

R. Toti Comments to the Hearing Board October 2026

Dear Hearing Board Members,

I am sure you are feeling overwhelmed by the hundreds of pages of technical information included in the 2026 draft Annual Report and Work Plan. Don't worry, the Air Pollution Control Officer has already "provisionally" approved all of it.

Transparency is a cornerstone of public trust in any public agency. Since the adoption of the Stipulated Order of Abatement in 2018, several critical decisions were recommended and approved that weakened the S.O.A., lowered the effectiveness of efforts to protect the public health and eroded public trust.

The decisions I am referring to are

- 1) S.O.A. amendment February 2022 which changed the abatement goal from 50% reduction of ODVRA emissions to reducing emissions to levels modeled for 1939.
- 2) Decision to use 1939 maps overlaid with current day measurements to determine "natural background levels". This was named "pre-disturbance scenarios".
- 3) Decision by State Parks, SAG and APCO to change emissivity data input to the models. Originally, areas with 50% or greater vegetation cover were to be modeled as non-emissive. Now the areas with 15% or greater vegetation cover are modeled as non-emissive. Further, it is likely, that this modeling manipulation was used in several if not all the 2022 thru present ARWP's. Details are in the Sept. 3, 2026 letter from the Air Pollution Control Officer.

Concerned Citizens for Clean Air has opposed all of these changes, to no avail. All along, I wondered how State Parks and SAG managed to declare the S.O.A. goal met just months after the last amendment. If you consider that only 412 acres of vegetation has been used for mitigation and most of that was existing vegetation islands, State Parks really accomplished a phenomenal feat (at least according to the modeling). When the Coastal Commission made the Plover nesting Exclosure permanent in 2021 thru 2026, that added 300+ acres to the total although no actual planting was done there. I agree that some credit should be given for this closed area. But should 300 acres be modeled as Zero emissivity? Attached is a graph of Oceano Dunes PM10 Emissions for riding and non-riding areas, the Dune Preserve, Plover Exclosure and Oso Flaco Lake. These are Pi-Swerl measurements. You can see none of them have Zero emissions.

The Hearing Board should question the reason for changing the models and why we are hearing about this so late in the SOA timeline. Why haven't actual measurements been used? Does lowering the emissions to Zero help achieve or maintain reaching the modeled goal??

Residents have waited 4 years for air quality improvement and for plants to fill in the acres. Now we learn that the plants died or were buried but the acres were still counted in the modeling as Zero emissions. No wonder State Parks is in no hurry to replace plants or straw, etc. they aren't going to get any more credit than they have already taken.

I have been informed that 131 acres currently have less than 15% vegetation coverage but are being modeled as non-emissive. I have asked how many acres have less than 50% coverage, and will share that with you when I receive it.

I strongly recommend the Hearing Board take action to address the modeling issue and transparency issue.

Paragraph 2 on page 7 of the SAG memo dated May 31, 2026 reads "The FRA, PE, and SE areas have been monitored since 2022 and those PI-SWERL measurements are the best indicator of dust emitting potential from those zones in the current condition. These data should be utilized to parameterize the emission potential from the PE and not be ignored."

In the Introduction of the Provisional Final 2026 ARWP on page 13 it states "Currently the SOA requires the ODSVRA Dust Control Program to eliminate emissions in excess of naturally occurring emissions from the ODSVRA that contribute to downwind violations of the state and federal PM10 air quality standards".

The Hearing Board should re-focus the work plan to achieve elimination of emissions in excess of naturally occurring emissions from the ODSVRA as based on actual, available, emission data. I feel that the "pre-disturbance" scenario is highly subject to manipulation.

I would like the Hearing Board to

- 1) Rescind the Provisional Approval of the 2026 Annual Report and Work Plan until the modeling has been reviewed and modified to meet the goal of eliminating "naturally occurring emissions from the ODSVRA that contribute to downwind violations of the state and federal air quality standards".
- 2) Require the SAG and State Parks to provide analysis of meeting the SOA goal using the PI-SWERL data and using the 50% vegetation coverage as non-emissive provision.
- 3) Request a map showing the location and amount in acres of lost vegetation or bare sand areas in the park.
- 4) Request a map and timeline of re-vegetation for 2027 and 2028. This should show the complete re-vegetation of areas mapped in #3.

In the 2022 Application to modify the SOA, the proposed amendment reads " To meet the objective of 2b, the Respondent shall initially reduce mass-based PM10 emissions within

the ODSVRA to a level consistent with the pre-disturbance scenario". This indicates to me that the "pre-disturbance scenario" was an initial step. It is not the conclusion of the Stipulated Order of Abatement goals.

Thank you for the opportunity to comment.

Sincerely,

Rachelle Toti

Nipomo Mesa Resident

Cc: Karl Tupper, Air Pollution Control Officer

measurement positions for the 292° winds (NB: no 10 m wind speed measured at position 13B).

Oceano Dunes PM₁₀ Emissions

From Table 2 of P₄-SWERL Summary (Etyemezian, *et al.*, 2014)

