

October 12, 2021

Dear APCO Gary Willey and Hearing Board Members,

I am a Oceano Dunes downwind resident of Nipomo Mesa and I have reviewed the most recent draft of the 2021 Annual Report and Work Plan by State Parks for the October 14, 2021 Hearing Board informational meeting.

The draft is not a sufficient commitment by State Parks to meet the current goals of the Stipulated Order of Abatement. I recommend rejecting it as currently written.

In **Section 3.1.1.3 Soil Stabilizers**, State Parks proposes using a portion of their required 90 acres of dust mitigation for a “demonstration project” using a chemical application near the mean high tide line is environmentally suspect. Also, in the section, they indicate that usually the soil stabilizing compound is mixed with water then they highlight EnviroKleen, a compound that is applied fully strength. In a report of EnviroKleen’s use at a Canadian-Dominion Diamond Mines study area (2020), the Government of the Northwest Territories (GMWT) approved the application of EnviroKleen with a 15 meter (about 50 foot) buffer from water bodies. The location proposed at Oceano Dunes is near the mean high tide line and potentially adjacent to temporal fresh water ponds created by rain events within the dunes. State Parks should focus on dust control in areas likely to be approved by the California Coastal Commission (CCC) using existing CCC approved dust control methods.

The 90 acres of dust control proposed for next year appears inadequate and the areas proposed are not in the most emissive areas. The 2021 ARWP states that the latest modeling indicates that 602 acres of dust controls will be needed to achieve 50% mass emissions reduction. As of July 31, 2021, 322 acres of controls have been installed, leaving 280 acres to be installed in the last two years of the SOA.

The APCO should acknowledge what remains to be accomplished. This plan should include no less than 140 acres (50% of the 280 acres) needed to meet the SOA goal. Further, this and additional future mitigation must be located in the most emissive areas. Continuing to “provisionally, conditionally approve” deficient plans is not a winning strategy.

Hearing Board members should consider calling a hearing to evaluate the progress being made and if it is adequate. Within seven days after this informational meeting, the APCO Mr. Willey shall approve the draft work plan with or without additional conditions. Hopefully, he will increase the required acreage of dust control in the most emissive areas.

If he approves this deficient plan, I request the Hearing Board Members to take the next step and convene a hearing. Please protect public health, as it is the primary function of the APCD and the Hearing Board.

I appreciate the APCO and the Hearing Board members service to the community. Let’s finish the SOA commitments within the timeline ordered.

Sincerely,

James W. Babcock