

MEMORANDUM

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To: Central Coast Regional Water Quality Control Board  
From: Kaila Dettman, Executive Director of The Land Conservancy of San Luis Obispo County  
Certified Professional in Erosion and Sediment Control (CPESC) #3612  
Date: May 1<sup>st</sup>, 2014  
Subject: Funding Request for the Pismo Preserve Acquisition Project



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**Introduction**

I am writing today to formally request that the Central Coast Regional Water Quality Control Board (CCRWQCB) consider allocating up to \$800,000 toward the acquisition of the proposed Pismo Preserve, a 900-acre private ranch that The Land Conservancy of San Luis Obispo County (LCSLO) plans to transform into public open space. The Pismo Preserve is truly a once in a lifetime opportunity to address the regional need for permanently protected conservation lands that serve both people and wildlife. The sellers have given us until July 2014 to raise the funds and if we are unable to reach our goal the opportunity to purchase the property will be lost.

The Five Cities—Pismo Beach, Arroyo Grande, Shell Beach, Grover Beach, and Oceano—all have population densities much higher than the state average and represent the densest region in all of San Luis Obispo County. This region, including the Five Cities and Nipomo, currently has few open space areas that are permanently protected, thus making these downstream communities vulnerable to the possible negative impacts to water quality and quantity that could be caused by future development. The successful acquisition of the Pismo Preserve by The Land Conservancy would forever protect a stunning coastal property in the Five Cities Region for the benefit of people and wildlife of the Central Coast who were impacted by the Guadalupe Oil Spill. This remarkable landscape will provide important watershed protection and outdoor experiences for an area of our County that has no upland trails. The Preserve will enhance the quality of life for local residents, provide a new attraction for our region's tourism industry, and safeguard essential natural resources that ensure clean air and water. These benefits will be shared by all future generations.

LCSLO is requesting this financial contribution to secure the Pismo Preserve for watershed protection and community use. This investment will be leveraged fifteen times with matching funds from the California State Coastal Conservancy, the Wildlife Conservation Board, San Luis Obispo County Parks, private corporations and foundations, and from overwhelming public support. In order to be successful we need all local organizations and donors to step up and participate in this project. The CCRWQCB is being asked to fund just 6.67% of the total project cost. A contribution from CCRWQCB of this size would make the difference as to whether or not this project is successful.

While the initial investment by all our funders is significant, LCSLO has committed to the ownership, restoration and operation of the Preserve as a free publicly accessible open space preserve focused on

watershed protection and wildlife habitat preservation with no ongoing maintenance or management costs to our local government agencies.

We have the opportunity right now to create an outstanding public open space preserve that will serve our entire County, help shape the future of the Five Cities area, and permanently protect important and impaired surface and groundwater resources in the region. We strongly urge the CCRWQCB to step up as a major funding partner for the proposed Pismo Preserve.

### **Water Quality and Supply Benefits**

Permanent protection of the Pismo Preserve will provide myriad benefits to water quality and supply in Pismo Creek and the Pismo Creek Estuary. The property drains directly to the ocean on its west side, and drains to Cuevitas Creek, a major tributary to Pismo Creek in the lower part of the watershed on its east side. By protecting the Preserve, we will:

1. Prevent the conversion of 900 acres to commercial and residential uses, thereby avoiding the potential associated increase in impervious surfaces, pollutants, and runoff.
2. Prevent an increase in demand on regional water supply sources and the groundwater onsite.
3. Set aside 1200 linear feet of the mainstem of Pismo Creek.
4. Create the opportunity to restore and enhance the riparian areas on the property.
5. Provide the opportunity to manage the grazing regime in accordance with best management practices, thereby minimizing the amount of nutrient and pathogen loading into nearby watercourses.

### **Guadalupe Settlement Fund Criteria**

LCSLO understands that the CCRWQCB currently has \$950,000 of unallocated funds in the 1998 Guadalupe Oil Spill Settlement Fund. These funds had been set aside for the acquisition of Wild Cherry Canyon, a few miles up the Coast from the Pismo Preserve. The Guadalupe Settlement Fund defines water quality projects as projects that directly benefit or study ground water or surface water quality and the beneficial use of ground water or surface water. It goes on to define the types of projects as:

“...restoration and augmentation of aquatic and riparian and watershed habitat; water pollution prevention; wetlands protection, studies, investigations, restoration, or augmentation of marine and coastal habitat and waters; enhancement, restoration, or creation of wetlands, aquatic habitat, and marine habitat; and conservation easement purchase, improvement and management needed to protect or improve water quality or the beneficial uses of ground water or surface water...”

The purchase of Pismo Preserve meets the definition of a water quality project given that the acquisition will prevent future surface water pollution, allows for the opportunity to restore aquatic, riparian and watershed habitat, protects surface water and groundwater sources, and minimizes downstream impacts to sensitive aquatic, marine and coastal habitats. The Pismo Preserve project meets the specific criteria outlined in the settlement in the following ways:

1. **Geographic Nexus:**

Pismo Creek and the hillside drainages on the west side of the property flow onto Pismo Beach and the cliffs around Shell Beach. This area is considered by many local ecologists, biologists, and dune experts as the northern extent of the Guadalupe-Nipomo Dunes, which is identified specifically in the settlement agreement as an area with geographic nexus to the oil spill. In addition, the southeastern property boundary is as close as 440 feet to the shoreline in some places and easily qualifies as “near coastal waters”. Over 45% of the property is in the State Coastal Zone.
2. **Waste Type or Violation:** The acquisition of the Pismo Preserve would permanently retire the surface mineral rights of the property, ensuring that oil and mineral extraction will never take place so close to the coast in the Pismo Beach area. It is important to note that oil extraction has been extremely successful and is ongoing in Price Canyon, just one mile upstream from the property.
3. **Beneficial Use Protection:** Pismo Creek has numerous designated uses. Those directly protected by this project include municipal, water contact recreation, cold water habitat, wildlife habitat, and fresh water replenishment of the Pismo Creek Estuary.
  - a. Municipal uses will be protected by preventing an increase in pollutant and sediment loading that could result from development of the property, and will reduce the impact on the springs and wells found onsite, as well as regional groundwater recharge. The ability to restore the riparian areas and manage the grazing operation on the property will aid in further minimizing runoff and increasing filtration and infiltration by healthy vegetation. Groundwater recharge is particularly important in the Five Cities and Nipomo as they share the Northern Cities Management Area of the Santa Maria Adjudication, and scarce water resources is a critical issue in the region.
  - b. Pismo Creek is listed on the 2010 303(d) list of Water Quality Limited Segments as proposed for TMDL listing for *Escherichia coli* (*E. coli*) and fecal coliform. Over 2 million people visit Pismo Beach each year, and many spend time in the ocean within close proximity to the mouth of Pismo Creek, and many stakeholders would like to see people have healthy access to the Pismo Creek Estuary. Protecting the health and wellness of visitors and residents who recreate at the beach, and the economy those users support, is a high priority for the entire County. This project will prevent further degradation of the quality of water that flows from the property, and LCSLO will be provided the opportunity to restore the drainages onsite and implement best management grazing practices, thereby reducing current pollutant loading into Pismo Creek and local coastal waters.
  - c. Pismo Creek is an important cold water and wildlife habitat stream that supports south-central California coast steelhead trout and California red-legged frog, both federally listed as threatened species. Pismo Creek is also listed on the 2010 303(d) list of Water Quality Limited Segments as proposed for TMDL listing for low dissolved oxygen. This, coupled with and related to, the elevated levels of bacteria in the watershed and

estuary, can cause stress on aquatic organisms and even fish die-off, which is a semi-regular occurrence. In addition, stream shading is important to maintain cold water temperatures. Purchasing the Pismo Preserve will ensure that the localized landscape will continue to provide viable habitat for aquatic organisms in Pismo Creek, the Estuary, and the near shore environment by: filtering and infiltrating runoff (thereby reducing bacteria, reducing erosion, and maintaining base flows); and protecting the riparian corridor and tree canopy along the main stem of Pismo Creek and one major tributary (thereby protecting and improving stream shading and food sources). The project will also protect extensive habitat for birds and other terrestrial wildlife.

d. The Pismo Creek/Edna Area Watershed Management Plan of March 2009 summarized its findings as follows:

- *Water quality regarding nutrients is generally good; however, immediate treatments for bacteria and sediment could reduce the likelihood for potential Total Maximum Daily Load (TMDL) listing.*
- *There are dry-season spikes in ocean bacterial levels in the near-shore ocean environment adjacent to the creek mouth.*
- *There is an urgent need to further research creek dynamics regarding water quantity during the low-flow season, which could affect water quality.*
- *The mouth of Pismo Creek is an artifact of land-use changes within the past 60-70 years.*

The Plan recommended projects to protect water and habitat uses in the Pismo Creek watershed. Protecting the Pismo Preserve is consistent with several of the recommended projects and actions identified in the Plan. The following excerpt summarizes the concerns of the watershed planning committee:

*“Several water quality issues were identified by stakeholders of the planning process. Among the most critical were sediment from erosion, elevated levels of bacteria, and low levels of dissolved oxygen.”*

The plan goes on to say that the committee specifically recommends the following projects to improve water quality: control erosion to reduce sedimentation; reduce bacteria (reduce livestock use of the stream for watering, implement riparian fencing, etc.); promote Low Impact Development principles to reduce sources of runoff.

The acquisition of the Pismo Preserve is the ultimate form of Low Impact Development by ensuring that a property is set aside for community use and will not be significantly developed or degraded. Any improvements that are constructed to accommodate public access will be implemented using LID practices. The proposed project also provides myriad opportunities to implement restoration projects that meet the goals listed in the 2009 Plan.

- e. Freshwater replenishment of the Estuary is critical. The Pismo Preserve will directly protect the main stem of Pismo Creek and prevent the degradation of a significant tract of land that drains to the stream just a half mile upstream from the Estuary.
4. Institutional Stability and Capacity: LCSLO is celebrating its 30<sup>th</sup> year as San Luis Obispo County's premier local non-profit 501(c)3 land trust. Our organization has an excellent track record of implementing land conservation and restoration projects throughout the County, including implementing dozens of successful projects funded by the Avila 1 and Guadalupe Oil Spill Settlements. LCSLO has extensive experience acquiring fee title and conservation easement holdings over a diverse suite of properties from Paso Robles to Pt. Sal, and currently manages over 2,200 acres of land owned in fee, and 12,300 acres of land encumbered by conservation easements. LCSLO is led by a strong and respected Board and is staffed with 14 highly skilled professionals whose expertise ranges from executing land transactions to designing and implementing complex stream restoration projects. LCSLO has been engaged in the land trust accreditation process and is slated to become a formally accredited institution by the Land Trust Accreditation Commission by the end of 2014. LCSLO is trusted by all partners and funders working to protect the natural resources of San Luis Obispo County and the entire Central Coast. LCSLO is more than qualified to purchase and manage the Pismo Preserve.
  5. Leverage Funding: Our request of \$800,000 is 6.67% of the total project cost of \$12 million to acquire the Pismo Preserve for the benefit of people and wildlife of the Central Coast who were impacted by the Guadalupe Oil Spill. The funds from CCRWQCB would be heavily leveraged by other pending sources, which are as follows:
 

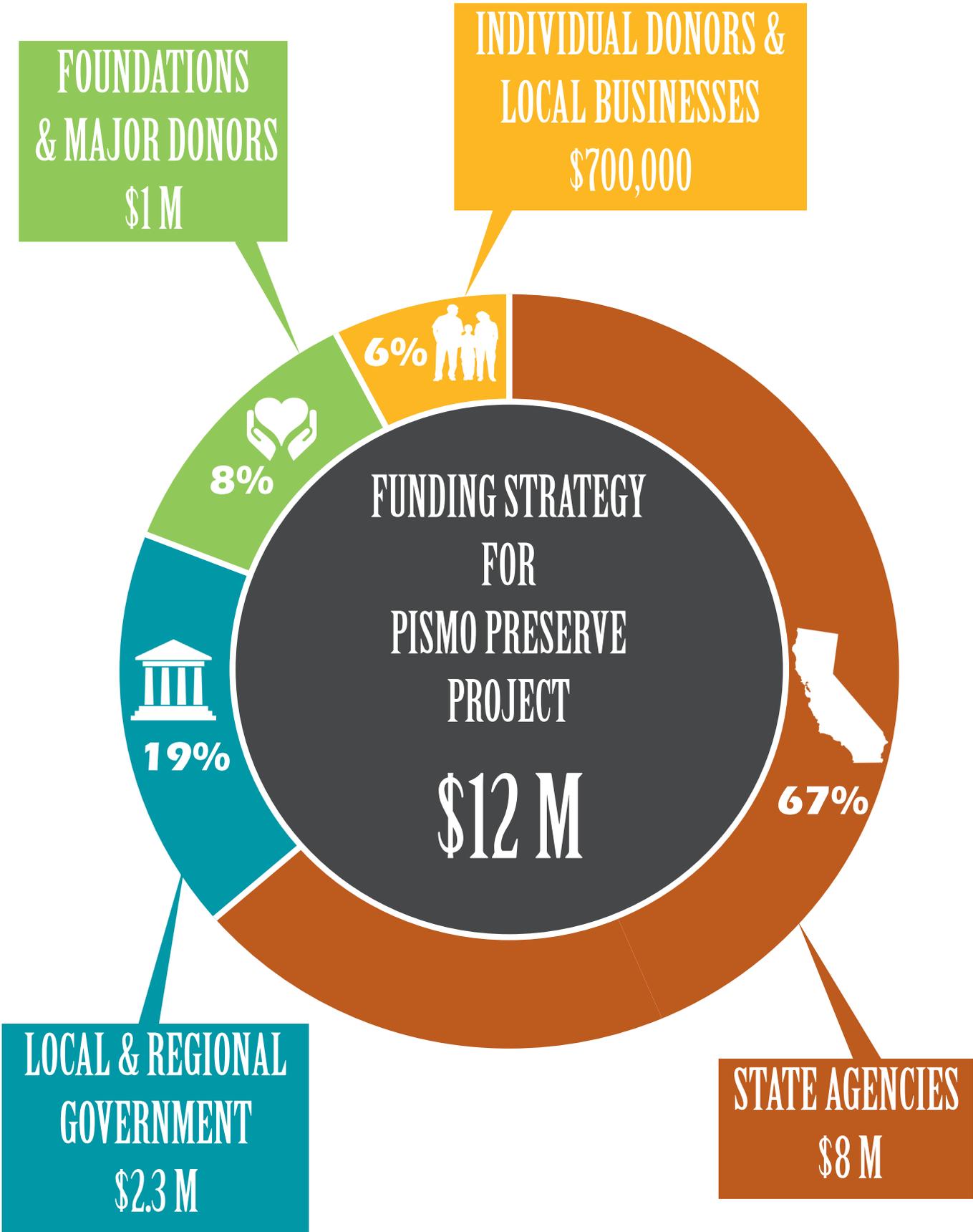
\$4,000,000	California State Coastal Conservancy
\$4,000,000	Wildlife Conservation Board
\$1,100,000	San Luis Obispo County (Public Facility Fees)
\$500,000	City of Pismo Beach
\$900,000	Major private donors and other regional funding sources
\$700,000	Individual donors and small businesses
\$11,200,000	Total Identified
\$12,000,000	Total Needed

**In Closing**

We recognize that the CCRWQCB has prioritized projects that demonstrate a region wide use or benefit. This project will benefit people from throughout the State and beyond, and since the project will be owned by LCSLO, the opportunities to engage and educate the public will be extensive. LCSLO plans to design and install engaging educational signage and make the property available for universities, grade schools, and other institutions to learn from the landscape, implement class and senior projects, and conduct studies on the property. People will be able to learn about everything from grazing management, to wildlife habitat, to watershed management, to coastal and regional environmental

issues. The support for this project throughout the community is profound, and the opportunities to instill an environmental ethic are limitless. In addition, any improvements LCSLO makes to the property, including the parking area, will be implemented with LID practices such as pervious pavement, thus providing the setting for thousands of people each weekend to learn about and see LID in action.

This project meets all of the criteria in the Settlement and represents a once in a lifetime opportunity to protect a phenomenal landscape adjacent to a highly urbanized area on the Central Coast. Even if CCRWQCB cannot fund the project through the Settlement Fund, we hope that other sources can be identified within your agency. We have until August 2014 to make this happen. We sincerely hope that the CCRWQCB will join us in protecting the Pismo Preserve for future generations. Please do not hesitate to contact me with any questions you may have.



# PISMO PRESERVE

The Land Conservancy of San Luis Obispo County is working to transform a 900-acre private ranch above Pismo Beach into a public preserve for outdoor recreation and community enjoyment. *But we need your help!*

THIS IS A  
ONCE-IN-A-LIFETIME  
OPPORTUNITY!



YOU CAN HELP CREATE PISMO PRESERVE

VISIT [WWW.LCSLO.ORG/PISMPRESERVE](http://WWW.LCSLO.ORG/PISMPRESERVE)

DONATE. SHARE. VOLUNTEER.

## Helping Our Community

### EVERYONE BENEFITS

- Maintain a high quality of life for San Luis Obispo County residents.
- Protect the natural and scenic land that forms the backdrop of the Five Cities area.
- Provide world-class outdoor recreation opportunities.
- Safeguard drinking water and filter runoff onto nearby beaches.
- Encourage active lifestyles to promote health and wellness.
- Offer a land-use balance to adjacent proposed development projects.
- Preserve scenic views along Highway 1, designated as an All-American Road.

### SAVING LIMITED RESOURCES

- Create 10+ miles of new recreation trails.
- Permanently retire significant housing and commercial development.
- Reduce erosion to protect water quality and reduce pollutants to protect air quality.
- Safeguard wildlife corridors and buffer future climate change.
- Protect oak woodlands and ¼ mile of Pismo Creek.
- Conserve homes for threatened and endangered wildlife.

## A Special Place In SLO County

### FOR ALL TO ENJOY

If successful, The Land Conservancy will own and operate Pismo Preserve as a public park with dawn-to-dusk access for passive outdoor recreation such as hiking, mountain biking, horseback riding, dog walking, and birding.

### ACCESS

This is private property with no public access at present. Future public access will be via Mattie Road with an anticipated opening date of Summer 2015.

### WHY NOW? WHY THIS PLACE?

It's either conserve this property for public benefit, or development will happen. Pismo Preserve will provide upland recreation to the Five Cities area, the most densely populated region in San Luis Obispo County.



**DONATE NOW!**

We only have until July 2014 to make Pismo Preserve a reality.  
Donate at [www.LCSLO.org](http://www.LCSLO.org)



View the YouTube video tour of Pismo Preserve at  
[WWW.LCSLO.ORG/PISMPRESERVE](http://WWW.LCSLO.ORG/PISMPRESERVE)

## Conserve the Heart & Soil of San Luis Obispo County

The Land Conservancy is taking local conservation to the next level by preserving an additional 15,000 acres of local lands in the next five years through a strategic campaign.

This *Heart & Soil Campaign* will help balance the need for conservation in the face of growing development pressure and will preserve the natural landscapes that define our County's unique character.

By increasing public support for local lands, the *Heart & Soil Campaign* aims to achieve the following goals by 2018:

- create 10+ miles of new outdoor recreation trails
- conserve watersheds in North County
- preserve prime farmland in Los Osos Valley
- establish a conservation park & trail system in South County
- safeguard scenic & productive North Coast ranch lands
- extend the Bob Jones Trail at the Octagon Barn Center

The Land Conservancy is challenging the community to contribute \$5 million over the next five years in order to leverage an additional \$25 million in funds we plan to bring in from outside San Luis Obispo County.

**We sincerely hope that you will donate generously towards this lasting legacy.**

## Help Create The Pismo Preserve

To kick off our *Heart & Soil Campaign*, we are working to purchase a 900-acre private ranch high above Pismo Beach in an effort to create the world-class *Pismo Preserve* for outdoor recreation and scenic views.

The first in a series of milestone conservation projects over the next five years, *Pismo Preserve* requires \$12 million to be raised by August 2014. Funding sources identified include: \$8 million from State agencies, \$2.3 million from local governments & regional agencies, and \$1.7 million from foundations, local businesses, and community donors.

This proposed preserve would be open to the public as early as Summer 2015 for outdoor recreation opportunities like hiking, mountain biking, horseback riding, bird watching and exploring the flora and fauna of the area.

**Without significant local donations in the next few weeks, this once-in-a-lifetime opportunity could be lost!**

**Project Overview:** The Land Conservancy of San Luis Obispo County (LCSLO) is working to purchase a private ranch from a private landowner (PB Coast View LLC) and transform it into public open space. **LCSLO must raise the full \$12 million project costs by August 2014.** These costs include the outright purchase of the land at a bargain sale price and the required endowment funds to open it for community use. If successful, LCSLO will maintain ownership of the property and operate it as a public preserve with dawn-dusk access for passive outdoor recreation.

**Size / Location:** Nearly 900 acres, adjacent to the City of Pismo Beach, Pismo Creek watershed, San Luis Obispo County (See map)

**Community Benefits:** Protect scenic views from Shell Beach, Pismo Beach, and nearby businesses.  
 Provide world-class outdoor recreation opportunities for local families and tourists.  
 Maintain a high quality of life for San Luis Obispo County residents.  
 Safeguard drinking water and filter runoff onto nearby beaches.  
 Facilitate active lifestyles to help combat national health issues.  
 Offer a land-use balance to adjacent proposed development projects in Price Canyon.  
 Conserve homes for threatened and endangered wildlife.  
 Preserve scenic views along Highway 1, designated as an All-American Road.

**Anticipated Uses / Access:** Dawn to dusk hours of operation (no overnight use).  
 Passive recreation (non-motorized only unless ADA-required).  
 Hiking, mountain biking, horseback riding, dog walking, birding, etc.  
**No public access at present.** Possible public access by Summer 2015, pending funding.  
 Future public access will be only from Mattie Road.

**Conservation Goals:** Create new public access on existing private lands with 10+ miles of existing trails.  
 Preserve expansive views of the Pacific Ocean and Santa Lucia Wilderness.  
 Permanently retire significant housing and commercial development.  
 Safeguard wildlife corridors for large mammals and buffer future climate change.  
 Protect oak woodlands and ¼ mile of Pismo Creek.  
 Provide habitat for sensitive species including:  
 -South-central California coast steelhead (Federally Threatened)  
 -California red-legged frog (Federally Threatened)  
 -Southwestern pond turtle (Species of Concern)

**Threats / Urgency:** Property has early approval for significant residential and commercial development. If this conservation opportunity passes, the property will likely be sold for development with no public access.  
 Despite having the highest population density in SLO County, the Five-Cities area currently has no upland open space for outdoor recreation.

# How Can You Help Create Pismo Preserve? *Donate, Share, Volunteer*

## Donate

- Donate now to support The Land Conservancy's 15,000 acre goal (including Pismo Preserve!) at [www.LCSLO.org](http://www.LCSLO.org)
- Ask your employer if they will match your charitable contribution to LCSLO (and double your donation!)
- Consider hosting a "Pismo Preserve Benefit" with a 20% sales day or week at your business

## Share

- Share the Pismo Preserve video via email and Facebook <http://lcslo.org/project/pismopreserve/>
- Follow, like, and re-post stories from our Facebook pages:
  1. Land Conservancy Organization Page <https://www.facebook.com/pages/The-Land-Conservancy-of-San-Luis-Obispo-County/98093522918>
  2. Friends of Pismo Preserve Community Page <https://www.facebook.com/PismoPreserve?ref=stream>
- Request time for a representative of LCSLO to talk to your service group, staff, or social club including an opportunity to ask for donations
- Send a Pismo Preserve mailer to all the members of your group or provide a mailing list for LCSLO to send information

## Volunteer

- Show up in a green shirt at public meetings to encourage funding from regional government (see *Call to Action* handout)
- Write a letter of support and meet with elected officials (LCSLO has draft letters & talking points)
- Sign up to help at our outreach booth at Art in the Park (July 6<sup>th</sup>), Farmer's Market, concerts, events, etc.
- Distribute brochures to local businesses, trailhead users, or door-to-door
- Draft a letter to the editor of your local paper about why you support local land conservation

# HELP CREATE THE PISMO PRESERVE

*A once in a lifetime opportunity to permanently protect a very special place in San Luis Obispo County*

