



Air Pollution Control District
San Luis Obispo County

March 15, 2020

Steve Padilla, Chair
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060

SUBJECT: March 18th California Coastal Commission Meeting, Agenda Item Th3:
Oceano Dunes Coastal Development Permit 4-82-300 Review

Dear Chair Padilla and Commissioners:

The San Luis Obispo County Air Pollution Control District has reviewed the staff report for Item Th3 of the agenda for the Commission's March 18th Special Meeting "Oceano Dunes Coastal Development Permit 4-82-300 Review." As detailed in our comments (attached), the District concurs with the report's analysis of air quality issues related to the Oceano Dunes State Vehicular Recreation Area and supports staff-recommended changes to Coastal Development Permit 4-82-300 that are related to air quality. In addition, the District views Special Condition 3c ("Dune Restoration") as crucial for facilitating the dust controls that are needed to protect public health—especially in the near-term—and we urge the Commission to approve this condition at the March 18th hearing, even if it defers action on the other staff recommendations to a future meeting.

Please do not hesitate to contact me with any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "Karl A. Tupper", with a long horizontal flourish extending to the right.

Karl A. Tupper
Senior Air Quality Scientist
San Luis Obispo County Air Pollution Control District
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Enclosures

Attachment: San Luis Obispo County Air Pollution Control District Comments on the Coastal Commission Staff Report and Recommendation for the Oceano Dunes Coastal Development Permit 4-82-300 Review

Summary

The San Luis Obispo County Air Pollution Control District (“District” or “APCD”) has reviewed the staff report for Item Th3 of the agenda for the Commission’s March 18th Special Meeting “Oceano Dunes Coastal Development Permit 4-82-300 Review.” **The District concurs with the report’s analysis of air quality issues related to the Oceano Dunes State Vehicular Recreation Area (“ODSVRA”) and supports staff-recommended changes to Coastal Development Permit (“CDP”) 4-82-300 that are related to air quality.** In addition, the District views Special Condition 3c (“Dune Restoration”) as crucial for facilitating the dust controls that are needed to protect public health—especially in the near-term—and we urge the Commission to approve this condition at the March 18th hearing, even if it defers action on the other staff recommendations to a future meeting.

Relatedly, the draft Public Works Plan (“PWP”) for the OSDVRA and associated Draft Environment Impact Report (“DEIR”) released by the California Department of Parks and Recreation (“Parks”) on December 31, 2020, need to include methods to ensure that PWP projects will not interfere with obtaining particulate matter ambient air quality standards. As currently proposed, the PWP does not adequately address compliance with District Rule 1001 or with Parks’ obligation to reduce emissions under Stipulated Order of Abatement in Case 17-01 (“SOA”). These concerns are addressed in a separate comment letter to Parks, a copy of which will be forwarded to Commission staff.

Background

Windblown dust from the OSDVRA remains the predominant air quality challenge affecting southern San Luis Obispo County. Every year it causes dozens of exceedances of the state PM₁₀ standard on the Nipomo Mesa, downwind of the OSDVRA.¹ Several times a year the area’s NowCast Air Quality Index—a short-term measure of air quality reported on the EPA’s official AirNow.gov website²—is among the worst in the Nation; a recent example is shown in Figure 1, below.

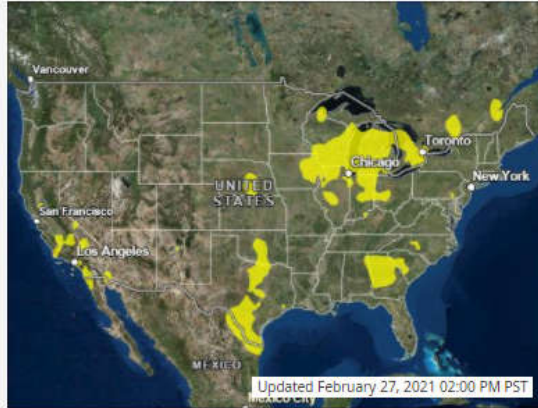
¹ “Annual Air Quality Report for 2019,” SLOAPCD, November 2020. Available online at

<https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/2019aqrt-FINAL.pdf>.

² “National Maps | AirNow.Gov,” EPA and partners. Available online at <https://www.airnow.gov/national-maps/>.

National Maps

Current Air Quality



Today's Air Quality Forecast



More Current Map Options:

- [Current by Monitors](#)
- [Contours Loop](#)
- [Monitors Loop](#)

More Forecast Map Options:

- [Tomorrow's Forecast](#)
- [Today's Forecast by City](#)
- [Tomorrow's Forecast by City](#)

Highest NowCast AQI Locations

The list below shows the areas with the highest **NowCast AQI** for the current hour. The AirNow system automatically generates this list every hour, based on the areas with the highest NowCast AQI for ozone or particle pollution. Because air quality can change during the day, the areas on this list may change throughout the day, too. Note: This list is not used for regulatory purposes, and it does not indicate an area's status in meeting National Ambient Air Quality Standards.

Nipomo, CA	137	Laredo, TX	73
Santa Rosa Rancheria, CA	90	Rockford, IL	72
Brownsville-McAllen, TX	84	Aiken-Augusta - SC/GA, SC	71
Chicago, IL	74	Dallas-Fort Worth, TX	71
South & West Suburbs (Chicago), IL	74	Grand Rapids, MI	68

Figure 1: Screenshot of www.airnow.gov from 3 pm Pacific Time on February 27, 2021, showing Nipomo, CA, with the highest AQI in the Nation.

The vicinity of the ODSVRA is prone to strong onshore winds, particularly in the spring and fall. Because of the long history and continued use of motor vehicles within the present-day ODSVRA, the open sand sheets within the park are much more emissive of PM₁₀ under these conditions than they would be otherwise. This has been extensively documented in studies by the District and others.³

³ See for example: (a) "Particulates Air Pollution in the Oceano Dunes – Nipomo Mesa Area: What Have We Learned," SLOAPCD, September 2016. Available online at <https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/ODSVRA%20Air%20Quality%20Studies%20-%20APCD%20Summary%20-%20Sept%202016.pdf>. (b) "Response to Comments on the May 1st Workshop Version of the Draft Particulate

For more than a decade, the District has been engaged with Parks to resolve the issue and improve the region's air quality; these actions are chronicled on the District's website.⁴ In 2011 the District Board enacted Local Rule 1001, which required Parks to implement dust control measures within the ODSVRA with the goal of reducing PM₁₀ levels downwind of the riding area of the park to levels approaching concentrations downwind of non-riding areas.⁵

In late 2017, the District petitioned its Hearing Board for an order of abatement requiring Parks to implement certain measures to reduce PM₁₀ emissions from the park. Parks ultimately agreed to implement initial dust control measures (including revegetating nearly 100 acres of the riding area), to prepare a Particulate Matter Reduction Plan ("PMRP"), and to commit to a 5-year process to eliminate the excess dust emissions attributed to vehicular recreation in the park. The Hearing Board approved the resulting SOA in April 2018.⁶ In late 2019, the District and Parks agreed to certain modifications of the SOA.⁷

Substantial progress has been made to address the dust issue. Pursuant to the SOA, Parks has deployed hundreds of acres of dust control projects within the ODSVRA, and these have resulted in real, measurable improvements in air quality on the Nipomo Mesa.¹ As noted in a Frequently Asked Questions ("FAQ") document issued by the District in June 2020:⁸

Q3: What effect have the dust mitigations had on downwind air quality?

A3: The short answer is that we have seen real, significant improvements in air quality, especially at CDF [the most impacted downwind monitoring station], and especially after taking meteorology (wind) into account. This improvement is not due to the temporary cessation of [off highway vehicle]-activity ... but rather to the large mitigation projects installed prior to the ODSVRA's closure to vehicles.

Matter Reduction Plan Required by Stipulated Order of Abatement 17-0," SLOAPCD, June 11, 2019. Available online at https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/Response%20to%20Comments_FINAL_PostedJune122019.pdf.

⁴ (a) "Oceano Dunes Particulate Emissions Reduction Efforts," SLOAPCD, undated. Available online at <https://www.slocleanair.org/air-quality/oceano-dunes-efforts.php>. (b) "Oceano Dunes Particulate Matter Reduction Efforts Flowchart and Timeline," SLOAPCD, undated. https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/2021March_DUNES_PAGE1and2.pdf.

⁵ "Agenda Item B-1: Request for Adoption of New Rule 1000, Coastal Dunes Dust Requirements," SLOAPCD, November 16, 2001. Available online at: https://slocounty.granicus.com/MetaViewer.php?view_id=7&clip_id=1189&meta_id=233161.

⁶ "Case No. 17-01, Stipulated Order of Abatement," SLOAPCD Hearing Board, filed May 4, 2018, signed April 30, 2018. Available online at <https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/Filed%20%26%20Approved%20SOA%20Case%2017-01%20Apr-30-18.pdf>.

⁷ "Case No. 17-01, Order to Modify Existing Stipulated Order of Abatement," SLOAPCD Hearing Board, filed December 9, 2019, signed November 19, 2019. Available online at https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/AMENDED%20Order%20of%20Abatement%2011-18-19_FILED_12.pdf.

⁸ "Frequently Asked Questions: Air Quality and the Temporary Closure of Oceano Dunes," SLOAPCD, June 30, 2020. Available online at: <https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/June2020FAQ-42.pdf>.

Preliminary analysis of the full air quality dataset for 2020 indicates that PM₁₀ levels downwind of the riding area were reduced by 29% (95% CI: 14 – 41%) relative to pre-SOA levels, after accounting for meteorology. To demonstrate these improvements, the FAQ included the Figures 2 and 3, below.⁹ Figure 2 shows that prior to the SOA, the number of exceedances of the state PM₁₀ standard closely tracked the number of wind event days, but after the SOA the “gap” between wind events and exceedances widened. Figure 3 shows that the number of hours of peak PM₁₀ (greater than 300 µg/m³) has declined since the SOA.

Despite this success, significant work is still needed to protect the public from particulate matter coming from the ODSVRA. In 2020—despite the 7-month vehicle ban due to the pandemic, and despite some 230 acres of dust controls already on the ground—air quality monitors downwind of the park still recorded 52 days exceeding the PM₁₀ standard (though at least 8 of these exceedances were related to wildfire impacts.) And as shown in Figure 1, Nipomo air quality can still sometimes be the worst in the nation.

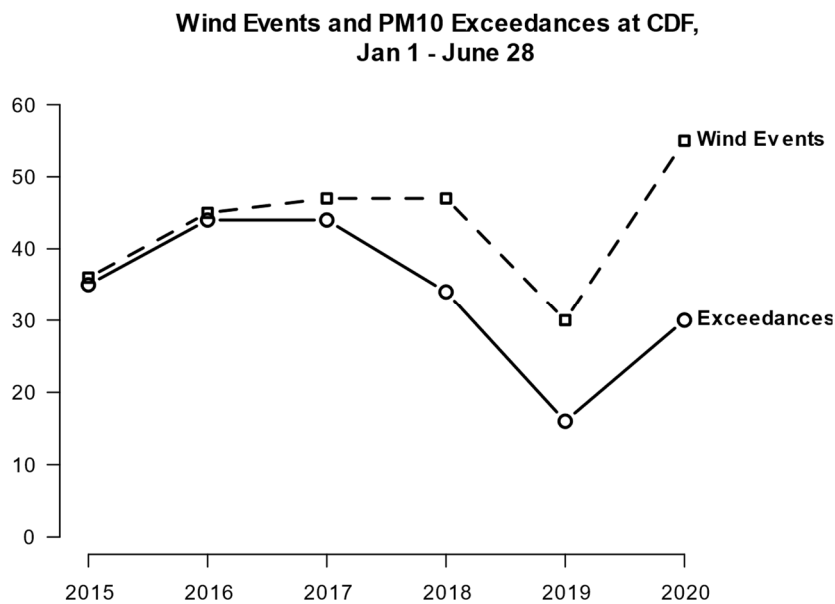


Figure 2: Wind Events and Exceedances of the PM10 Standard downwind of the ODSVRA

⁹ As the FAQ was published on June 30, 2020, only data from January 1 through June 28 of each year is included in these analyses.

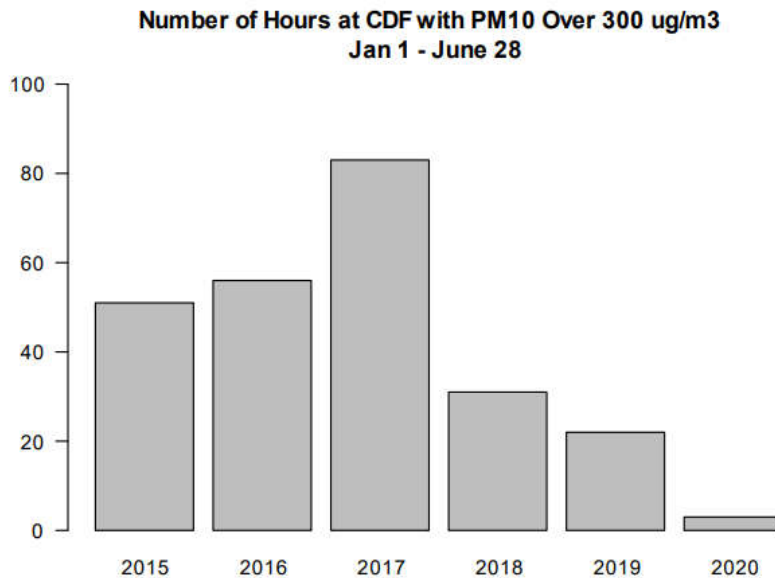


Figure 3: Hours greater than 300 $\mu\text{g}/\text{m}^3$ downwind of the ODSVRA

The Commission has been involved in addressing the ongoing dust issue since certain types of dust control projects constitute development in the Coastal Zone and therefore require its authorization prior to being implemented. Much of the mitigation currently in place was authorized under CDP 3-12-050. At its July 2019 meeting, the Commission considered staff-recommended changes to CDP 4-82-300,¹⁰ including Special Condition 13, which would have authorized Parks to install the dust controls needed to comply with the SOA. The District supported this condition and urged the CCC to adopt it in oral and written comments, noting that implementation of the SOA would be “greatly facilitated by the streamlined Coastal approval process that is proposed in Special Condition 13.”¹¹ After a lengthy hearing, the Commission opted not to impose the changes immediately, but instead directed Parks to address each of them in the PWP, which was already under development at that time.

Commission Staff’s Recommendations

Reconfiguration of the Park

The staff report recommends a 5-year phaseout of off-highway vehicle (“OHV”) activity from the park, with beach camping and street legal vehicles eventually limited to the area

¹⁰ “Agenda Item Th12a: Oceano Dunes State Vehicular Recreation Area Coastal Development Permit 4-82-300 Review,” CCC, prepared June 21, 2019 for July 11, 2019, hearing. Available online at: <https://documents.coastal.ca.gov/reports/2019/7/Th12a/Th12a-7-2019-report.pdf>.

¹¹ “SLO County APCD Comments on CDP 4-82-300 Review,” SLOAPCD, July 5, 2019. Available online at <https://documents.coastal.ca.gov/reports/2019/7/Th12a/Th12a-7-2019-corresp2.pdf>.

between Grand Avenue and Pier Avenue. Although, the District believes that the SOA process can ultimately solve the dust issue and allow modified operation of the SVRA, the reconfiguration proposed by Coastal Commission Staff would not interfere with the goal of reducing downwind PM₁₀ concentrations. The District has estimated that a 50% reduction in PM₁₀ emissions from the riding area would be needed to bring downwind PM₁₀ levels in line with concentrations measured downwind of a non-riding area; this emissions reduction target was made into a condition in SOA.¹² In 2019, Parks estimated that approximately 500 acres of dust controls would be needed within the ODSVRA to achieve this emissions reduction.¹³ More recent modeling estimated that with approximately 320 acres of controls (about 230 acres already completed and 90 acres planned), emissions from the ODSVRA would be reduced by 22%.¹⁴ As the target is a 50% reduction, this implies that 730 acres may be needed to comply with the SOA, as $50\% \div 22\% \times 230 \text{ acres} = 730 \text{ acres}$. In the modeling that produced these estimates, the dust controls were assumed to be 100% effective, and vehicular disturbance was assumed to continue within the remainder of the ODSVRA. Thus, if vehicular access were to continue, then achieving the air quality goals would likely require on the order of 180 to 410 acres of additional revegetation/restoration beyond the 230 acres already completed and 90 additional acres planned for 2021.

The Commission's staff's plan would continue to allow street-legal vehicles to access the beach between Grand and Pier Avenue and would also allow camping there. The District does not believe this will pose any air quality issues or hinder compliance with the SOA. Previous monitoring downwind of this area has demonstrated that PM₁₀ levels were generally low. Our air quality forecast map puts Grover Beach, Arroyo Grande, and most of Oceano in the San Luis Obispo forecast zone, meaning that air quality conditions there are expected to be most similar to the levels monitored in the City of San Luis Obispo. The District conducted temporary PM₁₀ monitoring in Grover Beach as part of its "Phase 2 Study"¹⁵ and found that levels were much lower than on the Nipomo Mesa. It concluded that windblown dust from ODSVRA did not impact this area. Since the intensity of use of the beach between Grand and Pier Avenue would remain essentially unchanged

¹² "Subject: California Department of Parks and Recreation's August 1, 2020, Oceano Dunes SVRA Draft 2020 Annual Report and Work Plan in Response to Stipulated Order of Abatement Number 17-0," Letter from Gary Willey to Sarah Miggins, September 4, 2020. Available online at https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/SLOAPCD%20Comments_2020_Draft%20ARWP_Dated%20Aug%201%202020%20ent%209-4-20.pdf. For a discussion of the origin of the 50% emissions reduction target, see the appendix of the comments attached to this letter.

¹³ "ODSVRA Draft Particulate Matter Reduction Plan," Parks, June 2019. Available online at

https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/Draft_PMRP_20190606.pdf.

¹⁴ "Conditional Approval of 90 Acres of Dust Controls to be Implemented by California Department of Parks and Recreation as Part of Their 2020 Annual Report and Work Plan in Response to Stipulated Order of Abatement Number 17-01," Gary Willey, November 25, 2020. Available online at https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/District_Conditional%20Approval_of_90_acres-Final.pdf.

¹⁵ "South County Phase 2 Particulate Study," SLOAPCD, February 2020. Available online at https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/PM2-final_report_with_appendices.pdf.

in staff's plan, and air quality downwind of this area is not impacted by its current use, it stands to reason that the future use envisioned by staff would not adversely impact downwind air quality.

Special Conditions Related to Air Quality

The staff report recommends Special Condition 3c, which states that "Dune restoration and protection of ESHA to address coastal resource degradation associated with overuse (e.g., for permanent dust control purposes) shall be allowed in all dune areas, including in identified use areas." **The District views Special Condition 3c as crucial for facilitating the dust controls that are needed to protect public health—especially in the near-term—and we urge the Commission to approve this condition at the March 18th hearing, even if action on the other staff recommendations is deferred to a future meeting.**

The District has long advocated for a streamlined permitting process that would more easily accommodate the iterative adaptive management process used to design and implement each year's dust mitigations. As noted in the Background section above, we supported Special Condition 13 from the Commission's July 2019 staff report, as it would have allowed for expedited authorization of dust control plans. Similarly, we support Special Condition 3c.

This condition is especially timely because the District approved Parks' most recent mitigation workplan in November 2020,¹⁴ but, to date, Parks has been unable to proceed with implementation of many of the workplan's projects because it lacks authorization from the Commission. The workplan includes 92 acres of dust controls on what is currently bare sand; the areas slated for control are directly upwind of a neighborhood with a large retiree population, making these mitigations especially important from the standpoint of public health. Since the PM₁₀ standard is most frequently exceeded in April and May, the District's approval required these areas to be fenced off to riding and camping by March 31, 2021, and to have controls fully in place no later than April 15, 2021.

To authorize these controls, Parks has applied for an amendment to CDP 3-12-050-A1, which the Commission has yet to approve. The earliest the Commission could consider the application is at its next meeting from April 14-16, 2021. This would almost certainly put Parks on track to miss the April 15th deadline; more importantly, it would delay this relief to the downwind community.

If, however, the Commission approves its staff's recommendations on March 18th—in whole, or at a minimum Special Condition 3c—this issue will be resolved. Parks would have the Commission's authorization to immediately implement the District-approved workplan for 2021. Furthermore, it would be pre-authorized to complete additional dune restoration and riding area closures in future years. The District urges the Commission's approval.