

October 8, 2022

San Luis Obispo County  
Air Pollution Control District  
Hearing Board and  
Air Pollution Control Officer

Dear APCO Willey and Hearing Board Members,

This letter contains my comments concerning the application to modify the Stipulated Order of Abatement and the 2022 Annual Report and Work Plan.

Most would agree that protection of the public's health is the MOST IMPORTANT objective for the Hearing Board and the Air Pollution Control District. In reviewing the many changes to the SOA and ARWP, I see that that objective has been lost.

Since the approval of the Stipulated Order of Abatement I have seen numerous actions by State Parks to avoid its provisions and now to change those provisions. Do Not Let Them. Examples of avoidance include delaying dust mitigation measures; placing mitigation measures outside of the riding area; offering the minimum amount of acreage for mitigation; claiming "artificial emission reductions"; changing the measurement methods and now changing the target mass emissions goal. None of these changes is aimed at improving public health or reducing the dust cloud over the Mesa.

Before deciding on the application to modify the SOA, I recommend asking yourselves these questions. What will be achieved? Will public health be improved? Will the dust plume be eliminated? Will the nuisance be abated? If not, why change the SOA?

According to State Parks biologist Ronnie Glick, the 50% target has been met. I am attaching a slide from the presentation he made to the OHMVR Commission last month. If this is true, and MEASURED concentrations at the CDF monitor have been reduced, why does the target emissions reduction goal need to be modified?? It should not. If this MEASURED reduction has occurred, or even if the 40.7% target has been met, there are still exceedances and a dust plume and complaints and a nuisance.

Now would not be the time for the Hearing Board to agree to change the emissions reduction goal from 50% to 40.7%. Doing so essentially allows the OHV Park to increase the total tons per day of PM that affect the residents and workers. It allows State Parks to stop dust mitigation measures for the foreseeable future and conveys agreement with the theory of "pre-disturbance" emissivity. Of course, a much sounder and simpler approach is contained in Rule 1001; that being reducing the emissions to no more than 20% above the natural background level. The SAG does not explain why they have not considered this approach.

Now would not be the time for the Hearing Board to agree to no further dust mitigation. Especially as the application describes “artificial emission reductions” of 15% seem to have occurred between 2013 and 2019. The DRI modeling could be incorrect. Simply looking outside on a high wind day confirms this. Residents know modeling is not measurements. The fact that the SAG had to point out that State Parks has omitted conversion of temporary treatment areas to long term vegetation, shows a lack of good faith and follow through. Those 700+ acres of dust mitigation could easily be cut down by hundreds of acres in the near future if the Hearing Board agrees to these changes.

The management objective should be to “abate the nuisance” by reducing dust emissions to the approximate concentration level of areas not downwind of the riding area. Abatement would be considered complete when the 24 hour PM10 readings at CDF are within \_\_\_\_\_% greater than the Oso Flaco or other “control” monitor.

I do not support changing the baseline year from 2013 to 2019. I would however support using an average of the Pi-swerl measurements for 2013 thru 2019 to account for annual differences.

As far as extending the SOA for two more years, this can be done in 2023 when you will have a better idea of how the current mitigation measures have worked. It may be necessary or may not.

I strongly urge you to stick with the provisions of the current Stipulated Order of Abatement except for making minor changes to the management objective and baseline years. Order the installation of the 106 acres of additional dust control measures (in the most emissive areas) not in the Western Snowy Plover and California Least Tern Nesting Enclosure. The 59 acres proposed in the nesting area is a LEAST emissive area and not likely to significantly improve air quality.

Thank you for your time and consideration in this process.

Sincerely,

Rachelle Toti

Nipomo Mesa Resident

## Increments of Progress Report

- From the Desert Research Institute – Updated for 2021 In review
- Progress towards regional air quality improvements
- Approximately 50% measured and modeled reduction in PM-10 *concentrations* at the CDF monitoring station
- *Consistent downward trend as more projects are installed.*
- *These data demonstrate that the dust mitigation efforts at ODSVRA are resulting in improved air quality in south San Luis Obispo County*



I think the third bullet is the most important,