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October 8, 2021

APCD Hearing Board Members
San Luis Obispo County Air Pollution Control District
3433 Roberto Court
San Luis Obispo, California 93401

Board Members,

On October 14th you will gather to review the draft 2021 Annual Report and Work Plan, which includes the dust mitigation plans that The California State Parks-Offroad Vehicle Division intends to implement in 2022. It is imperative that you consider whether this draft plan will put the Oceano Dunes dust abatement work on track with meeting the December 2023 deadline. Currently, the State Parks' efforts are woefully behind in meeting the Stipulated Order of Abatement 50% emissions reductions required by December 2023.

Given that State Parks has been aware of the health concerns of residents of the Nipomo Mesa for well over 10 years, you should make every effort that they will reach the stipulated emissions reductions on or before the December 2023 date.

Residents of the Nipomo Mesa have been exposed to hazardous emissions for much too long. Most of the harm that has already been done to people can't be undone. Therefore, any emission over the stipulated 50% amount must not occur any time after December 2023.

To date, the progress toward meeting the Stipulated Order of Abatement goal has moved at a snail's pace.

Recently, State Parks opened up fencing in an area that is designated as a permanent Snowy Plover sanctuary, and is supposed to be closed to any riding. Another “gee sorry about that” response that State Parks has so frequently used.

State Parks can not be trusted to be a responsible party to an agreement. Too many times has it been caught breaking the rules. Therefore, your review of the draft document must be aware that State Parks is not trying to make the December 2023 deadline. But rather, they will only do the minimum to get through another year. Which seems to be the strategy of State Parks.

The 2021 report clearly shows that the number of acres installed to date and proposed for 2022 will not be enough to reach a 50% emissions reduction. Section 3.2.3 on page 3-21 shows 189.6 additional acres of dust controls will be needed in 2023. A portion of those acres should be installed in 2022 so the remainder is no more than 140 acres for 2023.

If the Air Pollution Control Officer fails to determine that the draft Work Plan is not approvable (i.e., the proposed mitigation is plainly inadequate) and fails to impose conditions on the draft Work Plan to ensure that mitigation will be adequate to achieve the Stipulated Order of Abatement’s requirements, I ask that the Hearing Board exercise its authority under Paragraph 12 of the Modified Order to convene a public hearing to review State Parks’ progress and potentially revoke (and modify) the Air Pollution Control Officer’s approval actions.

Thank you for the opportunity to express my concerns, as well as those of most of the residents of the Nipomo Mesa.

Sincerely,

Thomas M. Ryan

CC: Sent via Email to: boardclerk@slocleanair.org