resources and protects the unique and sensitive habitats within the community. The Community Plan and related amendments will put in place the goals, policies, programs, standards, and zoning needed to guide future land use, transportation, and development for sustainable growth in the community over the next 20 years.
Status	On December 15, 2020, the Board adopted the LOCP update and Final Environmental Impact Report (EIR) and tentatively adopted amendments to the Growth Management Ordinance that would establish a residential growth rate for the Los Osos urban area. The LOCP policies are subject to change based on CCC review. A hearing date with the CCC has not yet been scheduled. Staff continues to coordinate with CCC staff to address their comments.
Los Osos Habitat Conservation Plan LRP2013-00001	
Summary	As required by one of the Conditions of Approval of the Los Osos Wastewater Project Coastal Development Permit, the County prepared a community-wide Habitat Conservation Plan for the community of Los Osos. A Habitat Conservation Plan is a required part of an application for an Incidental Take Permit, a permit issued under the United States Endangered Species Act to private entities undertaking projects that might result in the destruction of an endangered or threatened species. The covered species include two animal species and two plant species: Morro shoulderband snail, Morro Bay kangaroo rat, Morro manzanita, and Indian Knob mountainbalm.
Status	On December 15, 2020, the Board approved a Memorandum of Understanding with the California Department of Fish and Wildlife (CDFW) to allow for habitat management, restoration, and monitoring activities on CDFW lands; approved to form the LOHCP and IAMMP; delegated authority to the Department Director to execute final documents and accept final LOHCP amendments and incidental take permit terms and conditions required by the U.S. Fish and Wildlife Service; and certified the Final EIR for the LOHCP. Staff continues to coordinate with the U.S. Fish and Wildlife Service for issuance of the incidental take permit.



Wildlife Conservation Board Minutes, November 18, 2003

population of several different endangered species. Western snowy plovers and White-faced Ibis, both Species of Special Concern, inhabit the wetlands. It is also likely that the Owens Valley vole, a Federal and State Species of Concern, Owens Valley checkerbloom, a State Endangered plant species, and the Owens tui chub will be found on this site as these species have been documented on the wetlands and spring site on an adjoining property. Acquisition of this site would also further the goals of the Owens Basin Wetland and Aquatic Species Recovery Plan which identifies the preservation of spring discharge and protection of wetlands as priorities for the Southern Owens Conservation Area which includes this site.

The market value of the subject property, as determined by an appraisal approved by the Department of General Services (DGS), is \$937,000.00. The owner has agreed to sell the property at the appraised value. The acquisition includes 218 acres of land improved with an artesian well, small metal building and chain link fencing around the well. An additional \$20,000.00 will be needed for the DGS appraisal review costs, appraisal costs, environmental inspection costs, escrow costs and title insurance expense. An additional \$1,000.00 will be needed for start-up costs including a survey for endangered species, signs and training for the operation of the well.

This proposed acquisition is exempt from CEQA under Class 13 of Categorical Exemptions as acquisitions of land for wildlife conservation purposes and under Class 25 as the transfer of ownership interests in land to preserve open space. A Notice of Exemption will be filed upon approval by the Wildlife Conservation Board.

Mr. Wright reported that the Board received a letter of concern from the County Administrator on behalf of the Inyo County Board of Supervisors. Mr. Wright read a portion of that letter which expressed concern regarding the large percentage of publicly owned land, the loss of tax revenues and the need to have a balanced and reasonable approach that minimizes the economic and social impact on the local jurisdictions.

Mr. Wright stated that the Board received letters of support from Eastern Sierra Land Trust, Sierra Nevada Alliance, Klamath Audubon Society, Audubon California, Toiyabe Chapter Sierra Club, California/Nevada Regional Conservation Desert Committee, Mono Lake Committee, Mojave Group of the Sierra Club, International Shorebird Survey, Eastern Sierra Audubon Society, The Owens Valley Committee, Sierra Foothills Audubon Society and letters from several other citizens.

Mr. Flores asked if there were any comments or questions. There were none.

Mr. Wright, referring to the letter from the County, stated that the Board is very cognizant of the impacts to these rural counties with significant acreages of

- 36 -

Wildlife Conservation Board Minutes, November 18, 2003

public land already in place. He stated that this property is unique because of the water resources on it and because of that the Board recommends proceeding with the acquisition.

Mr. Klass asked if the water is present all year. Mr. Gallup stated that the water is seepage from the artesian well, appears all year and flows into the lakebed area.

Staff recommended that the Board approve this acquisition as proposed; allocate \$958,000.00 from Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Prop. 50), Section 79565, for the acquisition and related expenses; authorize staff to enter into agreements as necessary to carry out this acquisition as described; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

It was moved by Mr. Fred Klass that the Board approve this acquisition as proposed; allocate \$958,000.00 from Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Prop. 50), Section 79565, for the acquisition and related expenses; authorize staff to enter into agreements as necessary to carry out this acquisition as described; and authorize staff and the Department of Fish and Game to proceed substantially as planned. Motion carried.

16. Los Osos Dunes and Wetlands, Montana De Oro Unit, \$1,555,000.00
San Luis Obispo County

Mr. Wright reported that this was a proposal to consider the allocation of a grant to the State Department of Parks and Recreation (DPR) for the cooperative acquisition with the State Coastal Conservancy (SCC) and the Bay Foundation of 42± acres of land for protection of maritime chaparral, coastal dune habitat and threatened and endangered species. The property is located in Los Osos, south of the Morro Bay Estuary, west of Pecho Road and abutting the Montana De Oro State Park in San Luis Obispo County. Mr. Dave Means briefly described the project and its location.

The subject property contains two separate parcels. The main parcel is 41± acres in size and is unimproved. The second parcel is a 1± acre site located approximately ¼ mile north of the main parcel. The site is improved with a water well and storage tank. The "well" site was developed to provide water for the main parcel in anticipation of future development.

The main parcel is surrounded on three sides by State owned property. To the north and west is the DPR's Montana De Oro State Park; to the south is the 26± acre Department of Fish and Game's (DFG) Morro Dunes Ecological Reserve. If the property were ever developed it would create a significant visual and physical intrusion into these protected areas. The property is also a vital part and situated

- 37 -

Page 38 of 70

Wildlife Conservation Board Minutes, November 18, 2003

in what is the beginning of a planned greenbelt corridor that extends around the community of Los Osos and the southern portions of the Morro Bay Estuary.

The establishment of the greenbelt is the result of a large coalition of local community participants, community groups, foundations, non-profit organizations and local, State and federal agencies, focused on preserving open space and coastal habitats around the southern portions of the Morro Bay Estuary. The greenbelt begins at the subject property, runs west along the lower slopes of the Irish Hills, to the Los Osos Oaks State Preserve and then heads north along Los Osos Creek to the Morro Bay State Park.

Within the corridor there have been a number of recent acquisitions of note, some of which have been presented to and approved by the Wildlife Conservation Board (WCB). These projects include the 30± acre Elfin Forest Preserve, acquired by the DPR, as an expansion to the Morro Bay State Park; the 15± acre Powell I property, acquired by the DPR as an expansion to the Morro Bay State Park; the 40± acre Powell II property acquired by the DPR and funded in part by a grant approved by the WCB, August 22, 2002; the 205± acre Bayview Ecological Preserve, a cooperative project acquired by the DFG and approved by the WCB August 10, 2000; the 32± acre Morro Dunes Ecological Reserve, South Unit acquired by the DFG and approved by the WCB August 13, 2003; the 26± acre Morro Dunes Ecological Reserve mentioned above; and the 18± acre Los Osos Dunes and Wetlands Reserve, acquired by the Bay Foundation and funded in part by a grant approved by the WCB February 27, 2002.

The types of habitats found within the greenbelt include, fresh and saltwater wetlands, riparian, coastal dune scrub and maritime chaparral. These habitats support a wide range of wildlife species, including over 100 different bird species, 40 mammals and 20 reptiles. Included within these species are a number of federal and State, threatened, endangered and special status species, including the Morro manzanita, Indian Knob mountainbalm, Monterey spineflower, Peregrin falcon, Morro shoulderband snail, the black legless lizard and the coastal horned lizard. This area of the greenbelt, including the subject property, is also located within an area designated for the protection and recovery of the Morro Bay kangaroo rat, a listed species.

The habitats and vegetation found on the subject property consist of coastal sage scrub with some maritime chaparral. Located on the southern part of the property is a small grove of eucalyptus trees that provides roosting for raptors. Animal species found on the property are consistent with those found throughout this area of the greenbelt, as mentioned above.

The topography of the property is gently sloping with coastal dunes, offering views of both the Pacific Ocean and Morro Bay estuary. The present zoning of the property is recreation. The owner has pursued development of a small resort

- 38 -

Wildlife Conservation Board Minutes, November 18, 2003

facility on the property, which is consistent with the zoning. The highest and best use of the property has been determined to be development of a resort with some residential development.

The Bay Foundation, a partner on this transaction, has negotiated with the owner to acquire the property based on its appraised fair market value, \$3,300,000.00, a value approved by the Department of General Services (DGS). Once acquired the property will be transferred to the DPR and managed as an expansion to the Montana De Oro State Park. Currently running east to west through the property is a foot trail that connects from Pecho Road to the Montana De Oro State Park. The property owner appears to have permitted this use and it is reasonable to assume some prescriptive trail rights would be extended to the public if the property were ever developed.

To fund this cooperative project the proposed participation from the WCB is \$1,550,000.00. The remaining balance will be provided from grants from the SCC and DPR.

The funding breakdown is shown below:

State Coastal Conservancy	\$1,250,000.00
Department of Parks and Recreation	500,000.00
Wildlife Conservation Board	1,550,000.00
TOTAL AVAILABLE FUNDING	\$3,300,000.00

In addition to the purchase allocation, \$5,000.00 is estimated to be needed for project related administrative costs, for a total allocation of \$1,555,000.00.

There is a possibility \$50,000.00 in U.S. Fish and Wildlife Service; Section 6 funds will become available subsequent to Board approval for this acquisition. If these funds do arrive prior to the close of escrow, they will be applied against the WCB portion of the purchase price and reduce WCB's participation from \$1,550,000.00 to \$1,500,000.00. If the funds do not arrive in time, the DFG will look to reallocate these funds to another similar project.

The proposed acquisition is exempt from CEQA requirements under Section 15313, Class 13 as the acquisition of land for wildlife conservation purposes and under Section 15325, Class 25 as the transfer of ownership in land to preserve open space, habitat or historical resources. Subject to approval by the Board, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

Mr. Means reported that Mr. Rob Kane from the Department of Parks and Recreation and Mr. Jim Swanson from the Department of Fish and Game were in the audience should there be any questions.

Mr. Flores asked if there were any other comments or questions.

- 39 -



Wildlife Conservation Board Minutes, November 18, 2003

Mr. Klass, acknowledging current and future budget concerns, requested clarification on DPR's plan to handle staffing this additional park area. Mr. Kane reported that he primarily deals with the acquisitions, but as with other property acquisitions, staff is spread thin, and like other State agencies, DPR is waiting to see what will happen in the future. Mr. Kane reported the budget office is aware of this acquisition and will be providing a budget estimate to the Department of Finance as they take it to the Public Works Board early next year.

Staff recommended that the Board approve this project as proposed; allocate \$1,555,000.00 from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Prop. 50), Section 79565, for the acquisition and related costs; authorize acceptance directly into escrow \$50,000.00 under a U.S. Fish and Wildlife Service Section 6 grant if available; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

It was moved by Mr. Fred Klass that the Board approve this project as proposed; allocate \$1,555,000.00 from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Prop. 50), Section 79565, for the acquisition and related costs; authorize acceptance directly into escrow \$50,000.00 under a U.S. Fish and Wildlife Service Section 6 grant if available; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned. Motion carried.

17. Watsonville Slough (Buena Vista Unit), Santa Cruz County \$2,288,000.00

Mr. Wright reported that this was a proposal to consider a cooperative project with the Trust for Public Land (TPL), the California Department of Transportation (Caltrans), the State Coastal Conservancy (SCC), the U.S. Fish and Wildlife Service (USFWS) and U.S. National Park Service (USNPS), Department of Fish and Game (DFG) and the Board to acquire 289± acres of land for protection of coastal wetlands and threatened and endangered species. This proposal is also to consider the acceptance of grant funds, directly into escrow totaling \$4,427,215.00 from the above named entities. The property is located west of Watsonville, just south of and west of State Highway 1, within the Watsonville Slough watershed, in Santa Cruz County. Mr. Dave Means briefly described the project and its location.

The property is located in what is referred to as the Watsonville Slough Complex (WSC). The WSC begins near Pajaro River where it enters the Pacific Ocean, and consists of six major, inter-linked sloughs that spread out across the coastal plains, west of Watsonville. It has been described as some of the last remaining examples of an undisturbed coastal wetland/upland ecosystem along the central coast. The entire Watsonville slough area including surrounding upland portions

Wildlife Conservation Board Minutes, November 18, 2003

encompasses approximately 5,400± acres of property. The subject property encompasses the majority of the upper watershed area for Galighan Slough, one of the major sloughs and tributaries within the WSC.

Within the WSC, the DFG owns 290± acres of protected wetlands and adjoining uplands. These properties encompass portions of the Galighan Slough, Harkins Slough and West Struve Slough. Located just south and to the east of the subject property are the DFG's Santa Cruz Long-toed Salamander Ecological Reserve and the USFWS' Ellicott Station National Wildlife Refuge. These two properties are managed cooperatively by the DFG and USFWS.

The WSC contains a variety of coastal habitats including freshwater and saltwater wetlands, native grasslands, maritime chaparral, coastal shrub, riparian areas and oak woodlands. The complex provides an important resting area for migratory waterfowl and a wintering area for a number of different raptors species. The area also contains rare and sensitive species, such as the red-legged frog, tricolored blackbird, Santa Cruz long-toed salamander, California tiger salamander, the Santa Cruz tarplant, Hooker's manzanita and Monterey spineflower.

There are a number of public and private groups involved in the effort to protect conservation values within the WSC. They include the City of Watsonville, the County of Santa Cruz, the Open Space Alliance of Santa Cruz County, the Land Trust of Santa Cruz County, Santa Cruz County Resource Conservation District, Pajaro Valley Water Management Agency, TPL, SCC, the USFWS and the DFG.

The subject property is essentially undeveloped open space, comprised mostly of forested upland areas. There is one home site on the property. Besides the single family residence on the property, there is no history of the property ever being developed or disturbed. The property represents one of the largest unfarmed and undeveloped ownerships along the coast in Santa Cruz County. Habitat types found on the property include coastal live oak woodland, maritime chaparral, coastal scrub, conifers and wetlands. A number of rare and sensitive species inhabit the property including the Santa Cruz long-toed salamander, California red-legged frog, northern harrier, Hooker's manzanita, California bottle-brush grass and the robust spineflower. Of special note and interest is a large pond on the property inhabited by the California tiger salamander a federally listed endangered species. The pond and salamander are currently part of an ongoing USFWS research and monitoring program.

If the property is not acquired, under the current zoning the property could be subdivided into ten, twenty-five acre residential estate lots. This type of use is consistent with the general economics of the areas and can be found throughout Santa Cruz County. The owners have demonstrated an interest in more intensive development of the property, having previously pursued plans for resort.





PETITION TO THE CALIFORNIA FISH AND GAME COMMISSION FOR REGULATION CHANGE

FGC 1 (Rev 06/19) Page 17 of 49

OWNER'S CERTIFICATE

We the undersigned hereby certify that we are the owners of or have a record title interest in the land included within the designated border lines and we consent to the preparation and recording of this map for hereby submit to the public use of abstract subdivisions shown on this map.

John P. Ruiz
and J. Ruiz, President
MAYO ALUMINUM CO
a California Corporation

Paul A. Ruiz
and Paul A. Ruiz, Secretary
MAYO ALUMINUM CO
a California Corporation

OTHER INTERESTS

Use of land by general public per Land
Civil Code 8813 Insurance September 19,
1912 in Book 1250, Page 25 of Official
Records

PLANNING COMMISSION'S CERTIFICATE

This map of Parcel Map CO-76-227 is hereby approved by the
Planning Commission of the County of San Luis Obispo State
of California

12/9/76
Date

P. M. Jick
Chairman

ENGINEER'S CERTIFICATE

This map was prepared by me or under my direction and was
computed from recent data in accordance with the
requirements of the Subdivision Map Act of the request of
MAYO ALUMINUM COMPANY in August of 1976.
I hereby certify that it conforms to the approved tentative
map and the conditions of approval thereof.

7 Aug 76
Date

Ben F. Woodard
Ben F. Woodard C.E. 1545

COUNTY SURVEYOR'S CERTIFICATE

This map conforms with the requirements of the Subdivision
Map Act and local ordinance.

12-13-76
Date

Doc. P. J. Jick
County Surveyor REC 1107

COUNTY RECORDER'S CERTIFICATE

Filed this 13th day of January 1977 at 12:14 PM in Book
of Parcel Maps of Page 12 of the request of MAYO ALUMINUM
COMPANY

Document No. 1250
Fee \$15.00

William B. Jick
County Recorder

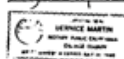
By William B. Jick
Deputy

NOTARIAL

State of California
County of San Luis Obispo 7-22

On this 13th day of January, 1977, before me the undersigned
a Notary Public in and for said State personally appeared
JOHN P. RUIZ known to me to be the President and
PAUL A. RUIZ known to me to be the Secretary of
MAYO ALUMINUM COMPANY
the corporation that executed the within instrument and knows
to me to be the persons who executed the within instrument on
behalf of the corporation herein named and acknowledged to
me that such corporation executed the same.

William B. Jick



BOARD OF SUPERVISOR'S CERTIFICATE

I do hereby certify that the Board of Supervisors of the
County of San Luis Obispo, State of California, did on
December 30, 1976, approve this map of Parcel Map No.
CO-76-227 in accordance with the provisions of the
Subdivision Map Act.
The offer to dedicate for public use purposes as shown on this
map is from persons having an interest in said land, is fairly
equalized without prejudice to the enjoyment by future action of
this Board.

December 21, 1976
Date

Michael J. Wall
Chairman of the Board of Supervisors
County of San Luis Obispo
State of California

PARCEL MAP CO-76-227

is the unincorporated territory of the County of
San Luis Obispo, State of California, being a
division of a portion of Lot 3 of the Lands of
the Henry Day Oil Company, as recorded in
Book 8 of Records of Surveys of Page 8,
Records of said County.

CENTRAL COAST ENGINEERING
300 Buckley Road
San Luis Obispo, California 93401



RECORDER'S OFFICE
SAN LUIS OBISPO COUNTY

VOL 1166 PAGE 746

1960
GRANT OF EASEMENT

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

NORDO PALISADES COMPANY, a corporation;
H. B. ALEXANDER;
LYLE G. GRAHAM and NORMA I. GRAHAM;

Hereby grant to

NORDO PALISADES COMPANY, a corporation;
H. B. ALEXANDER;
LYLE G. GRAHAM and NORMA I. GRAHAM;

their successors and assigns,

AN EASEMENT for utilities and road purposes with the right to grant same to others and/or dedicate to the public use and with the right to enter thereon and clear, grade, excavate, or construct; repair or maintain a roadway and utilities system and appurtenances on, under, or over a strip of land 60.00 feet wide, the center line of which is described as follows:

Beginning at the southerly terminus of the center line of Groderson Avenue, 50 feet wide, as shown on the map of Tract No. 84, recorded in book 5, page 92 of Maps in the office of the County Recorder of San Luis Obispo County, State of California; thence southerly in a direct line to the most northerly corner of lot 77 of the Rancho Canada de los Osos and La Laguna, as shown on map filed in book 1, page 53 of Maps, in the office of the said County Recorder; thence southerly along the westerly line of said lot 77, a distance of 370.00 feet.

NORDO PALISADES COMPANY, a corporation: *[Signature]*

[Signature]
See Grant Article

[Signature]
H. B. ALEXANDER

[Signature]
LYLE G. GRAHAM

[Signature]
NORMA I. GRAHAM

Dated: *[Signature]* 1960

2-1-60

MIN 25 JUL 1960

*LAND RECORDED FOR
PUBLIC USE JOHN CUIRCI original owner of MDER = Prescriptive Rights same as Pecho



The screenshot shows a presentation slide with a decorative border. The title is "Donald Cornelius Spooner (1924-2000)". Below the title is a decorative flourish. The text on the slide reads: "Donald, like his grandfather, A.B. Spooner, Jr., was an avid horseman. He was an original member of the Coast Mounted Assistance group that helps maintain trails in Montaña de Oro State Park. Donald lived on the Pecho Ranch until 1942, when it was sold to O.C. Field. His later years were spent in Los Osos." The slide is part of a presentation with 14 slides visible in the sidebar. The right sidebar shows the slide layout settings, including "SECTION_HEADER", "Appearance" (Title, Body, Slide Number), "Background" (Standard, Dynamic), "Current Fill", and "Color Fill".

Property

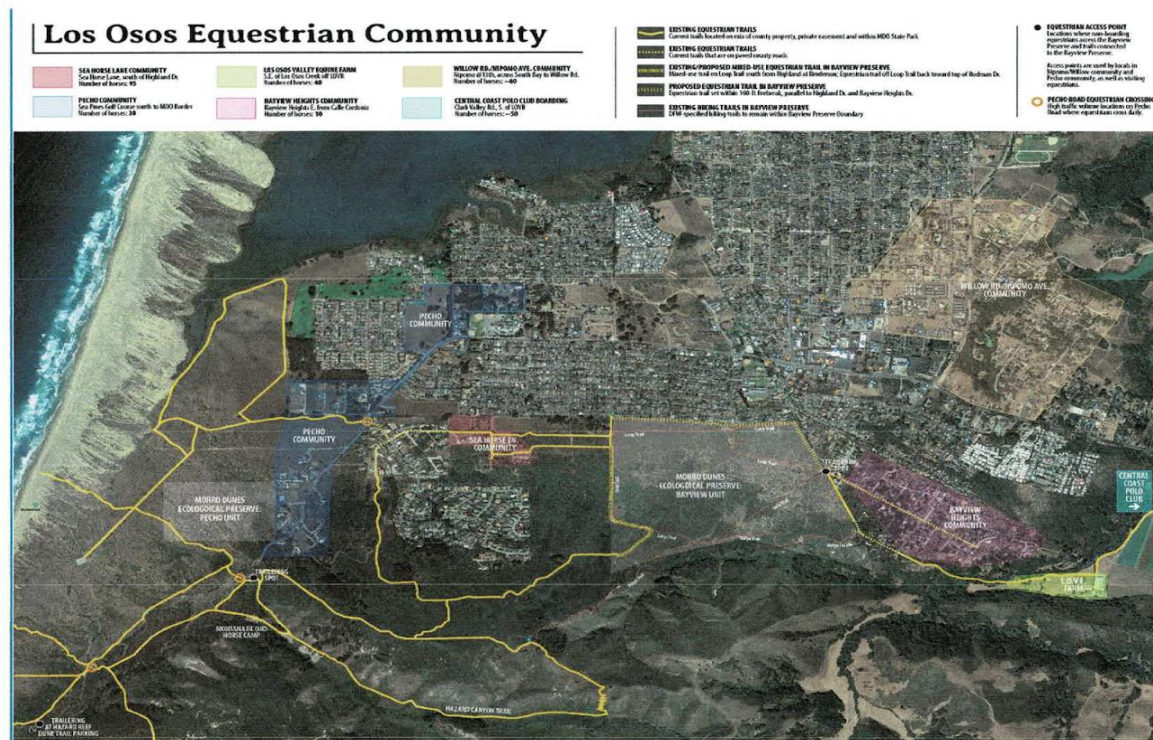
Montana De Oro

61 miles of Equestrian Trails

Horse Camp – Brings in visitors from all over California

LOEC is concerned over the loss of use of our long time existing corridor That allowed access to these trails





LOS OSOS EQUESTRIAN COMMUNITY – APPENDIX
Figure 1: Los Osos Equestrian Community Trail Map

HISTORY OF USE OF ACCESS TRAIL TO MDO AND LOS OSOS





Coastal Mounted Assistance

Trail Repair Work

Search and Rescue

Fund Raising for Horse Camp

Park Patrol

Pecho /Rodman Intersection

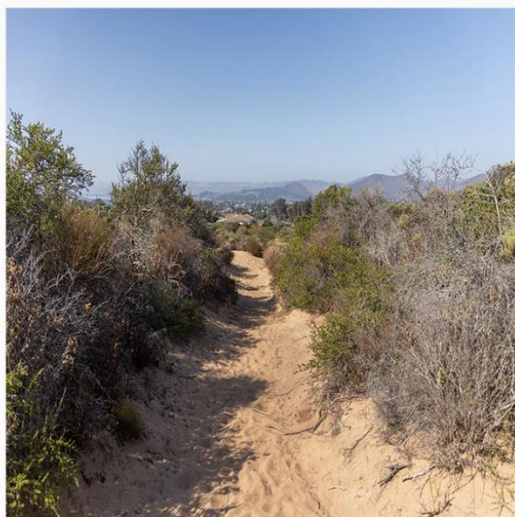




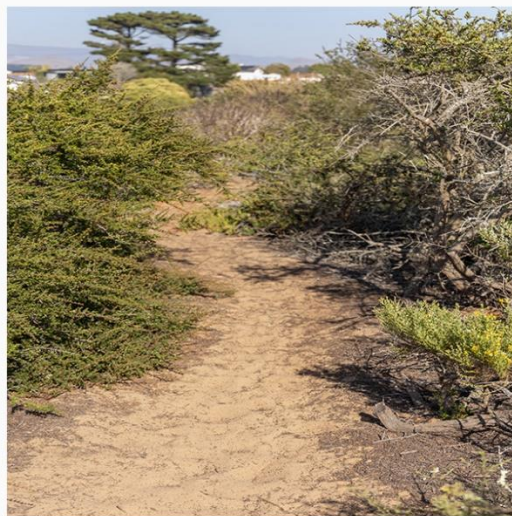


Recent photos of the existing multi-use corridor on the south east edge of the Morro Dunes Ecological Reserve





Recent photos of the exsiting multi-use corridor on the south east edge of the Morro Dunes Ecological Reserve





Recent photos of the exsiting multi-use corridor on the south east edge of the Morro Dunes Ecological Reserve





Going to School



Connecting to Montana de Oro



For more that 50 years equestrians have been using
This trail to connect to downtown Los Osos and to Montana
De Oro state park.



To whom it may concern,

I have grown up in the small Los Osos community, riding horses, since I was a very small child. My mom used to ride me to Sunnyside elementary school on horseback in the 80s and 90s through this beautiful reserve.

It has been one of the greatest joys of my life being able to share in this awesome community, my love and passion for horses, and the beautiful trails that we have always been allowed to access. I have always been kind, and considerate to passing people on the trails and up until recently I have always been warmly welcomed with a smile and wave by people in the community, walking their dogs or hiking with family.

Signs have been posted now that are stating that NO horses are allowed in the Morro Dunes Ecological Reserve. I have felt intense discrimination and hostility since those have been put up, and it is very sad to witness the divide that it is causing in our community. I believe in supporting equality among people and animals, and it feels important to be kind to one another in our shared spaces. I do believe in preserving our environment, and want to do my part in helping to protect and enjoy the land for many generations to come. I have children that have also loved trail riding with me through this whole area and are also devastated by having no access. I am requesting a compromise where horses and their riders are allowed a perimeter trail and a coastal access corridor, as I have loved, and cared for for the past 41 years. We request coastal access that allows people to get to the beach safely throughout the community. We had not been previously notified of any issues or closures specifically to horses.

I appreciate your consideration by sustaining our access to the corridor trail.

All my best,
Chelsea McLaughlin

Commissioners,

I have been a full time resident of Los Osos since 1972, and a frequent visitor to the area to see family and friends since 1955. I am an equestrian, in addition to my livelihood as an Agricultural Engineer and Project Manager. I and my family live adjacent to the property now known as the 'Morro Dunes Ecological Reserve, Bayview Unit'. We have frequently used the multi-use trail corridors thru this area (south of Highland Drive) when riding horseback or hiking from the east side of town to the west, and to the coast, as well as into Montana de Oro State Park. These long used multi-use trails, now within the 'Morro Dunes Ecological Reserve, Bayview Unit', have allowed safe access for equestrians and hikers from the east of Los Osos to the west, avoiding riding on the streets. As users of these trails we, our community of those who use these trails, have and will going forward assist with maintenance of the trails, and help prevent deviation of its boundary. We are part of the large Los Osos Equestrian Community and find that we have not had a voice in the decision to take this corridor away from us. In other reserves within the State, the Habitat Conservation Plans state "when possible link trails", and can allow limited equestrian use when linking trails to existing trails, as well as coastal access. Please note, that since the "No Horses Allowed" signs were put up along the perimeter of this area we have witnessed public exchange toward equestrians become quite negative and aggressive, where before exchanges were most often friendly and welcoming. This is a sad change for the atmosphere of our Los Osos Community. We also note that some of the species of concern in this reserve area (eg. the 'banded dune snail') have been re-designated from Endangered to Threatened. Please consider our need, and requests.

Thanks,
Geof Gurley



Hi,

I, Barbi Breen-Gurley have been a Los Osos resident and owner of an equestrian boarding and training facility since 1971 adjacent to the Morro Dunes Ecological Reserve, Bayview Unit. Throughout this time for 53 years I, my husband, our children, many riding students, and many visitors to this area have used the multi-use trail corridor from Bayview Heights to Montana de Oro State Park and to the beach on horseback. This long used multi-use trail, now within the 'Morro Dunes Ecological Reserve, Bayview Unit', has allowed safe access for equestrians from the east of Los Osos to the west, avoiding riding on the streets. We equestrians will help maintain this corridor and help prevent deviation of its boundary. We are part of the large Los Osos Equestrian Community and we have not had a voice in the decision to take this corridor away from us. The Habitat Conservation Plan can allow limited equestrian use when linking trails to existing trails, and coastal access. In addition, since the "No Horses" signs on the perimeter of this area have been posted, the public exchange toward equestrians has drastically changed to become quite negative and aggressive, where before it was friendly and welcoming. This is a sad change in the atmosphere of Los Osos. Please consider our need, and requests.

--

Sincerely,

Barbi Breen Gurley



My name is Courtney Coleman,

I live at [REDACTED]

Los Osos, CA [REDACTED]

My email is: [REDACTED]

I've been a resident of Los Osos and Morro Bay, and an equestrian riding Montana de Oro state park and the Broaderson trail area since 1993.

Fish & Wildlife recently eradicating equestrian access to our corridor trail along the North Side (bottom) of the Morro Dunes Ecological Reserve, cuts off our safe access to Montana de Oro trails, AND back to the East side of Los Osos (Bayview Heights).

This is a safety issue, as we are now forced to ride our horses on residential streets (Highland Dr) to get from one end of Los Osos to the other. It is a matter of time before a child or cyclist, etc. comes out of a driveway, and spooks a horse into traffic. When someone gets hurt or killed, who will be responsible? It seems it would come back on the party who changed the access rules in a historically multi-use trail, regardless of guidelines to "link trails whenever possible".

Thank You So Much for your time & consideration of a possible compromise...I just don't want anyone to get hurt.

Courtney



CookWell.

Your Health, in Your Hands...Deliciously

CookWell.org



Subject: Trails Support Letter from Mike

Michael Johnston

September 10, 2023

To Whom It May Concern:

I am writing this letter to support those who are advocating for an equestrian friendly community in Los Osos and continued use of the trails that have been available to us for decades.

I have lived in Los Osos with horses at my property since 1988. Since that time, I have ridden and enjoyed the trails between Mike Gorby's LOVE Farm and the beach as well as Montana De Oro. Those trails and riding opportunities have been a major enjoyment in my life, and I regret each time a trail is closed to riders.

Please explore every option for keeping trails open to horses and riders as they are an integral part of this beautiful and special community.

Thank you for your attention to this matter,

Michael Johnston

Aug. 8, 2023

My name is Lynnette Harwood Whaley.

I have been a member of this community from 1974 to the present. We have 10 acres on Clark Valley Road. From 1976 we have used the trails to ride from our property to Montana De Oro and back.

AS my children got older, we would ride our horses to Montana De Oro every Labor Day weekend and camp at Horse camp. We did this until 1993. I was also with S.L.O. Coastal Mounted Assistance and would ride out to meetings and trail patrols.

I have never seen any signs about no horses on the trails, nor have I ever received any mailings about this equestrian access was being taking away from us.

Lynnette Harwood Whaley



Subject: Please Allow Coastal Access to Equestrians in the Morro Dunes Ecological Reserve

Date: Monday, August 14, 2023 12:00 AM

Dear Members of the Coastal Commission,

My name is Devyn DiMascio and my Email address is [REDACTED]

I am requesting that you help us correct an issue that is affecting many multi-use trail users in the **Los Osos Morro Dunes Ecological Reserve area**. We have historically (well over 50 years) used and needed a trail that goes from East to West across this area to allow access to the coast. We are currently being prohibited from using it. This trail exists in an East/West direction and it parallels Highland Dr. in Los Osos. **Without this access trail we are forced to ride our horses on dangerous and busy streets with fast moving traffic and are cut off from reaching the coast.**

Months ago the CA Fish and Wildlife Department posted signs throughout the boundaries of the reserve, including our main access to the coast demanding that all horses and riders are prohibited. They claim that they are trying to preserve a Morro Banded Snail, which is not endangered (and according to the county biologist lives way under the bushes down in the moist root area so we do not impact them). The plants in this area are flourishing and are not damaged or impacted either.

We as trail users and equestrians have been the recipients of hostile and unpleasant behavior from other uninformed trail users as a result of the CA Fish and Wildlife signs, EVEN when we are on other trails where we are NOT prohibited.

Please allow us an East/West access on a already existing, well-established wide and safe trail that will permit us to continue with the Historic trail use and access to the coast, and will end other trail users unpleasantness toward us. **We understand that the Habitat Conservation Plan says "link trails when possible." There are other similar reserves that are following this and allowing Equestrian access.**

****Side note-** Over many years there has never been any problem with the multi-use trail users in this specific area, all very courteous and understanding of others desire to recreate and have coastal access in this area UNTIL the CA F&W signs were posted.

Many thanks for your consideration of this matter, it is much appreciated,

Devyn DiMascio

Dear Members of the Coastal Commission,

My name is Julian Watkins, and my email address is [REDACTED]

I am writing to you in hopes you can help re-establish a much-needed trail that had historical equestrian use for over 50 years before the creation of the Morro Dunes Ecological Reserve took it away.

Many Ecological Reserves in California allow for equestrian users, but the local horse community was not included in the decision to ban horses from Morro Dunes Ecological Reserve. One of the reasons cited for banning horses was the endangered status of the Morro shoulderband snail. It is important to note that effective March 7, 2022, the Morro shoulderband snail was reclassified by the U.S. Fish and Wildlife Service and is no longer considered endangered.

Please at least re-establish the important east/west connector trail for equine use, this trail has had many generations of horses that have used it before it was taken away.

Thank you for your consideration,

Julian Watkins



To whom it may concern re: equine trail access in Los Osos off of Sea Horse Lane.

Hi I am writing in support of continued equine trail access in the trails recently closed to equines near Sea Horse Lane. I have been boarding my horses and riding on those trails for @20 years. I would like some access for equestrians to be allowed. Perhaps a perimeter loop using the existing perimeter trails on the property. All we would need are signs designating equestrian access for the perimeter trail.

Thank you for your time and consideration. Kathy Sallaz

Sent from my iPad

To: CA Fish & Wildlife
From: Sharon & Jim Kroll
Re: Broderson Los Osos Trail Closure

Dear Sirs/Madam:

I'm writing in regards to the trail closure to equestrians on Broderson Dr, Los Osos. It is the area west of Bayview Heights and east of Seahorse Lane that was owned by Morro Palisades Group until 2001. It was so surprising to see the signage maybe 2 years ago or so, out of the blue, designating the area closed to equestrian use. There were no notifications, meetings, nothing. For decades we have used those trails. For me, personally, I have been riding that trail since 1988..35 years! At that time I boarded with Barbi Breen (now Breen-Gurley). In 1994 my husband and I purchased property at the bottom of Seahorse Ln and within 2 years acquired a business license and Animal Regulation permit to board horses on the property, and have been operating ever since. So we are speaking from the perspective of a rider and business owner.

It is especially important to us now as our grandchildren (4 & 7) are now riding. We've walked their pony down to Bayview Heights to pick the youngest up from school (the site of the old Sunnyside school), and were forced on to Highland Dr and the traffic inherent to that.

Many decades ago that area east of Seahorse Lane was part of a future trail plan. I believe it was called Estero Trail Plan. Communities in many semi-rural areas of California have adopted such plans, bringing hikers, bikers, and equestrians together. We would hope for such a vision in our area.

We understand that these things aren't free...there's work involved keeping the trails up, addressing potential erosion, and a commitment that's necessary for users to be educated on environmental concerns and more, but this is all doable and the reward far outweighs the cost.

We urge you to amend the use designation for that area (Morro Dune Ecological Reserve Bayview), and to allow horseback riding on a designated trail.

Thank you,
Jim & Sharon Kroll



RE: Morro Dunes Ecological Reserve- Equestrian Trail Closures

November 14, 2023

To Whom It May Concern:

My name is Julia Long Meyers. I have lived in Morro Bay and Los Osos since 1975. In those days we always had plenty of horses to ride. We used our horses for recreational transportation in this glorious place. We were fortunate to be able to create and establish safe riding trails and routes which were very seldom disputed or disrupted. Our current established riding routes separated horse riders far away from traffic. These riding routes have provided a safe riding neighborhood for children riding horses with their parents, as well.

We have a lot of children, such as my own son, who were born here and learned to ride within their own families. Horse riding is one of the crown jewels of this town. With considerable pride and respect for the ability to live and ride with loved ones in our favorite places, we would like to maintain access to the places we have always used.

To diminish the ability to maintain access for the horse riders is not an option any of us residents would find beneficial or productive.

On behalf of the horse riding community in Los Osos, we need access provided where you have most recently sectioned off to plastic green waste bags only. The most recent closing of open spaces in Los Osos has proven most distressing to many horse owners, property owners, businesses, and homeowners, and we respectfully request your assistance.

Los Osos is well known for its spectacular and challenging horse riding of many types. There are well renowned horse trainers, well known riders, old ranching families (cowboys), who have accessed these same Los Osos open areas for at least 100 years.

The horse riders in this community are good stewards of the land. We are willing to cooperate with any plan that will allow us access in our already established riding areas without fear of intimidation.

There is no prior documentation of any erosion due to horse riding in that area.

I respectfully suggest we can cooperate with you in restoring safe access to horse riders whose lives are imbedded in this special place. Horse riding is a legitimate form of transportation. Please treat us as you would pedestrians, bicyclists, drivers, wheelchair persons, etc. Those of us, such as myself, who have worked in Transportation, know that the main concern in Transportation is to provide access.

We are looking forward to responsible reasonable, much needed access restored as soon as possible with as little negligible impact as possible.

Thank you for your time and your attention to this critical issue.

Most Sincerely,

Julia Long Meyers



Homeowner in Los Osos

To: Fish and Wildlife

Re: Morro Dunes Ecological Reserve/Equestrian Trail Closures

My name is Julie Heriford and I have boarded my horses at Rancho Montanya del Mar for the past 7 years. I specifically picked this area due to the safe and immediate access to trails this barn has had access to for well over 30 years.

I can unequivocally say we are all nature lovers at heart. We understand the importance of preserving all endangered flora and fauna. We respect the environment and only ride well established dirt trails. We often come across families out walking and hiking and there is most always a positive exchange.

We have, at times, been the eyes and ears when illegal campers trespass and disrupt the environment and create an unsafe situation.

Now, equestrian's access to trails is being denied. We, as a group, are devastated. This is such a huge part of our lives that we hope will not come to an end.

I am hoping there is a place of compromise. Please consider providing equestrians a specific flat area where your concerns for erosion are minimized.

Thank you for your time.

Julie Heriford (homeowner)



State of California – Fish and Game Commission

PETITION TO THE CALIFORNIA FISH AND GAME COMMISSION FOR REGULATION CHANGE

FGC 1 (Rev 06/19) Page 33 of 49

Bruce White <bwhite@pbwhite.com>

Mon, Aug
14,
10:07 PM

to Centralcoast@coastal.ca.gov, Monica, me

My wife (Monica) and I are residents of Los Osos living immediately adjacent to Montana De Oro SP and the affected equestrian trails-here are my thoughts as previous long time horse owners:

1. This is a multi-use corridor allowing the east side to access the coast.
2. There is a long history of equestrian use-why is it now considered deleterious after so many years?
3. If horses pose a threat, then humans should be banned also-there is 10X more human traffic vs. horse traffic on these trails. I walk these trails frequently and rarely do I come across equestrians.
4. The horse community is large in the Los Osos area-yet they were not asked to participate in the decision to ban horses from trail access.
5. There are other Reserves that allow trail access to horses in order to link trails-and the HCP says when possible link trails.
6. where is the science that a few horses pose an existential threat to banded snails? The snail is turning the corner despite some horse use of trails-now redesignated from Endangered to Threatened
7. horses are part of our economic history and culture-the great majority of humans have an affection for horses-no different than the affection they have for family pets.

Bruce D. White, MS, CFP®
Certified Financial Planner™ practitioner
Phillip B. White & Company
A Registered Investment Advisor
San Luis Obispo | Danville
Insurance License #0700202
11573 Los Osos Valley Rd., Ste. D
San Luis Obispo, CA 93405
Phone: (925) 736-2108
Fax: (925) 736-2126
Email: bwhite@pbwhite.com
Website: <https://pbwhite.com>

Sat, Jul
22,
7:55 PM

to Losososequestriancommunity

My name is Carol Friend and I have been involved with the Los Osos equestrian community since 1970 when I moved to San Luis Obispo to attend Cal Poly. The reason I choose Cal Poly was because of the large horse community and the abundant year around trails.

Los Osos has always been a horse friendly community as evidenced by the street names referencing horses, such as Buckskin Drive, Palomino Drive, Lariat Drive and Tapidero Avenue to name a few. One of the big draws to living here is that a person can purchase an acre or two of land and keep their horse at their home.

In the 70's and 80's many of the people who kept their horses at their homes north of Los Osos Valley Road would ride to Lariat Drive, cross Los Osos Valley Road, and access the trails near Los Osos Creek and then access the trails that are in what is now called Morro Dunes Ecological Reserve. From there they could continue to Montana de Oro State Park.

I have personally ridden these trails since the early 1970's. Equestrians have had unfettered access to the trail system in the area now being called Morro Dunes Ecological Reserve.

To my knowledge no one was notified that horses would be excluded from these trails which have well established historical equestrian use.

I suggest that rather than exclude horses from this area, they should be grandfathered in because of their well established historical use in the area now called Morro Dunes Ecological Reserve.

Sincerely,

Carol Friend
Sent from my iPhone



State of California – Fish and Game Commission

PETITION TO THE CALIFORNIA FISH AND GAME COMMISSION FOR REGULATION CHANGE

FGC 1 (Rev 06/19) Page 34 of 49

From: **Cricket Wood** [REDACTED]
Date: Fri, Jul 21, 2023 at 11:27 PM
Subject: Trail access
To: <Losososequestriancommunity@gmail.com>

Hello,

My name is Cricket Wood. As a teenager I rode the Los Osos trails in the summers of 1984/5 when I worked for Barbi Breen at Seahorse Ranch during the summer. I boarded my horse at Seahorse ranch and the trails provided a way for my horse and I to travel safely across Los Osos to visit friends at other barns and take our horses out to the beach. As a young person who didn't have my own truck and trailer I would have been stranded at one property if it hadn't been for the trails. It was beneficial to my horse and I to have the freedom to ride out in the open safely without encountering cars. Open trails for safe travel on horseback is a precious resource that has been rapidly disappearing across California. Over the past 40 years as cars and people have multiplied in CA I have watched as the trails available to horse riders in Southern and Central California have been continuously shrinking due to development, legal issues, etc. Horses traveling on established trails that have been in use for decades are not damaging to the animals that inhabit the Morro dunes. Please support sustainable travel and partner with horseback riders who are good stewards of the environment. Horseback riding across these trails has long preceded other human impacts on this region and has been intertwined with the natural state for decades. Please restore access for horses across the trails of Morro Dunes as has been a historical precedent and because it is also harmonious with the natural environment surrounding the trails.

Sincerely,
Cricket Wood



Deborah Hirons [REDACTED]

Sun, Jul
23,
8:19 PM

to Losososequestriancommunity

Dear Stewards of the Morro Dunes and Ecological Reserve,
My name is Deborah Hirons. I was raised in San Luis Obispo County with a big part of my childhood being with my pony and riding all over Los Osos. I kept my pony, and later a horse at sea Horse Ranch from 1975 to 1985 and again, off and on, from 1999 to present. I used to ride the corridor trail from Sea Horse Ranch to LOVE Farm, and other existing trails to go out on a leisure ride with my horse to be one with nature and enjoy the beauty Los Osos has to offer. I, and my riding companions, have always respected the environment and have never left the established trails.

Recently, the trail that I have been riding on for over 45 years has been designated as a preserve and closed to horses. I am asking that you please consider keeping the existing trails and the corridor above Highland open as other alternatives for riding are dangerous.

Sincerely,
Deborah Hirons

Sent from my iPhone



Deb Hirons

Jul 23,
2023,
8:35 PM

to Losososequestriancommunity

Hello,

My name is Matt Hirons. Being born (1961) and raised in San Luis Obispo county, I have been involved with equine activities since I was 9. I have ridden many times, from the east side of Los Osos to the north side, on the trails in the area referred to as the Morro Dunes and Ecological Reserve. As a young child, I was taught to NOT leave the established trails, and NOT to disturb the native plants and animals. We would just pass through and enjoy the company of other horses, as well as people hiking. My earliest memory on this trail was in 1972 or 1973 when I was guided by people who knew the trails from LOVE farm to the beach. My sincere hope is that this trail remains open as part of the equestrian community in Los Osos.

Best,
Matt Hirons

Morro Dunes Preserve Trail Access

Sept, 9, 2023

My name is gretchen moreno. I am very concerned about the trail access at the Morro Dunes preserve sight. I bought my permitted horse stable, Rancho Montanya del Mar, in 1991, and have always had trail access on the said parcel up until recently. My boarders use these trails frequently. Also We have neighbors who live east of the parcel with horses in their back yards. They use these trails to access MDO trails.

To close off the MDP property would be a detriment to my business, as it has always allowed easy trail riding for the boarders as well as keeping horse traffic off slippery asphalt

I understand the need to preserve endangered flora and fauna species, as well minimize the trail erosion, so I would propose that the horses use the horizontal trails as much as possible.

I remember in 2001 the day that Kirshie(former owner) dedicated the parcel to the Los Osos Green Belt corridor.** Noted people in the photo; Shirley Bianchi, Abel Maldonado, Maria Morrissey, Kirshie??, Warden from F&W??.

After over 20 years of work to create a multi-use trail along the northern edge of this parcel I would hope that we can come to an amicable agreement on the trails for multi-use. It had been through several reviews at the local and county level such as:

LOCAC
SLO COUNTY TRAILS
SLO CO. PARKS AND REC
SLO CO.SUPERVISORS- BRUCE GIBSON
COASTAL COMM.?

SLO POST
LOSOSOSEQUESTRIANCOMMITTEE@gmail.com



----- Forwarded message -----

From: **Nancy Owen**
Date: Mon, Aug 14, 2023 at 9:08 AM
Subject: Los Osos Habitat Conservation Plan
To: <Centralcoast@coastal.ca.gov>

To Whom it May Concern:

I wish to voice my concern about loss of access for equestrians to use a corridor trail that links trails east to west at the edge of the Morro Dunes Ecological Reserve. It is my understanding that this trail at the edge of the reserve has a multi-use history, including equestrian use, spanning at least 50 years.

I have two main concerns regarding banning only horses from this corridor. First, equestrians will be forced to ride on the road to access the back bay and beach which is dangerous for not only horses and riders, but also bikers, walkers, and drivers. Second, if equestrians trailer over to the park instead of riding over (assuming they have a truck and trailer), this would of course, increase traffic congestion and put pollutants into the air.

It is my understanding that there are other reserves that allow trail access in order to link other trails and allowing the use of this corridor would allow the large equestrian community in Los Osos to have a safe route linking trails.

Thank you for our attention in this matter.

Nancy Owen

LOS OSOS EQUESTRIAN COMMUNITY

Petition Signature Name Address

Jill Urmy Jill Urmy
Robert Urmy Robert Urmy
Lachell Thompson-Young Lachell Thompson-Young

Yvette Gabrielle



PETITION FOR PERIMETER TRAIL and safe crossing for equestrians and pedestrians across Pecho

name	signature	email
Made Lewis *	Made Lewis	
Case Krell	Case Krell	
Clayton Tacker *	Clayton Tacker	
Phanna Sanders *	Phanna Sanders	
Douglas Owen *	Douglas Owen	
James Bradas	James Bradas	
Alexis Cooper	Alexis Cooper	
Faith Cooper	Faith Cooper	

(8)

42

50

LOS OSOS EQUESTRIAN COMMUNITY

Petition Signature	Name	Address
Kris Barnes	Kris Barnes	

Carl Roella

Susan Nuckols

Josh Shamblin

(4)



Los Osos Equestrian Community [v.230715]

"Petition for Re-Instating Community Trails", Community Coastal Access...

Name	address	Phone	eMail
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Erin Inglish			
Smy Gardner			
Mark Warren			
Rick Munn			
Steve Moben			
Wes Hildayce			
W. Quillins			
Shelia Wynne			
Chris Spay			
Denise Ledger			
Robyn Scott			
VICTORIA POND			
Tyler Pennay			
Carmie Sisto			
GALEN RICHARDS			
Bonnie Richan			
Susan Wayland			
JOHANNA ADRIAN			
TIMOTHY BELLER			
Marjorie Rehbach			
Karen Wilson			
Paul Farkley			
JOSEPH OLEJCAK			
Addie O'Loughlin			
Larry Drapkin			



LOS OSOS EQUESTRIAN COMMUNITY

Petition Signature Address

Janet Emmert L. MFT

Devin McLaughlin
Arabella Brunson

Jennifer Remington
Cecilia St John
(Cecilia St John)

Lisa Wieler
Lisa Wieler
Liz Philbrick

Ashley Goldis

Adrian Zito

SKM

Melanie Halpern

Maria Moyner
Maria Moyner

CHRISTINA DUARTE

RALPH HOLMAN

Brooke Elkin

Yvettem. Gabriel

Martha Wilson

Martha Wilson

Melissa Elguera
Melissa Elguera

11	Stacy Locke	Stacy Locke
12	Charlotte Anderson	Charlotte Anderson
13	Michael Anderson	Michael Anderson
14	DONALD L. SCHMIOT	Donald L. Schmiot
15	MARJORIE R. SCHMIOT	Marjorie R. Schmidt
16	Kristine SCHMIOT	Kristi Schmidt
	Ray Schmidt	4/1

52
16



LOS OSOS EQUESTRIAN COMMUNITY

Petition Signature

Address

Email

Print + Sign

Ronella Chegg
Ronella Chegg

Courtney Coleman
Courtney Coleman

Deann Gehlen
Deann Gehlen

Julia Long Meyer
JULIA LONG MEYER

Sheree Lotz

Gretchen Moreno
Gretchen Moreno

Mary Rowlands
Mary Rowlands

LISA STARR

Mary Rowlands



(42)

LOS OSOS EQUESTRIAN COMMUNITY

Petition Signature Name Address

Karen Huce

Wendy Robinson Wendy Robinson

Ruby Decker Ruby Decker

Bri Decker Bri Decker

Cassandra Castro Cassandra Castro

Roberta Fox Gussman Roberta Fox Gussman

Lexie Spelbring Lexie Spelbring

Julie Monser Julie Monser

Judy Cervantes Judy Cervantes

Julie Harper Julie Harper

Mel Graham Mel Graham

Shelly Dawson Shelly Dawson

Carrie Steigler Carrie Steigler

Nancy Conant NANCY CONANT

Dana Tryde Dana Tryde

Janet Demaree Janet Demaree

Lily Demaree Lily Demaree

Karen Anderson Karen Anderson

24

Los Osos Equestrian Community

"Petition for Re-Instating Community Trails", Community Coastal Access...

Name address Phone eMail

Maria Moynier

Janet Emmons

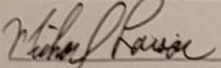
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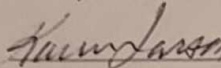
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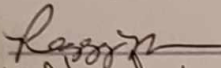


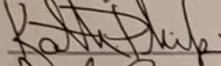
LOS OSOS EQUESTRIAN COMMUNITY

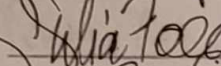
Petition Signature Name Address

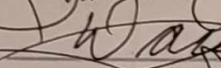
 Michael Larson

 Karen Larson

 Peggy Phaklides

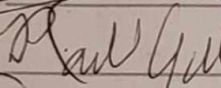
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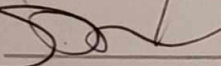
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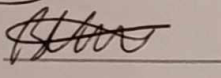
 David Pleud

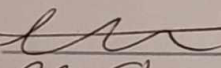


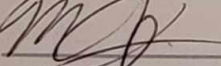
MELISSA CRAWFORD

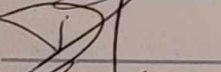
 Paul Gabriel

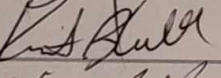
 Serena Swan

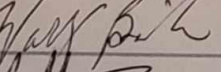
 Bettina Norton 20,93402

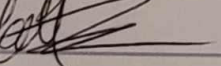
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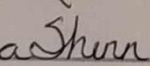
 Matthew A. Hiron

 Dorian Michael Morro Bay CA

 Kenneth Blackwell

 Wally Barnick ATASCADERO, CA 93422

 Matthew Sullivan

 Isaac Shorn



Jose Milan Luc A. Mil

Christina Grinn Christina Grinn

Lynette Roelles

Deborah Hiron
Deborah Hiron

Kara Breen Aileen

Nancy Owen

cambridge, ca

Los osos, CA

Amber Leonard

Mr S Morgan Lunn

Nipema Ca

Chelsea McLaughlin

Anthony Davis
Pulu Dow

LOS OSOS, CA

Madison Breen Mulvey

San Luis Obispo, CA

San Luis Obispo, CA

Barbi Breen Gurley
Barbi Breen Gurley



PETITION FOR PERIMETER TRAIL

Petition for Perimeter trail
and safe crossing for Equestrian
and pedestrians across Pecho.

Name	Signature	email
1) RICHARD VALLES		
2) JENNIFER FOSTER VALLES		
3) Derek Cooper		
4) Michael Cooper		
5) Doug Cooper		
6) Karen Farlow		
7) Loren Locke		
8) Christian Valles		
9) Diane Cooper		
10) Kristen Kuzil		



LOS OSOS EQUESTRIAN COMMUNITY

Petition Signature Address

Ruth H. Dunn RHM Dunn

Adrianne Gorman Ag

Kylie Gorman Kgh

Chen Gorman

JOE Grimm

BRUCE CORELITZ

Margaret A Corelitz

Lisa B. Blair

Suraya Smith Shaf

DEVYN DIMASCIO Devyn DiMascio

Julian Watkins JWat

Sam Nigro

Lindy LaRoche

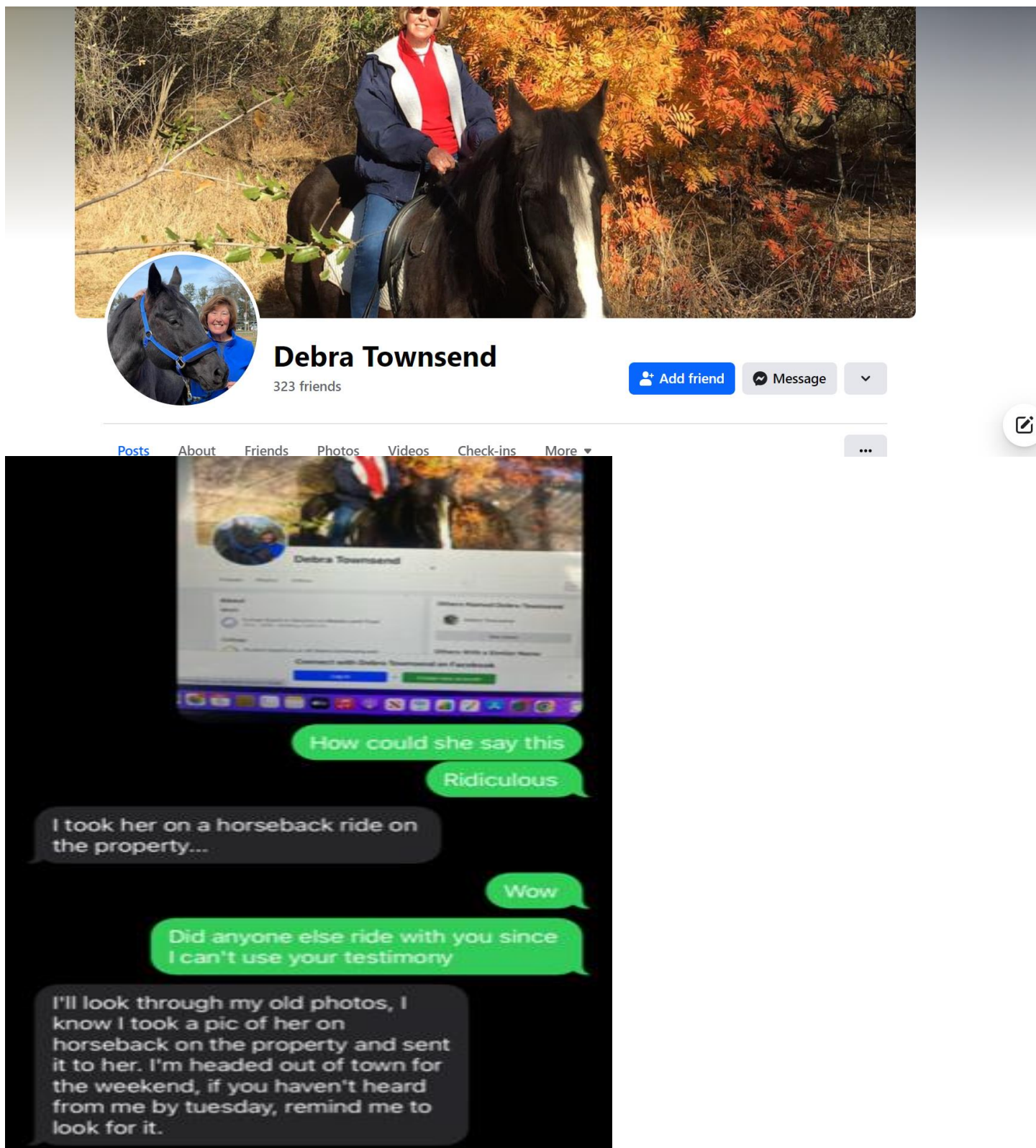
Sharon Moores

Geoff Gurlan / Gurlan

Los Osos CA



LOS OSOS EQUESTRIAN COMMUNITY	
Petition Signature	Address
Jennifer Rubio	Jennifer Rubio SLO CA
Sara C. Kroll	Sara Kroll Los Osos, CA
Tane Otis	Tane Otis Los Osos, CA
Natalie Gamara	Natalie Gamarra
Kathy Longacre	



- 11. Economic or Fiscal Impacts:** Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing: The proposed designation will result



in additional revenue for local businesses such as the boarding facilities and hotels and could lead to additional jobs for our low income communities that are struggling to afford the rising costs in one of the most expensive regions in California (Central Coast). Los Osos has very limited job opportunities and limited housing due to the building moratorium by the Coastal Commission.

The initial designation of the Ecological Reserve failed to include the surrounding farms and horse boarding facilities despite it being a key tourist draw to the city. This has resulted in loss of revenue from the equine boarding stables surrounding the ecological reserve who have ridden there for countless decades. In addition, it has forced horseback riders to cross the heavily trafficked Los Osos Valley Road - Pecho Road which leads to Montano de Oro State Park that allows equine use. This area allows traffic speeds up to 45 MPH and there is no safety infrastructure for pedestrian or equine infrastructure. There have been enough collisions in the area surrounding Rodman Drive and Pecho Valley Road that the County of San Luis Obispo is studying the stretch of Los Osos Valley Road to Pecho Valley Road to determine how they can meet Caltrans' and the Department of Transportation's mandated safety guidelines. This has also reduced the demand for jobs in agriculture and equine care. With less available riding for horses, this impacts our low-income communities who have traditionally pursued this labor type among other agricultural employment.

12. Forms: If applicable, list any forms to be created, amended or repealed:

[Click here to enter text.](#)

SECTION 3: FGC Staff Only

Date received: [11/27/2023.](#)

FGC staff action:

- ☐ Accept - complete
- ☐ Reject - incomplete
- ☐ Reject - outside scope of FGC authority

Tracking Number

Date petitioner was notified of receipt of petition and pending action: _____

Meeting date for FGC consideration: _____

FGC action:

- ☐ Denied by FGC
- ☐ Denied - same as petition _____
- ☐ Granted for consideration of regulation change

Tracking Number